

2020

SESSION LAWS

OF THE

STATE OF WASHINGTON

2020 REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

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Code Reviser

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WASHINGTON SESSION LAWS GENERAL INFORMATION

1. EDITIONS AVAILABLE.

- (a) *General Information.* The session laws are printed in a permanent softbound edition containing the accumulation of all laws adopted in the legislative session. The edition contains a subject index and tables indicating Revised Code of Washington sections affected.
- (b) *Where and how obtained - price.* The permanent session laws may be ordered from the Statute Law Committee, Pritchard Building, P.O. Box 40552, Olympia, Washington 98504-0552. The edition costs \$25.00 per set plus applicable state and local sales taxes and \$7.00 shipping and handling. All orders must be accompanied by payment.

2. PRINTING STYLE - INDICATION OF NEW OR DELETED MATTER.

The session laws are presented in the form in which they were enacted by the legislature. This style quickly and graphically portrays the current changes to existing law as follows:

- (a) In amendatory sections
 - (i) underlined matter is new matter.
 - (ii) deleted matter is (~~lined out and bracketed between double parentheses~~).
- (b) Complete new sections are prefaced by the words NEW SECTION.

3. PARTIAL VETOES.

- (a) Vetoed matter is ***printed in bold italics.***
- (b) Pertinent excerpts of the governor's explanation of partial vetoes are printed at the end of the chapter concerned.

4. EDITORIAL CORRECTIONS. Words and clauses inserted in the session laws under the authority of RCW 44.20.060 are enclosed in [brackets].

5. EFFECTIVE DATE OF LAWS.

- (a) The state Constitution provides that unless otherwise qualified, the laws of any session take effect ninety days after adjournment sine die. The Secretary of State has determined the effective date for the Laws of the 2020 regular session is June 11, 2020.
- (b) Laws that carry an emergency clause take effect immediately, or as otherwise specified, upon approval by the Governor.
- (c) Laws that prescribe an effective date take effect upon that date.

6. INDEX AND TABLES.

A cumulative index and tables of all 2020 laws may be found at the back of the final volume.

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CHAPTER 314

[Substitute Senate Bill 6306]

SOIL HEALTH INITIATIVE

AN ACT Relating to creating the Washington soil health initiative; and adding a new chapter to Title 15 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that healthy soil is a cornerstone of a high quality of life on earth and that soil health is integral to supporting agricultural viability, promoting positive environmental outcomes, and ensuring the long-term availability of nutritious food.

It is the intent of the legislature that the mission of the Washington soil health initiative be the promotion of collaborative soil health research, education, demonstration projects, and technical assistance activities designed to identify, promote, and implement soil health stewardship practices that are grounded in sound science and that can be voluntarily and economically implemented by farmers and ranchers across Washington's diverse agricultural communities, climates, and geographies.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Collaborating agencies" means the university, the department, and the commission.

(2) "Commission" means the Washington state conservation commission.

(3) "Department" means the Washington department of agriculture.

(4) "Soil health" means the continued capacity of the soil to function as a vital living ecosystem that sustains plants, animals, and humans.

(5) "Soil health initiative" means the Washington soil health initiative created by this chapter as a collaborative partnership to promote and implement voluntary soil management actions and systems to improve soil health, environmental function, nutrition, and the productivity of working farm and ranch lands.

(6) "University" means Washington State University.

NEW SECTION. Sec. 3. (1) The Washington soil health initiative is created as a partnership jointly administered by the collaborating agencies.

(2) The goals and objectives of the soil health initiative are to improve:

(a) Agricultural viability, by improving farm profitability; and by helping agricultural producers implement good soil health practices that build soil organic matter, reduce soil erosion, soil compaction and production costs, and improve nutrient management, soil tilth, moisture infiltration, moisture retention, drought resilience, disease suppression, and the beneficial activity of microbes, fungi, earthworms, and other organisms;

(b) Nutrition, by increasing health-promoting nutrients, micronutrients, and microbial processes of agricultural soils; and by improving nutrient uptake, thereby expanding access to nutritious food and improving human health; and

(c) Environmental function, by reducing soil erosion, runoff, and leaching of nutrients and pollutants, thereby improving water quality; and by promoting strategies to store carbon and build soil organic matter and other beneficial properties, thereby enhancing the environmental functions of agricultural soils.

(3) In addition to the joint responsibilities established for the collaborative agencies in this section and the primary responsibilities established for each collaborating agency in sections 4 through 6 of this act, the collaborating agencies may pursue any action designed to improve soil health and promote complementary improvements to agricultural viability, nutrition, and environmental function. The collaborating agencies must jointly:

(a) Support and supplement current Washington soil health advisory committee membership to promote effective implementation of the soil health initiative. Committee members must be qualified and knowledgeable regarding soil health stewardship. Membership may include agricultural producers, soil scientists or specialists, and representatives of governmental, nongovernmental, and tribal organizations interested in soil health as it pertains to agricultural viability, nutrition, or environmental function. The collaborating agencies must convene, staff, and develop agendas for each Washington soil health advisory committee meeting and appoint committee members and subcommittee members as appropriate. No appointment is effective unless all collaborating agencies concur in the appointment.

(b) Assess programmatic needs and build the capacities of the collaborating agencies to fill gaps in scientific research, economic assessment, staffing, technical assistance, grants administration, project implementation, data management, and monitoring tools to improve the reach and effectiveness of the soil health initiative.

(c) Prioritize in-state sourcing of needed soil health initiative resources including, but not limited to, testing resources, seeds, compost materials, supplies, and equipment.

(d) Employ adaptive management to support the improvement and long-term viability of the soil health initiative, including modification of soil health metrics, priorities, and activities to maximize complementary net benefits for agricultural viability, nutrition, and environmental function. To the extent practicable, metrics chosen to assess changes from baseline environmental function must be measured per unit of production.

(e) Submit a biennial Washington soil health initiative progress report to the governor and appropriate committees of the legislature by October 1, 2020, and every even-numbered year thereafter. The report's recommendations must include an assessment of success in meeting the soil health initiative's goals and objectives, a biennial work plan detailing any proposed legislation, budget requests or administrative rules, and a prioritized list of proposed actions needed to fulfill each collaborating agency's responsibilities for programmatic components and advance soil health initiative goals and objectives in the upcoming biennium.

(4) The soil health initiative shall operate within the appropriations provided for the program.

NEW SECTION. Sec. 4. The university has primary responsibility for the following components of the soil health initiative:

(1) Establishing a regionally dispersed network of long-term agro-ecological research and extension demonstration sites to showcase and refine soil health research and practices, build statewide awareness and understanding, and support technical assistance capacity through trainings and on-farm

demonstration projects that promote positive soil health outcomes across the state's diverse food production zones;

(2) Compiling existing information and developing new information on nutrition effects related to agricultural soil management practices and regimes, and identifying data gaps associated with understanding and quantifying such effects across the state's diverse food production zones, soil types, tillage systems, and cropping methods. Nutrition effects information compiled, developed, and assessed must include, but not be limited to, soil, plant, and food nutrient and micronutrient levels and community access to nutritious food;

(3) Developing a statewide soil health roadmap, based on a compilation of existing soil health information and ancillary agronomic, economic, environmental, and nutritional benefits and identified data gaps, to refine metrics and objectives to guide future public and private investment in the soil health initiative;

(4) Developing a statewide agricultural soil health monitoring system and database to receive data, test modeling estimations, and measure, analyze, and track trends over time in the productive use, management, and health of Washington's agricultural soils; and

(5) Consulting and collaborating with the department and the commission to support all soil health initiative goals, objectives, and components established in this chapter.

(6) The university shall perform its responsibilities within the appropriations provided for the soil health initiative.

NEW SECTION. Sec. 5. (1) The department has primary responsibility for the following components of the soil health initiative:

(a) Compiling existing information on agricultural viability and environmental function effects related to agricultural soil management practices and regimes across the state's diverse food production zones, soil types, tillage systems, and cropping methods, and identifying data gaps associated with understanding and quantifying such effects. Agricultural viability effects compiled and assessed must include, but not be limited to, assessments of yields, profitability, costs, and benefits. Environmental function effects compiled and assessed must include, but not be limited to, assessments of water quality and water availability;

(b) Establishing a "state of the soils" baseline assessment of statewide agricultural soil health practices and characteristic soil health indicators, which may include, but is not limited to: Soil type, organic matter, aggregate stability, porosity, temperature, microbiology, and pathogens; carbon storage; nutrient management; crop rotations; cropping techniques; tillage systems; plant biomass input, residue, and cover levels; water infiltration rate; water retention; root exudates; electrical conductivity; soil nutrient, vitamin, and mineral levels including, but not limited to, levels of nitrogen, phosphorous, potassium, magnesium, sulfur, calcium, and micronutrients; and any other indicator of a soil's health, yield, profitability, or ecological function. Baseline assessments must be developed in a stepwise process to incrementally assess the baseline for each of Washington's major food production zones, soil types, tillage systems, and cropping methods, including both conventional and organic food production systems;

(c) Developing standardized methods and diagnostic tools to support accurate and cost-effective measurement of key soil health indicators at a scale and speed that supports broad implementation and verification of improved soil health stewardship across Washington's diverse agricultural landscapes;

(d) Developing and supporting an agricultural product marketing and promotion program that creates opportunities for participating producers to benefit from the emerging market for Washington food products grown under good soil health stewardship; and

(e) Consulting and collaborating with the commission and the university to support all soil health initiative goals, objectives, and components established in this chapter.

(2) In consultation with the commission and the university, the department may adopt rules as needed to carry out the purposes of this chapter.

NEW SECTION. Sec. 6. (1) The commission has primary responsibility for the following components of the soil health initiative:

(a) Developing, publishing, and distributing outreach and education materials to help conservation districts, cooperative extension, and local governments raise awareness of the importance of soil health to society and agriculture, including farmer case studies on soil health practices, experiences, and outcomes;

(b) Training and mobilizing technical service providers to encourage farmers, ranchers, and land managers to voluntarily implement desired soil health stewardship and enter into any maintenance or easement agreements needed to maintain soil health benefits obtained. The commission and the university must coordinate technical assistance, working with and through conservation districts and university extension, to avoid duplication of effort in carrying out soil health initiative technical assistance responsibilities;

(c) Training technical assistance providers, property owners, land managers, and others to voluntarily take ongoing soil health samples and measurements and submit results to the soil health monitoring database;

(d) In collaboration with the department and the university, developing equitable criteria for the awarding of grants to help producers improve soil health across the state's diverse agricultural systems; and

(e) Consulting and collaborating with the department and the university to support all soil health initiative goals, objectives, and components established in this chapter.

(2) In consultation with the department and the university, the commission may adopt rules as needed to carry out the purposes of this chapter.

(3) The commission shall perform its responsibilities within the appropriations provided for the soil health initiative.

NEW SECTION. Sec. 7. This chapter may be known and cited as the Washington soil health initiative act.

NEW SECTION. Sec. 8. Sections 1 through 7 of this act constitute a new chapter in Title 15 RCW.

Passed by the Senate February 17, 2020.

Passed by the House March 5, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 315

[Engrossed Substitute Senate Bill 6378]

RESIDENTIAL TENANTS--VARIOUS PROVISIONS

AN ACT Relating to residential tenant protections; amending RCW 59.18.057, 59.18.063, 59.18.365, 59.18.410, 59.18.230, 59.18.290, and 43.31.605; creating a new section; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that despite the passage of several eviction reforms during the 2019 regular legislative session there is a need to clarify certain reforms and to address the unintended effects and oversights that have limited the impact and remedial nature of these reforms available to tenants. Specifically, the legislature finds that further clarity is required as to how and when tenants can access emergency rental assistance to pay off unlawful detainer judgment amounts and have their tenancies reinstated before judgment, when landlords can issue pay or vacate notices to tenants whose primary source of income is regular, monthly governmental assistance, and that a landlord cannot threaten a tenant with eviction for failure to pay fees not related to rent. As a result, the legislature intends with this act to make such modifications to ensure that tenants with limited to no resources maintain stable housing.

Sec. 2. RCW 59.18.057 and 2019 c 356 s 3 are each amended to read as follows:

(1) Every fourteen-day notice served pursuant to RCW 59.12.030(3) must be in substantially the following form:

"TO:

AND TO:

ADDRESS:

FOURTEEN-DAY NOTICE TO PAY RENT OR VACATE THE PREMISES

You are receiving ~~((the attached))~~ this notice because the landlord alleges you are not in compliance with the terms of the lease agreement by failing to pay rent and/or utilities and/or recurring or periodic charges that are past due.

(1) Monthly rent due for (list month(s)): \$ (dollar amount)

AND/OR

(2) Utilities due for (list month(s)): \$ (dollar amount)

AND/OR

(3) Other recurring or periodic charges identified in the lease for (list month(s)): \$ (dollar amount)

TOTAL AMOUNT DUE: \$ (dollar amount)

Note - payment must be ~~((by cash))~~ made pursuant to the terms of the rental agreement or by nonelectronic means including, but not limited to, cashier's check, money order, or other certified funds ~~((pursuant to the terms of the rental agreement))~~.

You must pay the total amount due to your landlord within fourteen (14) days after service of this notice or you must vacate the premises. Any payment you make to the landlord must first be applied to the total amount due as shown on this notice. Any failure to comply with this notice within fourteen (14) days after service of this notice may result in a judicial proceeding that leads to your eviction from the premises.

The Washington state Office of the Attorney General has this notice in multiple languages on its web site. You will also find information there on how to find a lawyer or advocate at low or no cost and any available resources to help you pay your rent. Alternatively, for no-cost legal assistance for low-income renters call 2-1-1 ((to learn about these services)) or the Northwest Justice Project CLEAR Hotline outside King County (888) 201-1014 weekdays between 9:15 a.m. - 12:15 p.m., or (888) 387-7111 for seniors (age 60 and over). You may find additional information to help you at <http://www.washingtonlawhelp.org>.

State law provides you the right to receive interpreter services at court.

OWNER/LANDLORD: _____ DATE: _____

WHERE TOTAL AMOUNT DUE IS TO BE PAID:
____(owner/landlord name)____
_____ (address)_____ "

(2) The form required in this section does not abrogate any additional notice requirements to tenants as required by federal, state, or local law.

Sec. 3. RCW 59.18.063 and 2011 c 132 s 4 are each amended to read as follows:

(1) A landlord may refuse to accept cash for any payment of rent made by a tenant, but shall provide a receipt for any payment made by a tenant in the form of cash when the landlord accepts cash.

(2) A landlord shall provide, upon the request of a tenant, a written receipt for any payments made by the tenant in a form other than cash.

Sec. 4. RCW 59.18.365 and 2019 c 356 s 9 are each amended to read as follows:

(1) The summons must contain the names of the parties to the proceeding, the attorney or attorneys if any, the court in which the same is brought, the nature of the action, in concise terms, and the relief sought, and also the return day; and must notify the defendant to appear and answer within the time designated or that the relief sought will be taken against him or her. The summons must contain a street address for service of the notice of appearance or answer and, if available, a facsimile number for the plaintiff or the plaintiff's attorney, if represented. The summons must be served and returned in the same manner as a summons in other actions is served and returned.

(2) A defendant may serve a copy of an answer or notice of appearance by any of the following methods:

- (a) By delivering a copy of the answer or notice of appearance to the person who signed the summons at the street address listed on the summons;
 - (b) By mailing a copy of the answer or notice of appearance addressed to the person who signed the summons to the street address listed on the summons;
 - (c) By facsimile to the facsimile number listed on the summons. Service by facsimile is complete upon successful transmission to the facsimile number listed upon the summons;
 - (d) As otherwise authorized by the superior court civil rules.
- (3) The summons for unlawful detainer actions for tenancies covered by this chapter shall be substantially in the following form:

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON
IN AND
FOR COUNTY

Plaintiff/ Landlord/ Owner,	}	NO.
vs.		
Defendant/ Tenant/ Occupant.	}	EVICITION SUMMONS (Residential)

THIS IS AN IMPORTANT LEGAL DOCUMENT TO EVICT YOU.
YOUR **WRITTEN**

RESPONSE MUST BE RECEIVED BY: 5:00 p.m., on

TO: (Defendant's Name)
. (Defendant's Address)

GET HELP: If you do not respond by the deadline above, you will lose your right to defend yourself in court and could be evicted. If you cannot afford a lawyer, you may call 2-1-1 or the Northwest Justice Project CLEAR Hotline outside King County (888) 201-1014 weekdays between 9:15 a.m. - 12:15 p.m., or (888) 387-7111 for seniors (age 60 and over). They can refer you to free or low-cost legal help. ~~((They can help you find help to pay for a lawyer.))~~ You may find additional information to help you at <http://www.washingtonlawhelp.org>.

HOW TO RESPOND: Phone calls to your Landlord or your Landlord's lawyer are not a response. You may respond with a "notice of appearance." This is a letter that includes the following:

- (1) A statement that you are appearing in the court case
- (2) Names of the landlord(s) and the tenant(s) (as listed above)
- (3) Your name, your address where legal documents may be sent, your signature, phone number (if any), and case number (if the case is filed)

This case is / is not filed with the court. If this case is filed, you need to also file your response with the court by delivering a copy to the clerk of the

court at: (Clerk's Office/Address/Room number/Business hours of court clerk)

WHERE TO RESPOND: You must mail, fax, or hand deliver your response letter to your Landlord's lawyer, or if no lawyer is named in the complaint, to your Landlord. If you mail the response letter, you must do it 3 days before the deadline above. Request receipt of a proof of mailing from the post office. If you hand deliver or fax it, you must do it by the deadline above. The address is:

- (Attorney/Landlord Name)
- (Address)
- (Fax - required if available)

COURT DATE: If you respond to this Summons, you will be notified of your hearing date in a document called an "Order to Show Cause." This is usually mailed to you. If you get notice of a hearing, **you must go to the hearing.** If you do not show up, your landlord can evict you. Your landlord might also charge you more money. If you move before the court date, you must tell your landlord or the landlord's attorney.

Sec. 5. RCW 59.18.410 and 2019 c 356 s 7 are each amended to read as follows:

(1) If at trial the verdict of the jury or, if the case is tried without a jury, the finding of the court is in favor of the landlord and against the tenant, judgment shall be entered for the restitution of the premises; and if the proceeding is for unlawful detainer after neglect or failure to perform any condition or covenant of a lease or agreement under which the property is held, or after default in the payment of rent, the judgment shall also declare the forfeiture of the lease, agreement, or tenancy. The jury, or the court, if the proceedings are tried without a jury, shall also assess the damages arising out of the tenancy occasioned to the landlord by any forcible entry, or by any forcible or unlawful detainer, alleged in the complaint and proved at trial, and, if the alleged unlawful detainer is based on default in the payment of rent, find the amount of any rent due, and the judgment shall be rendered against the tenant liable for the forcible entry, forcible detainer, or unlawful detainer for the amount of damages thus assessed, for the rent, if any, found due, and late fees if such fees are due under the lease and do not exceed seventy-five dollars in total. The court may award statutory costs. The court may also award reasonable attorneys' fees as provided in RCW 59.18.290.

(2) When the tenant is liable for unlawful detainer after a default in the payment of rent, execution upon the judgment shall not occur until the expiration of five court days after the entry of the judgment. Before ~~((such time has expired))~~ entry of a judgment or until five court days have expired after entry of the judgment, the tenant or any subtenant, or any mortgagee of the term, or other party interested in the continuance of the tenancy, may pay into court or to the landlord the amount of the rent due, any court costs incurred at the time of payment, late fees if such fees are due under the lease and do not exceed seventy-five dollars in total, and attorneys' fees if awarded, in which event any judgment entered shall be satisfied and the tenant restored to his or her tenancy. If the tenant seeks to restore his or her tenancy after entry of a judgment, the tenant may tender the amount stated within the judgment as long as that amount

does not exceed the amount authorized under subsection (1) of this section. If a tenant seeks to restore his or her tenancy and pay the amount set forth in this subsection with funds acquired through an emergency rental assistance program provided by a governmental or nonprofit entity, the tenant shall provide a copy of the pledge of emergency rental assistance provided from the appropriate governmental or nonprofit entity and have an opportunity to exercise such rights under this subsection, which may include a stay of judgment and provision by the landlord of documentation necessary for processing the assistance. The landlord shall accept any pledge of emergency rental assistance funds provided to the tenant from a governmental or nonprofit entity before the expiration of any pay or vacate notice for nonpayment of rent for the full amount of the rent owing under the rental agreement. The landlord shall accept any written pledge of emergency rental assistance funds provided to the tenant from a governmental or nonprofit entity after the expiration of the pay or vacate notice if the pledge will contribute to the total payment of both the amount of rent due, including any current rent, and other amounts if required under this subsection. The landlord shall suspend any court action for seven court days after providing necessary payment information to the nonprofit or governmental entity to allow for payment of the emergency rental assistance funds. By accepting such pledge of emergency rental assistance, the landlord is not required to enter into any additional conditions not related to the provision of necessary payment information and documentation. If a judgment has been satisfied, the landlord shall file a satisfaction of judgment with the court. A tenant seeking to exercise rights under this subsection shall pay an additional fifty dollars for each time the tenant was reinstated after judgment pursuant to this subsection within the previous twelve months prior to payment. If payment of the amount specified in this subsection is not made within five court days after the entry of the judgment, the judgment may be enforced for its full amount and for the possession of the premises.

(3)(a) Following the entry of a judgment in favor of the landlord and against the tenant for the restitution of the premises and forfeiture of the tenancy due to nonpayment of rent, the court, at the time of the show cause hearing or trial, or upon subsequent motion of the tenant but before the execution of the writ of restitution, may stay the writ of restitution upon good cause and on such terms that the court deems fair and just for both parties. In making this decision, the court shall consider evidence of the following factors:

(i) The tenant's willful or intentional default or intentional failure to pay rent;

(ii) Whether nonpayment of the rent was caused by exigent circumstances that were beyond the tenant's control and that are not likely to recur;

(iii) The tenant's ability to timely pay the judgment;

(iv) The tenant's payment history;

(v) Whether the tenant is otherwise in substantial compliance with the rental agreement;

(vi) Hardship on the tenant if evicted; and

(vii) Conduct related to other notices served within the last six months.

(b) The burden of proof for such relief under this subsection (3) shall be on the tenant. If the tenant seeks relief pursuant to this subsection (3) at the time of the show cause hearing, the court shall hear the matter at the time of the show

cause hearing or as expeditiously as possible so as to avoid unnecessary delay or hardship on the parties.

(c) In any order issued pursuant to this subsection (3):

(i) The court shall not stay the writ of restitution more than ninety days from the date of order, but may order repayment of the judgment balance within such time. If the payment plan is to exceed thirty days, the total cumulative payments for each thirty-day period following the order shall be no less than one month of the tenant's share of the rent, and the total amount of the judgment and all additional rent that is due shall be paid within ninety days.

(ii) Within any payment plan ordered by the court, the court shall require the tenant to pay to the landlord or to the court one month's rent within five court days of issuance of the order. If the date of the order is on or before the fifteenth of the month, the tenant shall remain current with ongoing rental payments as they become due for the duration of the payment plan; if the date of the order is after the fifteenth of the month, the tenant shall have the option to apportion the following month's rental payment within the payment plan, but monthly rental payments thereafter shall be paid according to the rental agreement.

(iii) The sheriff may serve the writ of restitution upon the tenant before the expiration of the five court days of issuance of the order; however, the sheriff shall not execute the writ of restitution until after expiration of the five court days in order for payment to be made of one month's rent as required by (c)(ii) of this subsection. In the event payment is made as provided in (c)(ii) of this subsection for one month's rent, the court shall stay the writ of restitution ex parte without prior notice to the landlord upon the tenant filing and presenting a motion to stay with a declaration of proof of payment demonstrating full compliance with the required payment of one month's rent. Any order staying the writ of restitution under this subsection (3)(c)(iii) shall require the tenant to serve a copy of the order on the landlord by personal delivery, first-class mail, facsimile, or email if agreed to by the parties.

(A) If the tenant has satisfied (c)(ii) of this subsection by paying one month's rent within five court days, but defaults on a subsequent payment required by the court pursuant to this subsection (3)(c), the landlord may enforce the writ of restitution after serving a notice of default in accordance with RCW 59.12.040 informing the tenant that he or she has defaulted on rent due under the lease agreement or payment plan entered by the court. Upon service of the notice of default, the tenant shall have three calendar days from the date of service to vacate the premises before the sheriff may execute the writ of restitution.

(B) If the landlord serves the notice of default described under this subsection (3)(c)(iii), an additional day is not included in calculating the time before the sheriff may execute the writ of restitution. The notice of default must be in substantially the following form:

NOTICE OF DEFAULT FOR RENT AND/OR PAYMENT PLAN ORDERED
BY COURT

NAME(S)
ADDRESS
CITY, STATE, ZIP

THIS IS NOTICE THAT YOU ARE IN DEFAULT OF YOUR RENT AND/OR PAYMENT PLAN ORDERED BY THE COURT. YOUR LANDLORD HAS RECEIVED THE FOLLOWING PAYMENTS:

DATE
AMOUNT
DATE
AMOUNT
DATE
AMOUNT

THE LANDLORD MAY SCHEDULE YOUR PHYSICAL EVICTION WITHIN THREE CALENDAR DAYS OF SERVICE OF THIS NOTICE. TO STOP A PHYSICAL EVICTION, YOU ARE REQUIRED TO PAY THE BALANCE OF YOUR RENT AND/OR PAYMENT PLAN IN THE AMOUNT OF \$

PAYMENT MAY BE MADE TO THE COURT OR TO THE LANDLORD. IF YOU FAIL TO PAY THE BALANCE WITHIN THREE CALENDAR DAYS, THE LANDLORD MAY PROCEED WITH A PHYSICAL EVICTION FOR POSSESSION OF THE UNIT THAT YOU ARE RENTING.

DATE
SIGNATURE
LANDLORD/AGENT
NAME
ADDRESS
PHONE

(iv) If a tenant seeks to satisfy a condition of this subsection (3)(c) by relying on an emergency rental assistance program provided by a government or nonprofit entity and provides an offer of proof, the court shall stay the writ of restitution as necessary to afford the tenant an equal opportunity to comply.

(v) The court shall extend the writ of restitution as necessary to enforce the order issued pursuant to this subsection (3)(c) in the event of default.

(d) A tenant who has been served with three or more notices to pay or vacate for failure to pay rent as set forth in RCW 59.12.040 within twelve months prior to the notice to pay or vacate upon which the proceeding is based may not seek relief under this subsection (3).

(e)(i) In any application seeking relief pursuant to this subsection (3) by either the tenant or landlord, the court shall issue a finding as to whether the tenant is low-income, limited resourced, or experiencing hardship to determine if the parties would be eligible for disbursement through the landlord mitigation program account established within RCW 43.31.605(1)(c). In making this finding, the court may include an inquiry regarding the tenant's income relative to area median income, household composition, any extenuating circumstances, or other factors, and may rely on written declarations or oral testimony by the parties at the hearing.

(ii) After a finding that the tenant is low-income, limited resourced, or experiencing hardship, the court may issue an order: (A) Finding that the landlord is eligible to receive on behalf of the tenant and may apply for

reimbursement from the landlord mitigation program; and (B) directing the clerk to remit, without further order of the court, any future payments made by the tenant in order to reimburse the department of commerce pursuant to RCW 43.31.605(1)(c)(iii). In accordance with RCW 43.31.605(1)(c), such an order must be accompanied by a copy of the order staying the writ of restitution. Nothing in this subsection (3)((~~e~~)) (e) shall be deemed to obligate the department of commerce to provide assistance in claim reimbursement through the landlord mitigation program if there are not sufficient funds.

(iii) If the department of commerce fails to disburse payment to the landlord for the judgment pursuant to this subsection (3)(e) within thirty days from submission of the application, the landlord may renew an application for a writ of restitution pursuant to RCW 59.18.370 and for other rent owed by the tenant since the time of entry of the prior judgment. In such event, the tenant may exercise rights afforded under this section.

(iv) Upon payment by the department of commerce to the landlord for the remaining or total amount of the judgment, as applicable, the judgment is satisfied and the landlord shall file a satisfaction of judgment with the court.

(v) Nothing in this subsection (3)(e) prohibits the landlord from otherwise applying for reimbursement for an unpaid judgment pursuant to RCW 43.31.605(1)(c) after the tenant defaults on a payment plan ordered pursuant to (c) of this subsection.

(4) If a tenant seeks to stay a writ of restitution issued pursuant to this chapter, the court may issue an ex parte stay of the writ of restitution provided the tenant or tenant's attorney submits a declaration indicating good faith efforts were made to notify the other party or, if no efforts were made, why notice could not be provided prior to the application for an ex parte stay, and describing the immediate or irreparable harm that may result if an immediate stay is not granted. The court shall require service of the order and motion to stay the writ of restitution by personal delivery, mail, facsimile, or other means most likely to afford all parties notice of the court date.

(5) In all other cases the judgment may be enforced immediately. If a writ of restitution shall have been executed prior to judgment no further writ or execution for the premises shall be required.

(6) This section also applies if the writ of restitution is issued pursuant to a final judgment entered after a show cause hearing conducted in accordance with RCW 59.18.380.

Sec. 6. RCW 59.18.230 and 2011 c 132 s 11 are each amended to read as follows:

(1)(a) Any provision of a lease or other agreement, whether oral or written, whereby any section or subsection of this chapter is waived except as provided in RCW 59.18.360 and shall be deemed against public policy and shall be unenforceable. Such unenforceability shall not affect other provisions of the agreement which can be given effect without them.

(b) A landlord may not threaten a tenant with eviction for failure to pay nonpossessory charges limited under RCW 59.18.283.

(2) No rental agreement may provide that the tenant:

(a) Agrees to waive or to forgo rights or remedies under this chapter; or

(b) Authorizes any person to confess judgment on a claim arising out of the rental agreement; or

(c) Agrees to pay the landlord's attorneys' fees, except as authorized in this chapter; or

(d) Agrees to the exculpation or limitation of any liability of the landlord arising under law or to indemnify the landlord for that liability or the costs connected therewith; or

(e) And landlord have agreed to a particular arbitrator at the time the rental agreement is entered into.

(3) A provision prohibited by subsection (2) of this section included in a rental agreement is unenforceable. If a landlord deliberately uses a rental agreement containing provisions known by him or her to be prohibited, the tenant may recover actual damages sustained by him or her, statutory damages not to exceed five hundred dollars, costs of suit, and reasonable attorneys' fees.

(4) The common law right of the landlord of distress for rent is hereby abolished for property covered by this chapter. Any provision in a rental agreement creating a lien upon the personal property of the tenant or authorizing a distress for rent is null and void and of no force and effect. Any landlord who takes or detains the personal property of a tenant without the specific written consent of the tenant to such incident of taking or detention, and who, after written demand by the tenant for the return of his or her personal property, refuses to return the same promptly shall be liable to the tenant for the value of the property retained, actual damages, and if the refusal is intentional, may also be liable for damages of up to five hundred dollars per day but not to exceed five thousand dollars, for each day or part of a day that the tenant is deprived of his or her property. The prevailing party may recover his or her costs of suit and a reasonable attorneys' fee.

In any action, including actions pursuant to chapters 7.64 or 12.28 RCW, brought by a tenant or other person to recover possession of his or her personal property taken or detained by a landlord in violation of this section, the court, upon motion and after notice to the opposing parties, may waive or reduce any bond requirements where it appears to be to the satisfaction of the court that the moving party is proceeding in good faith and has, prima facie, a meritorious claim for immediate delivery or redelivery of said property.

Sec. 7. RCW 59.18.290 and 2019 c 356 s 10 are each amended to read as follows:

(1) It is unlawful for the landlord to remove or exclude from the premises the tenant thereof except under a court order so authorizing. Any tenant so removed or excluded in violation of this section may recover possession of the property or terminate the rental agreement and, in either case, may recover the actual damages sustained. The prevailing party may recover the costs of suit or arbitration and reasonable attorneys' fees.

(2) It is unlawful for the tenant to hold over in the premises or exclude the landlord therefrom after the termination of the rental agreement except under a valid court order so authorizing. Any landlord so deprived of possession of premises in violation of this section may recover possession of the property and damages sustained by him or her, and the prevailing party may recover his or her costs of suit or arbitration and reasonable attorneys' fees subject to subsections (3) and (4) of this section.

(3) Where the court has entered a judgment in favor of the landlord restoring possession of the property to the landlord, the court may award reasonable

attorneys' fees to the landlord; however, the court shall not award attorneys' fees in the following instances:

(a) If the judgment for possession is entered after the tenant failed to ~~((appear))~~ respond to a pleading or other notice requiring a response authorized under this chapter; or

(b) If the total amount of rent awarded in the judgment for rent is equal to or less than two months of the tenant's monthly contract rent or one thousand two hundred dollars, whichever is greater.

(4) If a tenant has filed a motion to stay a writ of restitution from execution, the court may only award attorneys' fees to the landlord if the tenant is permitted to be reinstated pursuant to RCW 59.18.410(3). Any attorneys' fees awarded shall be subject to repayment pursuant to RCW 59.18.410(3).

Sec. 8. RCW 43.31.605 and 2019 c 356 s 12 are each amended to read as follows:

(1)(a) Subject to the availability of funds for this purpose, the landlord mitigation program is created and administered by the department. The department shall have such rule-making authority as the department deems necessary to administer the program.

(b) The following types of claims related to landlord mitigation for renting private market rental units to low-income tenants using a housing subsidy program are eligible for reimbursement from the landlord mitigation program account:

(i) Up to one thousand dollars for improvements identified in RCW 59.18.255(1)(a). In order to be eligible for reimbursement under this subsection (1)(b)(i), the landlord must pay for the first five hundred dollars for improvements, and rent to the tenant whose housing subsidy program was conditioned on the real property passing inspection. Reimbursement under this subsection (1)(b)(i) may also include up to fourteen days of lost rental income from the date of offer of housing to the applicant whose housing subsidy program was conditioned on the real property passing inspection until move in by that applicant;

(ii) Reimbursement for damages as reflected in a judgment obtained against the tenant through either an unlawful detainer proceeding, or through a civil action in a court of competent jurisdiction after a hearing;

(iii) Reimbursement for damages established pursuant to subsection (2) of this section; and

(iv) Reimbursement for unpaid rent and unpaid utilities, provided that the landlord can evidence it to the department's satisfaction.

(c) Claims related to landlord mitigation for an unpaid judgment for rent, late fees, attorneys' fees, and costs after a court order pursuant to RCW 59.18.410(3), including any unpaid portion of the judgment after the tenant defaults on the payment plan pursuant to RCW 59.18.410(3)(c), are eligible for reimbursement from the landlord mitigation program account and are exempt from any postjudgment interest required under RCW 4.56.110. Any claim for reimbursement made pursuant to RCW 59.18.410(3)(c)(ii) must be accompanied by a court order staying the writ of restitution pursuant to RCW 59.18.410(3). Any claim for reimbursement under this subsection (1)(c) is not an entitlement.

(i) The department shall provide for a form on its web site for tenants and landlords to apply for reimbursement funds for the landlord pursuant to this subsection (1)(c).

(ii) The form must include: (A) Space for the landlord and tenant to provide names, mailing addresses, phone numbers, date of birth for the tenant, and any other identifying information necessary for the department to process payment; (B) the landlord's statewide vendor identification number and how to obtain one; (C) name and address to whom payment must be made; (D) the amount of the judgment with instructions to include any other supporting documentation the department may need to process payment; (E) instructions for how the tenant is to reimburse the department under (c)(iii) of this subsection; (F) a description of the consequences if the tenant does not reimburse the department as provided in this subsection (1)(c); (G) a signature line for the landlord and tenant to confirm that they have read and understood the contents of the form and program; and (H) any other information necessary for the operation of the program. If the tenant has not signed the form after the landlord has made good faith efforts to obtain the tenant's signature, the landlord may solely submit the form but must attest to the amount of money owed and sign the form under penalty of perjury.

(iii) When a landlord has been reimbursed pursuant to this subsection (1)(c), the tenant for whom payment was made shall reimburse the department by depositing the amount disbursed from the landlord mitigation program account into the court registry of the superior court in which the judgment was entered. The tenant or other interested party may seek an ex parte order of the court under the unlawful detainer action to order such funds to be disbursed by the court. Upon entry of the order, the court clerk shall disburse the funds and include a case number with any payment issued to the department. If directed by the court, a clerk shall issue any payments made by a tenant to the department without further court order.

(iv) The department may deny an application made by a tenant who has failed to reimburse the department for prior payments issued pursuant to this subsection (1)(c).

(v) With any disbursement from the account to the landlord, the department shall notify the tenant at the address provided within the application that a disbursement has been made to the landlord on the tenant's behalf and that failure to reimburse the account for the payment through the court registry may result in a denial of a future application to the account pursuant to this subsection (1)(c). The department may include any other additional information about how to reimburse the account it deems necessary to fully inform the tenant.

(vi) The department's duties with respect to obtaining reimbursement from the tenant to the account are limited to those specified within this subsection (1)(c).

(vii) If at any time funds do not exist in the landlord mitigation program account to reimburse claims submitted under this subsection (1)(c), the department must create and maintain a waitlist and distribute funds in the order the claims are received pursuant to subsection (6) of this section. Payment of any claims on the waitlist shall be made only from the landlord mitigation program account. The department shall not be civilly or criminally liable and may not have any penalty or cause of action of any nature arise against it regarding the provision or lack of provision of funds for reimbursement.

(2) In order for a claim under subsection (1)(b)(iii) of this section to be eligible for reimbursement from the landlord mitigation program account, a landlord must:

(a) Have ensured that the rental property was inspected at the commencement of the tenancy by both the tenant and the landlord or landlord's agent and that a detailed written move-in property inspection report, as required in RCW 59.18.260, was prepared and signed by both the tenant and the landlord or landlord's agent;

(b) Make repairs and then apply for reimbursement to the department;

(c) Submit a claim on a form to be determined by the department, signed under penalty of perjury; and

(d) Submit to the department copies of the move-in property inspection report specified in (a) of this subsection and supporting materials including, but not limited to, before repair and after repair photographs, videos, copies of repair receipts for labor and materials, and such other documentation or information as the department may request.

(3) The department shall make reasonable efforts to review a claim within ten business days from the date it received properly submitted and complete claims to the satisfaction of the department. In reviewing a claim pursuant to subsection (1)(b) of this section, and determining eligibility for reimbursement, the department must receive documentation, acceptable to the department in its sole discretion, that the claim involves a private market rental unit rented to a low-income tenant who is using a housing subsidy program.

(4) Claims pursuant to subsection (1)(b) of this section related to a tenancy must total at least five hundred dollars in order for a claim to be eligible for reimbursement from the program. While claims or damages may exceed five thousand dollars, total reimbursement from the program may not exceed five thousand dollars per tenancy.

(5) Damages, beyond wear and tear, that are eligible for reimbursement include, but are not limited to: Interior wall gouges and holes; damage to doors and cabinets, including hardware; carpet stains or burns; cracked tiles or hard surfaces; broken windows; damage to household fixtures such as disposal, toilet, sink, sink handle, ceiling fan, and lighting. Other property damages beyond normal wear and tear may also be eligible for reimbursement at the department's discretion.

(6) All reimbursements for eligible claims shall be made on a first-come, first-served basis, to the extent of available funds. The department shall use best efforts to notify the tenant of the amount and the reasons for any reimbursements made.

(7) The department, in its sole discretion, may inspect the property and the landlord's records related to a claim, including the use of a third-party inspector as needed to investigate fraud, to assist in making its claim review and determination of eligibility.

(8) A landlord in receipt of reimbursement from the program pursuant to subsection (1)(b) of this section is prohibited from:

(a) Taking legal action against the tenant for damages attributable to the same tenancy; or

(b) Pursuing collection, or authorizing another entity to pursue collection on the landlord's behalf, of a judgment against the tenant for damages attributable to the same tenancy.

(9) A landlord denied reimbursement under subsection (1)(b)(iii) of this section may seek to obtain a judgment from a court of competent jurisdiction and, if successful, may resubmit a claim for damages supported by the judgment, along with a certified copy of the judgment. The department may reimburse the landlord for that portion of such judgment that is based on damages reimbursable under the landlord mitigation program, subject to the limitations set forth in this section.

(10) Determinations regarding reimbursements shall be made by the department in its sole discretion.

(11) The department must establish a web site that advertises the landlord mitigation program, the availability of reimbursement from the landlord mitigation program account, and maintains or links to the agency rules and policies established pursuant to this section.

(12) Neither the state, the department, or persons acting on behalf of the department, while acting within the scope of their employment or agency, is liable to any person for any loss, damage, harm, or other consequence resulting directly or indirectly from the department's administration of the landlord mitigation program or determinations under this section.

(13)(a) A report to the appropriate committees of the legislature on the effectiveness of the program and recommended modifications shall be submitted to the governor and the appropriate committees of the legislature by January 1, 2021. In preparing the report, the department shall convene and solicit input from a group of stakeholders to include representatives of large multifamily housing property owners or managers, small rental housing owners in both rural and urban markets, a representative of tenant advocates, and a representative of the housing authorities.

(b) The report shall include discussion of the effectiveness of the program as well as the department's recommendations to improve the program, and shall include the following:

(i) The number of total claims and total amount reimbursed to landlords by the fund;

(ii) Any indices of fraud identified by the department;

(iii) Any reports by the department regarding inspections authorized by and conducted on behalf of the department;

(iv) An outline of the process to obtain reimbursement for improvements and for damages from the fund;

(v) An outline of the process to obtain reimbursement for lost rent due to the rental inspection and tenant screening process, together with the total amount reimbursed for such damages;

(vi) An evaluation of the feasibility for expanding the use of the mitigation fund to provide up to ninety-day no interest loans to landlords who have not received timely rental payments from a housing authority that is administering section 8 rental assistance;

(vii) Any other modifications and recommendations made by stakeholders to improve the effectiveness and applicability of the program.

(14) As used in this section:

(a) "Housing subsidy program" means a housing voucher as established under 42 U.S.C. Sec. 1437 as of January 1, 2018, or other housing subsidy program including, but not limited to, valid short-term or long-term federal, state, or local government, private nonprofit, or other assistance program in which the tenant's rent is paid either partially by the program and partially by the tenant, or completely by the program directly to the landlord;

(b) "Low-income" means income that does not exceed eighty percent of the median income for the standard metropolitan statistical area in which the private market rental unit is located; and

(c) "Private market rental unit" means any unit available for rent that is owned by an individual, corporation, limited liability company, nonprofit housing provider, or other entity structure, but does not include housing acquired, or constructed by a public housing agency under 42 U.S.C. Sec. 1437 as it existed on January 1, 2018.

NEW SECTION. Sec. 9. Sections 5 through 8 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

Passed by the Senate February 19, 2020.

Passed by the House March 3, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 316

[Engrossed Substitute Senate Bill 6404]

HEALTH PLANS--PRIOR AUTHORIZATION PRACTICES--DATA

AN ACT Relating to reducing barriers to patient care through appropriate use of prior authorization and adoption of appropriate use criteria; and adding a new section to chapter 48.43 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 48.43 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, by October 1, 2020, and annually thereafter, for individual and group health plans issued by a carrier that has written at least one percent of the total accident and health insurance premiums written by all companies authorized to offer accident and health insurance in Washington in the most recently available year, the carrier shall report to the commissioner the following aggregated and deidentified data related to the carrier's prior authorization practices and experience for the prior plan year:

(a) Lists of the ten inpatient medical or surgical codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(b) Lists of the ten outpatient medical or surgical codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(c) Lists of the ten inpatient mental health and substance use disorder service codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(d) Lists of the ten outpatient mental health and substance use disorder service codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved;

(e) Lists of the ten durable medical equipment codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total

number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(f) Lists of the ten diabetes supplies and equipment codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(g) The average determination response time in hours for prior authorization requests to the carrier with respect to each code reported under (a) through (f) of this subsection for each of the following categories of prior authorization:

(i) Expedited decisions;

(ii) Standard decisions; and

(iii) Extenuating circumstances decisions.

(2) For the October 1, 2020, reporting deadline, a carrier is not required to report data pursuant to subsection (1)(a)(iii), (b)(iii), (c)(iii), (d)(iii), (e)(iii), or (f)(iii) of this section until April 1, 2021, if the commissioner determines that doing so constitutes a hardship.

(3) By January 1, 2021, and annually thereafter, the commissioner shall aggregate and deidentify the data collected under subsection (1) of this section into a standard report and may not identify the name of the carrier that submitted the data. The initial report due on January 1, 2021, may omit data for which a hardship determination is made by the commissioner under subsection (2) of this section. Such data must be included in the report due on January 1, 2022. The commissioner must make the report available to interested parties.

(4) The commissioner may request additional information from carriers reporting data under this section.

(5) The commissioner may adopt rules to implement this section. In adopting rules, the commissioner must consult stakeholders including carriers, health care practitioners, health care facilities, and patients.

(6) For the purpose of this section, "prior authorization" means a mandatory process that a carrier or its designated or contracted representative requires a provider or facility to follow before a service is delivered, to determine if a service is a benefit and meets the requirements for medical necessity, clinical appropriateness, level of care, or effectiveness in relation to the applicable plan, including any term used by a carrier or its designated or contracted representative to describe this process.

Passed by the Senate March 10, 2020.

Passed by the House March 10, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 317

[Engrossed Substitute Senate Bill 6419]

DEVELOPMENTAL DISABILITY ADMINISTRATION--RESIDENTIAL HABILITATION
CENTER CLIENTS

AN ACT Relating to implementation of the recommendations of the December 2019 report from the William D. Ruckelshaus center regarding residential habilitation center clients; creating new sections; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The legislature finds that the recommendations in the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services" are the product of deliberations among a diverse and dedicated group of stakeholders facilitated by the William D. Ruckelshaus center, and are critical to advancing the continuum of care for individuals with developmental disabilities.

(2) The legislature intends to design a phased-in, multiyear implementation plan based on the recommendations from the report with the goals of reducing the risk of federal divestment from Washington's intermediate care facilities and providing appropriate care to clients of the developmental disabilities administration.

NEW SECTION. Sec. 2. (1) The developmental disabilities administration within the department of social and health services must develop a plan to implement the recommendations of the December 2019 report from the William D. Ruckelshaus center regarding residential habilitation center clients. The administration also must collaborate with the office of financial management to create a financing plan to include as part of the recommendations for implementation. A preliminary implementation plan must be included within a report to the governor and the appropriate policy and fiscal committees of the legislature no later than November 1, 2020. A final implementation plan and report must be provided to the governor and the appropriate policy and fiscal committees of the legislature no later than September 1, 2021. The final plan and report must describe the implementation plan, timeline, any recommended statutory changes, and a financing plan and expected fiscal impacts of operationalizing the recommendations.

(2) The legislature hereby creates a joint executive and legislative task force to oversee the development of, and to approve, the preliminary and final reports prior to submission. The members of the task force must include:

- (a) The governor or his or her designee;
- (b) One member from each of the two largest caucuses in the senate, appointed by the president of the senate;
- (c) One member from each of the two largest caucuses in the house of representatives, appointed by the speaker of the house; and
- (d) The secretary of the department of social and health services or his or her designee.

(3) The governor or his or her designee must convene and chair the task force. The department of social and health services must staff the task force.

(4) The task force must periodically meet with, provide updates to, and solicit feedback from stakeholders. The task force may meet with stakeholders

collectively or individually, at the task force's discretion. The task force must make funds available to reimburse travel expenses for stakeholders who are not participating on behalf of an employer, governmental agency, or other organization and allow for telephonic or other means of remote participation. The stakeholders must include but are not limited to:

- (a) The developmental disabilities council;
- (b) The Arc of Washington;
- (c) A representative of the organization designated to implement the protection and advocacy program pursuant to RCW 71A.10.080;
- (d) Family members or guardians of current residential habilitation center residents, including members of the friends of residential habilitation centers groups;
- (e) Individuals with developmental disabilities, which may include residents of the residential habilitation centers;
- (f) The Washington federation of state employees;
- (g) Developmental disability self-advocacy organizations; and
- (h) The service employees international union 1199.

(5) The preliminary and final reports must advance the recommendations of the Ruckelshaus report to design and implement a modern, community-focused, person-centered, and individualized service delivery system for individuals who reside in residential habilitation centers, with an emphasis on investments in community residential service options, including services and options for those with complex behavioral needs. At a minimum, they must address the following four guideposts from the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services":

- (a) Increasing the capabilities of community residential services;
- (b) Improving cross-system coordination;
- (c) Investing in state-operated nursing facilities; and
- (d) Redesigning intermediate care facilities to function as short-term crisis stabilization and intervention facilities.

(6) In developing the implementation plan, the task force must review and consider the following recommendations from the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services":

(a) Assess options to expand forecast-based maintenance level funding adjustment for the developmental disabilities administration waiver services. This includes developing and examining options to more accurately project demand for developmental disabilities administration waiver services in order to provide funding that is predictable and aligned with caseload demand;

(b) Reduce case management ratios, with a goal of a general caseload of one case manager per thirty-five clients;

(c) Expand state-operated community residential options. This includes expanding state-operated living alternatives and four-bed facilities that provide stabilization, assessment, and intervention services for individuals with complex behavioral support needs;

(d) Expand quality assurance efforts by developing uniform quality assurance metrics that are applied across community residential settings, intermediate care facilities, and state-operated nursing facilities;

(e) Assess options for an alternative, opt-in rate structure for contracted supported living. This includes considering a model that would provide contracted providers with an enhanced rate for serving individuals with complex behavioral needs, completing additional training, and submitting to additional monitoring;

(f) Increase the options for overnight planned respite, including increasing the number of funded respite hours available to clients and the number of respite beds statewide;

(g) Expand apprenticeship opportunities for medical and direct care professionals who have received specific training related to working with individuals with developmental disabilities. This includes working with the Washington state apprenticeship and training council, colleges, and universities to establish medical, dental, nursing, and direct care apprenticeship programs that would address gaps in provider training and overall competence;

(h) Continue reforming guardianship. This includes, but is not limited to, supporting the ongoing stakeholder work groups regarding the implementation of the uniform adult guardianship and protective proceedings jurisdiction act;

(i) Address the challenges of access to affordable housing for individuals with intellectual and developmental disabilities;

(j) Enable professional staff at the state-operated intermediate care facilities to provide state plan benefits to individuals who reside in the community. This includes directing the developmental disabilities administration to work with the health care authority and their contracted managed care organizations to establish the agreements necessary for clients who live in the community to access the developmental disabilities administration's facility-based professionals to receive care covered under the state plan. If feasible, these agreements should enable facility-based professionals to deliver services at mobile or brick-and-mortar clinical settings in the community;

(k) Invest in state-operated nursing facilities, including constructing a replacement facility for the current nursing facility on the Fircrest campus;

(l) Complete assessments for intermediate care facilities clients. All intermediate care facilities clients should be assigned a case manager and receive the developmental disabilities administration's assessment at least annually and any time a significant change is identified;

(m) Expand the family mentor project to the level necessary to connect each client in a state-operated facility with a family mentor;

(n) Establish transition teams at each intermediate care facility in order to increase the ability of intermediate care facilities to serve as short-term interventions;

(o) Leverage future intermediate care facility capacity to meet crisis stabilization needs by redesigning state-operated intermediate care facilities to operate as short-term crisis intervention facilities; and

(p) Conduct a rate study to determine future rates, and enhanced rates when appropriate, for community contracted providers.

(7) This section expires July 1, 2022.

Passed by the Senate February 19, 2020.

Passed by the House March 6, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 318

[Engrossed Substitute Senate Bill 6442]

PRIVATE CORRECTIONAL ENTITIES--DEPARTMENT OF CORRECTIONS

AN ACT Relating to the private detainment of individuals; amending RCW 72.68.040, 72.68.010, and 72.68.001; reenacting and amending RCW 72.09.050; adding a new section to chapter 72.68 RCW; creating new sections; repealing RCW 72.68.012; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. LEGISLATIVE FINDINGS. (1) The legislature finds that all people confined in prisons in Washington deserve basic health care, nutrition, and safety. As held in *United States v. California*, 921 F.3d 865, 886 (9th Cir. 2019), states possess "the general authority to ensure the health and welfare of inmates and detainees in facilities within its borders."

(2) The legislature finds that profit motives lead private prisons to cut operational costs, including the provision of food, health care, and rehabilitative services, because their primary fiduciary duty is to maximize shareholder profits. The legislature finds that this is in stark contrast to the interests of the state to ensure the health, safety, and welfare of Washingtonians.

(3) The legislature finds that people confined in for-profit prisons have experienced abuses and have been confined in dangerous and unsanitary conditions. Safety risks and abuses in private prisons at the local, state, and federal level have been consistently and repeatedly documented. The United States department of justice office of the inspector general found in 2016 that privately operated prisons "incurred more safety and security incidents per capita than comparable BOP (federal bureau of prisons) institutions." The office of inspector general additionally found that privately operated prisons had "higher rates of inmate-on-inmate and inmate-on-staff assaults, as well as higher rates of staff uses of force."

(4) The legislature finds that private prison operators have cut costs by reducing essential security and health care staffing. The sentencing project, a national research and advocacy organization, found in 2012 that private prison staff earn an average of five thousand dollars less than staff at publicly run facilities and receive almost sixty hours less training. The office of inspector general also found that people confined in private facilities often failed to receive necessary medical care and that one private prison went without a full-time physician for eight months.

(5) The legislature finds that private prisons are less accountable for what happens inside those facilities than state-run facilities, as they are not subject to the freedom of information act under 5 U.S.C. Sec. 552 or the Washington public records act under chapter 42.56 RCW.

(6) The legislature finds that at least twenty-two other states have stopped confining people in private for-profit facilities.

(7) Therefore, it is the intent of the legislature to prohibit the use of private prisons in Washington state.

NEW SECTION. Sec. 2. A new section is added to chapter 72.68 RCW to read as follows:

PROHIBITION ON PRIVATE INCARCERATION.

(1) Except as provided in subsection (2) of this section and RCW 72.68.010(2), the secretary is prohibited from utilizing a contract with a private correctional entity for the transfer or placement of offenders.

(2) This section does not apply to:

(a) State work release centers, juvenile residential facilities, nonprofit community-based alternative juvenile detention facilities, or nonprofit community-based alternative adult detention facilities that provide separate care or special treatment, operated in whole or in part by for-profit contractors;

(b) Contracts for ancillary services including, but not limited to, medical services, educational services, repair and maintenance contracts, behavioral health services, or other services not directly related to the ownership, management, or operation of security services in a correctional facility; or

(c) Tribal entities.

Sec. 3. RCW 72.68.040 and 2012 c 117 s 500 are each amended to read as follows:

(1) The secretary may contract with the authorities of the federal government, or the authorities of any state of the United States, (~~private companies in other states,~~) or any county or city in this state providing for the detention in an institution or jail operated by such entity, for prisoners convicted of a felony in the courts of this state and sentenced to a term of imprisonment therefor in a state correctional institution for convicted felons under the jurisdiction of the department. (~~After~~) Except as provided in subsection (2) of this section, after the making of a contract under this section, prisoners sentenced to a term of imprisonment in a state correctional institution for convicted felons may be conveyed by the superintendent or his or her assistants to the institution or jail named in the contract. The prisoners shall be delivered to the authorities of the institution or jail, there to be confined until their sentences have expired or they are otherwise discharged by law, paroled, or until they are returned to a state correctional institution for convicted felons for further confinement.

(2) A prisoner may not be conveyed to a private correctional entity except under the circumstances identified in RCW 72.68.010(2) or section 2(2) of this act.

Sec. 4. RCW 72.68.010 and 2000 c 62 s 2 are each amended to read as follows:

(1) Whenever in its judgment the best interests of the state or the welfare of any prisoner confined in any penal institution will be better served by his or her transfer to another institution or to a foreign country of which the prisoner is a citizen or national, the secretary may effect such transfer consistent with applicable federal laws and treaties. The secretary has the authority to transfer offenders between in-state correctional facilities or to out-of-state (~~to private or~~) governmental institutions if the secretary determines that transfer is in the best interest of the state or the offender. The determination of what is in the best interest of the state or offender may include but is not limited to considerations of overcrowding, emergency conditions, or hardship to the offender. In determining whether the transfer will impose a hardship on the offender, the secretary shall consider: (a) The location of the offender's family and whether the offender has maintained contact with members of his or her family; (b)

whether, if the offender has maintained contact, the contact will be significantly disrupted by the transfer due to the family's inability to maintain the contact as a result of the transfer; and (c) whether the offender is enrolled in a vocational or educational program that cannot reasonably be resumed if the offender is returned to the state.

(2)(a) The secretary has the authority to transfer offenders to an out-of-state private correctional entity only if:

(i) The governor finds that an emergency exists such that the population of a state correctional facility exceeds its reasonable, maximum capacity, resulting in safety and security concerns;

(ii) The governor has considered all other legal options to address capacity, including those pursuant to RCW 9.94A.870;

(iii) The secretary determines that transfer is in the best interest of the state or the offender; and

(iv) The contract with the out-of-state private correctional entity includes requirements for access to public records to the same extent as if the facility were operated by the department, inmate access to the office of the corrections ombuds, and inspections and visits without notice.

(b) Should any of these requirements in this subsection not be met, the contract with the private correctional entity shall be terminated.

(3) If directed by the governor, the secretary shall, in carrying out this section and RCW 43.06.350, adopt rules under chapter 34.05 RCW to effect the transfer of prisoners requesting transfer to foreign countries.

Sec. 5. RCW 72.09.050 and 1999 c 309 s 1902 and 1999 c 309 s 924 are each reenacted and amended to read as follows:

The secretary shall manage the department of corrections and shall be responsible for the administration of adult correctional programs, including but not limited to the operation of all state correctional institutions or facilities used for the confinement of convicted felons. In addition, the secretary shall have broad powers to enter into agreements with any federal agency, or any other state, or any Washington state agency or local government providing for the operation of any correctional facility or program for persons convicted of felonies or misdemeanors or for juvenile offenders. Such agreements for counties with local law and justice councils shall be required in the local law and justice plan pursuant to RCW 72.09.300. The agreements may provide for joint operation or operation by the department of corrections, alone, for by any of the other governmental entities, alone. ~~((Beginning February 1, 1999, the secretary may expend funds appropriated for the 1997-1999 biennium to enter into agreements with any local government or private organization in any other state, providing for the operation of any correctional facility or program for persons convicted of felonies. Between July 1, 1999, and June 30, 2001, the secretary may expend funds appropriated for the 1999-01 biennium to enter into agreements with any local government or private organization in any other state, providing for the operation of any correctional facility or program for persons convicted of felonies.))~~ The secretary may employ persons to aid in performing the functions and duties of the department. The secretary may delegate any of his or her functions or duties to department employees, including the authority to certify and maintain custody of records and documents on file with the department. The secretary is authorized to promulgate standards for the

department of corrections within appropriation levels authorized by the legislature.

Pursuant to the authority granted in chapter 34.05 RCW, the secretary shall adopt rules providing for inmate restitution when restitution is determined appropriate as a result of a disciplinary action.

Sec. 6. RCW 72.68.001 and 1981 c 136 s 114 are each amended to read as follows:

DEFINITIONS.

((As used in this chapter:)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of corrections(~~and~~).

(2) "Private correctional entity" means a for-profit contractor or for-profit vendor who provides services relating to the ownership, management, or administration of security services of a correctional facility for the incarceration of persons.

(3) "Secretary" means the secretary of corrections.

NEW SECTION. Sec. 7. REPEALER. RCW 72.68.012 (Transfer to private institutions—Intent—Authority) and 2000 c 62 s 1 are each repealed.

NEW SECTION. Sec. 8. LIBERAL CONSTRUCTION. This act shall be construed liberally for the accomplishment of the purposes thereof.

NEW SECTION. Sec. 9. EMERGENCY CLAUSE. 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. 10. SEVERABILITY. 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.

Passed by the Senate March 10, 2020.

Passed by the House March 5, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 319

[Substitute Senate Bill 6476]

CORRECTIONAL FACILITY SERVICES--INMATES AND FAMILY MEMBERS--VARIOUS PROVISIONS

AN ACT Relating to increasing and expanding access of inmates and immediate family members of inmates to services provided within correctional facilities; amending RCW 72.09.015; adding new sections to chapter 72.09 RCW; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature recognizes the importance of maintaining strong family ties throughout an individual's period of incarceration to help facilitate rehabilitation. Studies have shown that regular visits from family members can reduce recidivism rates by thirteen percent. The legislature recognizes the importance and value that a strong, connected family network can

provide to an individual once he or she is released from incarceration. The legislature further recognizes the financial and emotional toll that incarceration can take on the family of those experiencing incarceration. The legislature resolves to increase family interaction by expanding eligibility for family visitation and by providing transparency and availability of services inside correctional institutions. Furthermore, the current indigent cap of ten dollars, which has not increased since 1995, limits access to services inside correctional institutions. Therefore, the legislature finds and declares that the cap shall be increased to twenty-five dollars.

Sec. 2. RCW 72.09.015 and 2013 c 39 s 22 are each amended to read as follows:

The definitions in this section apply throughout this chapter.

(1) "Adult basic education" means education or instruction designed to achieve general competence of skills in reading, writing, and oral communication, including English as a second language and preparation and testing services for obtaining a high school diploma or a high school equivalency certificate as provided in RCW 28B.50.536.

(2) "Base level of correctional services" means the minimum level of field services the department of corrections is required by statute to provide for the supervision and monitoring of offenders.

(3) "Civil judgment for assault" means a civil judgment for monetary damages awarded to a correctional officer or department employee entered by a court of competent jurisdiction against an inmate that is based on, or arises from, injury to the correctional officer or department employee caused by the inmate while the correctional officer or department employee was acting in the course and scope of his or her employment.

(4) "Community custody" has the same meaning as that provided in RCW 9.94A.030 and also includes community placement and community supervision as defined in RCW 9.94B.020.

(5) "Contraband" means any object or communication the secretary determines shall not be allowed to be: (a) Brought into; (b) possessed while on the grounds of; or (c) sent from any institution under the control of the secretary.

(6) "Correctional facility" means a facility or institution operated directly or by contract by the secretary for the purposes of incarcerating adults in total or partial confinement, as defined in RCW 9.94A.030.

(7) "County" means a county or combination of counties.

(8) "Department" means the department of corrections.

(9) "Earned early release" means earned release as authorized by RCW 9.94A.729.

(10) "Evidence-based" means a program or practice that has had multiple-site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective in reducing recidivism for the population.

(11) "Extended family visit" means an authorized visit between an inmate and a member of his or her immediate family that occurs in a private visiting unit located at the correctional facility where the inmate is confined.

(12) "Good conduct" means compliance with department rules and policies.

(13) "Good performance" means successful completion of a program required by the department, including an education, work, or other program.

(14) "Immediate family" means the inmate's children, stepchildren, grandchildren, great grandchildren, parents, stepparents, grandparents, great grandparents, siblings, aunts, uncles, and a person legally married to or in a state registered domestic partnership with an inmate. "Immediate family" includes the immediate family of an inmate who was adopted as a child or an adult, but does not include an inmate adopted by another inmate (~~or the immediate family of the adopted or adopting inmate~~).

(15) "Indigent inmate," "indigent," and "indigency" mean an inmate who has less than a (~~ten-dollar~~) twenty-five dollar balance of disposable income in his or her institutional account on the day a request is made to utilize funds and during the thirty days previous to the request.

(16) "Individual reentry plan" means the plan to prepare an offender for release into the community. It should be developed collaboratively between the department and the offender and based on an assessment of the offender using a standardized and comprehensive tool to identify the offender's risks and needs. The individual reentry plan describes actions that should occur to prepare individual offenders for release from prison or jail, specifies the supervision and services they will experience in the community, and describes an offender's eventual discharge to aftercare upon successful completion of supervision. An individual reentry plan is updated throughout the period of an offender's incarceration and supervision to be relevant to the offender's current needs and risks.

(17) "Inmate" means a person committed to the custody of the department, including but not limited to persons residing in a correctional institution or facility and persons released from such facility on furlough, work release, or community custody, and persons received from another state, state agency, county, or federal jurisdiction.

(18) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(19) "Physical restraint" means the use of any bodily force or physical intervention to control an offender or limit an offender's freedom of movement in a way that does not involve a mechanical restraint. Physical restraint does not include momentary periods of minimal physical restriction by direct person-to-person contact, without the aid of mechanical restraint, accomplished with limited force and designed to:

(a) Prevent an offender from completing an act that would result in potential bodily harm to self or others or damage property;

(b) Remove a disruptive offender who is unwilling to leave the area voluntarily; or

(c) Guide an offender from one location to another.

(20) "Postpartum recovery" means (a) the entire period a woman or youth is in the hospital, birthing center, or clinic after giving birth and (b) an additional time period, if any, a treating physician determines is necessary for healing after the woman or youth leaves the hospital, birthing center, or clinic.

(21) "Privilege" means any goods or services, education or work programs, or earned early release days, the receipt of which are directly linked to an inmate's (a) good conduct; and (b) good performance. Privileges do not include

any goods or services the department is required to provide under the state or federal Constitution or under state or federal law.

(22) "Promising practice" means a practice that presents, based on preliminary information, potential for becoming a research-based or consensus-based practice.

(23) "Research-based" means a program or practice that has some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.

(24) "Restraints" means anything used to control the movement of a person's body or limbs and includes:

(a) Physical restraint; or

(b) Mechanical device including but not limited to: Metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, tasers, or batons.

(25) "Secretary" means the secretary of corrections or his or her designee.

(26) "Significant expansion" includes any expansion into a new product line or service to the class I business that results from an increase in benefits provided by the department, including a decrease in labor costs, rent, or utility rates (for water, sewer, electricity, and disposal), an increase in work program space, tax advantages, or other overhead costs.

(27) "Superintendent" means the superintendent of a correctional facility under the jurisdiction of the Washington state department of corrections, or his or her designee.

(28) "Transportation" means the conveying, by any means, of an incarcerated pregnant woman or youth from the correctional facility to another location from the moment she leaves the correctional facility to the time of arrival at the other location, and includes the escorting of the pregnant incarcerated woman or youth from the correctional facility to a transport vehicle and from the vehicle to the other location.

(29) "Unfair competition" means any net competitive advantage that a business may acquire as a result of a correctional industries contract, including labor costs, rent, tax advantages, utility rates (water, sewer, electricity, and disposal), and other overhead costs. To determine net competitive advantage, the department of corrections shall review and quantify any expenses unique to operating a for-profit business inside a prison.

(30) "Vocational training" or "vocational education" means "vocational education" as defined in RCW 72.62.020.

(31) "Washington business" means an in-state manufacturer or service provider subject to chapter 82.04 RCW existing on June 10, 2004.

(32) "Work programs" means all classes of correctional industries jobs authorized under RCW 72.09.100.

NEW SECTION. Sec. 3. A new section is added to chapter 72.09 RCW to read as follows:

(1) In providing access to the facility commissary program in state correctional facilities, the department is strongly encouraged to provide, at a minimum, weekly access to the facility commissary program across all departmental institutions of total confinement. The department may not reduce frequency at departmental institutions that have weekly access to the facility commissary program as of the effective date of this section.

(2) By December 1, 2020, the department must provide access to the facility commissary program at least twenty-six times per year or once every two weeks at all institutions of total confinement.

NEW SECTION. Sec. 4. A new section is added to chapter 72.09 RCW to read as follows:

(1) Any contract to provide inmates with access to telecommunication services and electronic media services in state correctional facilities shall be made publicly available and posted on the department's web site.

(2) The information in this subsection from the contract shall be prominently displayed on the department's public web site:

(a) Rates for facilitating telecommunication services including, but not limited to, phone calls, video visitation, videograms and video clips, emails, and accessing music and entertainment;

(b) Fees charged for money transfers and transactions, maintenance of financial accounts, and any other fee charged to the user to facilitate the money transfer or online deposit account; and

(c) All fees or costs charged to the inmate or customer in exchange for use of telecommunication or electronic media services through the contract.

(3) By July 1st of each year, the contractor that provides inmates with access to telecommunication services and electronic media services under subsection (1) of this section shall report to the department the following information:

(a) A summary of services offered at each correctional facility;

(b) Rates charged for, or associated with, providing each type of service including, but not limited to, monthly financial account maintenance fees, transaction fees associated with money transfers, per call and connection surcharges, bill statement fees, and refund fees;

(c) A total accounting of commissions provided to the department or correctional facility;

(d) A summary and accounting of services used by inmates categorized as indigent;

(e) One-time and ongoing costs incurred for installing and maintaining hardware;

(f) Average customer service response time rates per facility and the average time taken to resolve an issue or provide a refund for defective services; and

(g) An accounting of all revenues or losses incurred by the contractor by quarter.

(4) By November 1st of each year, and in compliance with RCW 43.01.036, the department shall report to the governor and legislature on contracts for telecommunication services and electronic media services under this section and the contractor's annual compliance with this section.

(5) This section applies to any contract in effect on the effective date of this section, and to any renegotiation, renewal, or extension of such contract.

Passed by the Senate February 18, 2020.

Passed by the House March 5, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 320

[Second Substitute Senate Bill 6478]

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES--HOMELESSNESS--REPORTING

AN ACT Relating to revising economic assistance programs by updating standards of need, revising outcome measures and data collected, and reducing barriers to participation; amending RCW 74.08A.010; adding a new section to chapter 74.08A RCW; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 74.08A.010 and 2019 c 343 s 2 are each amended to read as follows:

(1) A family that includes an adult who has received temporary assistance for needy families for sixty months after July 27, 1997, shall be ineligible for further temporary assistance for needy families assistance.

(2) For the purposes of applying the rules of this section, the department shall count any month in which an adult family member received a temporary assistance for needy families cash assistance grant unless the assistance was provided when the adult family member was a minor child and not the head of the household or married to the head of the household.

(3) The department shall adopt regulations to apply the sixty-month time limit to households in which a parent is in the home and ineligible for temporary assistance for needy families. Any regulations shall be consistent with federal funding requirements.

(4) The department shall refer recipients who require specialized assistance to appropriate department programs, crime victims' programs through the department of commerce, or the crime victims' compensation program of the department of labor and industries.

(5)(a) The department shall add to adopted rules related to temporary assistance for needy families time limit extensions, the following criteria by which the department shall exempt a recipient and the recipient's family from the application of subsection (1) of this section:

(i) By reason of hardship, including ~~((if the recipient is a homeless person as described in RCW 43.185C.010))~~ when the recipient's family includes a child or youth who is without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed on January 1, 2020; or

(ii) If the family includes an individual who meets the family violence options of section 402(A)(7) of Title IVA of the federal social security act as amended by P.L. 104-193.

(b) Policies related to circumstances under which a recipient will be exempted from the application of subsection (1) or (3) of this section shall treat adults receiving benefits on their own behalf, and parents receiving benefits on behalf of their child similarly, unless required otherwise under federal law.

(6) The department shall not exempt a recipient and his or her family from the application of subsection (1) or (3) of this section until after the recipient has received fifty-two months of assistance under this chapter.

(7) The department shall provide transitional food assistance for a period of five months to a household that ceases to receive temporary assistance for needy families assistance and is not in sanction status. If necessary, the department shall extend the household's basic food certification until the end of the transition period.

NEW SECTION. Sec. 2. A new section is added to chapter 74.08A RCW to read as follows:

(1) Annually by December 31st, the department must report to the governor and the appropriate policy and fiscal committees of the legislature disaggregated data identifying the race of individuals whose temporary assistance for needy families benefits were reduced or terminated during the preceding year due to:

- (a) Sanction as described in RCW 74.08A.260; or
- (b) Reaching the sixty-month time limit under RCW 74.08A.010.

(2) If the disaggregated data for terminated or sanctioned individuals shows a disproportionate representation of any racial group that has experienced historic disparities or discrimination, the department must describe steps it is taking to address and remedy the racial disproportionality.

NEW SECTION. Sec. 3. Section 1 of this act takes effect July 1, 2021.

Passed by the Senate March 11, 2020.

Passed by the House March 11, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 321

[Substitute Senate Bill 6483]

CHILD CARE PROVIDER RATING REQUIREMENTS--REMEDIAL ACTIVITIES

AN ACT Relating to rating requirements for child care providers; amending RCW 43.216.515; reenacting and amending RCW 43.216.135; and amending 2019 c 369 s 6 (uncodified).

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 43.216.515 and 2019 c 369 s 3 are each amended to read as follows:

(1) Approved early childhood education and assistance programs shall receive state-funded support through the department. Public or private organizations including, but not limited to, school districts, educational service districts, community and technical colleges, local governments, or nonprofit organizations, are eligible to participate as providers of the state early childhood education and assistance program.

(2) Funds obtained by providers through voluntary grants or contributions from individuals, agencies, corporations, or organizations may be used to expand or enhance preschool programs so long as program standards established by the department are maintained.

(3) Persons applying to conduct the early childhood education and assistance program shall identify targeted groups and the number of children to be served, program components, the qualifications of instructional and special staff, the source and amount of grants or contributions from sources other than state funds, facilities and equipment support, and transportation and personal care arrangements.

(4) A new early childhood education and assistance program provider must complete the requirements in this subsection to be eligible to receive state-funded support under the early childhood education and assistance program:

(a) Enroll in the early achievers program within thirty days of the start date of the early childhood education and assistance program contract;

(b)(i) Except as provided in (b)(ii) of this subsection, rate at a level 4 or 5 in the early achievers program within twenty-four months of enrollment. If an early childhood education and assistance program provider rates below a level 4 within twenty-four months of enrollment, the provider must complete remedial activities with the department, and must rate at or request to be rated at a level 4 or 5 within ~~((six))~~ twelve months of beginning remedial activities.

(ii) Licensed or certified child care centers and homes that administer an early childhood education and assistance program shall rate at a level 4 or 5 in the early achievers program within twenty-four months of the start date of the early childhood education and assistance program contract. If an early childhood education and assistance program provider rates below a level 4 within twenty-four months, the provider must complete remedial activities with the department, and must rate at or request to be rated at a level 4 or 5 within ~~((six))~~ twelve months of beginning remedial activities.

(5)(a) If an early childhood education and assistance program provider has successfully completed all of the required early achievers program activities and is waiting to be rated by the deadline provided in this section, the provider may continue to participate in the early achievers program as an approved early childhood education and assistance program provider and receive state subsidy pending the successful completion of a level 4 or 5 rating.

(b) To avoid disruption, the department may allow for early childhood education and assistance program providers who have rated below a level 4 after completion of the ~~((six))~~ twelve-month remedial period to continue to provide services until the current school year is finished.

(c)(i) If the early childhood education and assistance program provider described under subsection (4)(b)(i) or (ii) of this section does not rate or request to be rated at a level 4 or 5 following the remedial period, the provider is not eligible to receive state-funded support under the early childhood education and assistance program under this section.

(ii) If the early childhood education and assistance program provider described under subsection (4)(b)(i) or (ii) of this section does not rate at a level 4 or 5 when the rating is released following the remedial period, the provider is not eligible to receive state-funded support under the early childhood education and assistance program under this section.

(6)(a) When an early childhood education and assistance program in good standing changes classroom locations to a comparable or improved space within the same facility, a rerating is not required outside of the regular rerating and renewal cycle.

(b) When an early childhood education and assistance program in good standing moves to a new facility, the provider must notify the department of the move within six months of changing locations in order to retain their existing rating. The early achievers program must conduct an observational visit to ensure the new classroom space is of comparable or improved environmental quality. If a provider fails to notify the department within six months of a move, the early achievers rating must be changed from the posted rated level to "Participating, Not Yet Rated" and the provider will cease to receive tiered reimbursement incentives until a new rating is completed.

(7) The department shall collect data periodically to determine the demand for full-day programming for early childhood education and assistance program

providers. The department shall analyze this demand by geographic region and shall include the findings in the annual report required under RCW 43.216.089.

(8) The department shall develop multiple pathways for licensed or certified child care centers and homes to administer an early childhood education and assistance program. The pathways shall include an accommodation for these providers to rate at a level 4 or 5 in the early achievers program according to the timelines and standards established in subsection (4)(b)(ii) of this section. The department must consider using the intermediate level that is between level 3 and level 4 as described in RCW 43.216.085, incentives, and front-end funding in order to encourage providers to participate in the pathway.

Sec. 2. RCW 43.216.135 and 2019 c 406 s 70 and 2019 c 369 s 4 are each reenacted and amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures established by the department and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months beginning July 1, 2016, unless an earlier date is provided in the omnibus appropriations act.

(3) Existing child care providers serving nonschool-age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:

- (a) Enroll in the early achievers program by August 1, 2016;
- (b) Complete level 2 activities in the early achievers program by August 1, 2017; and
- (c) Rate or request to be rated at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider does not rate at or request to be rated at a level 3 by December 31, 2019, the provider ~~((is no longer eligible to receive state subsidy. If the provider rates below a level 3 when the rating is released, the provider))~~ must complete remedial activities with the department, and must rate at or request to be rated at a level 3 or higher no later than December 30, 2020.

(4) A new child care provider serving nonschool-age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:

- (a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;
- (b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and
- (c) Rate or request to be rated at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider does not rate or request to be rated at a level 3 within thirty months from enrollment into the early achievers program, the provider ~~((is no longer eligible to receive state subsidy. If the provider rates below a level 3 when the rating is released, the~~

provider)) must complete remedial activities with the department, and rate or request to be rated at a level 3 or higher within twelve months of beginning remedial activities.

(5) If a child care provider does not rate or request to be rated at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section. If a child care provider does not rate at a level 3 or higher when the rating is released following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

(6) If a child care provider serving nonschool-age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

(7) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

(8) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

(9)(a) The department shall establish and implement policies in the working connections child care program to allow eligibility for families with children who:

(i) In the last six months have:

(A) Received child protective services as defined and used by chapters 26.44 and 74.13 RCW;

(B) Received child welfare services as defined and used by chapter 74.13 RCW; or

(C) Received services through a family assessment response as defined and used by chapter 26.44 RCW;

(ii) Have been referred for child care as part of the family's case management as defined by RCW 74.13.020; and

(iii) Are residing with a biological parent or guardian.

(b) Children who are eligible for working connections child care pursuant to this subsection do not have to keep receiving services identified in this subsection to maintain twelve-month authorization. The department of social and health services' involvement with the family referred for working connections child care ends when the family's child protective services, child welfare services, or family assessment response case is closed.

(10)(a) Beginning August 1, 2020, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is:

(i) A single parent;

(ii) A full-time student of a community, technical, or tribal college; and

(iii) Pursuing vocational education that leads to a degree or certificate in a specific occupation, not to result in a bachelor's or advanced degree.

(b) An applicant or consumer is a full-time student for the purposes of this subsection if he or she meets the college's definition of a full-time student. The student must maintain passing grades and be in good standing pursuant to college attendance requirements.

(c) Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a wait list for working connections child care benefits.

Sec. 3. 2019 c 369 s 6 (uncodified) is amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department of children, youth, and families must deliver a progress report to the governor and the legislature by (~~July~~) September 1, 2020, and a final report by July 1, 2021, that includes:

(a) An analysis of consumer income and copay requirements in the working connections child care program and recommendations for mitigating the "cliff effect" for child care subsidy consumers. Recommendations must consider:

(i) How to further develop and implement a sliding scale or tiered reimbursement and phase-out model that works for both consumers and providers and provides incentives for quality child care across communities;

(ii) Whether or not increasing or decreasing the eligibility threshold for working connections child care would allow parents to grow professionally without losing affordable child care;

(iii) Whether further graduation of the copay scale would help alleviate the cliff that occurs at subsidy cutoff; and

(iv) Capping family child care expenses at seven percent of a family's income;

(b) Recommendations related to differential slot rates for the early childhood education and assistance program based on variable factors that may contribute to costs for providers when working to achieve positive child outcomes. When developing the recommendations, the department must:

(i) Consider, at a minimum, variations by geographic region, contractor type, child risk factors, and teacher credentials;

(ii) Evaluate advantages and disadvantages of linking early childhood education and assistance program rates and other child care subsidy rates; and

(iii) Review the department-designated subsidy regions and adjust regional boundaries as necessary to reflect regional economic conditions; and

(c) A plan for blending child care development funds and early childhood education and assistance program funds to provide extended day slots in the early childhood education and assistance program. The plan must include consideration of administrative efficiencies gained resulting from fully transferring the working connections child care program into the department.

(2) This section expires January 1, (~~2020~~) 2022.

Passed by the Senate February 19, 2020.

Passed by the House March 4, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 322

[Substitute Senate Bill 6495]

ESSENTIAL NEEDS AND HOUSING SUPPORT--ELIGIBILITY--PREGNANT WOMEN ASSISTANCE PROGRAM

AN ACT Relating to essential needs and housing support eligibility; and amending RCW 74.04.805.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 74.04.805 and 2018 c 48 s 1 are each amended to read as follows:

(1) The department is responsible for determining eligibility for referral for essential needs and housing support under RCW 43.185C.220. Persons eligible are persons who:

(a) ~~((Are))~~ Have been determined to be eligible for the pregnant women assistance program under RCW 74.62.030 or are incapacitated from gainful employment by reason of bodily or mental infirmity that will likely continue for a minimum of ninety days. The standard for incapacity in this subsection, as evidenced by the ninety-day duration standard, is not intended to be as stringent as federal supplemental security income disability standards;

(b) Are citizens or aliens lawfully admitted for permanent residence or otherwise residing in the United States under color of law;

(c) Have furnished the department their social security number. If the social security number cannot be furnished because it has not been issued or is not known, an application for a number must be made prior to authorization of benefits, and the social security number must be provided to the department upon receipt;

(d)(i) Have countable income as described in RCW 74.04.005 at or below four hundred twenty-eight dollars for a married couple or at or below three hundred thirty-nine dollars for a single individual; or

(ii) Have income that meets the standard established by the department, who are eligible for the pregnant women assistance program;

(e) Do not have countable resources in excess of those described in RCW 74.04.005; and

(f) Are not eligible for((:

~~(i) The pregnant women assistance program; or~~

~~(ii))~~ federal aid assistance, other than basic food benefits transferred electronically and medical assistance.

(2) Recipients of aged, blind, or disabled assistance program benefits who meet other eligibility requirements in this section are eligible for a referral for essential needs and housing support services within funds appropriated for the department of commerce.

(3) Recipients of pregnant women assistance program benefits who meet other eligibility requirements in this section are eligible for referral for essential needs and housing support services, within funds appropriated for the department of commerce, for twenty-four consecutive months from the date the department determines pregnant women assistance program eligibility.

(4) The following persons are not eligible for a referral for essential needs and housing support:

(a) Persons who refuse or fail to cooperate in obtaining federal aid assistance, without good cause;

(b) Persons who refuse or fail without good cause to participate in drug or alcohol treatment if an assessment by a certified chemical dependency counselor indicates a need for such treatment. Good cause must be found to exist when a person's physical or mental condition, as determined by the department, prevents the person from participating in drug or alcohol dependency treatment, when needed outpatient drug or alcohol treatment is not available to the person in the

county of his or her residence or when needed inpatient treatment is not available in a location that is reasonably accessible for the person; and

(c) Persons who are fleeing to avoid prosecution of, or to avoid custody or confinement for conviction of, a felony, or an attempt to commit a felony, under the laws of the state of Washington or the place from which the person flees; or who are violating a condition of probation, community supervision, or parole imposed under federal or state law for a felony or gross misdemeanor conviction.

~~((4))~~ (5) For purposes of determining whether a person is incapacitated from gainful employment under subsection (1) of this section:

(a) The department shall adopt by rule medical criteria for incapacity determinations to ensure that eligibility decisions are consistent with statutory requirements and are based on clear, objective medical information; and

(b) The process implementing the medical criteria must involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontroverted medical opinion must set forth clear and convincing reasons for doing so.

~~((5))~~ (6) For purposes of reviewing a person's continuing eligibility and in order to remain eligible for the program, persons who have been found to have an incapacity from gainful employment must demonstrate that there has been no material improvement in their medical or mental health condition. The department may discontinue benefits when there was specific error in the prior determination that found the person eligible by reason of incapacitation.

~~((6))~~ (7) The department must review the cases of all persons who have received benefits under the essential needs and housing support program for twelve consecutive months, and at least annually after the first review, to determine whether they are eligible for the aged, blind, or disabled assistance program.

Passed by the Senate February 14, 2020.

Passed by the House March 4, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 323

[Substitute Senate Bill 6499]

RETIREMENT PLANS--MEDICAL INFORMATION CONFIDENTIALITY

AN ACT Relating to protecting the confidentiality of retirement system files and records relating to health information; amending RCW 42.56.360; and adding a new section to chapter 41.04 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. **Sec. 1.** A new section is added to chapter 41.04 RCW to read as follows:

Medical information contained in files and records of members of retirement plans administered by the department of retirement systems or the law enforcement officers' and firefighters' plan 2 retirement board, under the

provisions of this title, are confidential and exempt from public inspection and copying under chapter 42.56 RCW. However:

(1) Representatives of an applicant may review an application file or receive specific information from an application file with the signed authorization of the applicant.

(2) Health care providers treating or examining applicants claiming disability retirement benefits under this title, or physicians giving medical advice to the department of retirement systems regarding any application, may, at the discretion of the department of retirement systems, inspect the application files and records of applicants.

(3) At the discretion of the department of retirement systems, persons rendering assistance to the department at any stage of the proceedings on any matter pertaining to the administration of this title may inspect the health information contained in application files and records of applicants.

Sec. 2. RCW 42.56.360 and 2016 c 238 s 2 are each amended to read as follows:

(1) The following health care information is exempt from disclosure under this chapter:

(a) Information obtained by the pharmacy quality assurance commission as provided in RCW 69.45.090;

(b) Information obtained by the pharmacy quality assurance commission or the department of health and its representatives as provided in RCW 69.41.044, 69.41.280, and 18.64.420;

(c) Information and documents created specifically for, and collected and maintained by a quality improvement committee under RCW 43.70.510, 70.230.080, or 70.41.200, or by a peer review committee under RCW 4.24.250, or by a quality assurance committee pursuant to RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections under RCW 43.70.056, a notification of an incident under RCW 70.56.040(5), and reports regarding adverse events under RCW 70.56.020(2)(b), regardless of which agency is in possession of the information and documents;

(d)(i) Proprietary financial and commercial information that the submitting entity, with review by the department of health, specifically identifies at the time it is submitted and that is provided to or obtained by the department of health in connection with an application for, or the supervision of, an antitrust exemption sought by the submitting entity under RCW 43.72.310;

(ii) If a request for such information is received, the submitting entity must be notified of the request. Within ten business days of receipt of the notice, the submitting entity shall provide a written statement of the continuing need for confidentiality, which shall be provided to the requester. Upon receipt of such notice, the department of health shall continue to treat information designated under this subsection (1)(d) as exempt from disclosure;

(iii) If the requester initiates an action to compel disclosure under this chapter, the submitting entity must be joined as a party to demonstrate the continuing need for confidentiality;

(e) Records of the entity obtained in an action under RCW 18.71.300 through 18.71.340;

(f) Complaints filed under chapter 18.130 RCW after July 27, 1997, to the extent provided in RCW 18.130.095(1);

(g) Information obtained by the department of health under chapter 70.225 RCW;

(h) Information collected by the department of health under chapter 70.245 RCW except as provided in RCW 70.245.150;

(i) Cardiac and stroke system performance data submitted to national, state, or local data collection systems under RCW 70.168.150(2)(b);

(j) All documents, including completed forms, received pursuant to a wellness program under RCW 41.04.362, but not statistical reports that do not identify an individual; ~~(and)~~

(k) Data and information exempt from disclosure under RCW 43.371.040; and

(l) Medical information contained in files and records of members of retirement plans administered by the department of retirement systems or the law enforcement officers' and firefighters' plan 2 retirement board, as provided to the department of retirement systems under section 1 of this act.

(2) Chapter 70.02 RCW applies to public inspection and copying of health care information of patients.

(3)(a) Documents related to infant mortality reviews conducted pursuant to RCW 70.05.170 are exempt from disclosure as provided for in RCW 70.05.170(3).

(b)(i) If an agency provides copies of public records to another agency that are exempt from public disclosure under this subsection (3), those records remain exempt to the same extent the records were exempt in the possession of the originating entity.

(ii) For notice purposes only, agencies providing exempt records under this subsection (3) to other agencies may mark any exempt records as "exempt" so that the receiving agency is aware of the exemption, however whether or not a record is marked exempt does not affect whether the record is actually exempt from disclosure.

(4) Information and documents related to maternal mortality reviews conducted pursuant to RCW 70.54.450 are confidential and exempt from public inspection and copying.

Passed by the Senate February 13, 2020.

Passed by the House March 6, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 324

[Second Substitute Senate Bill 6528]

DERELICT VESSELS--VARIOUS PROVISIONS

AN ACT Relating to the prevention of derelict vessels; amending RCW 79.100.160, 79.100.150, 79.100.170, 88.02.380, and 79.10.130; creating new sections; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that the derelict vessel removal program has been an extremely effective and successful tool since its inception in 2003, but recognizes that derelict vessels continue to be a critical problem for the waters of the state. Derelict vessels generate costs to taxpayers, impede the recreational enjoyment of waters, pose navigational safety hazards, and contaminate the environment, thereby impacting the health of Puget Sound and the habitat of imperiled species such as salmon and orcas. Every year, more vessels are reported to the derelict vessel removal program than can be removed. The legislature finds that improvements to the derelict vessel removal program statutes are needed to help address this problem.

Therefore, in order to increase the effectiveness of the derelict vessel removal program, the legislature proposes a suite of prevention and enforcement measures intended to decrease the number of vessels that become derelict and to provide the derelict vessel removal program with more tools to manage those that are currently derelict. These measures are intended to decrease costs to taxpayers and protect the environment by removing high risk boats from the waters of the state before they become derelict, and by expanding enforcement of existing aquatic regulations as they relate to enforcement of the derelict vessel statutes.

Sec. 2. RCW 79.100.160 and 2013 c 291 s 42 are each amended to read as follows:

(1) The department may develop and administer a voluntary vessel turn-in program.

(2) The purpose of the vessel turn-in program is to allow the department to dismantle and dispose of vessels that pose a high risk of becoming a derelict vessel or abandoned vessel, but that do not yet meet the definition of those terms. The department shall design the program with the goal of dismantling and disposing of as many vessels as available resources allow, particularly those vessels posing the greatest risk of becoming abandoned or derelict in the future.

(3) The department shall disseminate information about the vessel turn-in program, including information about the application process, on its internet site and through appropriate agency publications and information sources as determined by the department. The department shall disseminate this information for a reasonable time as determined by the department prior to accepting applications.

(4) The department shall accept and review vessel turn-in program applications from eligible vessel owners, including private marinas that have gained legal title to a vessel in an advanced state of disrepair, during the time period or periods identified by the department. In order to be eligible for the vessel turn-in program, an applicant must demonstrate to the department's satisfaction that the applicant:

(a) Is a Washington resident or business;

(b) Owns a vessel that is in an advanced state of disrepair, has minimal or no value, and has a high likelihood of becoming an abandoned or derelict vessel; and

(c) Has insufficient resources to properly dispose of the vessel outside of the vessel turn-in program.

(5) Decisions regarding program eligibility and whether to accept a vessel for dismantling and disposal under the turn-in program are within the sole discretion of the department.

(6) The department may take other actions not inconsistent with this section in order to develop and administer the vessel turn-in program.

~~((7) The department may not spend more than two hundred thousand dollars in any one biennium on the program established in this section.))~~

Sec. 3. RCW 79.100.150 and 2014 c 195 s 102 are each amended to read as follows:

(1) A vessel owner must obtain a vessel inspection under this section prior to transferring a vessel that is:

(a) More than ~~((sixty-five))~~ thirty-five feet in length and more than forty years old; and

(b) Either:

(i) Is registered or required to be registered under chapter 88.02 RCW; or

(ii) Is listed or required to be listed under chapter 84.40 RCW.

(2) If the vessel inspection determines the vessel is not seaworthy, as defined by agency rule, and the value of the vessel is less than the anticipated costs required to return the vessel to seaworthiness, then the vessel owner may not sell or transfer ownership of the vessel unless:

(a) The vessel is repaired to a seaworthy state prior to the transfer of ownership; or

(b) The vessel is sold for scrap, restoration, salvage, or another use that will remove the vessel from state waters to a person displaying a business license issued under RCW 19.02.070 that a reasonable person in the seller's position would believe has the capability and intent to do based on factors that may include the buyer's facilities, resources, documented intent, and relevant history.

(3) Where required under subsection (1) of this section, a vessel owner must provide a copy of the vessel inspection documentation to the transferee and, if the department did not conduct the inspection, to the department prior to the transfer.

(4) Unless rules adopted by the department provide otherwise, the vessel inspection required under this section must be contained in a formal marine survey conducted by a third party to the transaction. The survey must include, at a minimum, a conclusion relating to the seaworthiness of the vessel, an estimate of the vessel's fair market value, and, if applicable, an estimate as to the anticipated cost of repairs necessary to return the vessel to seaworthiness.

(5) The department may, by rule, allow other forms of vessel condition determinations, such as United States coast guard certificates of inspection, to replace the requirements for a formal marine survey under this section.

(6) Failure to comply with the requirements of this section will result in the transferor having secondary liability under RCW 79.100.060 if the vessel is later abandoned by the transferee or becomes derelict prior to a subsequent ownership transfer.

(7) Nothing in this section prevents a vessel owner from removing, dismantling, and lawfully disposing of any vessel lawfully under the vessel owner's control.

Sec. 4. RCW 79.100.170 and 2014 c 195 s 101 are each amended to read as follows:

(1) Any individual or company that purchases or otherwise receives a used vessel greater than ~~((sixty-five))~~ thirty-five feet in length and more than forty years old must, prior to or concurrent with the transfer of ownership, secure a marine insurance policy consistent with this section. Proof of the marine insurance policy must be provided to:

(a) The transferor of the vessel upon purchase or other transfer; and

(b) If applicable, the department of licensing upon first time registration or after the transfer of ownership, or the department of revenue upon the payment of any taxes.

(2) The transferor of a vessel greater than ~~((sixty-five))~~ thirty-five feet in length and more than forty years old has an affirmative duty to ensure that any potential transferee has secured a marine insurance policy consistent with this section prior to or concurrent with the finalization of any sale or transfer. Nothing in this section prohibits the sale or other transfer of a vessel greater than ~~((sixty-five))~~ thirty-five feet in length and more than forty years old to a transferee that fails to secure a marine insurance policy. However, a transferor that chooses to finalize a sale or other transfer with a transferee not in possession of a marine insurance policy assumes secondary liability for the vessel consistent with RCW 79.100.060 if the vessel is later abandoned by the transferee or becomes derelict prior to a subsequent ownership transfer.

(3) The marine insurance policy required under this section must be secured by the transferee prior to, or concurrent with, assuming ownership of a vessel greater than ~~((sixty-five))~~ thirty-five feet in length and more than forty years old. The marine insurance policy must satisfy the following conditions:

(a) Have a term of at least twelve months following the transferee's assumption of vessel ownership;

(b) Provide coverage of an amount that is, unless otherwise provided by the department by rule, at least three hundred thousand dollars;

(c) Provide, unless otherwise provided by the department by rule, coverage for the removal of the vessel if it should sink and coverage should it cause a pollution event.

(4) The purchaser of marine insurance under this section may satisfy the requirements of this section through the purchase of multiple policies as necessary.

(5) The department may, by rule, provide for a purchaser of a vessel to also satisfy the insurance requirements of this section through the posting of adequate security with a financial institution.

(6) A person required to secure marine insurance or show proof of marine insurance under this section who either: (a) Fails to secure a marine insurance policy consistent with this section prior to or concurrent with the transfer of ownership, unless the vessel was sold consistent with RCW 79.100.150(2)(b); or (b) cancels a marine insurance policy consistent with this section prior to the end of the twelfth month of vessel ownership or to a subsequent transfer of ownership, whichever occurs first, without securing another marine insurance policy consistent with this section in its place, is guilty of a misdemeanor. The department may contact any vessel owner required by this section to have a marine insurance policy to ensure compliance with this section.

Sec. 5. RCW 88.02.380 and 2013 c 291 s 29 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, and, in part, in order to prevent the future potential dereliction or abandonment of a vessel, a violation of this chapter and the rules adopted by the department is a class 2 civil infraction.

(2) A civil infraction issued under this chapter must be processed under chapter 7.80 RCW.

(3) After the subtraction of court costs and administrative collection fees, moneys collected under this section must be credited to the ticketing jurisdiction and used only for the support of the enforcement agency, department, division, or program that issued the violation.

(4) All law enforcement officers may enforce this chapter and the rules adopted by the department within their respective jurisdictions. A city, town, or county may contract with a fire protection district for enforcement of this chapter, and fire protection districts may engage in enforcement activities.

(5) In order to prevent the future potential dereliction or abandonment of a vessel, derelict vessel removal program staff of the department of natural resources have authority to issue tickets by mail for the purpose of enforcing vessel registration requirements.

***Sec. 6.** RCW 79.10.130 and 2014 c 114 s 5 are each amended to read as follows:

(1) The department is hereby authorized to carry out all activities necessary to achieve the purposes of this section and RCW 79.10.060, 79.10.070, 79.10.100 through 79.10.120, 79.10.200 through 79.10.330, 79.44.003, and 79.105.050 including, but not limited to:

(a) Planning, construction, and operation of conservation, recreational sites, areas, roads, and trails developed or maintained consistent with RCW 79.10.500, by itself or in conjunction with any public agency, nonprofit organization, volunteer, or volunteer organization, including entering cooperative agreements for these purposes;

(b) Planning, construction, and operation of special facilities for educational, scientific, conservation, or experimental purposes by itself or in conjunction with any other public or private agency, including entering cooperative agreements for these purposes;

(c) Improvement of any lands to achieve the purposes of this section and RCW 79.10.060, 79.10.070, 79.10.100 through 79.10.120, 79.10.200 through 79.10.330, 79.44.003, and 79.105.050, including entering cooperative agreements with public agencies, nonprofit organizations, volunteers, and volunteer organizations for these purposes;

(d) Entering cooperative agreements with public agencies, nonprofit organizations, volunteers, and volunteer organizations regarding the use of lands managed by the department for the purpose of providing a benefit to lands managed by the department, including but not limited to the following benefits: The utilization of such lands for watershed purposes; carrying out restoration and enhancement projects on such lands, such as improving, restoring, or enhancing habitat that provides for plant or animal species protection; improving, restoring, or enhancing watershed conditions; removing nonnative vegetation and providing vegetation management to restore, enhance, or maintain properly functioning conditions of the local

ecosystem; and other similar projects on these lands that provide long-term environmental and other land management benefits, provided that the cooperative agreements are consistent with land management obligations;

(e) Authorizing individual volunteers and volunteer organizations to conduct restoration and enhancement projects on lands managed by the department through cooperative agreements authorized in this section or other arrangements that are consistent with land management obligations and that do not require the volunteers to pay a fee for the cooperative agreement purpose;

(f) Authorizing the receipt of gifts of personal property, services, and other items of value for the purposes of this section, as well as the exchange of consideration in cooperative agreements authorized under this section;

(g) The authority to make such leases, contracts, agreements, or other arrangements as are necessary to accomplish the purposes of this section and RCW 79.10.060, 79.10.070, 79.10.100 through 79.10.120, 79.10.200 through 79.10.330, 79.44.003, and 79.105.050. However, nothing in this section shall affect any existing requirements for public bidding or auction with private agencies or parties, except that agreements or other arrangements may be made with public schools, colleges, universities, governmental agencies, nonprofit organizations, volunteers, and volunteer organizations. In addition, nothing in this section is intended to conflict with the department's trust obligations;

(h) Subject to the availability of amounts appropriated for this specific purpose, the authority to issue grants to local law enforcement agencies to compensate them for time and equipment needed to enforce vessel registration and aquatic laws as related to the derelict vessel program, and to issue civil penalties. Individual grants may not exceed fifty thousand dollars.

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

(a) "Nonprofit organization" means: (i) Any organization described in section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)) and exempt from tax under section 501(a) of the internal revenue code; or (ii) any not-for-profit organization that is organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes.

(b) "Volunteer" or "volunteer organization" means an individual or entity performing services for a nonprofit organization or a governmental entity who does not receive compensation, other than reasonable reimbursement or allowances for expenses actually incurred, or any other thing of value, in excess of five hundred dollars per year. "Volunteer" includes a volunteer serving as a director, officer, trustee, or direct service volunteer.

**Sec. 6 was vetoed. See message at end of chapter.*

**NEW SECTION. Sec. 7. (1)(a) Subject to the availability of amounts appropriated for this specific purpose, there is created within the department of natural resources a pilot project for the creation of a derelict vessel recycling waste stream. The purpose of the pilot project is to discover environmentally responsible methods of waste disposal by testing possible recycling streams for wood and fiberglass recovered from derelict vessels.*

(b) The department of natural resources shall collaborate with appropriate state and federal agencies, local governments, and tribes in order to safely and effectively remove, transport, and recycle the derelict vessel waste.

(c) The department of natural resources shall initiate the pilot project beginning July 1, 2020, and provide an annual report to the legislature regarding progress and outcomes of the pilot project.

(d) The department of natural resources shall initiate the pilot project by seeking to partner with a nonprofit maritime education center that has the capacity to coordinate with a local port and local businesses that can accommodate the vessel waste materials.

(e) If the pilot project is successful, the department of natural resources may replicate the program in several locations around the state in partnership with other authorized public entities and rural communities.

(2) This section expires July 1, 2023.

**Sec. 7 was vetoed. See message at end of chapter.*

Passed by the Senate February 18, 2020.

Passed by the House March 5, 2020.

Approved by the Governor April 2, 2020, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 3, 2020.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 6 and 7, Second Substitute Senate Bill No. 6528 entitled:

"AN ACT Relating to the prevention of derelict vessels."

Section 6 creates a new grant program for enforcing vessel registration, and Section 7 creates a new pilot program for vessel disposal. Unfortunately, neither of these new programs are sustainable due to the rapidly changing budget outlook as a result of our state's efforts to respond to the Coronavirus outbreak.

For these reasons I have vetoed Sections 6 and 7 of Second Substitute Senate Bill No. 6528.

With the exception of Sections 6 and 7, Second Substitute Senate Bill No. 6528 is approved."

CHAPTER 325

[Senate Bill 6551]

INTERNATIONAL MEDICAL GRADUATES--VARIOUS PROVISIONS

AN ACT Relating to integrating international medical graduates into Washington's health care delivery system; amending RCW 18.71.051 and 18.71.095; adding new sections to chapter 18.71 RCW; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION, **Sec. 1.** A new section is added to chapter 18.71 RCW to read as follows:

(1) The international medical graduate implementation work group is established. The work group membership must consist of the following members appointed by the governor:

(a) A representative from the commission;

(b) A representative from the department of health, health systems quality assurance division;

(c) A representative from the University of Washington school of medicine graduate medical education program;

(d) A representative from the Washington State University Elson S. Floyd college of medicine graduate medical education program;

(e) A representative from the Pacific Northwest University of Health Sciences college of osteopathic medicine graduate medical education program;

(f) A representative from a statewide association representing physicians;

(g) A representative from the Washington state family medicine residency network;

(h) A representative from a primary care health care employer in a rural or underserved area of Washington;

(i) A representative from a health carrier offering coverage in a rural or underserved area of Washington;

(j) A licensed physician with experience working with international medical graduates;

(k) A representative from an organization specializing in refugee advocacy in Washington;

(l) A representative from an organization serving refugee physicians and international medical graduates;

(m) A representative from an organization offering counseling and educational programs to internationally trained health professionals;

(n) A representative from an organization representing community and migrant health centers; and

(o) At least two international medical graduates.

(2) Staff support for the work group must be provided by the department of health.

(3) The work group shall:

(a) Propose clinical readiness criteria for international medical graduates using published benchmarks for medical school graduation or residency admission;

(b) Propose a grant award process for distributing funds for approved entities to provide career guidance and clinical training to international medical graduates;

(c) Propose an evaluation process to grant a hardship waiver to international medical graduates who cannot provide all necessary documentation for licensure due to circumstances outside their control; and

(d) Provide policy recommendations to the legislature.

(4) The work group must submit an annual report to the legislature by June 30, 2021, and yearly thereafter.

(5) This section expires July 1, 2025.

NEW SECTION. Sec. 2. A new section is added to chapter 18.71 RCW to read as follows:

Based on recommendations from the international medical graduate implementation work group, the commission shall adopt a clinical assessment to determine the readiness of international medical graduates to apply and serve in residency programs and adopt a grant award process for distributing funds pursuant to section 3 of this act.

NEW SECTION. Sec. 3. A new section is added to chapter 18.71 RCW to read as follows:

Subject to appropriation by the legislature and donations received from public and private entities, the department of health shall award grant funding to:

(1) Approved entities for career guidance and support services to international medical graduates including, but not limited to, assistance with educational commission for foreign medical graduates certification application and United States medical licensing examination preparation; and

(2) Health care facilities or clinical programs to provide supervised clinical training to international medical graduates.

Sec. 4. RCW 18.71.051 and 2011 c 138 s 1 are each amended to read as follows:

(1) Applicants for licensure to practice medicine who have graduated from a school of medicine located outside of the states, territories, and possessions of the United States, the District of Columbia, or the Dominion of Canada, shall file an application for licensure with the commission on a form prepared by the secretary with the approval of the commission. Each applicant shall furnish proof satisfactory to the commission of the following:

~~((1))~~ (a) That he or she has completed in a school of medicine a resident course of professional instruction equivalent to that required in this chapter for applicants generally;

~~((2)(a))~~ (b)(i) Except as provided in (b)(ii) of this subsection, that he or she meets all the requirements which must be met by graduates of the United States and Canadian school of medicine except that he or she need not have graduated from a school of medicine approved by the commission;

~~((b))~~ (ii) An applicant for licensure under this section is not required to meet the requirements of RCW 18.71.050(1)(b) if he or she furnishes proof satisfactory to the commission that he or she has:

~~((1)(A))~~ (A)(I) Been admitted as a permanent immigrant to the United States as a person of exceptional ability in sciences pursuant to the rules of the United States department of labor; or

~~((B))~~ (II) Been issued a permanent immigration visa; and

~~((1))~~ (B) Received multiple sclerosis certified specialist status from the consortium of multiple sclerosis centers; and

~~((1))~~ (C) Successfully completed at least twenty-four months of training in multiple sclerosis at an educational institution in the United States with an accredited residency program in neurology or rehabilitation;

~~((3))~~ (c) That he or she has satisfactorily passed the examination given by the educational council for foreign medical graduates or has met the requirements in lieu thereof as set forth in rules adopted by the commission;

~~((4))~~ (d) That he or she has the ability to read, write, speak, understand, and be understood in the English language.

(2) An applicant may obtain an exceptional qualification waiver, waiving requirements determined by the commission in rule, if they possess an acceptable body of work related to research, medical excellence, or employment, and have the recommendation of other national or international experts in the same specialty or field.

Sec. 5. RCW 18.71.095 and 2017 c 45 s 1 are each amended to read as follows:

The commission may, without examination, issue a limited license to persons who possess the qualifications set forth herein:

(1) The commission may, upon the written request of the secretary of the department of social and health services or the secretary of corrections, issue a limited license to practice medicine in this state to persons who have been accepted for employment by the department of social and health services or the department of corrections as physicians; who are licensed to practice medicine in another state of the United States or in the country of Canada or any province or territory thereof; and who meet all of the qualifications for licensure set forth in RCW 18.71.050.

Such license shall permit the holder thereof to practice medicine only in connection with patients, residents, or inmates of the state institutions under the control and supervision of the secretary of the department of social and health services or the department of corrections.

(2) The commission may issue a limited license to practice medicine in this state to persons who have been accepted for employment by a county or city health department as physicians; who are licensed to practice medicine in another state of the United States or in the country of Canada or any province or territory thereof; and who meet all of the qualifications for licensure set forth in RCW 18.71.050.

Such license shall permit the holder thereof to practice medicine only in connection with his or her duties in employment with the city or county health department.

(3) Upon receipt of a completed application showing that the applicant meets all of the requirements for licensure set forth in RCW 18.71.050 except for completion of two years of postgraduate medical training, and that the applicant has been appointed as a resident physician in a program of postgraduate clinical training in this state approved by the commission, the commission may issue a limited license to a resident physician. Such license shall permit the resident physician to practice medicine only in connection with his or her duties as a resident physician and shall not authorize the physician to engage in any other form of practice. Each resident physician shall practice medicine only under the supervision and control of a physician licensed in this state, but such supervision and control shall not be construed to necessarily require the personal presence of the supervising physician at the place where services are rendered.

(4)(a) Upon nomination by the dean of an accredited school of medicine in the state of Washington or the chief executive officer of a hospital or other appropriate health care facility licensed in the state of Washington, the commission may issue a limited license to a physician applicant invited to serve as a teaching-research member of the institution's instructional staff if the sponsoring institution and the applicant give evidence that he or she has graduated from a recognized medical school and has been licensed or otherwise privileged to practice medicine at his or her location of origin. Such license shall permit the recipient to practice medicine only within the confines of the instructional program specified in the application and shall terminate whenever the holder ceases to be involved in that program, or at the end of one year,

whichever is earlier. Upon request of the applicant and the institutional authority, the license may be renewed. The holder of a teaching research license under this subsection (4)(a) is eligible for full licensure if the following conditions are met:

(i) If the applicant has not graduated from a school of medicine located in any state, territory, or possession of the United States, the District of Columbia, or the Dominion of Canada, the applicant must satisfactorily pass the certification process by the educational commission for foreign medical graduates;

(ii) The applicant has successfully completed the exam requirements set forth by the commission by rule;

(iii) The applicant has the ability to read, write, speak, understand, and be understood in the English language at a level acceptable for performing competent medical care in all practice settings;

(iv) The applicant has continuously held a position of associate professor or higher at an accredited Washington state medical school for no less than three years; and

(v) The applicant has had no disciplinary action taken in the previous five years.

(b) Upon nomination by the dean of an accredited school of medicine in the state of Washington or the chief executive officer of any hospital or appropriate health care facility licensed in the state of Washington, the commission may issue a limited license to an applicant selected by the sponsoring institution to be enrolled in one of its designated departmental or divisional fellowship programs provided that the applicant shall have graduated from a recognized medical school and has been granted a license or other appropriate certificate to practice medicine in the location of the applicant's origin. Such license shall permit the holder only to practice medicine within the confines of the fellowship program to which he or she has been appointed and, upon the request of the applicant and the sponsoring institution, the license may be renewed by the commission.

All persons licensed under this section shall be subject to the jurisdiction of the commission to the same extent as other members of the medical profession, in accordance with this chapter and chapter 18.130 RCW.

Persons applying for licensure and renewing licenses pursuant to this section shall comply with administrative procedures, administrative requirements, and fees determined as provided in RCW 43.70.250 and 43.70.280. Any person who obtains a limited license pursuant to this section may apply for licensure under this chapter, but shall submit a new application form and comply with all other licensing requirements of this chapter.

(5) The commission may issue a time-limited clinical experience license to an applicant who does not qualify for licensure under RCW 18.71.050 or chapter 18.71B RCW and who meets the requirements established by the commission in rule for the purpose of gaining clinical experience at an approved facility or program.

Passed by the Senate February 18, 2020.

Passed by the House March 3, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 326

[Second Substitute Senate Bill 6561]

UNDOCUMENTED STUDENT SUPPORT LOAN PROGRAM

AN ACT Relating to higher education funding options for dreamers; adding a new chapter to Title 28B RCW; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The legislature recognizes that students seeking to attend an institution of higher education or to receive training at a technical college have a variety of ways to fund their education. Students who meet Washington state residency requirements have access to state-funded financial aid programs such as the Washington college grant, college bound, and running start. While state residents have access to these state-sponsored financial aid options, not all state residents are eligible to receive federal financial aid such as the Pell grant or subsidized and unsubsidized student loans. Students who rely solely on state financial aid or scholarships might have difficulty in affording the remaining cost of attendance that student loans could fund.

(2) Therefore, the legislature intends to increase access to those students who are ineligible for federal financial aid by creating a state-funded and state-administered student loan program. The legislature intends for the undocumented student support loan program to provide students loans that are competitive with federal student loans and offer multiple options for repayment including adjusted monthly payments based on income.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Eligible student" means a student who:

- (a) Is a resident student;
- (b) Demonstrates financial need as defined in RCW 28B.92.030;
- (c) Has indicated they will attend an institution of higher education or is making satisfactory progress in a program, as defined in rule by the office, at an institution of higher education;
- (d) Fills out the Washington application for state financial aid; and
- (e) Does not qualify for federally funded student financial aid because of their citizenship status.

(2) "Institution of higher education" has the same meaning as in RCW 28B.92.030.

(3) "Office" means the office of student financial assistance created in RCW 28B.76.090.

(4) "Participant" means an eligible student who has received an undocumented student support loan.

(5) Resident student means:

(a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational;

(b) A dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at

least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution;

(c) Any student:

(i) Who has spent at least seventy-five percent of both his or her junior and senior years in high schools in this state;

(ii) Whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school; and

(iii) Who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year; or

(d) Any person:

(i) Who has completed the full senior year of high school and obtained a high school diploma, both at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma;

(ii) Who has lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent;

(iii) Who has continuously lived in the state of Washington after receiving the diploma or its equivalent and until such time as the individual is admitted to an institution of higher education; and

(iv) Who provides to the institution an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses.

NEW SECTION. Sec. 3. (1) The undocumented student support loan program is established.

(2) The program shall be designed by the office, in consultation with financial aid professionals at institutions of higher education, state and nonprofit programs that work with eligible students, and relevant student associations and stakeholders in the development of the program.

(3) The program shall be administered by the office. In administering the program, the office has the following powers and duties:

(a) Screen and select, in coordination with representatives of institutions of higher education, eligible students to receive an undocumented student support loan;

(b) Consider an eligible student's financial inability to meet the total cost of the participant's educational program in the selection process;

(c) Issue low-interest student loans that are competitive with federal student loan programs;

(d) Establish annual and lifetime loan limits equal to the cost of attendance minus any other financial aid received as provided in subsection (6) of this section;

(e) Define the terms of repayment, including applicable interest rates, fees, and deferments;

(f) Collect and manage repayments from students who do not meet their obligations under this chapter;

(g) Consider income-based repayment options;

(h) Solicit and accept grants and donations from public and private sources for the program; and

(i) Adopt rules necessary to implement the program.

(4) The undocumented student support loan does not accrue interest while a participant is enrolled in an institution of higher education.

(5) The office may impose a loan origination fee up to, but not to exceed, the current rate imposed by the federal government on subsidized student loans.

(6) The maximum annual loan amount granted per student for the undocumented student support loan program is:

(a)(i) The cost of tuition and required fees at the public institution of higher education the student is attending; or

(ii) If the student is attending a private institution of higher education, the tuition and required fees at an equivalent public institution; and

(b) Less the value of any state-funded grant, scholarship, or waiver assistance the student receives, plus five hundred dollars for books and materials.

(7) Student loans issued under the program shall follow the requirements under 11 U.S.C. Sec. 523 regarding dischargeability in bankruptcy.

(8) Data collected by the program is private and confidential and must only be used for statistical analysis, research, and evaluation purposes. Data sharing by the office may be extended to include the office of financial management and other state governmental entities with oversight responsibility for the program, as long as personally identifiable student information is removed.

(9) The office shall provide information to the appropriate fiscal and relevant policy committees of the legislature by December 1, 2023, and every two years thereafter that includes the following:

(a) Dollar amount and number of private donations received;

(b) Number of applications received;

(c) Number of student loans provided to eligible students per year;

(d) Average student loan amount provided per participant;

(e) Level of degree program participants are pursuing;

(f) Number of student loans in active repayment, deferment, and default status; and

(g) Any other information the office deems relevant.

NEW SECTION. Sec. 4. (1) The undocumented student support loan match account is created in the custody of the state treasurer as a nonappropriated account to be used solely and exclusively for the program created in section 3 of this act. The purpose of the account is to provide state matching funds for the undocumented student support loan program.

(2) Revenues to the account consist of appropriations by the legislature into the account.

(3)(a) The legislature must appropriate a state match, up to a maximum of two million dollars per fiscal biennium, beginning January 1, 2022, and each January 1st following the end of the fiscal year based on donations and pledges received by the office for the program as of the date each official state caseload forecast is submitted by the caseload forecast council to the legislative fiscal committees, as provided under RCW 43.88C.020. Nothing in this subsection expands or modifies the responsibilities of the caseload forecast council.

(b) In any year that the fund balance of the account is tenmillion dollars or more on the last day of the fiscal year, no statematch shall be required the following year.

(4) Expenditures, in the form of matching funds, from the account may be made only upon receipt of proof from the office of private contributions to the program. Expenditures, in the form of matching funds, may not exceed the total amount of private contributions.

(5) Only the executive director of the office or the executive director's designee may authorize expenditures from the account. Such authorization must be made as soon as practicable following receipt of proof as required under subsection (4) of this section.

NEW SECTION. Sec. 5. This act takes effect July 1, 2021.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act constitute a new chapter in Title 28B RCW.

Passed by the Senate March 9, 2020.

Passed by the House March 5, 2020.

Approved by the Governor April 2, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 327

[Substitute Senate Bill 6570]

LAW ENFORCEMENT OFFICER MENTAL HEALTH AND WELLNESS TASK FORCE

AN ACT Relating to law enforcement officer mental health and wellness; creating new sections; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The legislature finds that law enforcement officers respond to and witness some of the most tragic events that happen in our communities. On-the-job stress can have a significant impact on their physical and mental well-being and can accumulate over the course of a career.

(2) Research indicates that law enforcement officers experience key risk factors for suicides, including exposure to trauma, alcohol use, availability of firearms, and the strains of shift work. Compared to the general population, law enforcement officers report much higher rates of depression, posttraumatic stress disorder, and other anxiety-related mental health conditions. These health conditions have a significant impact on the officers and their families.

(3) A 2019 report from the United States department of justice found that, nationally, law enforcement suicides are 28.2 per one hundred thousand for men and 12.2 per one hundred thousand for women. A 2018 report by the Ruderman family foundation found that law enforcement officers are one and one-half times more likely to die by suicide than the general population.

(4) Despite these significant risk factors, there is no central repository of comprehensive data regarding law enforcement officer suicides. As a result, there are no comprehensive tools available to law enforcement agencies to develop effective suicide prevention strategies, or to know whether those strategies are making a difference.

(5) Although Washington state has conducted significant work towards suicide prevention more broadly, there is not a current statewide program that

provides comprehensive, evidence-based mental health and suicide prevention resources for law enforcement and their families.

(6) The legislature finds that there is an urgent need to develop resources and interventions specifically targeted at helping law enforcement and their family members manage their behavioral health needs.

NEW SECTION. Sec. 2. (1)(a) The department of health shall convene a task force on law enforcement officer mental health and wellness in Washington state with members as provided in this subsection:

(i) The secretary of health, or the secretary's designee;
 (ii) The chief of the Washington state patrol, or the chief's designee;
 (iii) The director of the health care authority, or the director's designee;
 (iv) The secretary of the department of corrections, or the secretary's designee;

(v) A representative from the University of Washington's forefront suicide prevention program;

(vi) The executive director of the criminal justice training commission, or the director's designee;

(vii) A psychiatrist;

(viii) A representative of local public health;

(ix) One representative each from:

(A) The Washington council of police and sheriffs;

(B) The Washington state fraternal order of police;

(C) The council of metropolitan police and sheriffs;

(D) The Washington state patrol troopers association;

(E) The Washington state patrol lieutenants and captains association;

(F) Tribal law enforcement;

(G) The Washington association of sheriffs and police chiefs;

(H) An association representing community behavioral health agencies;

(I) An association representing mental health providers; and

(J) An association representing substance use disorder treatment providers.

(b) The representative from the department of health shall serve as the chair of the task force.

(c) At a minimum, the task force shall meet quarterly.

(2) The task force shall review the following issues and information:

(a) Data related to the behavioral health status of law enforcement officers, including suicide rates, substance abuse rates, posttraumatic stress disorder, depression, availability of behavioral health services, and utilization of behavioral health services;

(b) Factors unique to the law enforcement community that affect the behavioral health of persons working in law enforcement, including factors affecting suicide rates;

(c) Components that should be addressed in the behavioral health and suicide prevention pilot program established in section 3 of this act, including consideration of components that relate to similar programs funded or partially funded by the bureau of justice assistance and the national institute of justice;

(d) The recommendations of the Washington state department of health's suicide prevention plan and the applicability of the plan's recommendations to law enforcement mental health issues;

(e) The recommendations of the United States department of justice 2019 report to congress on law enforcement mental health and wellness; and

(f) Options to improve the behavioral health status of and reduce prevalent mental health issues and the suicide risk among law enforcement officers and their families.

(3) Staff support for the task force shall be provided by the department of health.

(4) The task force shall report its findings and recommendations to the governor and relevant committees of the legislature by December 1, 2021, including a summary of:

(a) The data to be reviewed described in subsection (2) of this section;

(b) The results of the pilot projects funded by this act and recommendations regarding the continuation of those programs;

(c) The best practices and policies for providing mental health services and preventing law enforcement suicides; and

(d) Recommendations on resources and technical assistance to support law enforcement agencies in preventing law enforcement suicides.

(5) This section expires July 1, 2022.

***NEW SECTION. Sec. 3.** (1) Subject to the availability of amounts appropriated for this specific purpose not to exceed three hundred thousand dollars per fiscal year, the Washington association of sheriffs and police chiefs shall establish three pilot projects to support behavioral health improvement and suicide prevention efforts for law enforcement officers.

(2) The Washington association of sheriffs and police chiefs shall establish a competitive grant program to award funding for the three pilot projects by September 1, 2020.

(3) Law enforcement associations and agencies are eligible to compete for grant funding.

(4) The following programs and activities are eligible for grant funding:

(a) Public information and wellness promotion campaigns;

(b) Embedded mental health professionals;

(c) Peer support programs;

(d) Resiliency training programs; and

(e) Critical incident stress management programs.

(5) Grantees must provide a report to the association on the results of their program by October 1, 2021. The association must provide the information to the officer mental health and wellness task force established in section 2 of this act, for incorporation in the December 1, 2021, report to the governor and relevant committees of the legislature.

**Sec. 3 was vetoed. See message at end of chapter.*

Passed by the Senate March 9, 2020.

Passed by the House March 5, 2020.

Approved by the Governor April 2, 2020, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 3, 2020.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section Sec 3, Substitute Senate Bill No. 6570 entitled:

"AN ACT Relating to law enforcement officer mental health and wellness."

Section 3 of this bill directs the Washington Association of Sheriffs and Police Chiefs to establish three pilot projects, subject to amounts appropriated for this purpose, to support behavioral health and other improvement efforts for law enforcement officers. With the rapidly changing environment related to the state's response to COVID-19 and the new economic realities the state faces, I made the difficult choice to veto the funding provided to support this pilot project in Sec 218 (17) and Sec 221 (65) of Engrossed Substitute Senate Bill 6168.

For these reasons I have vetoed Section Sec 3 of Substitute Senate Bill No. 6570.

With the exception of Section Sec 3, Substitute Senate Bill No. 6570 is approved."

CHAPTER 328

[Engrossed Senate Bill 6626]

MILITARY SPOUSE LIAISON--DEPARTMENT OF VETERANS AFFAIRS

AN ACT Relating to creating the position of military spouse liaison; and adding a new section to chapter 43.60A RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. **Sec. 1.** A new section is added to chapter 43.60A RCW to read as follows:

- (1) The position of military spouse liaison is created within the department.
- (2) The duties of the military spouse liaison include, but are not limited to:
 - (a) Conducting outreach to and advocating on behalf of military spouses in Washington;
 - (b) Providing assistance and information to military spouses seeking professional licenses and credentials or other employment in Washington;
 - (c) Coordinating research on issues facing military spouses and creating informational materials to assist military spouses and their families;
 - (d) Examining barriers and providing recommendations to assist spouses in accessing high quality child care and developing resources in coordination with military installations and the department of children, youth, and families to increase access to high quality child care for military families; and
 - (e) Developing, in coordination with the employment security department and employers, a common form for military spouses to complete highlighting specific skills, education, and training to help spouses quickly find meaningful employment in relevant economic sectors.
- (3) The military spouse liaison is encouraged to periodically report on the work of the liaison to the relevant standing committees of the legislature and the joint committee on veterans' and military affairs and participate in policy development relating to military spouses.

Passed by the Senate March 10, 2020.
 Passed by the House March 5, 2020.
 Approved by the Governor April 2, 2020.
 Filed in Office of Secretary of State April 3, 2020.

CHAPTER 329

[Engrossed House Bill 1390]

PLAN 1 RETIREMENT SYSTEMS--BENEFIT INCREASE

AN ACT Relating to providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1; amending RCW 41.40.1987 and 41.32.4992; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 41.40.1987 and 2018 c 151 s 2 are each amended to read as follows:

(1) Beneficiaries who are receiving a monthly benefit from the public employees' retirement system plan 1 on July 1, 2017, shall receive, effective July 1, 2018, an increase to their monthly benefit of one and one-half percent multiplied by the beneficiaries' monthly benefit, not to exceed sixty-two dollars and fifty cents.

(2) Beneficiaries who are receiving a monthly benefit from the public employees' retirement system plan 1 on July 1, 2019, shall receive, effective July 1, 2020, an increase to their monthly benefit of three percent multiplied by the beneficiaries' monthly benefit, not to exceed sixty-two dollars and fifty cents.

(3) This section does not apply to those receiving benefits pursuant to RCW 41.40.1984.

Sec. 2. RCW 41.32.4992 and 2018 c 151 s 1 are each amended to read as follows:

(1) Beneficiaries who are receiving a monthly benefit from the teachers' retirement system plan 1 on July 1, 2017, shall receive, effective July 1, 2018, an increase to their monthly benefit of one and one-half percent multiplied by the beneficiaries' monthly benefit, not to exceed sixty-two dollars and fifty cents.

(2) Beneficiaries who are receiving a monthly benefit from the teachers' retirement system plan 1 on July 1, 2019, shall receive, effective July 1, 2020, an increase to their monthly benefit of three percent multiplied by the beneficiaries' monthly benefit, not to exceed sixty-two dollars and fifty cents.

(3) This section does not apply to those receiving benefits pursuant to RCW 41.32.489 or 41.32.540.

NEW SECTION. Sec. 3. This act takes effect July 1, 2020.

Passed by the House March 10, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 330

[Third Substitute House Bill 1504]

IMPAIRED DRIVING--VARIOUS PROVISIONS

AN ACT Relating to impaired driving; amending RCW 9.94A.533, 9.94A.729, 10.21.055, 38.52.430, 46.20.245, 46.20.3101, 46.20.311, 46.20.385, 46.20.720, 46.20.740, 46.20.750, 46.55.113, 46.61.500, 46.61.5055, 46.61.5056, 46.61.524, and 46.68.041; reenacting and amending RCW 46.20.355; repealing RCW 43.43.3951; prescribing penalties; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 9.94A.533 and 2018 c 7 s 8 are each amended to read as follows:

(1) The provisions of this section apply to the standard sentence ranges determined by RCW 9.94A.510 or 9.94A.517.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by seventy-five percent.

(3) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any firearm enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the firearm enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a firearm enhancement. If the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any firearm enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Five years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) Three years for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Eighteen months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced for any firearm enhancements under (a), (b), and/or (c) of this subsection and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (4)(a), (b), and/or (c) of this section, or both, all firearm enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all firearm enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The firearm enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun or bump-fire stock, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(4) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9A.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any deadly weapon enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the deadly weapon enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a deadly weapon enhancement. If the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9A.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any deadly weapon enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Two years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) One year for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Six months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced under (a), (b), and/or (c) of this subsection for any deadly weapon enhancements and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (3)(a), (b), and/or (c) of this section, or both, all deadly weapon enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all deadly weapon enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The deadly weapon enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun or bump-fire stock, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun or bump-fire stock in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a deadly weapon enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(5) The following additional times shall be added to the standard sentence range if the offender or an accomplice committed the offense while in a county jail or state correctional facility and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section:

(a) Eighteen months for offenses committed under RCW 69.50.401(2) (a) or (b) or 69.50.410;

(b) Fifteen months for offenses committed under RCW 69.50.401(2) (c), (d), or (e);

(c) Twelve months for offenses committed under RCW 69.50.4013.

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(6) An additional twenty-four months shall be added to the standard sentence range for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435 or 9.94A.827. All enhancements under this subsection shall run consecutively to all other sentencing provisions, for all offenses sentenced under this chapter.

(7) An additional two years shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502 for each prior offense as defined in RCW 46.61.5055.

Notwithstanding any other provision of law, all impaired driving enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other impaired driving enhancements, for all offenses sentenced under this chapter.

An offender serving a sentence under this subsection may be granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c).

(8)(a) The following additional times shall be added to the standard sentence range for felony crimes committed on or after July 1, 2006, if the

offense was committed with sexual motivation, as that term is defined in RCW 9.94A.030. If the offender is being sentenced for more than one offense, the sexual motivation enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to a sexual motivation enhancement. If the offender committed the offense with sexual motivation and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(i) Two years for any felony defined under the law as a class A felony or with a statutory maximum sentence of at least twenty years, or both;

(ii) Eighteen months for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both;

(iii) One year for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both;

(iv) If the offender is being sentenced for any sexual motivation enhancements under (a)(i), (ii), and/or (iii) of this subsection and the offender has previously been sentenced for any sexual motivation enhancements on or after July 1, 2006, under (a)(i), (ii), and/or (iii) of this subsection, all sexual motivation enhancements under this subsection shall be twice the amount of the enhancement listed;

(b) Notwithstanding any other provision of law, all sexual motivation enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other sexual motivation enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(c) The sexual motivation enhancements in this subsection apply to all felony crimes;

(d) If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a sexual motivation enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced;

(e) The portion of the total confinement sentence which the offender must serve under this subsection shall be calculated before any earned early release time is credited to the offender;

(f) Nothing in this subsection prevents a sentencing court from imposing a sentence outside the standard sentence range pursuant to RCW 9.94A.535.

(9) An additional one-year enhancement shall be added to the standard sentence range for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089 committed on or after July 22, 2007, if the offender engaged, agreed, or offered to engage the victim in the sexual conduct in return for a fee. If the offender is being sentenced for more than one offense, the one-year enhancement must be added to the total period of total confinement

for all offenses, regardless of which underlying offense is subject to the enhancement. If the offender is being sentenced for an anticipatory offense for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089, and the offender attempted, solicited another, or conspired to engage, agree, or offer to engage the victim in the sexual conduct in return for a fee, an additional one-year enhancement shall be added to the standard sentence range determined under subsection (2) of this section. For purposes of this subsection, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

(10)(a) For a person age eighteen or older convicted of any criminal street gang-related felony offense for which the person compensated, threatened, or solicited a minor in order to involve the minor in the commission of the felony offense, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by one hundred twenty-five percent. If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence is the presumptive sentence unless the offender is a persistent offender.

(b) This subsection does not apply to any criminal street gang-related felony offense for which involving a minor in the commission of the felony offense is an element of the offense.

(c) The increased penalty specified in (a) of this subsection is unavailable in the event that the prosecution gives notice that it will seek an exceptional sentence based on an aggravating factor under RCW 9.94A.535.

(11) An additional twelve months and one day shall be added to the standard sentence range for a conviction of attempting to elude a police vehicle as defined by RCW 46.61.024, if the conviction included a finding by special allegation of endangering one or more persons under RCW 9.94A.834.

(12) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.831.

(13) An additional twelve months shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)) or felony physical control under the influence (RCW 46.61.504(6)) for each child passenger under the age of sixteen who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other minor child enhancements, for all offenses sentenced under this chapter. If the addition of a minor child enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement (~~(may not be reduced)~~) shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions.

(14) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.832.

Sec. 2. RCW 9.94A.729 and 2015 c 134 s 4 are each amended to read as follows:

(1)(a) The term of the sentence of an offender committed to a correctional facility operated by the department may be reduced by earned release time in accordance with procedures that shall be developed and adopted by the correctional agency having jurisdiction in which the offender is confined. The earned release time shall be for good behavior and good performance, as determined by the correctional agency having jurisdiction. The correctional agency shall not credit the offender with earned release credits in advance of the offender actually earning the credits.

(b) Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. If an offender is transferred from a county jail to the department, the administrator of a county jail facility shall certify to the department the amount of time spent in custody at the facility and the number of days of early release credits lost or not earned. The department may approve a jail certification from a correctional agency that calculates early release time based on the actual amount of confinement time served by the offender before sentencing when an erroneous calculation of confinement time served by the offender before sentencing appears on the judgment and sentence. The department must adjust an offender's rate of early release listed on the jail certification to be consistent with the rate applicable to offenders in the department's facilities. However, the department is not authorized to adjust the number of presentence early release days that the jail has certified as lost or not earned.

(2)(a) An offender who has been convicted of a felony committed after July 23, 1995, that involves any applicable deadly weapon enhancements under RCW 9.94A.533 (3) or (4), or both, shall not receive any good time credits or earned release time for that portion of his or her sentence that results from any deadly weapon enhancements.

(b) An offender whose sentence includes any impaired driving enhancements under RCW 9.94A.533(7), minor child enhancements under RCW 9.94A.533(13), or both, shall not receive any good time credits or earned release time for any portion of his or her sentence that results from those enhancements.

(3) An offender may earn early release time as follows:

(a) In the case of an offender sentenced pursuant to RCW 10.95.030(3) or 10.95.035, the offender may not receive any earned early release time during the minimum term of confinement imposed by the court; for any remaining portion of the sentence served by the offender, the aggregate earned release time may not exceed ten percent of the sentence.

(b) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 1990, and before July 1, 2003, the aggregate earned release time may not exceed fifteen percent of the sentence.

(c) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 2003, the aggregate earned release time may not exceed ten percent of the sentence.

(d) An offender is qualified to earn up to fifty percent of aggregate earned release time if he or she:

(i) Is not classified as an offender who is at a high risk to reoffend as provided in subsection (4) of this section;

(ii) Is not confined pursuant to a sentence for:

(A) A sex offense;

(B) A violent offense;

(C) A crime against persons as defined in RCW 9.94A.411;

(D) A felony that is domestic violence as defined in RCW 10.99.020;

(E) A violation of RCW 9A.52.025 (residential burglary);

(F) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.401 by manufacture or delivery or possession with intent to deliver methamphetamine; or

(G) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.406 (delivery of a controlled substance to a minor);

(iii) Has no prior conviction for the offenses listed in (d)(ii) of this subsection;

(iv) Participates in programming or activities as directed by the offender's individual reentry plan as provided under RCW 72.09.270 to the extent that such programming or activities are made available by the department; and

(v) Has not committed a new felony after July 22, 2007, while under community custody.

(e) In no other case shall the aggregate earned release time exceed one-third of the total sentence.

(4) The department shall perform a risk assessment of each offender who may qualify for earned early release under subsection (3)(d) of this section utilizing the risk assessment tool recommended by the Washington state institute for public policy. Subsection (3)(d) of this section does not apply to offenders convicted after July 1, 2010.

(5)(a) A person who is eligible for earned early release as provided in this section and who will be supervised by the department pursuant to RCW 9.94A.501 or 9.94A.5011, shall be transferred to community custody in lieu of earned release time;

(b) The department shall, as a part of its program for release to the community in lieu of earned release, require the offender to propose a release plan that includes an approved residence and living arrangement. All offenders with community custody terms eligible for release to community custody in lieu of earned release shall provide an approved residence and living arrangement prior to release to the community;

(c) The department may deny transfer to community custody in lieu of earned release time if the department determines an offender's release plan, including proposed residence location and living arrangements, may violate the conditions of the sentence or conditions of supervision, place the offender at risk to violate the conditions of the sentence, place the offender at risk to reoffend, or present a risk to victim safety or community safety. The department's authority under this section is independent of any court-ordered condition of sentence or statutory provision regarding conditions for community custody;

(d) If the department is unable to approve the offender's release plan, the department may do one or more of the following:

(i) Transfer an offender to partial confinement in lieu of earned early release for a period not to exceed three months. The three months in partial confinement

is in addition to that portion of the offender's term of confinement that may be served in partial confinement as provided in RCW 9.94A.728(~~(f)~~) (1)(e);

(ii) Provide rental vouchers to the offender for a period not to exceed three months if rental assistance will result in an approved release plan.

A voucher must be provided in conjunction with additional transition support programming or services that enable an offender to participate in services including, but not limited to, substance abuse treatment, mental health treatment, sex offender treatment, educational programming, or employment programming;

(e) The department shall maintain a list of housing providers that meets the requirements of RCW 72.09.285. If more than two voucher recipients will be residing per dwelling unit, as defined in RCW 59.18.030, rental vouchers for those recipients may only be paid to a housing provider on the department's list;

(f) For each offender who is the recipient of a rental voucher, the department shall gather data as recommended by the Washington state institute for public policy in order to best demonstrate whether rental vouchers are effective in reducing recidivism.

(6) An offender serving a term of confinement imposed under RCW 9.94A.670(5)(a) is not eligible for earned release credits under this section.

Sec. 3. RCW 10.21.055 and 2016 c 203 s 16 are each amended to read as follows:

(1)(a) When any person charged with a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, in which the person has a prior offense as defined in RCW 46.61.5055 and the current offense involves alcohol, is released from custody at arraignment or trial on bail or personal recognizance, the court authorizing the release shall require, as a condition of release that person comply with one of the following four requirements:

(i) Have a functioning ignition interlock device installed on all motor vehicles operated by the person, with proof of installation filed with the court by the person or the certified interlock provider within five business days of the date of release from custody or as soon thereafter as determined by the court based on availability within the jurisdiction; or

(ii) Comply with 24/7 sobriety program monitoring, as defined in RCW 36.28A.330; or

(iii) Have an ignition interlock device on all motor vehicles operated by the person pursuant to (a)(i) of this subsection and submit to 24/7 sobriety program monitoring pursuant to (a)(ii) of this subsection, if available, or alcohol monitoring, at the expense of the person, as provided in RCW 46.61.5055(5) (b) and (c); or

(iv) Have an ignition interlock device on all motor vehicles operated by the person and that such person agrees not to operate any motor vehicle without an ignition interlock device as required by the court. Under this subsection (1)(a)(iv), the person must file a sworn statement with the court upon release at arraignment that states the person will not operate any motor vehicle without an ignition interlock device while the ignition interlock restriction is imposed by the court. Such person must also submit to 24/7 sobriety program monitoring pursuant to (a)(ii) of this subsection, if available, or alcohol monitoring, at the expense of the person, as provided in RCW 46.61.5055(5) (b) and (c).

(b) The court shall immediately notify the department of licensing when an ignition interlock restriction is imposed ~~((= (i) As))~~ as a condition of release ~~((pursuant to (a) of this subsection;))~~ ~~((= (iii)))~~ after conviction in instances where a person is charged with, or convicted of, a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522 ~~((= and the offense involves alcohol))~~. If the court imposes an ignition interlock restriction, the department of licensing shall attach or imprint a notation on the driving record of any person restricted under this section stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock device.

(2)(a) Upon acquittal or dismissal of all pending or current charges relating to a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, or equivalent local ordinance, the court shall authorize removal of the ignition interlock device and lift any requirement to comply with electronic alcohol/drug monitoring imposed under subsection (1) of this section. Nothing in this section limits the authority of the court or department under RCW 46.20.720.

(b) If the court authorizes removal of an ignition interlock device imposed under this section, the court shall immediately notify the department of licensing regarding the lifting of the ignition interlock restriction and the department of licensing shall release any attachment, imprint, or notation on such person's driving record relating to the ignition interlock requirement imposed under this section.

(3) When an ignition interlock restriction imposed as a condition of release is canceled, the court shall provide a defendant with a written order confirming release of the restriction. The written order shall serve as proof of release of the restriction until which time the department of licensing updates the driving record.

Sec. 4. RCW 38.52.430 and 2012 c 183 s 6 are each amended to read as follows:

A person whose intoxication causes an incident resulting in an appropriate emergency response, and who, in connection with the incident, has been found guilty of or has had their prosecution deferred for (1) driving while under the influence of intoxicating liquor or any drug, RCW 46.61.502; (2) physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, RCW 46.61.504; (3) operating an aircraft under the influence of intoxicants or drugs, RCW 47.68.220; ~~((= (3)))~~ (4) use of a vessel while under the influence of alcohol or drugs, RCW 79A.60.040; ~~((= (4)))~~ (5) vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a); or ~~((= (5)))~~ (6) vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), is liable for the expense of an emergency response by a public agency to the incident.

The expense of an emergency response is a charge against the person liable for expenses under this section. The charge constitutes a debt of that person and is collectible by the public agency incurring those costs in the same manner as in the case of an obligation under a contract, expressed or implied. Following a conviction of an offense listed in this section, and prior to sentencing, the prosecution may present to the court information setting forth the expenses incurred by the public agency for its emergency response to the incident. Upon a finding by the court that the expenses are reasonable, the court shall order the defendant to reimburse the public agency. The cost reimbursement shall be

included in the sentencing order as an additional monetary obligation of the defendant and may not be substituted for any other fine or cost required or allowed by statute. The court may establish a payment schedule for the payment of the cost reimbursement, separate from any payment schedule imposed for other fines and costs. All payments for the cost reimbursement must be remitted directly to the public agency or agencies that incurred the cost associated with the emergency response.

In no event shall a person's liability under this section for the expense of an emergency response exceed two thousand five hundred dollars for a particular incident.

If more than one public agency makes a claim for payment from an individual for an emergency response to a single incident under the provisions of this section, and the sum of the claims exceeds the amount recovered, the division of the amount recovered shall be determined by an interlocal agreement consistent with the requirements of chapter 39.34 RCW.

Sec. 5. RCW 46.20.245 and 2005 c 288 s 1 are each amended to read as follows:

(1) Whenever the department proposes to withhold the driving privilege of a person or disqualify a person from operating a commercial motor vehicle and this action is made mandatory by the provisions of this chapter or other law, the department must give notice to the person in writing by posting in the United States mail, appropriately addressed, postage prepaid, or by personal service. Notice by mail is given upon deposit in the United States mail. Notice given under this subsection must specify the date upon which the driving privilege is to be withheld which shall not be less than forty-five days after the original notice is given.

(2) For persons subject to suspension, revocation, or denial of a driver's license who are eligible for full credit under RCW 46.61.5055(9)(b)(ii), the notice in subsection (1) of this section must also notify the person of the obligation to complete the requirements under RCW 46.20.311 and pay the probationary license fee under RCW 46.20.355 by the date specified in the notice in order to avoid license suspension.

(3) Within fifteen days after notice has been given to a person under subsection (1) of this section, the person may request in writing an administrative review before the department. If the request is mailed, it must be postmarked within fifteen days after the date the department has given notice. If a person fails to request an administrative review within fifteen days after the date the department gives notice, the person is considered to have defaulted and loses his or her right to an administrative review unless the department finds good cause for a request after the fifteen-day period.

(a) An administrative review under this subsection shall consist solely of an internal review of documents and records submitted or available to the department, unless the person requests an interview before the department, in which case all or any part of the administrative review may, at the discretion of the department, be conducted by telephone or other electronic means.

(b) The only issues to be addressed in the administrative review are:

(i) Whether the records relied on by the department identify the correct person; and

(ii) Whether the information transmitted from the court or other reporting agency or entity regarding the person accurately describes the action taken by the court or other reporting agency or entity.

(c) For the purposes of this section, the notice received from a court or other reporting agency or entity, regardless of form or format, is prima facie evidence that the information from the court or other reporting agency or entity regarding the person is accurate. A person requesting administrative review has the burden of showing by a preponderance of the evidence that the person is not subject to the withholding of the driving privilege.

(d) The action subject to the notification requirements of subsection (1) of this section shall be stayed during the administrative review process.

(e) Judicial review of a department order affirming the action subject to the notification requirements of subsection (1) of this section after an administrative review shall be available in the same manner as provided in RCW 46.20.308~~((9))~~ (8). The department shall certify its record to the court within thirty days after service upon the department of the petition for judicial review. The action subject to the notification requirements of subsection (1) of this section shall not automatically be stayed during the judicial review. If judicial relief is sought for a stay or other temporary remedy from the department's action, the court shall not grant relief unless the court finds that the appellant is likely to prevail in the appeal and that without a stay the appellant will suffer irreparable injury.

~~((3))~~ (4) The department may adopt rules that are considered necessary or convenient by the department for purposes of administering this section, including, but not limited to, rules regarding expedited procedures for issuing orders and expedited notice procedures.

~~((4))~~ (5) This section does not apply where an opportunity for an informal settlement, driver improvement interview, or formal hearing is otherwise provided by law or rule of the department.

Sec. 6. RCW 46.20.3101 and 2016 c 203 s 18 are each amended to read as follows:

Pursuant to RCW 46.20.308, the department shall suspend, revoke, or deny the arrested person's license, permit, or privilege to drive as follows:

(1) In the case of a person who has refused a test or tests:

(a) For a first refusal within seven years, where there has not been a previous incident within seven years that resulted in administrative action under this section, revocation or denial for one year;

(b) For a second or subsequent refusal within seven years, or for a first refusal where there has been one or more previous incidents within seven years that have resulted in administrative action under this section, revocation or denial for two years or until the person reaches age twenty-one, whichever is longer.

(2) In the case of an incident where a person has submitted to or been administered a test or tests indicating that the alcohol concentration of the person's breath or blood was 0.08 or more, or that the THC concentration of the person's blood was 5.00 or more:

(a) For a first incident within seven years, where there has not been a previous incident within seven years that resulted in administrative action under

this section, suspension for ninety days, unless the person successfully completes or is enrolled in a pretrial 24/7 sobriety program;

(b) For a second or subsequent incident within seven years, revocation or denial for two years.

(3) In the case of an incident where a person under age twenty-one has submitted to or been administered a test or tests indicating that the alcohol concentration of the person's breath or blood was 0.02 or more, or that the THC concentration of the person's blood was above 0.00:

(a) For a first incident within seven years, suspension or denial for ninety days;

(b) For a second or subsequent incident within seven years, revocation or denial for one year or until the person reaches age twenty-one, whichever is longer.

(4) The department shall grant credit on a day-for-day basis for ~~((any portion of))~~ a suspension, revocation, or denial ~~((already served))~~ imposed under this section for any portion of a suspension, revocation, or denial ~~((imposed))~~ already served under RCW 46.61.5055 arising out of the same incident. If a person has already served a suspension, revocation, or denial under RCW 46.61.5055 for a period equal to or greater than the period imposed under this section, the department shall provide notice of full credit, shall provide for no further suspension or revocation under this section, and shall impose no additional reissue fees for this credit.

Sec. 7. RCW 46.20.311 and 2016 c 203 s 12 are each amended to read as follows:

(1)(a) The department shall not suspend a driver's license or privilege to drive a motor vehicle on the public highways for a fixed period of more than one year, except as specifically permitted under RCW 46.20.267, 46.20.342, or other provision of law.

(b) Except for a suspension under RCW 46.20.267, 46.20.289, 46.20.291(5), 46.61.740, or 74.20A.320, whenever the license or driving privilege of any person is suspended by reason of a conviction, a finding that a traffic infraction has been committed, pursuant to chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the suspension shall remain in effect until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(c) If the suspension is the result of a nonfelony violation of RCW 46.61.502 or 46.61.504, the department shall determine the person's eligibility for licensing based upon the reports provided by the ~~((alcoholism))~~ substance use disorder agency or probation department designated under RCW 46.61.5056 and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified. If the suspension is the result of a violation of RCW 46.61.502(6) or 46.61.504(6), the department shall determine the person's eligibility for licensing based upon the reports provided by the ~~((alcohol or drug dependency))~~ substance use disorder agency required under RCW 46.61.524 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504, and the person is required pursuant to RCW 46.20.720 to drive only a motor vehicle equipped with a functioning ignition

interlock, the department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person seeking reinstatement. The department may waive the requirement for written verification under this subsection if it determines to its satisfaction that a device previously verified as having been installed on a vehicle owned or operated by the person is still installed and functioning or as permitted by RCW 46.20.720(8). If, based upon notification from the interlock provider or otherwise, the department determines that an interlock required under RCW 46.20.720 is no longer installed or functioning as required, the department shall suspend the person's license or privilege to drive. Whenever the license or driving privilege of any person is suspended or revoked as a result of noncompliance with an ignition interlock requirement, the suspension shall remain in effect until the person provides notice issued by a company doing business in the state that a vehicle owned or operated by the person is equipped with a functioning ignition interlock device.

(d) Whenever the license or driving privilege of any person is suspended as a result of certification of noncompliance with a child support order under chapter 74.20A RCW, the suspension shall remain in effect until the person provides a release issued by the department of social and health services stating that the person is in compliance with the order.

(e)(i) The department shall not issue to the person a new, duplicate, or renewal license until the person pays a reissue fee of seventy-five dollars.

(ii) ~~((#))~~ Except as provided in subsection (4) of this section, if the suspension is the result of a violation of RCW 46.61.502 or 46.61.504, or is the result of administrative action under RCW 46.20.308, the reissue fee shall be one hundred ~~((fifty))~~ seventy dollars.

(2)(a) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (i) After the expiration of one year from the date the license or privilege to drive was revoked; (ii) after the expiration of the applicable revocation period provided by RCW 46.20.3101 or 46.61.5055; (iii) after the expiration of two years for persons convicted of vehicular homicide; or (iv) after the expiration of the applicable revocation period provided by RCW 46.20.265.

(b)(i) After the expiration of the appropriate period, the person may make application for a new license as provided by law together with a reissue fee in the amount of seventy-five dollars.

(ii) ~~((#))~~ Except as provided in subsection (4) of this section, if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee shall be one hundred ~~((fifty))~~ seventy dollars. If the revocation is the result of a nonfelony violation of RCW 46.61.502 or 46.61.504, the department shall determine the person's eligibility for licensing based upon the reports provided by the ~~((alcoholism))~~ substance use disorder agency or probation department designated under RCW 46.61.5056 and shall deny reissuance of a license, permit, or privilege to drive until enrollment and participation in an approved program has been established and the person is otherwise qualified. If the suspension is the result of a violation of RCW 46.61.502(6) or 46.61.504(6), the department shall determine the person's

eligibility for licensing based upon the reports provided by the ~~((alcohol or drug dependency))~~ substance use disorder agency required under RCW 46.61.524 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified. If the revocation is the result of a violation of RCW 46.61.502 or 46.61.504, and the person is required pursuant to RCW 46.20.720 to drive only a motor vehicle equipped with a functioning ignition interlock or other biological or technical device, the department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person applying for a new license. The department may waive the requirement for written verification under this subsection if it determines to its satisfaction that a device previously verified as having been installed on a vehicle owned or operated by the person is still installed and functioning or as permitted by RCW 46.20.720(8). If, following issuance of a new license, the department determines, based upon notification from the interlock provider or otherwise, that an interlock required under RCW 46.20.720 is no longer functioning, the department shall suspend the person's license or privilege to drive until the department has received written verification from an interlock provider that a functioning interlock is installed.

(c) Except for a revocation under RCW 46.20.265, the department shall not then issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. For a revocation under RCW 46.20.265, the department shall not issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant that person the privilege of driving a motor vehicle on the public highways.

(3)(a) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue to the person any new or renewal license until the person pays a reissue fee of seventy-five dollars.

(b) ~~((H))~~ Except as provided in subsection (4) of this section, if the suspension is the result of a violation of the laws of this or any other state, province, or other jurisdiction involving (i) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (ii) the refusal to submit to a chemical test of the driver's blood alcohol content, the reissue fee shall be one hundred ~~((fifty))~~ seventy dollars.

(4) When the department reinstates a person's driver's license following a suspension, revocation, or denial under RCW 46.20.3101 or 46.61.5055, and the person is entitled to full day-for-day credit under RCW 46.20.3101(4) or 46.61.5055(9)(b)(ii) for an additional restriction arising from the same incident, the department shall impose no additional reissue fees under subsection (1)(e)(ii), (2)(b)(ii), or (3)(b) of this section associated with the additional restriction.

Sec. 8. RCW 46.20.355 and 1998 c 209 s 3 and 1998 c 41 s 5 are each reenacted and amended to read as follows:

(1) Upon receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon receipt of a notice of conviction of RCW 46.61.502 or 46.61.504, the department of licensing shall order the person to surrender any nonprobationary Washington state driver's license that may be in his or her possession. The department shall revoke the license, permit, or privilege to drive of any person who fails to surrender it as required by this section for one year, unless the license has been previously surrendered to the department, a law enforcement officer, or a court, or the person has completed an affidavit of lost, stolen, destroyed, or previously surrendered license, such revocation to take effect thirty days after notice is given of the requirement for license surrender.

(2) The department shall place a person's driving privilege in probationary status as required by RCW 10.05.060 or 46.61.5055 for a period of five years from the date the probationary status is required to go into effect.

(3) Following receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon reinstatement or reissuance of a driver's license suspended or revoked as the result of a conviction of RCW 46.61.502 or 46.61.504, the department shall require the person to obtain a probationary license in order to operate a motor vehicle in the state of Washington, except as otherwise exempt under RCW 46.20.025. The department shall not issue the probationary license unless the person is otherwise qualified for licensing, and the person must renew the probationary license on the same cycle as the person's regular license would have been renewed until the expiration of the five-year probationary status period imposed under subsection (2) of this section.

(4) If a person is eligible for full credit under RCW 46.61.5055(9)(b)(ii) and, by the date specified in the notice issued under RCW 46.20.245, has completed the requirements under RCW 46.20.311 and paid the fee under subsection (5) of this section, the department shall issue a probationary license on the date specified in the notice with no further action required of the person.

(5) For each original issue or renewal of a probationary license under this section, the department shall charge a fee of fifty dollars in addition to any other licensing fees required. Except for when renewing a probationary license, the department shall waive the requirement to obtain an additional probationary license and the fifty dollar fee if the person has a probationary license in his or her possession at the time a new probationary license is required.

~~((5))~~ (6) A probationary license shall enable the department and law enforcement personnel to determine that the person is on probationary status. The fact that a person's driving privilege is in probationary status or that the person has been issued a probationary license shall not be a part of the person's record that is available to insurance companies.

Sec. 9. RCW 46.20.385 and 2017 c 336 s 4 are each amended to read as follows:

(1)(a) Any person licensed under this chapter or who has a valid driver's license from another state, who is convicted of: (i) A violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance, or (ii) a violation of RCW 46.61.520(1)(a) or an equivalent local or out-of-state statute or ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1) (b) or (c) if the conviction is the result of a charge that was

originally filed as a violation of RCW 46.61.520(1)(a), or (iv) RCW 46.61.522(1)(b) or an equivalent local or out-of-state statute or ordinance, or (v) RCW 46.61.522(1) (a) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522(1)(b) committed while under the influence of intoxicating liquor or any drug, or (vi) who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, or who is otherwise permitted under subsection (8) of this section, may submit to the department an application for an ignition interlock driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is eligible to receive the license, may issue an ignition interlock driver's license.

(b) A person may apply for an ignition interlock driver's license anytime, including immediately after receiving the notices under RCW 46.20.308 or after his or her license is suspended, revoked, or denied.

(c) An applicant under this subsection shall provide proof to the satisfaction of the department that a functioning ignition interlock device has been installed on all vehicles operated by the person.

(i) The department shall require the person to maintain the device on all vehicles operated by the person and shall restrict the person to operating only vehicles equipped with the device, for the remainder of the period of suspension, revocation, or denial, unless otherwise permitted under RCW 46.20.720(6).

(ii) Subject to any periodic renewal requirements established by the department under this section and subject to any applicable compliance requirements under this chapter or other law, an ignition interlock driver's license granted upon a suspension or revocation under RCW 46.61.5055 or 46.20.3101 extends through the remaining portion of any concurrent or consecutive suspension or revocation that may be imposed as the result of administrative action and criminal conviction arising out of the same incident.

(2) An applicant for an ignition interlock driver's license who qualifies under subsection (1) of this section is eligible to receive a license only if the applicant files satisfactory proof of financial responsibility under chapter 46.29 RCW.

(3) Upon receipt of evidence that a holder of an ignition interlock driver's license granted under this subsection no longer has a functioning ignition interlock device installed on all vehicles operated by the driver, the director shall give written notice by first-class mail to the driver that the ignition interlock driver's license shall be canceled. If at any time before the cancellation goes into effect the driver submits evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver, the cancellation shall be stayed. If the cancellation becomes effective, the driver may obtain, at no additional charge, a new ignition interlock driver's license upon submittal of evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver.

(4) A person aggrieved by the decision of the department on the application for an ignition interlock driver's license may request a hearing as provided by rule of the department.

(5) The director shall cancel an ignition interlock driver's license after receiving notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, no longer meets the eligibility

requirements, or has been convicted of or found to have committed a separate offense or any other act or omission that under this chapter would warrant suspension or revocation of a regular driver's license. The department must give notice of the cancellation as provided under RCW 46.20.245. A person whose ignition interlock driver's license has been canceled under this section may reapply for a new ignition interlock driver's license if he or she is otherwise qualified under this section and pays the fee required under RCW 46.20.380.

(6)(a) Unless costs are waived by the ignition interlock company or the person is indigent under RCW 10.101.010, the applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of (~~twenty~~) twenty-one dollars per month. Payments shall be made directly to the ignition interlock company. The company shall remit the additional fee to the department, except that the company may retain twenty-five cents per month of the additional fee to cover the expenses associated with administering the fee.

(b) The department shall deposit the proceeds of the (~~twenty~~) twenty-one dollar fee into the ignition interlock device revolving account. Expenditures from the account may be used only to administer and operate the ignition interlock device revolving account program. The department shall adopt rules to provide monetary assistance according to greatest need and when funds are available.

(7) The department shall adopt rules to implement ignition interlock licensing. The department shall consult with the administrative office of the courts, the state patrol, the Washington association of sheriffs and police chiefs, ignition interlock companies, and any other organization or entity the department deems appropriate.

(8)(a) Any person licensed under this chapter who is convicted of a violation of RCW 46.61.500 when the charge was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, may submit to the department an application for an ignition interlock driver's license under this section.

(b) A person who does not have any driver's license under this chapter, but who would otherwise be eligible under this section to apply for an ignition interlock license, may submit to the department an application for an ignition interlock license. The department may require the person to take any driver's licensing examination under this chapter and may require the person to also apply and qualify for a temporary restricted driver's license under RCW 46.20.391.

Sec. 10. RCW 46.20.720 and 2019 c 232 s 22 are each amended to read as follows:

(1) **Ignition interlock restriction.** The department shall require that a person may drive only a motor vehicle equipped with a functioning ignition interlock device:

(a) **Pretrial release.** Upon receipt of notice (a) from a court that an ignition interlock device restriction has been imposed under RCW 10.21.055;

(b) **Ignition interlock driver's license.** As required for issuance of an ignition interlock driver's license under RCW 46.20.385;

(c) **Deferred prosecution.** Upon receipt of notice from a court that the person is participating in a deferred prosecution program under RCW 10.05.020 for a violation of:

(i) RCW 46.61.502 or 46.61.504 or an equivalent local ordinance; or

(ii) RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person would be required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person in the event of a conviction;

(d) **Post conviction.** After any applicable period of mandatory suspension, revocation, or denial of driving privileges, or upon fulfillment of day-for-day credit under RCW 46.61.5055(9)(b)(ii) for a suspension, revocation, or denial of driving privileges:

(i) Due to a conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance; or

(ii) Due to a conviction of a violation of RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person is required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person; or

(e) **Court order.** Upon receipt of an order by a court having jurisdiction that a person charged or convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle may drive only a motor vehicle equipped with a functioning ignition interlock. The court shall establish a specific (~~(calibration setting)~~) alcohol set point at which the ignition interlock will prevent the vehicle from being started. The court shall also establish the period of time for which ignition interlock use will be required.

(2) (~~(Calibration-))~~ Alcohol set point. Unless otherwise specified by the court for a restriction imposed under subsection (1)(e) of this section, the ignition interlock device shall (~~(be calibrated to prevent)~~) have an alcohol set point that prevents the motor vehicle from being started when the breath sample provided has an alcohol concentration of (~~(0.025)~~) 0.020 or more.

(3) **Duration of restriction.** A restriction imposed under:

(a) Subsection (1)(a) of this section shall remain in effect until:

(i) The court has authorized the removal of the device under RCW 10.21.055; or

(ii) The department has imposed a restriction under subsection (1)(b), (c), or (d) of this section arising out of the same incident.

(b) Subsection (1)(b) of this section remains in effect during the validity of any ignition interlock driver's license that has been issued to the person.

(c) Subsection (1)(c)(i) or (d)(i) of this section shall be for no less than:

(i) For a person who has not previously been restricted under this subsection, a period of one year;

(ii) For a person who has previously been restricted under (c)(i) of this subsection, a period of five years;

(iii) For a person who has previously been restricted under (c)(ii) of this subsection, a period of ten years.

The restriction of a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and who committed the offense while (~~(a passenger)~~) one or more passengers under the age of sixteen

~~((was))~~ were in the vehicle shall be extended for an additional ~~((six-month))~~ period as required by RCW 46.61.5055(6)(a).

(d) Subsection (1)(c)(ii) or (d)(ii) of this section shall be for a period of no less than six months.

(e) The period of restriction under (c) or (d) of this subsection shall be extended by one hundred eighty days whenever the department receives notice that the restricted person has been convicted under RCW 46.20.740 or 46.20.750. If the period of restriction under (c) or (d) of this subsection has been fulfilled and cannot be extended, the department must add a new one hundred eighty-day restriction that is imposed from the date of conviction and is subject to the requirements for removal under subsection (4) of this section.

(f) Subsection (1)(e) of this section shall remain in effect for the period of time specified by the court.

(g) The period of restriction under (c) and (d) of this subsection based on incidents occurring on or after June 9, 2016, must be tolled for any period in which the person does not have an ignition interlock device installed on a vehicle owned or operated by the person unless the person receives a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. The department's determination that a person is unable to operate an ignition interlock device must be reasonable and be based upon good and substantial evidence. This determination is subject to review by a court of competent jurisdiction. The department may charge a person seeking a medical exemption under this subsection a reasonable fee for the assessment.

(4) Requirements for removal. A restriction imposed under subsection (1)(c) or (d) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying ~~((that))~~ the following:

(a) That there have been none of the following incidents in the one hundred eighty consecutive days prior to the date of release:

~~((a))~~ (i) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;

~~((b))~~ (ii) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;

~~((c))~~ (iii) Failure to pass any random retest with a breath alcohol concentration of ~~((0.025 or))~~ lower than 0.020 unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than ~~((0.025))~~ 0.020, and the digital image confirms the same person provided both samples; ~~((or~~

~~((d))~~ (iv) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device; or

(v) Removal of the ignition interlock device by a person other than an ignition interlock technician certified by the Washington state patrol; and

(b) That the ignition interlock device was inspected at the conclusion of the one hundred eighty-day period by an ignition interlock technician certified by

the Washington state patrol and no evidence was found that the device was tampered with in the manner described in RCW 46.20.750.

(5) **Day-for-day credit.** (a) The time period during which a person has an ignition interlock device installed in order to meet the requirements of subsection (1)(b) of this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident.

(b) The department must also give the person a day-for-day credit for any time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates, other than those subject to the employer exemption under subsection (6) of this section.

(c) If the day-for-day credit granted under this subsection equals or exceeds the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident, and the person has already met the requirements for removal of the device under subsection (4) of this section, the department may waive the requirement that a device be installed or that the person again meet the requirements for removal.

(6) **Employer exemption.** (a) Except as provided in (b) of this subsection, the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department with a declaration pursuant to chapter 5.50 RCW from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours. When the department receives a declaration under this subsection, it shall attach or imprint a notation on the person's driving record stating that the employer exemption applies.

(b) The employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment.

(7) **Ignition interlock device revolving account.** In addition to any other costs associated with the use of an ignition interlock device imposed on the person restricted under this section, the person shall pay an additional fee of ~~((twenty))~~ twenty-one dollars per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional fee to the department to be deposited into the ignition interlock device revolving account, except that the company may retain twenty-five cents per month of the additional fee to cover the expenses associated with administering the fee. The department may waive the monthly fee if the person is indigent under RCW 10.101.010.

(8) **Foreign jurisdiction.** For a person restricted under this section who is residing outside of the state of Washington, the department may accept verification of installation of an ignition interlock device by an ignition interlock company authorized to do business in the jurisdiction in which the person resides, provided the device meets any applicable requirements of that jurisdiction. The department may waive one or more requirements for removal under subsection (4) of this section if compliance with the requirement or

requirements would be impractical in the case of a person residing in another jurisdiction, provided the person is in compliance with any equivalent requirement of that jurisdiction. The department may waive the monthly fee required by subsection (7) of this section if collection of the fee would be impractical in the case of a person residing in another jurisdiction.

Sec. 11. RCW 46.20.740 and 2015 2nd sp.s. c 3 s 4 are each amended to read as follows:

(1) The department shall attach or imprint a notation on the driving record of any person restricted under RCW 46.20.720, 46.61.5055, or 10.05.140 stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock device. The department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person seeking reinstatement. If, based upon notification from the interlock provider or otherwise, the department determines that an ignition interlock required under this section is no longer installed or functioning as required, the department shall suspend the person's license or privilege to drive. Whenever the license or driving privilege of any person is suspended or revoked as a result of noncompliance with an ignition interlock requirement, the suspension shall remain in effect until the person provides notice issued by a company doing business in the state that a vehicle owned or operated by the person is equipped with a functioning ignition interlock device.

(2) It is a gross misdemeanor for a person with such a notation on his or her driving record to operate a motor vehicle that is not so equipped, unless the notation resulted from a restriction imposed as a condition of release and the restriction has been released by the court prior to driving. Any time a person is convicted under this section, the court shall immediately notify the department for purposes of RCW 46.20.720(3)(c).

(3) Any sentence imposed for a violation of subsection (2) of this section shall be served consecutively with any sentence imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055.

Sec. 12. RCW 46.20.750 and 2015 2nd sp.s. c 3 s 6 are each amended to read as follows:

(1) A person who is restricted to the use of a vehicle equipped with an ignition interlock device is guilty of a gross misdemeanor if the restricted driver:

(a) Tampers with the device or any components of the device, or otherwise interferes with the proper functionality of the device, by modifying, detaching, disconnecting, or otherwise disabling it to allow the restricted driver to operate the vehicle;

(b) Uses or requests another person to use a filter or other device to circumvent the ignition interlock or to start or operate the vehicle to allow the restricted driver to operate the vehicle;

(c) Has, directs, authorizes, or requests another person to tamper with the device or any components of the device, or otherwise interfere with the proper functionality of the device, by modifying, detaching, disconnecting, or otherwise disabling it to allow the restricted driver to operate the vehicle; or

(d) Has, allows, directs, authorizes, or requests another person to blow or otherwise exhale into the device in order to circumvent the device to allow the restricted driver to operate the vehicle.

(2) A person who knowingly assists another person who is restricted to the use of a vehicle equipped with an ignition interlock device to circumvent the device or any components of the device, or otherwise interfere with the proper functionality of the device, or to start and operate that vehicle is guilty of a gross misdemeanor. The provisions of this subsection do not apply if the starting of a motor vehicle, or the request to start a motor vehicle, equipped with an ignition interlock device is done for the purpose of safety or mechanical repair of the device or the vehicle and the person subject to the court order does not operate the vehicle.

(3) Any sentence imposed for a violation of subsection (1) of this section shall be served consecutively with any sentence imposed under RCW 46.20.740, 46.61.502, 46.61.504, 46.61.5055, 46.61.520(1)(a), or 46.61.522(1)(b).

(4) Any time a person is convicted under subsection (1) of this section, the court shall immediately notify the department for purposes of RCW 46.20.720(3)(e).

Sec. 13. RCW 46.55.113 and 2011 c 167 s 6 are each amended to read as follows:

(1) Whenever the driver of a vehicle is arrested for a violation of RCW 46.20.342 or 46.20.345, the vehicle is subject to summary impoundment, pursuant to the terms and conditions of an applicable local ordinance or state agency rule at the direction of a law enforcement officer.

(2) In addition, a police officer may take custody of a vehicle, at his or her discretion, and provide for its prompt removal to a place of safety under any of the following circumstances:

(a) Whenever a police officer finds a vehicle standing upon the roadway in violation of any of the provisions of RCW 46.61.560, the officer may provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway;

(b) Whenever a police officer finds a vehicle unattended upon a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety;

(c) Whenever a police officer finds an unattended vehicle at the scene of an accident or when the driver of a vehicle involved in an accident is physically or mentally incapable of deciding upon steps to be taken to protect his or her property;

(d) Whenever the driver of a vehicle is arrested and taken into custody by a police officer;

(e) Whenever a police officer discovers a vehicle that the officer determines to be a stolen vehicle;

(f) Whenever a vehicle without a special license plate, placard, or decal indicating that the vehicle is being used to transport a person with disabilities under RCW 46.19.010 is parked in a stall or space clearly and conspicuously marked under RCW 46.61.581 which space is provided on private property without charge or on public property;

(g) Upon determining that a person is operating a motor vehicle without a valid and, if required, a specially endorsed driver's license or with a license that has been expired for ninety days or more;

(h) When a vehicle is illegally occupying a truck, commercial loading zone, restricted parking zone, bus, loading, hooded-meter, taxi, street construction or maintenance, or other similar zone where, by order of the director of transportation or chiefs of police or fire or their designees, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, if the zone has been established with signage for at least twenty-four hours and where the vehicle is interfering with the proper and intended use of the zone. Signage must give notice to the public that a vehicle will be removed if illegally parked in the zone;

(i) When a vehicle with an expired registration of more than forty-five days is parked on a public street;

(j) Upon determining that a person restricted to use of only a motor vehicle equipped with a functioning ignition interlock device is operating a motor vehicle that is not equipped with such a device in violation of RCW 46.20.740(2).

(3) When an arrest is made for a violation of RCW 46.20.342, if the vehicle is a commercial vehicle or farm transport vehicle and the driver of the vehicle is not the owner of the vehicle, before the summary impoundment directed under subsection (1) of this section, the police officer shall attempt in a reasonable and timely manner to contact the owner of the vehicle and may release the vehicle to the owner if the owner is reasonably available, as long as the owner was not in the vehicle at the time of the stop and arrest and the owner has not received a prior release under this subsection or RCW 46.55.120(1)((~~+~~)) (b)(ii).

(4) Nothing in this section may derogate from the powers of police officers under the common law. For the purposes of this section, a place of safety may include the business location of a registered tow truck operator.

(5) For purposes of this section "farm transport vehicle" means a motor vehicle owned by a farmer and that is being actively used in the transportation of the farmer's or another farmer's farm, orchard, aquatic farm, or dairy products, including livestock and plant or animal wastes, from point of production to market or disposal, or supplies or commodities to be used on the farm, orchard, aquatic farm, or dairy, and that has a gross vehicle weight rating of 7,258 kilograms (16,001 pounds) or more.

Sec. 14. RCW 46.61.500 and 2012 c 183 s 11 are each amended to read as follows:

(1) Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving. Violation of the provisions of this section is a gross misdemeanor punishable by imprisonment for up to three hundred sixty-four days and by a fine of not more than five thousand dollars.

(2)(a) Subject to (b) of this subsection, the license or permit to drive or any nonresident privilege of any person convicted of reckless driving shall be suspended by the department for not less than thirty days.

(b) When a reckless driving conviction is a result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, the department shall grant credit on a day-for-day basis for any

portion of a suspension, revocation, or denial already served under an administrative action arising out of the same incident. In the case of a person whose day-for-day credit is for a period equal to or greater than the period of suspension required under this section, the department shall provide notice of full credit, shall provide for no further suspension under this section, and shall impose no additional reissue fees for this credit. During any period of suspension, revocation, or denial due to a conviction for reckless driving as the result of a charge originally filed as a violation of RCW 46.61.502 or 46.61.504, any person who has obtained an ignition interlock driver's license under RCW 46.20.385 may continue to drive a motor vehicle pursuant to the provision of the ignition interlock driver's license without obtaining a separate temporary restricted driver's license under RCW 46.20.391.

(3)(a) Except as provided under (b) of this subsection, a person convicted of reckless driving who has one or more prior offenses as defined in RCW 46.61.5055(14) within seven years shall be required, under RCW 46.20.720, to install an ignition interlock device on all vehicles operated by the person if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance.

(b) A person convicted of reckless driving shall be required, under RCW 46.20.720, to install an ignition interlock device on all vehicles operated by the person if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug or RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug.

Sec. 15. RCW 46.61.5055 and 2018 c 201 s 9009 are each amended to read as follows:

(1) **No prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((one day))~~ twenty-four consecutive hours nor more than three hundred sixty-four days. ~~((Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based.))~~ In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court, in its discretion, may order not less than fifteen days of electronic home monitoring or a ninety-day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate

alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ~~((two days))~~ forty-eight consecutive hours nor more than three hundred sixty-four days. ~~((Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based.))~~ In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court, in its discretion, may order not less than thirty days of electronic home monitoring or a one hundred twenty day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program testing as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(2) **One prior offense in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory term of imprisonment and electronic home monitoring under this subsection (2)(a)(i), the court may order a minimum of ~~((four days in jail and))~~ either one hundred eighty days of

electronic home monitoring or a one hundred twenty-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded (~~alcohol~~) substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring(~~Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being.~~ Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based); and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. (~~Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being.~~ Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of imprisonment and electronic home monitoring under this subsection (2)(b)(i), the court may order a minimum of (~~six days in jail and~~) either six months of electronic home monitoring or a one hundred twenty-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded (~~alcohol~~) substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or

other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring(~~(- Forty five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based))~~); and

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) **Two prior offenses in seven years.** Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two prior offenses within seven years shall be punished as follows:

(a) **Penalty for alcohol concentration less than 0.15.** In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of ninety days of imprisonment and one hundred twenty days of electronic home monitoring, the court may order ((at least an additional eight days in jail)) three hundred sixty days of electronic home monitoring or a three hundred sixty-day period of 24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court shall order an expanded ((alcohol)) substance use disorder assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring(~~(- Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended,~~

~~the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based)); and~~

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) **Penalty for alcohol concentration at least 0.15.** In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended or converted unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of one hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring, the court may order ((at least an additional ten days in jail)) three hundred sixty days of electronic home monitoring or a three hundred sixty-day period of 24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded ((alcohol)) substance use disorder assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring((~~One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based~~)); and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) **Three or more prior offenses in ten years.** A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

- (a) The person has three or more prior offenses within ten years; or
- (b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) **Monitoring.** (a) **Ignition interlock device.** The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) **Monitoring devices.** If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) **24/7 sobriety program monitoring.** In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) **Penalty for having a minor passenger in vehicle.** If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while (~~(a)~~) one or more passengers under the age of sixteen (~~(was)~~) were in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional (~~(six)~~) twelve months for each passenger under the age of sixteen when the person is subject to the penalties under subsection (1)(a), (2)(a), or (3)(a) of this section; and order the use of an ignition interlock device for an additional eighteen months for each passenger under the age of sixteen when the person is subject to the penalties under subsection (1)(b), (2)(b), (3)(b), or (4) of this section;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment to be served consecutively for each passenger under the age of sixteen, and a fine of not less than one thousand dollars and not more than five thousand dollars for each passenger under the age of sixteen. One thousand dollars of the fine for each passenger under the age of sixteen may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment to be served consecutively for each passenger under the age of sixteen, and a fine of not less than two thousand dollars and not more than five thousand dollars for each passenger under the age of sixteen. One thousand dollars of the fine for each passenger under the age of sixteen may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment to be served consecutively for each passenger under the age of sixteen, and a fine of not less than three thousand dollars and not more than ten thousand dollars for each passenger under the age of sixteen. One thousand dollars of the fine for each passenger under the age of sixteen may not be suspended unless the court finds the offender to be indigent.

(7) **Other items courts must consider while setting penalties.** In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) **Treatment and information school.** An offender punishable under this section is subject to the ~~((alcohol))~~ substance use disorder assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** (a) The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

~~((+))~~ (i) **Penalty for alcohol concentration less than 0.15.** If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

~~((+))~~ (A) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days or until the person is evaluated by ~~((an alcoholism))~~ a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a ninety-day period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for fewer than two days;

~~((+))~~ (B) Where there has been one prior offense within seven years, be revoked or denied by the department for two years or until the person is evaluated by ~~((an alcoholism))~~ a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a six-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year; or

~~((iii))~~ (C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

~~((b))~~ (ii) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

((+)) (A) Where there has been no prior offense within seven years, be revoked or denied by the department for one year or until the person is evaluated by ~~((an alcoholism))~~ a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a one hundred twenty day period of 24/7 sobriety program monitoring. In no circumstances shall the license revocation be for fewer than four days;

((+)) (B) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

~~((iii))~~ (C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

~~((e))~~ (iii) **Penalty for refusing to take test.** If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

((+)) (A) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

((+)) (B) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

~~((iii))~~ (C) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

(b)(i) The department shall grant credit on a day-for-day basis for ~~((any portion of))~~ a suspension, revocation, or denial ~~((already served))~~ imposed under this subsection (9) for any portion of a suspension, revocation, or denial ~~((imposed))~~ already served under RCW 46.20.3101 arising out of the same incident.

(ii) If a person has already served a suspension, revocation, or denial under RCW 46.20.3101 for a period equal to or greater than the period imposed under this subsection (9), the department shall provide notice of full credit, shall provide for no further suspension or revocation under this subsection provided the person has completed the requirements under RCW 46.20.311 and paid the probationary license fee under RCW 46.20.355 by the date specified in the notice under RCW 46.20.245, and shall impose no additional reissue fees for this credit.

(c) Upon receipt of a notice from the court under RCW 36.28A.390 that a participant has been removed from a 24/7 sobriety program, the department must resume any suspension, revocation, or denial that had been terminated early under this subsection due to participation in the program, granting credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 or this section arising out of the same incident.

(d) Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice

from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

(e) For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) **Probation of driving privilege.** After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) **Conditions of probation.** (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, ~~((alcohol or drug))~~ substance use disorder treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) **Waiver of electronic home monitoring.** A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting

technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-four days.

(13) **Extraordinary medical placement.** An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1)(c).

(14) **Definitions.** For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of

RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (x), (xi), or (xii) of this subsection if committed in this state;

(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means substance use disorder treatment licensed or certified by the department of health;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 16. RCW 46.61.5056 and 2018 c 201 s 9010 are each amended to read as follows:

(1) A person subject to ~~((alcohol))~~ substance use disorder assessment and treatment under RCW 46.61.5055 shall be required by the court to complete a course in an alcohol and drug information school licensed or certified by the department of health or to complete more intensive treatment in a substance use disorder treatment program licensed or certified by the department of health, as determined by the court. The court shall notify the department of licensing whenever it orders a person to complete a course or treatment program under this section.

(2) A diagnostic evaluation and treatment recommendation shall be prepared under the direction of the court by a substance use disorder treatment program licensed or certified by the department of health or a qualified probation department approved by the department of social and health services. A copy of the report shall be forwarded to the court and the department of licensing. Based on the diagnostic evaluation, the court shall determine whether the person shall be required to complete a course in an alcohol and drug information school licensed or certified by the department of health or more intensive treatment in an approved substance use disorder treatment program licensed or certified by the department of health.

(3) Standards for approval for ~~((alcohol))~~ substance use disorder treatment programs shall be prescribed by the department of health. The department of health shall periodically review the costs of alcohol and drug information schools and treatment programs.

(4) Any agency that provides treatment ordered under RCW 46.61.5055, shall immediately report to the appropriate probation department where applicable, otherwise to the court, and to the department of licensing any noncompliance by a person with the conditions of his or her ordered treatment. The court shall notify the department of licensing and the department of health of any failure by an agency to so report noncompliance. Any agency with knowledge of noncompliance that fails to so report shall be fined two hundred fifty dollars by the department of health. Upon three such failures by an agency within one year, the department of health shall revoke the agency's license or certification under this section.

(5) The department of licensing and the department of health may adopt such rules as are necessary to carry out this section.

Sec. 17. RCW 46.61.524 and 2008 c 231 s 46 are each amended to read as follows:

As provided for under RCW 46.20.285, the department shall revoke the license, permit to drive, or a nonresident privilege of a person convicted of vehicular homicide under RCW 46.61.520 or vehicular assault under RCW 46.61.522. The department shall determine the eligibility of a person convicted of vehicular homicide under RCW 46.61.520(1)(a) or vehicular assault under RCW 46.61.522(1)(b) to receive a license based upon the report provided by the designated ~~((alcoholism))~~ substance use disorder treatment facility or probation department designated pursuant to RCW 9.94A.703(4)(b), and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified.

Sec. 18. RCW 46.68.041 and 2004 c 95 s 15 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the department shall forward all funds accruing under the provisions of chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who shall deposit such moneys to the credit of the highway safety fund.

(2) (~~Sixty-three~~) Fifty-six percent of each fee collected by the department under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) shall be deposited in the impaired driving safety account.

NEW SECTION. Sec. 19. RCW 43.43.3951 (Ignition interlock devices— Limited exemption for companies not using devices employing fuel cell technology) and 2010 c 268 s 3 are each repealed.

NEW SECTION. Sec. 20. Sections 2, 3, 5 through 12, and 14 through 18 of this act take effect January 1, 2022.

Passed by the House March 10, 2020.

Passed by the Senate March 3, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 331

[Engrossed Third Substitute House Bill 1775]

COMMERCIALLY SEXUALLY EXPLOITED CHILDREN

AN ACT Relating to commercially sexually exploited children; amending RCW 9A.88.030, 13.40.070, 13.40.213, 7.68.801, 43.185C.260, 74.14B.070, and 74.15.020; adding new sections to chapter 7.68 RCW; creating a new section; providing an effective date; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that commercial sexual exploitation of children is a severe form of human trafficking and a severe human rights and public health issue, leaving children at substantial risk of physical harm, substantial physical and emotional pain, and trauma. This trauma has a long-term impact on the social, emotional, and economic future of these children. The state shall provide a victim-centered, trauma-informed response to children who are exploited in this manner rather than treating them as criminals. The state shall also hold accountable the buyers and traffickers who exploit children.

NEW SECTION. Sec. 2. A new section is added to chapter 7.68 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department of children, youth, and families shall administer funding for two receiving center programs for commercially sexually exploited children. One of these programs must be located west of the crest of the Cascade mountains and one of these programs must be located east of the crest of the Cascade mountains. Law enforcement and service providers may refer children to these programs or children may self-refer into these programs.

(2) The receiving center programs established under this section shall:

(a) Begin providing services by January 1, 2021;

(b) Utilize existing facilities and not require the construction of new facilities; and

(c) Provide ongoing case management for all children who are being served or were served by the programs.

(3) The receiving centers established under this section shall:

(a) Include a short-term evaluation function that is accessible twenty-four hours per day seven days per week that has the capacity to evaluate the immediate needs of commercially sexually exploited children ages twelve through seventeen and either meet those immediate needs or refer those children to the appropriate services;

(b) Assess children for mental health and substance use disorder needs and provide appropriate referrals as needed; and

(c) Provide individual and group counseling focused on developing and strengthening coping skills, and improving self-esteem and dignity.

(4) The department of children, youth, and families shall:

(a) Collect nonidentifiable demographic data of the children served by the programs established under this section;

(b) Collect data regarding the locations that children exit to after being served by the programs; and

(c) Report the data described in this subsection along with recommendations for modification or expansion of these programs to the relevant committees of the legislature by December 1, 2022.

(5) For the purposes of this section, the following definitions apply:

(a) "Receiving center" means a trauma-informed, secure location that meets the multidisciplinary needs of commercially sexually exploited children ages twelve through seventeen located in a behavioral health agency licensed or certified under RCW 71.24.037 to provide inpatient or residential treatment services; and

(b) "Short-term evaluation function" means a short-term emergency shelter that is accessible twenty-four hours per day seven days per week that has the capacity to evaluate the immediate needs of commercially sexually exploited children under age eighteen and either meet those immediate needs or refer those children to the appropriate services.

(6)(a) The department of children, youth, and families, the department of health, and the division of behavioral health and recovery, shall meet to coordinate the implementation of receiving centers as provided for in this section, including developing eligibility criteria for serving commercially sexually exploited children that allows referral from service providers and prioritizes referral from law enforcement.

(b) By December 1, 2020, and in compliance with RCW 43.01.036, the department of children, youth, and families shall submit a report to the governor and legislature summarizing the implementation plan and eligibility criteria as described in (a) of this subsection, and provide any additional policy recommendations regarding receiving centers as it deems necessary.

NEW SECTION. **Sec. 3.** A new section is added to chapter 7.68 RCW to read as follows:

(1) The following individuals or entities may refer a child to receiving centers as defined in section 2 of this act:

(a) Law enforcement, who shall:

(i) Transport a child eligible for receiving center services to a receiving center; or

(ii) Coordinate transportation with a liaison dedicated to serving commercially sexually exploited children established under RCW 74.14B.070 or a community service provider;

- (b) The department of children, youth, and families;
- (c) Juvenile courts;
- (d) Community service providers;
- (e) A parent or guardian; and
- (f) A child may self-refer.

(2) Eligibility for placement in a receiving center is children ages twelve through seventeen, of all genders, who have been, or are at risk for being commercially sexually exploited.

Sec. 4. RCW 9A.88.030 and 1988 c 145 s 16 are each amended to read as follows:

(1) A person age eighteen or older is guilty of prostitution if such person engages or agrees or offers to engage in sexual conduct with another person in return for a fee.

(2) For purposes of this section, "sexual conduct" means "sexual intercourse" or "sexual contact," both as defined in chapter 9A.44 RCW.

(3) Prostitution is a misdemeanor.

Sec. 5. RCW 13.40.070 and 2019 c 128 s 8 are each amended to read as follows:

(1) Complaints referred to the juvenile court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint to determine whether:

(a) The alleged facts bring the case within the jurisdiction of the court; and

(b) On a basis of available evidence there is probable cause to believe that the juvenile did commit the offense.

(2) If the identical alleged acts constitute an offense under both the law of this state and an ordinance of any city or county of this state, state law shall govern the prosecutor's screening and charging decision for both filed and diverted cases.

(3) If the requirements of subsection (1)(a) and (b) of this section are met, the prosecutor shall either file an information in juvenile court or divert the case, as set forth in subsections (5), (6), and (8) of this section. If the prosecutor finds that the requirements of subsection (1)(a) and (b) of this section are not met, the prosecutor shall maintain a record, for one year, of such decision and the reasons therefor. In lieu of filing an information or diverting an offense a prosecutor may file a motion to modify community supervision where such offense constitutes a violation of community supervision.

(4) An information shall be a plain, concise, and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to chapter 10.37 RCW.

(5) The prosecutor shall file an information with the juvenile court if (a) an alleged offender is accused of an offense that is defined as a sex offense or violent offense under RCW 9.94A.030, other than assault in the second degree or robbery in the second degree; or (b) an alleged offender has been referred by a diversion unit for prosecution or desires prosecution instead of diversion.

(6) Where a case is legally sufficient the prosecutor shall divert the case if the alleged offense is a misdemeanor or gross misdemeanor or violation and the alleged offense is the offender's first offense or violation. If the alleged offender is charged with a related offense that may be filed under subsections (5) and (8) of this section, a case under this subsection may also be filed.

(7) Where a case is legally sufficient to charge an alleged offender with:

(a) (~~(Either prostitution or prostitution)~~) Prostitution loitering and the alleged offense is the offender's first (~~(prostitution or)~~) prostitution loitering offense, the prosecutor shall divert the case;

(b) Voyeurism in the second degree, the offender is under seventeen years of age, and the alleged offense is the offender's first voyeurism in the second degree offense, the prosecutor shall divert the case, unless the offender has received two diversions for any offense in the previous two years;

(c) Minor selling depictions of himself or herself engaged in sexually explicit conduct under RCW 9.68A.053(5) and the alleged offense is the offender's first violation of RCW 9.68A.053(5), the prosecutor shall divert the case; or

(d) A distribution, transfer, dissemination, or exchange of sexually explicit images of other minors thirteen years of age or older offense as provided in RCW 9.68A.053(1) and the alleged offense is the offender's first violation of RCW 9.68A.053(1), the prosecutor shall divert the case.

(8) Where a case is legally sufficient and falls into neither subsection (5) nor (6) of this section, it may be filed or diverted. In deciding whether to file or divert an offense under this section the prosecutor may be guided by the length, seriousness, and recency of the alleged offender's criminal history and the circumstances surrounding the commission of the alleged offense.

(9) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversion interview, the parent or legal guardian of the juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile. Where a case involves victims of crimes against persons or victims whose property has not been recovered at the time a juvenile is referred to a diversion unit, the victim shall be notified of the referral and informed how to contact the unit.

(10) The responsibilities of the prosecutor under subsections (1) through (9) of this section may be performed by a juvenile court probation counselor for any complaint referred to the court alleging the commission of an offense which would not be a felony if committed by an adult, if the prosecutor has given sufficient written notice to the juvenile court that the prosecutor will not review such complaints.

(11) The prosecutor, juvenile court probation counselor, or diversion unit may, in exercising their authority under this section or RCW 13.40.080, refer juveniles to community-based programs, restorative justice programs, mediation, or victim offender reconciliation programs. Such mediation or victim offender reconciliation programs shall be voluntary for victims.

(12) Prosecutors and juvenile courts are encouraged to engage with and partner with community-based programs to expand, improve, and increase options to divert youth from formal processing in juvenile court. Nothing in this chapter should be read to limit partnership with community-based programs to create diversion opportunities for juveniles.

Sec. 6. RCW 13.40.213 and 2010 c 289 s 8 are each amended to read as follows:

(1) When a juvenile is alleged to have committed ~~((the offenses of prostitution or))~~ a prostitution loitering offense, and the allegation, if proved, would not be the juvenile's first offense, a prosecutor may divert the offense if the county in which the offense is alleged to have been committed has a comprehensive program that provides:

- (a) Safe and stable housing;
- (b) Comprehensive on-site case management;
- (c) Integrated mental health and chemical dependency services, including specialized trauma recovery services;
- (d) Education and employment training delivered on-site; and
- (e) Referrals to off-site specialized services, as appropriate.

(2) A prosecutor may divert a case for ~~((prostitution or))~~ prostitution loitering into the comprehensive program described in this section, notwithstanding the filing criteria set forth in RCW 13.40.070(5).

(3) A diversion agreement under this section may extend to twelve months.

(4)(a) The administrative office of the courts shall compile data regarding:

(i) The number of juveniles whose cases are diverted into the comprehensive program described in this section;

(ii) Whether the juveniles complete their diversion agreements under this section; and

(iii) Whether juveniles whose cases have been diverted under this section have been subsequently arrested or committed subsequent offenses.

(b) An annual report of the data compiled shall be provided to the governor and the appropriate committee of the legislature. ~~((The first report is due by November 1, 2010.))~~

Sec. 7. RCW 7.68.801 and 2018 c 58 s 65 are each amended to read as follows:

(1) The commercially sexually exploited children statewide coordinating committee is established to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices.

(2) The committee is convened by the office of the attorney general with the department of commerce assisting with agenda planning and administrative and clerical support. The committee consists of the following members:

(a) One member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house;

(b) One member from each of the two largest caucuses of the senate appointed by the ~~((speaker))~~ president of the senate;

(c) A representative of the governor's office appointed by the governor;

(d) The secretary of the department of children, youth, and families or his or her designee;

(e) The secretary of the juvenile rehabilitation administration or his or her designee;

(f) The attorney general or his or her designee;

(g) The superintendent of public instruction or his or her designee;

(h) A representative of the administrative office of the courts appointed by the administrative office of the courts;

(i) The executive director of the Washington association of sheriffs and police chiefs or his or her designee;

(j) The executive director of the Washington state criminal justice training commission or his or her designee;

(k) A representative of the Washington association of prosecuting attorneys appointed by the association;

(l) The executive director of the office of public defense or his or her designee;

(m) Three representatives of community service providers that provide direct services to commercially sexually exploited children appointed by the attorney general;

(n) Two representatives of nongovernmental organizations familiar with the issues affecting commercially sexually exploited children appointed by the attorney general;

(o) The president of the superior court judges' association or his or her designee;

(p) The president of the juvenile court administrators or his or her designee;

(q) Any existing chairs of regional task forces on commercially sexually exploited children;

(r) A representative from the criminal defense bar;

(s) A representative of the center for children and youth justice;

(t) A representative from the office of crime victims advocacy;

(u) The executive director of the Washington coalition of sexual assault programs;

(v) The executive director of the statewide organization representing children's advocacy centers or his or her designee;

(w) A representative of an organization that provides inpatient chemical dependency treatment to youth, appointed by the attorney general;

~~((w))~~ (x) A representative of an organization that provides mental health treatment to youth, appointed by the attorney general; and

~~((x))~~ (y) A survivor of human trafficking, appointed by the attorney general.

(3) The duties of the committee include, but are not limited to:

(a) Overseeing and reviewing the implementation of the Washington state model protocol for commercially sexually exploited children at task force sites;

(b) Receiving reports and data from local and regional entities regarding the incidence of commercially sexually exploited children in their areas as well as data information regarding perpetrators, geographic data and location trends, and any other data deemed relevant;

(c) Receiving reports on local coordinated community response practices and results of the community responses;

(d) Reviewing recommendations from local and regional entities regarding policy and legislative changes that would improve the efficiency and effectiveness of local response practices;

(e) Making recommendations regarding policy and legislative changes that would improve the effectiveness of the state's response to and promote best practices for suppression of the commercial sexual exploitation of children;

(f) Making recommendations regarding data collection useful to understanding or addressing the problem of commercially sexually exploited children;

(g) Reviewing and making recommendations regarding strategic local investments or opportunities for federal and state funding to address the commercial sexual exploitation of children;

(h) Reviewing the extent to which chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) is understood and applied by enforcement authorities; (~~and~~)

(i) Researching any barriers that exist to full implementation of chapter 289, Laws of 2010 (Engrossed Substitute Senate Bill No. 6476) throughout the state;

(j) Convening a meeting and providing recommendations required under section 11 of this act; and

(k) Compiling data on the number of juveniles believed to be victims of sexual exploitation taken into custody under RCW 43.185C.260.

(4) The committee must meet no less than annually.

(5) The committee shall annually report its findings and recommendations to the appropriate committees of the legislature and to any other known statewide committees addressing trafficking or the commercial sex trade.

(6) This section expires June 30, 2023.

Sec. 8. RCW 43.185C.260 and 2019 c 312 s 15 are each amended to read as follows:

(1) A law enforcement officer shall take a child into custody:

(a) If a law enforcement agency has been contacted by the parent of the child that the child is absent from parental custody without consent; or

(b) If a law enforcement officer reasonably believes, considering the child's age, the location, and the time of day, that a child is in circumstances which constitute a danger to the child's safety or that a child is violating a local curfew ordinance; or

(c) If an agency legally charged with the supervision of a child has notified a law enforcement agency that the child has run away from placement.

(2) Law enforcement custody shall not extend beyond the amount of time reasonably necessary to transport the child to a destination authorized by law and to place the child at that destination. Law enforcement custody continues until the law enforcement officer transfers custody to a person, agency, or other authorized entity under this chapter, or releases the child because no placement is available. Transfer of custody is not complete unless the person, agency, or entity to whom the child is released agrees to accept custody.

(3) If a law enforcement officer takes a child into custody pursuant to either subsection (1)(a) or (b) of this section and transports the child to a crisis residential center, the officer shall, within twenty-four hours of delivering the child to the center, provide to the center a written report detailing the reasons the officer took the child into custody. The center shall provide the department of children, youth, and families with a copy of the officer's report if the youth is in the care of or receiving services from the department of children, youth, and families.

(4) If the law enforcement officer who initially takes the juvenile into custody or the staff of the crisis residential center have reasonable cause to believe that the child is absent from home because he or she is abused or

neglected, a report shall be made immediately to the department of children, youth, and families.

(5) Nothing in this section affects the authority of any political subdivision to make regulations concerning the conduct of minors in public places by ordinance or other local law.

(6) If a law enforcement officer has a reasonable suspicion that a child is being unlawfully harbored in violation of RCW 13.32A.080, the officer shall remove the child from the custody of the person harboring the child and shall transport the child to one of the locations specified in RCW 43.185C.265.

(7) If a law enforcement officer takes a juvenile into custody pursuant to subsection (1)(b) of this section and reasonably believes that the juvenile may be the victim of sexual exploitation, the officer shall:

(a) Transport the child to:

(i) An evaluation and treatment facility as defined in RCW 71.34.020, including the receiving centers established in section 2 of this act, for purposes of evaluation for behavioral health treatment authorized under chapter 71.34 RCW, including adolescent-initiated treatment, family-initiated treatment, or involuntary treatment; or

(ii) Another appropriate youth-serving entity or organization including, but not limited to:

(A) A HOPE Center as defined under RCW 43.185C.010;

(B) A foster-family home as defined under RCW 74.15.020;

(C) A crisis residential center as defined under RCW 43.185C.010; or

(D) A community-based program that has expertise working with adolescents in crisis; or

(b) Coordinate transportation to one of the locations identified in (a) of this subsection, with a liaison dedicated to serving commercially sexually exploited children established under RCW 74.14B.070 or a community service provider.

(8) Law enforcement shall have the authority to take into protective custody a child who is or is attempting to engage in sexual conduct with another person for money or anything of value for purposes of investigating the individual or individuals who may be exploiting the child and deliver the child to an evaluation and treatment facility as defined in RCW 71.34.020, including the receiving centers established in section 2 of this act, for purposes of evaluation for behavioral health treatment authorized under chapter 71.34 RCW, including adolescent-initiated treatment, family-initiated treatment, or involuntary treatment.

(9) No child may be placed in a secure facility except as provided in this chapter.

Sec. 9. RCW 74.14B.070 and 2017 3rd sp.s. c 6 s 508 are each amended to read as follows:

(1) The department shall, subject to available funds, establish a system of early identification and referral to treatment of child victims of sexual assault or sexual abuse. The system shall include schools, physicians, sexual assault centers, domestic violence centers, child protective services, and foster parents. A mechanism shall be developed to identify communities that have experienced success in this area and share their expertise and methodology with other communities statewide.

(2) The department shall provide services to support children it suspects have been commercially sexually exploited. The child may decide whether to voluntarily engage in the services offered by the department.

(a) To provide services supporting children it suspects have been commercially sexually exploited, the department may provide:

(i) At least one liaison position in each region of the department where receiving center programs are established under section 2 of this act who are dedicated to serving commercially sexually exploited children and who report directly to the statewide program manager under (a)(ii) of this subsection;

(ii) One statewide program manager;

(iii) A designated person responsible for supporting commercially sexually exploited children, who may be assigned other duties in addition to this responsibility, in regions of the department where there is not a dedicated liaison position as identified under (a)(i) of this subsection; and

(iv) Coordinate appropriate, available, community-based services for children following discharge from an evaluation and treatment facility as defined in RCW 71.34.020, including the receiving centers established in section 2 of this act.

(b) The department shall collect nonidentifiable data regarding the number of commercially sexually exploited children, including reports of commercially sexually exploited children received from law enforcement under chapter 26.44 RCW.

(3) The department shall provide an annual report to the commercially sexually exploited children statewide coordinating committee established under RCW 7.68.801 by December 1st that includes:

(a) A description of services provided by the department to commercially sexually exploited children; and

(b) Nonidentifiable data regarding the number of commercially sexually exploited children.

(4) The department may solicit and accept gifts, grants, conveyances, bequests, and devices for supporting the purposes of this section.

(5) Nothing in this section shall be construed to create a private right of action against the department for failure to identify, offer, or provide services.

(6) The department shall convene a work group to study, analyze, and issue recommendations regarding how decriminalizing prostitution and prostitution loitering for persons under eighteen will impact law enforcement and prosecutor efforts and ability to discover and access the victim's cell phone records to aid in prosecution of the perpetrator or abuser. The work group must issue recommendations to appropriate committees of the legislature by October 31, 2021.

Sec. 10. RCW 74.15.020 and 2019 c 172 s 10 are each amended to read as follows:

The definitions in this section apply throughout this chapter and RCW 74.13.031 unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster

care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers, or persons with developmental disabilities for services rendered:

(a) "Child-placing agency" means an agency which places a child or children for temporary care, continued care, or for adoption;

(b) "Community facility" means a group care facility operated for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility;

(c) "Crisis residential center" means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 43.185C.295 through 43.185C.310;

(d) "Emergency respite center" is an agency that may be commonly known as a crisis nursery, that provides emergency and crisis care for up to seventy-two hours to children who have been admitted by their parents or guardians to prevent abuse or neglect. Emergency respite centers may operate for up to twenty-four hours a day, and for up to seven days a week. Emergency respite centers may provide care for children ages birth through seventeen, and for persons eighteen through twenty with developmental disabilities who are admitted with a sibling or siblings through age seventeen. Emergency respite centers may not substitute for crisis residential centers or HOPE centers, or any other services defined under this section, and may not substitute for services which are required under chapter 13.32A or 13.34 RCW;

(e) "Foster-family home" means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) "Group-care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis. "Group care facility" includes but is not limited to:

(i) Qualified residential treatment programs as defined in RCW 13.34.030;

(ii) Facilities specializing in providing prenatal, postpartum, or parenting supports for youth; and

(iii) Facilities providing high-quality residential care and supportive services to children who are, or who are at risk of becoming, victims of sex trafficking;

(g) "HOPE center" means an agency licensed by the secretary to provide temporary residential placement and other services to street youth. A street youth may remain in a HOPE center for thirty days while services are arranged and permanent placement is coordinated. No street youth may stay longer than thirty days unless approved by the department and any additional days approved by the department must be based on the unavailability of a long-term placement option. A street youth whose parent wants him or her returned to home may remain in a HOPE center until his or her parent arranges return of the youth, not longer. All other street youth must have court approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center up to thirty days;

(h) "Maternity service" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(i) "Resource and assessment center" means an agency that provides short-term emergency and crisis care for a period up to seventy-two hours, excluding Saturdays, Sundays, and holidays to children who have been removed from their parent's or guardian's care by child protective services or law enforcement;

(j) "Responsible living skills program" means an agency licensed by the secretary that provides residential and transitional living services to persons ages sixteen to eighteen who are dependent under chapter 13.34 RCW and who have been unable to live in his or her legally authorized residence and, as a result, the minor lived outdoors or in another unsafe location not intended for occupancy by the minor. Dependent minors ages fourteen and fifteen may be eligible if no other placement alternative is available and the department approves the placement;

(k) "Service provider" means the entity that operates a community facility.

(2) "Agency" shall not include the following:

(a) Persons related to the child, expectant mother, or person with developmental disability in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (2), even after the marriage is terminated;

(v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this subsection (2), of any half sibling of the child; or

(vi) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four-hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the parent and person providing care on a twenty-four-hour basis have agreed to the placement in writing and the state is not providing any payment for the care;

(d) A person, partnership, corporation, or other entity that provides placement or similar services to exchange students or international student exchange visitors or persons who have the care of an exchange student in their home;

(e) A person, partnership, corporation, or other entity that provides placement or similar services to international children who have entered the country by obtaining visas that meet the criteria for medical care as established

by the United States citizenship and immigration services, or persons who have the care of such an international child in their home;

(f) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

(g) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and assisted living facilities licensed under chapter 18.20 RCW;

(h) Licensed physicians or lawyers;

(i) Facilities approved and certified under chapter 71A.22 RCW;

(j) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

(k) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a replacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

(l) An agency operated by any unit of local, state, or federal government or an agency licensed by an Indian tribe pursuant to RCW 74.15.190;

(m) A maximum or medium security program for juvenile offenders operated by or under contract with the department;

(n) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(o) A host home program, and host home, operated by a tax exempt organization for youth not in the care of or receiving services from the department, if that program: (i) Recruits and screens potential homes in the program, including performing background checks on individuals over the age of eighteen residing in the home through the Washington state patrol or equivalent law enforcement agency and performing physical inspections of the home; (ii) screens and provides case management services to youth in the program; (iii) obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program and the authorization is updated every six months when a youth remains in a host home longer than six months; (iv) obtains insurance for the program through an insurance provider authorized under Title 48 RCW; (v) provides mandatory reporter and confidentiality training; and (vi) registers with the secretary of state as provided in RCW 24.03.550. A host home is a private home that volunteers to host youth in need of temporary placement that is associated with a host home program. Any host home program that receives local, state, or government funding shall report the following information to the office of homeless youth prevention and protection programs annually by December 1st of each year: The number of children the program served, why the child was placed with a host home, and where the child went after leaving the host home, including but not limited to returning to the parents, running away, reaching the age of majority, or becoming a dependent of the state. A host home program shall not receive more than one hundred thousand

dollars per year of public funding, including local, state, and federal funding. A host home shall not receive any local, state, or government funding;

(p) Receiving centers as defined in section 2 of this act.

(3) "Department" means the department of children, youth, and families.

(4) "Juvenile" means a person under the age of twenty-one who has been sentenced to a term of confinement under the supervision of the department under RCW 13.40.185.

(5) "Performance-based contracts" or "contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts may also include provisions that link the performance of the contractor to the level and timing of the reimbursement.

(6) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(7) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(8) "Secretary" means the secretary of the department.

(9) "Street youth" means a person under the age of eighteen who lives outdoors or in another unsafe location not intended for occupancy by the minor and who is not residing with his or her parent or at his or her legally authorized residence.

(10) "Transitional living services" means at a minimum, to the extent funds are available, the following:

(a) Educational services, including basic literacy and computational skills training, either in local alternative or public high schools or in a high school equivalency program that leads to obtaining a high school equivalency degree;

(b) Assistance and counseling related to obtaining vocational training or higher education, job readiness, job search assistance, and placement programs;

(c) Counseling and instruction in life skills such as money management, home management, consumer skills, parenting, health care, access to community resources, and transportation and housing options;

(d) Individual and group counseling; and

(e) Establishing networks with federal agencies and state and local organizations such as the United States department of labor, employment and training administration programs including the workforce innovation and opportunity act which administers private industry councils and the job corps; vocational rehabilitation; and volunteer programs.

NEW SECTION. Sec. 11. A new section is added to chapter 7.68 RCW to read as follows:

(1) By September 1, 2020, the statewide coordinating committee shall convene a meeting related to the role that child advocacy centers have in responding to and supporting commercially sexually exploited children.

(a) The meeting required under this subsection must include representatives from child advocacy centers.

(b) By October 1, 2020, the department must provide a report to the statewide coordinating committee that includes:

(i) An inventory of the number and location of child advocacy centers in the state; and

(ii) A description of the services provided by each of the child advocacy centers in the state.

(2) By December 1, 2020, and in compliance with RCW 43.01.036, the statewide coordinating committee must provide a report to the relevant committees of the legislature that includes:

(a) An inventory of the number and location of child advocacy centers in the state;

(b) A description of the services provided by each of the child advocacy centers in the state;

(c) Recommendations for expanded use of child advocacy centers in providing additional services for commercially sexually exploited children; and

(d) Recommendations for ensuring that child advocacy centers connect commercially sexually exploited children with available services in the community.

(3) For purposes of this section:

(a) "Child advocacy center" has the same meaning as the definition provided under RCW 26.44.020.

(b) "Department" means the department of commerce.

(c) "Statewide coordinating committee" means the commercially sexually exploited children statewide coordinating committee established under RCW 7.68.801.

(4) This section expires June 30, 2021.

NEW SECTION. **Sec. 12.** Sections 4, 5, and 6 of this act take effect January 1, 2024.

Passed by the House March 10, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 332

[Engrossed Second Substitute House Bill 1783]

OFFICE OF EQUITY

AN ACT Relating to creating the Washington state office of equity; adding a new chapter to Title 43 RCW; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. **Sec. 1.** The legislature finds that the population of Washington state has become increasingly diverse over the last several decades. The legislature also finds that as the demographics of our state change, historically and currently marginalized communities still do not have the same opportunities to meet parity as their nonmarginalized counterparts across nearly every measure including education, poverty, employment, health, and more. Inequities based on race, ethnicity, gender, and other characteristics continue to be deep, pervasive, and persistent, and they come at a great economic and social cost. When individuals face barriers to achieving their full potential, the impact is felt by the individual, their communities, businesses, governments, and the

economy as a whole in the form of lost wages, avoidable public expenditures, and more. This includes social ramifications that emerging technology, such as artificial intelligence and facial recognition technology, may have on historically and currently marginalized communities. It is the intent of the legislature to review these emerging technologies either already in use by agencies or before their launch by agencies if not already in use and make recommendations regarding agency use to ensure that the technology is used in a manner that benefits society and does not have disparate negative impacts on historically and currently marginalized communities or violate their civil rights. It is further intended that the office should collaborate with other state efforts in this regard.

The legislature finds that a more inclusive Washington is possible if agencies identify and implement effective strategies to eliminate systemic inequities. The legislature recognizes that different forms of discrimination and oppression are related to each other, and these relationships need to be taken into account.

The legislature finds that over the years, significant strides have been made within agencies to address the disparate outcomes faced by historically and currently marginalized communities. While these efforts have yielded positive work, the legislature finds that the work happening in agencies is fragmented across state government. Additionally, smaller agencies may not have the resources necessary to identify and implement policies to address systemic inequities. Furthermore, the legislature finds that the commission on African American affairs, the commission on Asian Pacific American affairs, the commission on Hispanic affairs, the governor's office of Indian affairs, the LGBTQ commission, the women's commission, and the human rights commission each play an important and integral role by serving as a voice for their respective communities and linking state government to these communities. The office is distinct from the commissions because it will serve as the state's subject matter expert on diversity, equity, and inclusion to state agencies and will provide technical assistance and support to agencies while each agency implements its individual equity plan. The office is not duplicative of the commissions, rather it is the intent of the legislature that the office will work in collaboration with the commissions. It is not the legislature's intent to eliminate the commissions or to reduce funding to the commissions by creating the office. Instead, it is the intent of the legislature that the office and the commissions shall work in a complementary manner with each other, support each other's work, jurisdictions, and missions, and adequately fund the commissions and the office as they take on their new complementary roles.

The legislature finds that state government must identify and coordinate effective strategies that focus on eliminating systemic barriers for historically and currently marginalized groups. To support this objective, an office of equity will provide a unified vision around equity for all state agencies. The office will assist government agencies to promote diversity, equity, and inclusion in all aspects of their decision making, including but not limited to services, programming, policy development, budgeting, and staffing. Doing so will foster a culture of accountability within state government that promotes opportunity for marginalized communities and will help normalize language and concepts around diversity, equity, and inclusion.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means every state executive office, agency, department, or commission.

(2) "Director" means the director of the Washington state office of equity.

(3) "Disaggregated data" means data that has been broken down by appropriate subcategories.

(4) "Equity lens" means providing consideration to the characteristics listed in RCW 49.60.030, as well as immigration status and language access, to evaluate the equitable impacts of an agency's policy or program.

(5) "Office" means the Washington state office of equity.

NEW SECTION. Sec. 3. (1) The Washington state office of equity is established within the office of the governor for the purpose of promoting access to equitable opportunities and resources that reduce disparities, and improve outcomes statewide across state government.

(2) The office envisions everyone in Washington having full access to the opportunities and resources they need to flourish and achieve their full potential.

(3) The work of the office must:

(a) Be guided by the following principles of equity:

(i) Equity requires developing, strengthening, and supporting policies and procedures that distribute and prioritize resources to those who have been historically and currently marginalized, including tribes;

(ii) Equity requires the elimination of systemic barriers that have been deeply entrenched in systems of inequality and oppression; and

(iii) Equity achieves procedural and outcome fairness, promoting dignity, honor, and respect for all people;

(b) Complement and not supplant the work of the statutory commissions.

NEW SECTION. Sec. 4. (1) The office is administered by a director, who is appointed by the governor with advice and consent of the senate. The director shall report to the governor. The director must receive a salary as fixed by the governor in accordance with RCW 43.03.040.

(2) The director shall:

(a) Employ and supervise staff as necessary to carry out the purpose of this chapter and the duties of the office; and

(b) Oversee the administration, programs, and policies of the office in accordance with the principles in section 3 of this act.

NEW SECTION. Sec. 5. (1) The office shall work to facilitate policy and systems change to promote equitable policies, practices, and outcomes through:

(a) **Agency decision making.** The office shall assist agencies in applying an equity lens in all aspects of agency decision making, including service delivery, program development, policy development, and budgeting. The office shall provide assistance by:

(i) Facilitating information sharing between agencies around diversity, equity, and inclusion issues;

(ii) Convening work groups as needed;

(iii) Developing and providing assessment tools for agencies to use in the development and evaluation of agency programs, services, policies, and budgets;

(iv) Training agency staff on how to effectively use the assessment tools developed under (a)(iii) of this subsection, including developing guidance for agencies on how to apply an equity lens to the agency's work when carrying out the agency's duties under this chapter;

(v) Developing a form that will serve as each agency's diversity, equity, and inclusion plan, required to be submitted by all agencies under section 7 of this act, for each agency to report on its work in the area of diversity, equity, and inclusion. The office must develop the format and content of the plan and determine the frequency of reporting. The office must post each agency plan on the dashboard referenced in (d) of this subsection;

(vi) Maintaining an inventory of agency work in the area of diversity, equity, and inclusion; and

(vii) Compiling and creating resources for agencies to use as guidance when carrying out the requirements under section 7 of this act.

(b) **Community outreach and engagement.** The office shall staff the community advisory board created under section 6 of this act and may contract with commissions or other entities with expertise in order to identify policy and system barriers, including language access, to meaningful engagement with communities in all aspects of agency decision making.

(c) **Training on maintaining a diverse, inclusive, and culturally sensitive workforce.** The office shall collaborate with the office of financial management and the department of enterprise services to develop policies and provide technical assistance and training to agencies on maintaining a diverse, inclusive, and culturally sensitive workforce that delivers culturally sensitive services.

(d) **Data maintenance and establishing performance metrics.** The office shall:

(i) Collaborate with the office of financial management and agencies to:

(A) Establish standards for the collection, analysis, and reporting of disaggregated data as it pertains to tracking population level outcomes of communities, except as provided under (d)(i)(D) of this subsection;

(B) Create statewide and agency-specific process and outcome measures to show performance:

(I) Using outcome-based methodology to determine the effectiveness of agency programs and services on reducing disparities; and

(II) Taking into consideration community feedback from the community advisory board on whether the performance measures established accurately measure the effectiveness of agency programs and services in the communities served;

(C) Create an online performance dashboard to publish state and agency performance measures and outcomes; and

(D) Identify additional subcategories in workforce data for disaggregation in order to track disparities in public employment; and

(ii) Coordinate with the office of privacy and data protection to address cybersecurity and data protection for all data collected by the office.

(e) **Accountability.** The office shall:

(i) Publish a report for each agency detailing whether the agency has met the performance measures established pursuant to (d)(i) of this subsection and the effectiveness of agency programs and services on reducing disparities. The report must include the agency's strengths and accomplishments, areas for

continued improvement, and areas for corrective action. The office must post each report on the dashboard referenced in (d) of this subsection;

(ii) Establish a process for the office to report on agency performance in accordance with (e)(i) of this subsection and a process for agencies to respond to the report. The agency's response must include the agency's progress on performance, the agency's action plan to address areas for improvement and corrective action, and a timeline for the action plan; and

(iii) Establish procedures to hold agencies accountable, which may include conducting performance reviews related to agency compliance with office performance measures.

(2) By October 31, 2022, and every year thereafter, the office shall report to the governor and the legislature. The report must include a summary of the office's work, including strengths and accomplishments, an overview of agency compliance with office standards and performance measures, and an equity analysis of the makeup of the community advisory board established in section 6 of this act to ensure that it accurately reflects historically and currently marginalized groups.

(3) The director and the office shall review the final recommendations submitted pursuant to section 221, chapter 415, Laws of 2019, by the task force established under section 221, chapter 415, Laws of 2019, and report back to the governor and the legislature with any additional recommendations necessary for the office to carry out the duties prescribed under this chapter.

***NEW SECTION. Sec. 6.** (1) A community advisory board is created within the office to advise the office on its priorities and timelines.

(2) The director must appoint members to the community advisory board to support diverse representation by geography and identity. The director may collaborate with the commission on African American affairs, the commission on Asian Pacific American affairs, the commission on Hispanic affairs, the governor's office of Indian affairs, the human rights commission, the LGBTQ commission, the women's commission, and any other agency the office deems necessary, to find individuals with diverse representation by geography and identity for the community advisory board.

(3) The community advisory board shall, among other duties determined by the director, provide guidance to the office on standards and performance measures.

(4) The community advisory board is staffed by the office.

(5) Board members shall be entitled to compensation of fifty dollars per day for each day spent conducting official business and to reimbursement for travel expenses as provided by RCW 43.03.050 and 43.03.060.

(6) The community advisory board may adopt bylaws for the operation of its business for the purposes of this chapter.

**Sec. 6 was vetoed. See message at end of chapter.*

***NEW SECTION. Sec. 7.** Each agency shall:

(1) Designate an agency diversity, equity, and inclusion liaison within existing resources to serve as the liaison between the agency and the office;

(2) Apply an equity lens, as developed by the office in accordance with section 5 of this act, to assess existing and proposed agency policies, services and service delivery, practices, programs, and budget decisions using the assessment tools developed by the office pursuant to section 5 of this act;

(3) Develop and submit a diversity, equity, and inclusion plan to the office, in accordance with section 5 of this act;

(4) Develop and maintain written language access policies and plans;

(5) Collaborate with the office to establish performance measures in accordance with section 5 of this act;

(6) Provide data and information requested by the office in accordance with standards established under section 5 of this act; and

(7) Submit a response to the office's report on agency performance under section 5 of this act.

**Sec. 7 was vetoed. See message at end of chapter.*

NEW SECTION. Sec. 8. The office may:

(1) Provide technical assistance to agencies;

(2) Conduct research projects, as needed, provided that no research project is proposed or authorizes funding without consideration of the business case for the project including a review of the total cost of the project, similar projects conducted in the state, and alternatives analyzed;

(3) Conduct policy analyses and provide a forum where ideas and issues related to diversity, equity, and inclusion plans, policies, and standards can be reviewed;

(4) Develop policy positions and legislative proposals;

(5) Consider, on an ongoing basis, ways to promote investments in enterprise-level diversity, equity, and inclusion projects that will result in service improvements and cost efficiency;

(6) Fulfill external data requests, as resources allow; and

(7) Receive and solicit gifts, grants, and endowments from public or private sources that are made for the use or benefit of the office and to expend the same or any income therefrom according to their terms and this chapter. The director must report funds received from private sources to the office of financial management on a regular basis. Funds received from private sources may not be applied to reduce or substitute the office's budget as appropriated by the legislature, but must be applied and expended toward projects and functions authorized by this chapter that were not funded by the legislature.

NEW SECTION. Sec. 9. Nothing in this act creates any right or cause of action, nor may it be relied upon to compel the establishment of any program or special entitlement.

NEW SECTION. Sec. 10. Sections 1 through 9 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 11. Section 3 of this act takes effect July 1, 2020.

Passed by the House March 9, 2020.

Passed by the Senate March 5, 2020.

Approved by the Governor April 3, 2020, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 3, 2020.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 6 and 7, Engrossed Second Substitute House Bill No. 1783 entitled:

"AN ACT Relating to creating the Washington state office of equity."

Section 6 creates a community advisory board, which is given certain duties. Section 7 directs each state agency to, among other things, develop plans and policies and provide data and information pursuant to the bill. Circumstances have changed dramatically since the 2020 supplemental operating budget was approved by the Legislature last month. The COVID-19 pandemic is having catastrophic effects on the health and welfare of Washingtonians. It will also have a major impact on the economic health of our state. I have conferred with leaders in the House of Representatives and Senate, and we agree that we must prepare for the effects of the lost revenue that will result from this pandemic.

For these reasons I have vetoed Sections 6 and 7 of Engrossed Second Substitute House Bill No. 1783.

With the exception of Sections 6 and 7, Engrossed Second Substitute House Bill No. 1783 is approved."

CHAPTER 333

[Second Substitute House Bill 2277]

YOUTH SOLITARY CONFINEMENT

AN ACT Relating to youth solitary confinement; amending RCW 13.04.116; and adding a new chapter to Title 13 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. LEGISLATIVE FINDINGS. (1) The legislature finds that prolonged isolation for juveniles may cause harm. Prolonged solitary confinement has also been shown as ineffective at reducing behavioral incidents and may increase anxiety and anger in youth.

(2) Creating alternative solutions to solitary confinement for juveniles will further protect the well-being of juveniles in all detention facilities and institutions and enhance the rehabilitative goals of Washington's juvenile justice system. This act seeks to end the use of solitary confinement in juvenile facilities when used as a form of punishment or retaliation. This act also seeks to limit placement in isolation, except in the circumstances outlined in section 3 of this act. Juvenile institutions and detention facilities must implement a system of graduated interventions to avoid the use of solitary confinement. Less restrictive forms of confinement should be used to regulate the behavior of juveniles in institutions and detention facilities.

(3) The legislature intends to prevent the use of solitary confinement and, in the limited instances of isolation, ensure that the use advances the rehabilitative goals of Washington's juvenile justice system, and that it is not used as a punitive measure.

NEW SECTION. Sec. 2. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Department" means the department of children, youth, and families.
- (2) "Detention facility" means:
 - (a) Any detention facility as defined under RCW 13.40.020; and
 - (b) Any juvenile correctional facility under alternative administration operated by a consortium of counties under RCW 13.04.035.
- (3) "Imminent harm" means immediate and impending threat of a person causing bodily injury to self or others.
- (4) "Institution" has the same meaning as in RCW 13.40.020.

(5) "Isolation" means confinement that occurs (a) when a youth is separated from the youth population and placed in a room for longer than fifteen minutes for the purpose of discipline, behavior modification, or due to an imminent threat to the safety of the youth or others; and (b) in a room other than the room assigned to the youth for sleeping. Juveniles are in isolation from the moment they are separated from others until they have rejoined the population. Juveniles who are pregnant shall not be put into isolation. Maintaining appropriate gender separation does not constitute isolation.

(6) "Juvenile" means:

(a) Any individual who is under the chronological age of eighteen years; and

(b) Any individual under the chronological age of twenty-five years who is confined in an institution, including an individual confined in an institution under RCW 72.01.410.

(7) "Juvenile court administrator" means an administrator appointed pursuant to RCW 13.04.035.

(8) "Room confinement" means a juvenile is separated from the youth population and placed in a room or cell that the juvenile is assigned to for sleeping, other than during normal sleeping hours or interim rest hours. "Room confinement" does not include time a youth requests to spend in his or her room or rest periods in between facility programming. Juveniles are in room confinement from the moment they are separated from others until they are permitted to rejoin the population.

(9) "Solitary confinement" means a youth is involuntarily separated from the youth population and placed in a room or cell other than the room assigned to the youth for sleeping for longer than fifteen minutes for punitive purposes. Different terminology does not exempt practice from being "solitary confinement."

NEW SECTION. Sec. 3. PROCESS AND EXCEPTIONS. (1) The use of solitary confinement for juveniles in a detention facility or institution is prohibited.

(2) A juvenile may only be placed in isolation or room confinement in a detention facility or institution as authorized in this section.

(a)(i) Total isolation and room confinement of a juvenile shall be limited in duration to no more than four hours in any twenty-four hour period. Detention facilities and institutions can exceed those four hours, including if the extension is necessary due to subsequent or multiple incidents, if the following requirements are met:

(A) The reason for isolation or room confinement is documented, including the basis for the extension, the date and time the juvenile was first placed in isolation or room confinement, and when the juvenile is eventually released from isolation or room confinement;

(B) An individualized plan that includes the goals and objectives to be met in order to reintegrate the juvenile to the general population is developed;

(C) The detention facility or institution superintendent or his or her designee provides documented authorization every four hours thereafter.

(ii) A medical and mental health assessment may occur after the juvenile's release so as not to extend his or her time in isolation or confinement.

(iii) If the total isolation or room confinement exceeds twenty-four hours, then the secretary, or his or her designee, of the department or the juvenile court administrator must provide documented authorization.

(b) Each juvenile placed in isolation or room confinement shall be visually checked at least every fifteen minutes, and staff shall attend to the needs of the juvenile at that time. Staff shall attempt to communicate with an awake juvenile during required checks to evaluate and encourage the juvenile on the goals and objectives the juvenile needs to achieve in order to be released from isolation or room confinement.

(c) Every instance of isolation and room confinement shall be documented in accordance with section 5 or 6 of this act.

(d) When a juvenile is placed in isolation or under room confinement, the juvenile must have access to:

(i) Clothing;

(ii) Mattress and bedding;

(iii) Medication under staff supervision;

(iv) A toilet and sink at least hourly;

(v) A bath or shower at least daily;

(vi) Necessary mental health services; and

(vii) Reading material, paper, writing material, envelopes, and treatment material, unless precluded by suicide precaution level or the items would hinder staff efforts to resolve the problems that caused isolation or room confinement.

(e) Staff must remove the juvenile from isolation and room confinement when one of the following requirements is met:

(i) The purpose of the confinement is met;

(ii) The desired behavior is evident; or

(iii) The juvenile has been evaluated by a professional who has determined the juvenile is no longer an imminent risk to self, staff, or the general population. The institution or detention facility may designate who counts as a professional.

(f) Isolation can be used when:

(i) Isolation is necessary to prevent imminent harm based on the juvenile's behavior, and less restrictive alternatives were unsuccessful;

(ii) The juvenile needs to be held in isolation awaiting transfer of facilities;

(iii) The juvenile needs to be placed in isolation overnight due to disruptive behavior that prevents the nighttime routine of other juvenile residents; or

(iv) It is necessary to respond to an escape attempt.

(g) Room confinement can be used when it is necessary to prevent behavior that causes disruption of the detention facility or institution, but the behavior does not rise to the level of imminent harm including, but not limited to, behavior that may constitute a violation of law.

(3) Nothing in this section requires that juveniles be placed with adults while in custody.

NEW SECTION. Sec. 4. MODEL POLICY. (1) The department shall, by July 1, 2021, adopt a model policy prohibiting the use of solitary confinement of juveniles in detention facilities and institutions, with the goal of also limiting the use and duration of isolation and room confinement. In determining the model policy, the department must consult with appropriate stakeholders including, but not limited to, juvenile court administrators, impacted youth, and representatives of staff. At a minimum, the model policy must include:

(a) Isolation. Isolation may only be used as a last resort when less restrictive methods have not been effective. Where needed, medical professionals must assess or evaluate any juvenile in isolation as soon as possible after the juvenile is placed in isolation, and qualified mental health professionals must evaluate and develop a care plan for juveniles placed in isolation to prevent self-harm as soon as possible after the juvenile is placed in isolation. The model policy must include measures to prevent the use of isolation, while protecting the safety and security of incarcerated juveniles and their peers, the staff of the detention facilities and institutions, other persons who work in the detention facilities and institutions, and visitors.

(b) Room confinement. Room confinement is the preferred option for maladaptive or negative behavior. Staff will use the least amount of time to meet the purpose of the intervention. The model policy must include measures to prevent the use of room confinement, while protecting the safety and security of incarcerated juveniles and their peers, the staff of the detention facilities and institutions, other persons who work in the detention facilities and institutions, and visitors.

(2) By December 1, 2021, the detention facility or institution shall review and either (a) adopt the model policy established in this section or (b) notify the department of the reasons the detention facility or institution will not adopt the model policy, including how the detention facility or institution's policies and procedures differ from the model policy.

NEW SECTION. Sec. 5. REPORTING REQUIREMENTS FOR THE DEPARTMENT. (1) The department must compile, on a monthly basis until November 1, 2022, the following information with respect to juveniles confined in all state institutions and facilities used for juvenile rehabilitation for whom isolation or room confinement was used in excess of one hour:

- (a) The number of times isolation and room confinement were used;
- (b) The circumstances leading to the use of isolation and room confinement;
- (c) The duration of each use of isolation and whether, for each instance of isolation, the use of isolation lasted more than four hours within a twenty-four hour period;
- (d) Whether or not supervisory review occurred and was documented for each instance of isolation and room confinement;
- (e) The race and age of the juvenile for each instance of isolation and room confinement;
- (f) Whether or not a medical assessment or review and a mental health assessment or review were conducted and documented for each instance of isolation; and

(g) If the affected juvenile was not afforded access to medication, meals, and reading material during the term of confinement for each instance of isolation and room confinement.

(2) Until November 1, 2022, information collected under subsection (1) of this section must be compiled into a report and submitted in compliance with section 7(1) of this act.

(3) After November 1, 2022, the department must annually compile the information collected under subsection (1) of this section. The information collected must be posted on the department's web site.

NEW SECTION. Sec. 6. REPORTING REQUIREMENTS FOR A COUNTY. (1) A county operating a detention facility must compile, on a monthly basis until November 1, 2022, the following information with respect to the detention facility for whom isolation or room confinement was used in excess of one hour:

- (a) The number of times isolation and room confinement were used;
- (b) The circumstances leading to the use of isolation and room confinement;
- (c) The duration of each use of isolation and whether, for each instance of isolation, the use of isolation lasted more or less than four hours within a twenty-four hour period, and, for instances lasting more than four hours, the length of time the juvenile remained in isolation;
- (d) Whether or not supervisory review occurred and was documented for each instance of isolation and room confinement;
- (e) The race and age of the juvenile for each instance of isolation and room confinement;
- (f) Whether or not a medical assessment or review and a mental health assessment or review were conducted and documented for each instance of isolation; and
- (g) If the affected juvenile was not afforded access to medication, meals, and reading material during the term of confinement for each instance of isolation and room confinement.

(2) Until November 1, 2022, information collected under subsection (1) of this section must be compiled into a report and submitted in compliance with section 7(1) of this act.

(3) After November 1, 2022, a county operating a detention facility must annually compile the information collected under subsection (1) of this section. The information collected must be posted on the detention facility's web site.

NEW SECTION. Sec. 7. DATA REPORTING. (1) Information collected under sections 5(2) and 6(2) of this act and RCW 13.04.116(1)(c) must be reported to the department of children, youth, and families by December 1, 2021, and an updated report must be submitted to the department by November 1, 2022. The department must compile the reported data and, in compliance with RCW 43.01.036, provide a data report to the appropriate committees of the legislature by December 1, 2022.

(2) Beginning in January 2023, the department shall conduct periodic reviews of policies, procedures, and use of solitary confinement, isolation, and room confinement in juvenile detention facilities and institutions. Every three years, the department shall prepare a report to the legislature summarizing its reviews.

Sec. 8. RCW 13.04.116 and 2017 3rd sp.s. c 6 s 603 are each amended to read as follows:

(1) A juvenile shall not be confined in a jail or holding facility for adults, except:

(a) For a period not exceeding twenty-four hours excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is available, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates; ((~~or~~))

(b) For not more than six hours and pursuant to a lawful detention in the course of an investigation, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates; or

(c) For a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110, the juvenile may not be held in a jail or holding facility for a period exceeding twenty-four hours excluding weekends and holidays, unless a court finds, after a hearing and in writing, that it is in the interest of justice.

(i) If a court determines that it is in the interest of justice to permit a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110 to be held in a jail or holding facility, the juvenile may not have sight or sound contact with adult inmates, unless the court also finds, after a hearing and in writing, that it is in the interest of justice to permit sight or sound contact with adult inmates. In making the determination regarding sight or sound contact with adult inmates under this subsection, the court shall consider:

(A) The age of the juvenile;

(B) The physical and mental maturity of the juvenile;

(C) The present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to himself or herself;

(D) The nature and circumstances of the alleged offense;

(E) The juvenile's history of prior delinquent acts;

(F) The relative ability of the available adult and juvenile detention facilities to meet the specific needs of the juvenile, protect the safety of the public, and protect other detained juveniles; and

(G) Any other relevant factors.

(ii) If a court determines that it is in the interest of justice to permit a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110 to be held in a jail or holding facility or have sight or sound contact with adult inmates under this section:

(A) The court shall hold a hearing at least once every thirty days to review whether it is still in the interest of justice to permit the juvenile to be held in a jail or holding facility, as defined under RCW 70.48.020, or have sight or sound contact with adult inmates; and

(B) The juvenile shall not be held in any jail or holding facility or permitted to have sight or sound contact with adult inmates, for more than one hundred eighty days, unless:

(I) The court, in writing, determines that there is good cause to allow an extension beyond one hundred eighty days; or

(II) The juvenile expressly waives this limitation.

(iii) A juvenile who is subject to exclusive adult criminal court jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110 has the right to be represented by counsel, and if indigent, to have counsel appointed for him or her by the court at any hearing held to determine whether to place the juvenile in a jail or holding facility or to continue the juvenile's placement in such a facility.

~~(2) ((For purposes of this section a juvenile is an individual under the chronological age of eighteen years who has not been transferred previously to adult courts.~~

~~(3)) The department shall monitor and enforce compliance with this section. The department may use information regarding juveniles confined in a jail gathered under the authority granted by this subsection in the report required in section 7(1) of this act with respect to juveniles in the custody of a jail or holding facility.~~

~~A detention facility and a governing unit for a jail or holding facility must provide assistance to the department in gathering information regarding juveniles confined in a jail or holding facility. This information must include:~~

~~(a) The age, race, and gender of each juvenile;~~

~~(b) The circumstances requiring the juvenile to be placed in the jail or holding facility; and~~

~~(c) The length of time the juvenile was held in the jail or holding facility.~~

~~((4)) (3) This section shall not be construed to expand or limit the authority to lawfully detain juveniles.~~

~~(4) For purposes of this section, the following definitions apply:~~

~~(a) "Detention facility" has the same meaning as provided under RCW 13.40.020.~~

~~(b) "Governing unit" has the same meaning as provided under RCW 70.48.020.~~

~~(c) "Holding facility" has the same meaning as provided under RCW 70.48.020.~~

~~(d) "Jail" has the same meaning as provided under RCW 70.48.020.~~

NEW SECTION. Sec. 9. 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, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 10. Sections 1 through 7 and 9 of this act constitute a new chapter in Title 13 RCW.

Passed by the House February 13, 2020.

Passed by the Senate March 5, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 334

[Substitute House Bill 2308]

OCCUPATIONAL CLASSIFICATION/JOB TITLE REPORTING--EMPLOYMENT SECURITY DEPARTMENT

AN ACT Relating to requiring employers to periodically report standard occupational classifications or job titles of workers; amending RCW 50.12.070 and 50.12.220; creating new sections; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Information collected by the employment security department from employers for the purposes of unemployment insurance requirements includes certain information, such as the employee's wages and hours worked. However, the information does not provide sufficient detail to allow for identification of the occupation of an employee; and

(b) Accurate occupational employment data would be useful in a number of ways. Job seekers use occupational employment and wage data for career planning and to assess occupational-based job opportunities within various industries and geographic areas in the state. Economists and researchers also rely on occupational employment and wage statistics to determine the composition of employment and the scope of business investment in their communities. Economic development professionals utilize employment data to identify the occupational assets of the state's labor markets to assist them in their efforts to attract businesses to their communities. Occupational and wage data are utilized for program planning, evaluating the effectiveness of training programs, and guiding students on their career pathways.

(2) The legislature further finds that:

(a) Without occupational data, the state is limited in its ability to successfully evaluate the effectiveness of job training programs;

(b) Other states recognize the importance of gathering this data and have begun to require employers to identify each employee's occupation; and

(c) Washington's future of work task force recommended adding an "occupation" field to the quarterly employer reporting forms collected by the employment security department to allow for more accurate occupational trend analyses, and more effective evaluation of education and training programs and whether or not they lead to particular occupations.

(3) Therefore, the legislature intends to require that employers include standard occupational classifications or job titles of workers in their quarterly unemployment insurance reports.

Sec. 2. RCW 50.12.070 and 2013 c 250 s 1 are each amended to read as follows:

(1)(a) Each employing unit shall keep true and accurate work records, containing such information as the commissioner may prescribe. Such records shall be open to inspection and be subject to being copied by the commissioner or his or her authorized representatives at any reasonable time and as often as may be necessary. The commissioner may require from any employing unit any sworn or unsworn reports with respect to persons employed by it, which he or she deems necessary for the effective administration of this title.

(b) An employer who contracts with another person or entity for work subject to chapter 18.27 or 19.28 RCW shall obtain and preserve a record of the unified business identifier account number for and compensation paid to the person or entity performing the work. In addition to the penalty in subsection (3) of this section, failure to obtain or maintain the record is subject to RCW 39.06.010.

(2)(a) Each employer shall register with the department and obtain an employment security account number. Each employer shall make periodic

reports at such intervals as the commissioner may by regulation prescribe, setting forth the remuneration paid for employment to workers in its employ, the full names and social security numbers of all such workers, the standard occupational classification or job title of each worker, and the total hours worked by each worker and such other information as the commissioner may by regulation prescribe. Reporting the standard occupational classification or job title of each worker is optional for employers until October 1, 2022.

(b) If the employing unit fails or has failed to report the number of hours in a reporting period for which a worker worked, such number will be computed by the commissioner and given the same force and effect as if it had been reported by the employing unit. In computing the number of such hours worked, the total wages for the reporting period, as reported by the employing unit, shall be divided by the dollar amount of the state's minimum wage in effect for such reporting period and the quotient, disregarding any remainder, shall be credited to the worker: PROVIDED, That although the computation so made will not be subject to appeal by the employing unit, monetary entitlement may be redetermined upon request if the department is provided with credible evidence of the actual hours worked. Benefits paid using computed hours are not considered an overpayment and are not subject to collections when the correction of computed hours results in an invalid or reduced claim; however:

(i) A contribution paying employer who fails to report the number of hours worked will have its experience rating account charged for all benefits paid that are based on hours computed under this subsection; and

(ii) An employer who reimburses the trust fund for benefits paid to workers and fails to report the number of hours worked shall reimburse the trust fund for all benefits paid that are based on hours computed under this subsection.

(3) Any employer who fails to keep and preserve records required by this section shall be subject to a penalty determined by the commissioner but not to exceed two hundred fifty dollars or two hundred percent of the quarterly tax for each offense, whichever is greater.

Sec. 3. RCW 50.12.220 and 2007 c 146 s 3 are each amended to read as follows:

(1) If an employer fails to file a timely report as required by RCW 50.12.070, or the rules adopted pursuant thereto, the employer is subject to a penalty of twenty-five dollars per violation, unless the penalty is waived by the commissioner or subsection (2)(c) of this section applies.

(2) An employer who files an incomplete or incorrectly formatted tax and wage report as required by RCW 50.12.070 must receive a warning letter for the first occurrence. The warning letter will provide instructions for accurate reporting or notify the employer how to obtain technical assistance from the department. Except as provided in subsections (3) and (4) of this section, for subsequent occurrences within five years of the last occurrence, the employer is subject to a penalty as follows:

(a) When no contributions are due: For the second occurrence, the penalty is seventy-five dollars; for the third occurrence, the penalty is one hundred fifty dollars; and for the fourth occurrence and for each occurrence thereafter, the penalty is two hundred fifty dollars.

(b) When contributions are due: For the second occurrence, the penalty is ten percent of the quarterly contributions due, but not less than seventy-five

dollars and not more than two hundred fifty dollars; for the third occurrence, the penalty is ten percent of the quarterly contributions due, but not less than one hundred fifty dollars and not more than two hundred fifty dollars; and for the fourth occurrence and each occurrence thereafter, the penalty is two hundred fifty dollars.

(c) An employer whose tax and wage report is incomplete due to a failure to report the standard occupational classification or job title of each worker must pay an incomplete report penalty under this subsection only if the employer knowingly failed to report the standard occupational classification or job title of each worker.

(3) If an employer knowingly misrepresents to the employment security department the amount of his or her payroll upon which contributions under this title are based, the employer shall be liable to the state for up to ten times the amount of the difference in contributions paid, if any, and the amount the employer should have paid and for the reasonable expenses of auditing his or her books and collecting such sums. Such liability may be enforced in the name of the department.

(4) If contributions are not paid on the date on which they are due and payable as prescribed by the commissioner, there shall be assessed a penalty of five percent of the amount of the contributions for the first month or part thereof of delinquency; there shall be assessed a total penalty of ten percent of the amount of the contributions for the second month or part thereof of delinquency; and there shall be assessed a total penalty of twenty percent of the amount of the contributions for the third month or part thereof of delinquency. No penalty so added shall be less than ten dollars. These penalties are in addition to the interest charges assessed under RCW 50.24.040.

(5) Penalties shall not accrue on contributions from an estate in the hands of a receiver, executor, administrator, trustee in bankruptcy, common law assignee, or other liquidating officer subsequent to the date when such receiver, executor, administrator, trustee in bankruptcy, common law assignee, or other liquidating officer qualifies as such, but contributions accruing with respect to employment of persons by a receiver, executor, administrator, trustee in bankruptcy, common law assignee, or other liquidating officer shall become due and shall be subject to penalties in the same manner as contributions due from other employers.

(6) Where adequate information has been furnished to the department and the department has failed to act or has advised the employer of no liability or inability to decide the issue, penalties shall be waived by the commissioner. Penalties may also be waived for good cause if the commissioner determines that the failure to file timely, complete, and correctly formatted reports or pay timely contributions was not due to the employer's fault.

(7) Any decision to assess a penalty as provided by this section shall be made by the chief administrative officer of the tax branch or his or her designee.

(8) Nothing in this section shall be construed to deny an employer the right to appeal the assessment of any penalty. Such appeal shall be made in the manner provided in RCW 50.32.030.

NEW SECTION. Sec. 4. By November 1, 2026, the employment security department, in coordination with the workforce training and education coordinating board, shall report to the appropriate committees of the legislature and the governor on how the standard occupational classification or job title data

required to be reported under section 2 of this act has been used to evaluate educational investments, add new or modify existing training programs, or improve worksource job placement results.

NEW SECTION. **Sec. 5.** This act takes effect October 1, 2021.

Passed by the House February 17, 2020.

Passed by the Senate March 5, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 335

[Engrossed Substitute House Bill 2327]

POSTSECONDARY EDUCATIONAL INSTITUTIONS--SEXUAL MISCONDUCT

AN ACT Relating to addressing sexual misconduct at postsecondary educational institutions; adding new sections to chapter 28B.112 RCW; adding a new section to chapter 42.56 RCW; creating new sections; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. **Sec. 1.** The legislature recognizes that Washington's postsecondary educational institutions are some of the best schools in the nation, offering high quality education and life experiences for thousands of students. Washington institutions strive to create learning environments where all students can reach their full potential. The legislature also recognizes that in instances in which an employee of an institution engages in sexual misconduct against a student, institutions do not consistently disclose that information. The legislature declares that disclosure of such information is a matter of public safety for all Washington students as well as for students on campuses across the nation. The legislature finds that sexual misconduct, which may include harassment or assault, has serious public health and safety effects on students in Washington. These effects may deprive students of their opportunities to obtain an education which would otherwise improve their lives and health, and that of their own children. Other effects include an employee in a position of power and authority over students causing irreversible harm to the physical and mental health of students from sexual misconduct. The legislature finds that students of any postsecondary educational institution in Washington should be protected from their institution hiring an employee who has been found to have committed sexual misconduct at another postsecondary educational institution. The legislature, therefore, also finds that postsecondary educational institutions in Washington need to know if a prospective employee has been found to have committed sexual misconduct while employed at another institution. Therefore, the legislature intends to require postsecondary educational institutions to inquire about and conduct reference checks on any applicant the institution intends to extend an offer of employment to, regarding whether the applicant has ever been found to have committed, or is being investigated for, sexual misconduct. The legislature finds that nondisclosure agreements which prevent an institution from disclosing that an employee has committed sexual misconduct create a high potential for students in jeopardy of being victimized. Therefore, the legislature finds such nondisclosure agreements between an employee and institution, pursuant to which the institution agrees not to disclose

findings of sexual misconduct supported by a preponderance of evidence or not to complete an investigation, are against public policy and should not be entered into by any Washington postsecondary educational institution and should not be enforced by Washington courts. Therefore, the legislature intends to provide clarity and direction to postsecondary educational institutions for disclosing substantiated findings of sexual misconduct committed by its employees against students.

NEW SECTION. Sec. 2. A new section is added to chapter 28B.112 RCW to read as follows:

The definitions in this section apply throughout this section and sections 3 through 6 of this act unless the context clearly requires otherwise.

(1) "Applicant" means a person applying for employment as faculty, instructor, staff, advisor, counselor, coach, athletic department staff, and any position in which the applicant will likely have direct ongoing contact with students in a supervisory role or position of authority. "Applicant" does not include enrolled students who are applying for temporary student employment with the postsecondary educational institutions, unless the student is a graduate student applying for a position in which the graduate student will have a supervisory role or position of authority over other students. "Applicant" does not include a person applying for employment as medical staff or for employment with an affiliated organization, entity, or extension of a postsecondary educational institution, unless the applicant will have a supervisory role or position of authority over students.

(2) "Employee" means a person who is receiving or has received wages as an employee from the postsecondary educational institutions and includes current and former workers, whether the person is classified as an employee, independent contractor, or consultant, and is in, or had, a position with direct ongoing contact with students in a supervisory role or position of authority. "Employee" does not include a person who was employed by the institution in temporary student employment while the person was an enrolled student unless the student, at the time of employment, is or was a graduate student in a position in which the graduate student has or had a supervisory role or authority over other students. "Employee" does not include a person employed as medical staff or with an affiliated organization, entity, or extension of a postsecondary educational institution, unless the employee has or had a supervisory role or position of authority over students. A person who would be considered an "employee" under this subsection, remains an "employee" even if the person enrolls in classes under an institution's employee tuition waiver program or similar program that allows faculty, staff, or other employees to take classes.

(3) "Employer" includes postsecondary educational institutions in this or any other state.

(4) "Postsecondary educational institution" means an institution of higher education as defined in RCW 28B.10.016, a degree-granting institution as defined in RCW 28B.85.010, a private vocational school as defined in RCW 28C.10.020, or school as defined in RCW 18.16.020, that participates in the state student financial aid program.

(5) "Sexual misconduct" includes, but is not limited to, unwelcome sexual contact, unwelcome sexual advances, requests for sexual favors, other unwelcome verbal, nonverbal, electronic, or physical conduct of a sexual nature,

sexual harassment, and any misconduct of a sexual nature that is in violation of the postsecondary educational institution's policies or has been determined to constitute sex discrimination pursuant to state or federal law.

(6) "Student" means a person enrolled at a postsecondary educational institution and for whom educational records are maintained.

NEW SECTION. Sec. 3. (1) By December 1, 2023, the public four-year institutions of higher education shall report the following to the governor and the appropriate committees of the legislature:

(a) Summaries of any campus climate assessments conducted since the effective date of this section that are designed to gauge the prevalence of sexual misconduct on college and university campuses;

(b) Efforts to reach out to and capture information from students who have traditionally been marginalized or experience disproportionate impacts of systemic oppression based on, for example, race, ethnicity, nationality, sexual orientation, gender identity, gender expression, and disability;

(c) How information obtained in the assessments was used to design and improve policies, programs, and resources for the campus community; and

(d) The impacts of this act on institutional hiring practices, campus safety, and other relevant considerations.

(2) This section expires June 1, 2024.

NEW SECTION. Sec. 4. A new section is added to chapter 28B.112 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, any provision of a settlement agreement executed subsequent to the effective date of this section between a postsecondary educational institution and an employee is against public policy and void and unenforceable if the provision prohibits the employee, the institution, a survivor, or any other person from disclosing that the employee has either:

(a) Been the subject of substantiated findings of sexual misconduct; or

(b) Is the subject of an investigation into sexual misconduct that is not yet complete.

(2) A settlement agreement may contain provisions requiring nondisclosure of personal identifying information of persons filing complaints or making allegations and of any witnesses asked to participate in an investigation of the allegations.

(3) Personal identifying information in a settlement agreement that reveals the identity of persons filing complaints or making allegations and of any witnesses asked to participate in an investigation of the allegations is exempt from public disclosure pursuant to section 7 of this act.

NEW SECTION. Sec. 5. A new section is added to chapter 28B.112 RCW to read as follows:

(1) Unless the victim of the alleged sexual misconduct requests otherwise, when a postsecondary educational institution investigates a complaint or allegation of sexual misconduct committed by an employee against a student of the institution, the institution shall complete the investigation whether or not the employee voluntarily or involuntarily leaves employment with the institution. When the institution completes its investigation, the institution shall make written findings of whether the complaint or allegation is substantiated.

(2)(a) A postsecondary educational institution shall include in the employee's personnel file or employment records any substantiated findings of sexual misconduct committed by the employee while the employee was employed with the postsecondary educational institution.

(b) When disclosing records included in an employee's personnel file or employment records under this section, the institution shall keep personal identifying information of the complainant and any witnesses confidential, unless disclosure of identifying information is agreed to by the complainant or witnesses or required under law.

(c) Personal identifying information in an employee's file or employment records that reveals the identity of the complainant and any witnesses is exempt from public disclosure pursuant to section 7 of this act.

(3) For purposes of this section, postsecondary educational institutions shall use a preponderance of the evidence standard when determining whether findings are substantiated.

(4) For purposes of this section and section 6 of this act, "substantiated" means the employee has committed sexual misconduct.

NEW SECTION. **Sec. 6.** A new section is added to chapter 28B.112 RCW to read as follows:

(1) Beginning October 1, 2020, prior to an official offer of employment to an applicant, a postsecondary educational institution shall request the applicant to sign a statement:

(a) Declaring whether the applicant is the subject of any substantiated findings of sexual misconduct in any current or former employment or is currently being investigated for, or has left a position during an investigation into, a violation of any sexual misconduct policy at the applicant's current and past employers, and, if so, an explanation of the situation;

(b) Authorizing the applicant's current and past employers to disclose to the hiring institution any sexual misconduct committed by the applicant and making available to the hiring institution copies of all documents in the previous employer's personnel, investigative, or other files relating to sexual misconduct, including sexual harassment, by the applicant; and

(c) Releasing the applicant's current and past employers, and employees acting on behalf of that employer, from any liability for providing information described in (b) of this subsection.

(2) Beginning July 1, 2021, prior to an official offer of employment to an applicant, a postsecondary educational institution shall:

(a) Request in writing, electronic or otherwise, that the applicant's current and past postsecondary educational institution employers provide the information, if any, described in subsection (1)(b) of this section. The request must include a copy of the declaration and statement signed by the applicant under subsection (1) of this section; and

(b) Ask the applicant if the applicant is the subject of any substantiated findings of sexual misconduct, or is currently being investigated for, or has left a position during an investigation into, a violation of any sexual misconduct policy at the applicant's current and past employers, and, if so, an explanation of the situation.

(3)(a) Pursuant to (c) of this subsection, after receiving a request under subsection (2)(a) of this section, a postsecondary educational institution shall

provide the information requested and make available to the requesting institution copies of documents in the applicant's personnel record relating to substantiated findings of sexual misconduct.

(b) Pursuant to (c) of this subsection, if a postsecondary educational institution has information about substantiated findings of a current or former employee's sexual misconduct in the employee's personnel file or employment records, unless otherwise prohibited by law, the institution shall disclose that information to any employer conducting reference or background checks on the current or former employee for the purposes of potential employment, even if the employer conducting the reference or background check does not specifically ask for such information.

(c) If, by the effective date of this section, a postsecondary educational institution does not have existing procedures for disclosing information requested under this subsection, the institution must establish procedures to begin implementing the disclosure requirements of this subsection no later than July 1, 2021.

(4)(a) The postsecondary educational institution or an employee acting on behalf of the institution, who discloses information under this section is presumed to be acting in good faith and is immune from civil and criminal liability for the disclosure.

(b) A postsecondary educational institution is not liable for any cause of action arising from nondisclosure of information by an employee without access to official personnel records who is asked to respond to a reference check.

(c) The duty to disclose information under this section is the responsibility of the postsecondary educational institution to respond to a formal request for personnel records relating to a current or prior employee when requested by another employer.

(5)(a) When disclosing information under this section, the postsecondary educational institution shall keep personal identifying information of the complainant and any witnesses confidential, unless the complainant or witnesses agree to disclosure of their identifying information.

(b) Personal identifying information that reveals the identity of the complainant and any witnesses is exempt from public disclosure pursuant to section 7 of this act.

(6) Beginning October 1, 2020, a postsecondary educational institution may not hire an applicant who does not sign the statement described in subsection (1) of this section.

(7) Information received under this section may be used by a postsecondary educational institution only for the purpose of evaluating an applicant's qualifications for employment in the position for which the person has applied.

(8) This section does not restrict expungement from a personnel file or employment records of information about alleged sexual misconduct that has not been substantiated.

(9) Public institutions of higher education shall share best practices with all faculty and staff who are likely to receive reference check requests about how to inform and advise requesters to contact the institution's appropriate official office for personnel records.

NEW SECTION. Sec. 7. A new section is added to chapter 42.56 RCW to read as follows:

(1) For the purposes of sections 2 through 6 of this act regarding postsecondary educational institutions, personal identifying information in an employee personnel file, student file, investigation file, settlement agreement, or other files held by a postsecondary educational institution that reveals the identity of witnesses to or victims of sexual misconduct committed at the postsecondary educational institution by an employee of the institution are exempt from public disclosure and copying. If the victim or witness indicates a desire for disclosure of the victim's or witness' personal identifying information, such desire shall govern.

(2) For purposes of this section, "witness" does not mean an employee under investigation for allegations of sexual misconduct.

Passed by the House March 9, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 336

[House Bill 2380]

HOME CARE AGENCY VENDORS--RATES

AN ACT Relating to the home care agency vendor rate and repeal of electronic timekeeping; amending RCW 74.39A.310; creating a new section; repealing RCW 74.39A.325; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 74.39A.310 and 2018 c 278 s 23 are each amended to read as follows:

(1) The department shall ~~((create a formula that converts into a per-hour amount, excluding those benefits defined in subsection (3) of this section, the cost of the increase in:~~

~~(a) Wages))~~ convert and distribute any change in the total amount of wages and benefits negotiated and funded in the contract for individual providers of home care services pursuant to RCW 74.39A.270 and 74.39A.300((;)) or

~~((b) The))~~ labor rates established under RCW 74.39A.530 into a per-quarter-hour amount. This must be accomplished in each odd-numbered year within sixty days after adjournment sine die of the legislative session.

(2) The per-quarter-hour amount ~~((from subsection (1) of this section))~~ shall be added to or subtracted from the statewide home care agency vendor rate and any increase shall be used exclusively for improving the wages and benefits of home care agency workers who provide direct care~~((The formula shall account for:~~

~~(a) All types of)),~~ and for paying any resulting change in required employer contributions or premiums.

(3) When determining the per-quarter-hour amount, the department must include:

(a) The changes to wages, benefits, and compensation negotiated and funded each biennium, including but not limited to:

(i) ((Regular)) Wages;

(ii) Benefit pay, such as vacation, sick, and holiday pay;

~~(iii) ((Taxes on wages/benefit pay;~~

~~(iv))) Mileage; ((and~~

~~(v))) (iv) Contributions to a training partnership;~~

~~(v) Contributions to the health benefit trust; and~~

~~(vi) Contributions to the defined contribution retirement trust; and~~

~~(b) The ((increase)) change in the average costs ((of worker's compensation for)) experienced by medicaid contracted home care agencies ((and application of the increases identified in (a) of this subsection to all hours required to be paid, including travel time, of direct service workers under the wage and hour laws and associated employer taxes.~~

~~(3) The contribution rate for health care benefits, including but not limited to medical, dental, and vision benefits, for eligible agency home care workers shall be paid by the department to home care agencies at the same rate as negotiated and funded in the collective bargaining agreement for individual providers of home care services), as determined by the department in its sole discretion, of employer contributions or premiums required by law including, but not limited to:~~

~~(i) Federal insurance contributions act;~~

~~(ii) Federal unemployment tax act;~~

~~(iii) State unemployment tax authority;~~

~~(iv) State paid family medical leave act; and~~

~~(v) State workers' compensation system; and~~

~~(c) An adjustment, as determined by the department in its sole discretion, for cost of compensation for work time that may not be billed as service hours, such as travel time, that must be paid to direct service workers under wage and hour laws and any related employer tax contributions or premiums.~~

~~(4) The portion of the vendor rate calculated for health care benefits, including but not limited to medical, dental, and vision benefits, may only be used for health benefits for home care agency workers who provide direct care.~~

~~(5) When establishing the per-quarter-hour amount, the department must prevent duplicate accounting for the same cost.~~

NEW SECTION. Sec. 2. RCW 74.39A.325 (In-home personal care or respite services—Electronic timekeeping) and 2014 c 40 s 2 & 2009 c 571 s 2 are each repealed.

NEW SECTION. Sec. 3. This act applies prospectively and not retroactively.

NEW SECTION. Sec. 4. Section 1 of this act takes effect July 1, 2020.

Passed by the House February 14, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 337

[Engrossed Substitute House Bill 2421]

ELECTION COSTS--STATE REIMBURSEMENT

AN ACT Relating to state reimbursement of election costs; amending RCW 29A.04.410, 29A.04.420, 29A.04.216, 29A.04.430, 29A.64.081, and 29A.32.210; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 29A.04.410 and 2013 c 11 s 10 are each amended to read as follows:

Every county, city, town, and district, and the state is liable for its proportionate share of the costs when such elections are held in conjunction with other elections held under RCW 29A.04.321 and 29A.04.330.

Whenever any county, city, town, or district, or the state holds any primary or election, general or special, on an isolated date, all costs of such elections must be borne by the county, city, town, or district concerned, or the state as appropriate.

The purpose of this section is to clearly establish that the county is not responsible for any costs involved in the holding of any city, town, ~~((or))~~ district, state, or federal election.

In recovering such election expenses, including a reasonable ~~((pro-ration))~~ proration of administrative costs, the county auditor shall certify the cost to the county treasurer with a copy to the clerk or auditor of the city, town, or district concerned, or the secretary of state as appropriate. Upon receipt of such certification relating to a city, town, or district, the county treasurer shall make the transfer from any available and appropriate city, town, or district funds to the county current expense fund or to the county election reserve fund if such a fund is established. Each city, town, or district must be promptly notified by the county treasurer whenever such transfer has been completed. However, in those districts wherein a treasurer, other than the county treasurer, has been appointed such transfer procedure does not apply, but the district shall promptly issue its warrant for payment of election costs. State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

Sec. 2. RCW 29A.04.420 and 2019 c 161 s 2 are each amended to read as follows:

(1) Whenever federal officers, state officers, or measures are voted upon at a state primary or general election held ~~((in an odd-numbered year))~~ under RCW 29A.04.321, the state of Washington shall assume a prorated share of the costs of that state primary or general election~~((:~~

~~((2) The state shall reimburse counties for))~~ for the federal and state offices and measures, including the prorated cost of return postage, required to be included on return envelopes pursuant to RCW 29A.40.091~~((, for all elections))~~.

~~((3))~~ (2) Whenever a primary or vacancy election is held to fill a vacancy in the position of United States senator or United States representative under chapter 29A.28 RCW, the state of Washington shall assume a prorated share of the costs of that primary or vacancy election.

~~((4))~~ (3) The county auditor shall apportion the state's share of these expenses when prorating election costs under RCW 29A.04.410 and in

accordance with the state budgeting, accounting, and reporting system, shall file such expense claims with the secretary of state.

~~((5))~~ (4) The secretary of state shall include in his or her biennial budget requests sufficient funds to carry out this section. Reimbursements for election costs shall be from appropriations specifically provided by law for that purpose.

(5) State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

Sec. 3. RCW 29A.04.216 and 2013 c 11 s 7 are each amended to read as follows:

The county auditor of each county shall be ex officio the supervisor of all primaries and elections, general or special, and it shall be the county auditor's duty to provide places for holding such primaries and elections; to provide the supplies and materials necessary for the conduct of elections; and to publish and post notices of calling such primaries and elections in the manner provided by law. The auditor shall also apportion to the county, each city, town, or district, and to the state of Washington (~~in the odd-numbered year~~), its share of the expense of such primaries and elections. This section does not apply to general or special elections for any city, town, or district that is not subject to RCW 29A.04.321 and 29A.04.330, but all such elections must be held and conducted at the time, in the manner, and by the officials (with such notice, requirements for filing for office, and certifications by local officers) as provided and required by the laws governing such elections. State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

Sec. 4. RCW 29A.04.430 and 2003 c 111 s 148 are each amended to read as follows:

(1) For any reimbursement of election costs under RCW 29A.04.420, the secretary of state shall pay (~~interest at an annual rate equal to two percentage points in excess of the discount rate on ninety-day commercial paper in effect at the federal reserve bank in San Francisco on the fifteenth day of the month immediately preceding the payment for any period of time in excess of~~) within thirty days after the receipt of a properly executed and documented voucher for such expenses and the entry of an allotment from specifically appropriated funds for this purpose until those funds are exhausted. If funds appropriated for this purpose are not sufficient to pay all claims, the secretary of state shall include a budget request to the legislature during the next legislative session for sufficient funds for reimbursement of all remaining claims and shall pay all properly executed and documented vouchers to the counties within thirty days of allotment of specifically appropriated funds for this purpose. The secretary of state shall promptly notify any county that submits an incomplete or inaccurate voucher for reimbursement under RCW 29A.04.420.

(2) Funding provided in this section to counties for election costs in even-numbered years is retrospective and prospective reimbursement under RCW 43.135.060 for any new or increased responsibilities under this title.

Sec. 5. RCW 29A.64.081 and 2004 c 271 s 181 are each amended to read as follows:

The canvassing board shall determine the expenses for conducting a recount of votes.

~~((The))~~ (1) For a recount conducted under RCW 29A.64.011, the cost of the recount shall be deducted from the amount deposited by the applicant for the recount at the time of filing the request for the recount, and the balance shall be returned to the applicant. If the costs of the recount exceed the deposit, the applicant shall pay the difference. No charges may be deducted by the canvassing board from the deposit for a recount if the recount changes the result of the nomination or election for which the recount was ordered.

(2) For a recount conducted under RCW 29A.64.021, for an office where the candidates filed the declarations of candidacy with the secretary of state, any legislative office, and any congressional office, the county auditor shall file an expense claim for such costs with the secretary of state. The secretary of state shall include a budget request to the legislature during the next legislative session for sufficient funds for reimbursement of all costs of the recount and shall pay all properly executed and documented vouchers to the counties within thirty days of allotment of specifically appropriated funds for this purpose. The secretary of state shall promptly notify any county that submits an incomplete or inaccurate voucher for reimbursement under this section.

(3) State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

Sec. 6. RCW 29A.32.210 and 2013 c 11 s 38 are each amended to read as follows:

~~((At least ninety days before))~~ Before any primary or general election, or ~~((at least forty days before))~~ any special election held under RCW 29A.04.321 or 29A.04.330, ~~((the legislative authority of any county or first class or code city may adopt an ordinance authorizing the publication and distribution of))~~ each county auditor shall print and distribute a local voters' pamphlet. The pamphlet shall provide information on all measures ~~((within that jurisdiction and may, if specified in the ordinance, include information on))~~ and candidates within that jurisdiction. ~~((If both a county and a first class or code city within that county authorize a local voters' pamphlet for the same election, the pamphlet shall be produced jointly by the county and the first class or code city. If no agreement can be reached between the county and first class or code city, the county and first class or code city may each produce a pamphlet. Any ordinance adopted authorizing a local voters' pamphlet may be for a specific primary, special election, or general election or for any future primaries or elections.))~~ The format of any local voters' pamphlet shall, whenever applicable, comply with the provisions of this chapter regarding the publication of the state candidates' and voters' pamphlets.

NEW SECTION, Sec. 7. This act takes effect July 1, 2021.

Passed by the House March 10, 2020.

Passed by the Senate March 4, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 338

[Substitute House Bill 2441]

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES--WORK REQUIREMENT
NONCOMPLIANCE

AN ACT Relating to improving access to temporary assistance for needy families; reenacting and amending RCW 74.08A.260; creating new sections; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 74.08A.260 and 2018 c 126 s 5 and 2018 c 58 s 8 are each reenacted and amended to read as follows:

(1) Each recipient shall be assessed after determination of program eligibility and before referral to job search. Assessments shall be based upon factors that are critical to obtaining employment, including but not limited to education, availability of child care, history of family violence, history of substance abuse, and other factors that affect the ability to obtain employment. Assessments may be performed by the department or by a contracted entity. The assessment shall be based on a uniform, consistent, transferable format that will be accepted by all agencies and organizations serving the recipient.

(2) Based on the assessment, an individual responsibility plan shall be prepared that: (a) Sets forth an employment goal and a plan for maximizing the recipient's success at meeting the employment goal; (b) considers WorkFirst educational and training programs from which the recipient could benefit; (c) contains the obligation of the recipient to participate in the program by complying with the plan; (d) moves the recipient into full-time WorkFirst activities as quickly as possible; and (e) describes the services available to the recipient either during or after WorkFirst to enable the recipient to obtain and keep employment and to advance in the workplace and increase the recipient's wage earning potential over time.

(3) Recipients who are not engaged in work and work activities, and do not qualify for a good cause exemption under RCW 74.08A.270, shall engage in self-directed service as provided in RCW 74.08A.330.

(4) If a recipient refuses to engage in work and work activities required by the department, after two months of continuous noncompliance, the family's grant shall be reduced by the recipient's share((, and may, if the department determines it appropriate, be terminated)) or by forty percent, whichever is greater, and must be terminated after twelve months of continuous noncompliance.

(5) The department ((may)) shall waive the penalties required under subsection (4) of this section, subject to a finding that the recipient refused to engage in work for good cause provided in RCW 74.08A.270.

(6) In consultation with the recipient, the department or contractor shall place the recipient into a work activity that is available in the local area where the recipient resides.

(7) Assessments conducted under this section shall include a consideration of the potential benefit to the recipient of engaging in financial literacy activities. The department shall consider the options for financial literacy activities available in the community, including information and resources available through the financial education public-private partnership created under RCW

28A.300.450. The department may authorize up to ten hours of financial literacy activities as a core activity or an optional activity under WorkFirst.

(8) Subsections (2) through (6) of this section are suspended for a recipient who is a parent or other relative personally providing care for a child under the age of two years. This suspension applies to both one and two parent families. However, both parents in a two-parent family cannot use the suspension during the same month. Nothing in this subsection shall prevent a recipient from participating in the WorkFirst program on a voluntary basis.

NEW SECTION. **Sec. 2.** This act takes effect July 1, 2021.

NEW SECTION. **Sec. 3.** This act applies prospectively only and not retroactively.

NEW SECTION. **Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2020, in the supplemental omnibus appropriations act, this act is null and void.

Passed by the House March 11, 2020.

Passed by the Senate March 5, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 339

[Engrossed Substitute House Bill 2455]

CHILD CARE--PARENTS ATTENDING HIGH SCHOOL

AN ACT Relating to supporting access to child care for parents who are attending high school or working toward completion of a high school equivalency certificate; amending RCW 28A.160.010; adding a new section to chapter 43.216 RCW; adding a new section to chapter 28A.160 RCW; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. **Sec. 1.** A new section is added to chapter 43.216 RCW to read as follows:

(1) A parent who is attending high school is eligible to receive working connections child care.

(2) A parent age twenty-one years or younger who is working toward completing a high school equivalency certificate is eligible to receive working connections child care.

(3) When determining consumer eligibility and copayment under this section, the department:

(a) Must, within existing resources, authorize full-day subsidized child care during the school year in cases where:

(i) The parent is participating in one hundred ten hours of approved activities per month;

(ii) The household income of the parent does not exceed eighty-five percent of the state median income at the time of application; and

(iii) The parent meets all other program eligibility requirements;

(b) May not consider the availability of the other biological parent when authorizing care; and

(c) May not require a copayment.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.160 RCW to read as follows:

(1) By July 1, 2021, at the request of an eligible student, a school district:

(a) May allow the student to transport his or her infant on a school bus or other student transportation vehicle provided by the district. The infant must be transported in a rear-facing child restraint system as defined in the federal motor vehicle safety standards in 49 C.F.R. Sec. 571.213;

(b) Must, in cases where a district denies a student's request to transport his or her infant by school bus, authorize other arrangements for individual transportation in accordance with RCW 28A.160.030.

(2) For the purposes of this section, "eligible student" has the same meaning as in RCW 28A.160.160.

Sec. 3. RCW 28A.160.010 and 1990 c 33 s 132 are each amended to read as follows:

The operation of each local school district's student transportation program is declared to be the responsibility of the respective board of directors, and each board of directors shall determine such matters as which individual students shall be transported and what routes shall be most efficiently utilized except as provided in section 2 of this act. State moneys allocated to local districts for student transportation shall be spent only for student transportation activities, but need not be spent by the local district in the same manner as calculated and allocated by the state.

A school district is authorized to provide for the transportation of students enrolled in the school or schools of the district both in the case of students who reside within the boundaries of the district and of students who reside outside the boundaries of the district.

When children are transported from one school district to another the board of directors of the respective districts may enter into a written contract providing for a division of the cost of such transportation between the districts.

School districts may use school buses and drivers hired by the district or commercial chartered bus service for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. For any extra-curricular uses, the school board shall charge an amount sufficient to reimburse the district for its cost.

In addition to the right to contract for the use of buses provided in RCW 28A.160.080 and 28A.160.090, any school district may contract to furnish the use of school buses of that district to other users who are engaged in conducting an educational or recreational program supported wholly or in part by tax funds or programs for elderly persons at times when those buses are not needed by that district and under such terms as will fully reimburse such school district for all costs related or incident thereto: PROVIDED, HOWEVER, That no such use of school district buses shall be permitted except where other public or private transportation certificated or licensed by the Washington utilities and transportation commission is not reasonably available to the user: PROVIDED FURTHER, That no user shall be required to accept any charter bus for services

which the user believes might place the health or safety of the children or elderly persons in jeopardy.

Whenever any persons are transported by the school district in its own motor vehicles and by its own employees, the board may provide insurance to protect the district against loss, whether by reason of theft, fire or property damage to the motor vehicle or by reason of liability of the district to persons from the operation of such motor vehicle.

The board may provide insurance by contract purchase for payment of hospital and medical expenses for the benefit of persons injured while they are on, getting on, or getting off any vehicles enumerated herein without respect to any fault or liability on the part of the school district or operator. This insurance may be provided without cost to the persons notwithstanding the provisions of RCW 28A.400.350.

If the transportation of children or elderly persons is arranged for by contract of the district with some person, the board may require such contractor to procure such insurance as the board deems advisable.

NEW SECTION. **Sec. 4.** Section 1 of this act takes effect September 1, 2020.

Passed by the House February 13, 2020.

Passed by the Senate March 5, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 340

[Second Substitute House Bill 2457]

HEALTH CARE COST TRANSPARENCY BOARD

AN ACT Relating to the establishment of a board for the evaluation and containment of health care expenditures; and adding a new chapter to Title 70 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. **Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Authority" means the health care authority.
- (2) "Board" means the health care cost transparency board.
- (3) "Health care" means items, services, and supplies intended to improve or maintain human function or treat or ameliorate pain, disease, condition, or injury including, but not limited to, the following types of services:
 - (a) Medical;
 - (b) Behavioral;
 - (c) Substance use disorder;
 - (d) Mental health;
 - (e) Surgical;
 - (f) Optometric;
 - (g) Dental;
 - (h) Podiatric;
 - (i) Chiropractic;
 - (j) Psychiatric;
 - (k) Pharmaceutical;

- (l) Therapeutic;
- (m) Preventive;
- (n) Rehabilitative;
- (o) Supportive;
- (p) Geriatric; or
- (q) Long-term care.

(4) "Health care cost growth" means the annual percentage change in total health care expenditures in the state.

(5) "Health care cost growth benchmark" means the target percentage for health care cost growth.

(6) "Health care coverage" means policies, contracts, certificates, and agreements issued or offered by a payer.

(7) "Health care provider" means a person or entity that is licensed, certified, registered, or otherwise authorized by the law of this state to provide health care in the ordinary course of business or practice of a profession.

(8) "Net cost of private health care coverage" means the difference in premiums received by a payer and the claims for the cost of health care paid by the payer under a policy or certificate of health care coverage.

(9) "Payer" means:

(a) A health carrier as defined in RCW 48.43.005;

(b) A publicly funded health care program, including medicaid, medicare, the state children's health insurance program, and public and school employee benefit programs administered under chapter 41.05 RCW;

(c) A third-party administrator; and

(d) Any other public or private entity, other than an individual, that pays or reimburses the cost for the provision of health care.

(10) "Total health care expenditures" means all health care expenditures in this state by public and private sources, including:

(a) All payments on health care providers' claims for reimbursement for the cost of health care provided;

(b) All payments to health care providers other than payments described in (a) of this subsection;

(c) All cost-sharing paid by residents of this state, including copayments, deductibles, and coinsurance; and

(d) The net cost of private health care coverage.

NEW SECTION. Sec. 2. The authority shall establish a board to be known as the health care cost transparency board. The board is responsible for the analysis of total health care expenditures in Washington, identifying trends in health care cost growth, and establishing a health care cost growth benchmark. The board shall provide analysis of the factors impacting these trends in health care cost growth and, after review and consultation with identified entities, shall identify those health care providers and payers that are exceeding the health care cost growth benchmark.

NEW SECTION. Sec. 3. (1) The board shall consist of fourteen members who shall be appointed as follows:

(a) The insurance commissioner, or the commissioner's designee;

(b) The administrator of the health care authority, or the administrator's designee;

- (c) The director of labor and industries, or the director's designee;
 - (d) The chief executive officer of the health benefit exchange, or the chief executive officer's designee;
 - (e) One member representing local governments that purchase health care for their employees;
 - (f) Two members representing consumers;
 - (g) One member representing Taft-Hartley health benefit plans;
 - (h) Two members representing large employers, at least one of which is a self-funded group health plan;
 - (i) One member representing small businesses;
 - (j) One member who is an actuary or an expert in health care economics;
 - (k) One member who is an expert in health care financing; and
 - (l) One nonvoting member who is a member of the advisory committee of health care providers and carriers and has operational experience in health care delivery.
- (2) The governor:
- (a) Shall appoint the members of the board. Each of the two largest caucuses in both the house of representatives and the senate shall submit to the governor a list of five nominees. The nominees must be for members of the board identified in subsection (1)(f) through (k) of this section, may not be legislators, and, except for the members of the board identified in subsection (1)(j) and (k) of this section, the nominees may not be employees of the state or its political subdivisions. No caucus may submit the same nominee. The caucus nominations must reflect diversity in geography, gender, and ethnicity;
 - (b) May reject a nominee and request a new submission from a caucus if a nominee does not meet the requirements of this section; and
 - (c) Must choose at least one nominee from each caucus.
- (3) The governor shall appoint the chair of the board.
- (4)(a) Initial members of the board shall serve staggered terms not to exceed four years. Members appointed thereafter shall serve two-year terms.
- (b) A member of the board whose term has expired or who otherwise leaves the board shall be replaced by gubernatorial appointment. Upon the expiration of a member's term, the member shall continue to serve until a successor has been appointed and has assumed office. When the person leaving was nominated by one of the caucuses of the house of representatives or the senate, his or her replacement shall be appointed from a list of five nominees submitted by that caucus within thirty days after the person leaves. If the member to be replaced is the chair, the governor shall appoint a new chair within thirty days after the vacancy occurs. A person appointed to replace a member who leaves the board prior to the expiration of his or her term shall serve only the duration of the unexpired term. Members of the board may be reappointed to multiple terms.
- (5) No member of the board may be appointed if the member's participation in the decisions of the board could benefit the member's own financial interests or the financial interests of an entity the member represents. A board member who develops such a conflict of interest shall resign or be removed from the board.
- (6) Members of the board must be reimbursed for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060.

The board shall prescribe rules for the conduct of its business. Meetings of the board are subject to the call of the chair.

(7) The board and its subcommittees are subject to the provisions of chapter 42.30 RCW, the open public meetings act, and chapter 42.56 RCW, the public records act. The board and its subcommittees may not disclose any health care information that identifies or could reasonably identify the patient or consumer who is the subject of the health care information.

(8) Members of the board are not civilly or criminally liable and may not have any penalty or cause of action of any nature arise against them for any action taken or not taken, including any discretionary decision or failure to make a discretionary decision, when the action or inaction is done in good faith and in the performance of the powers and duties under this chapter.

NEW SECTION. Sec. 4. (1) The board shall establish an advisory committee on data issues and an advisory committee of health care providers and carriers. The board may establish other advisory committees as it finds necessary.

(2) Appointments to the advisory committee on data issues shall be made by the board. Members of the committee must have expertise in health data collection and reporting, health care claims data analysis, health care economic analysis, and actuarial analysis.

(3) Appointments to the advisory committee of health care providers and carriers shall be made by the board and must include the following membership:

(a) One member representing hospitals and hospital systems, selected from a list of three nominees submitted by the Washington state hospital association;

(b) One member representing federally qualified health centers, selected from a list of three nominees submitted by the Washington association for community health;

(c) One physician, selected from a list of three nominees submitted by the Washington state medical association;

(d) One primary care physician, selected from a list of three nominees submitted by the Washington academy of family physicians;

(e) One member representing behavioral health providers, selected from a list of three nominees submitted by the Washington council for behavioral health;

(f) One member representing pharmacists and pharmacies, selected from a list of three nominees submitted by the Washington state pharmacy association;

(g) One member representing advanced registered nurse practitioners, selected from a list of three nominees submitted by ARNPs united of Washington state;

(h) One member representing tribal health providers, selected from a list of three nominees submitted by the American Indian health commission;

(i) One member representing a health maintenance organization, selected from a list of three nominees submitted by the association of Washington health care plans;

(j) One member representing a managed care organization that contracts with the authority to serve medical assistance enrollees, selected from a list of three nominees submitted by the association of Washington health care plans;

(k) One member representing a health care service contractor, selected from a list of three nominees submitted by the association of Washington health care plans;

(l) One member representing an ambulatory surgery center selected from a list of three nominees submitted by the ambulatory surgery center association; and

(m) Three members, at least one of whom represents a disability insurer, selected from a list of six nominees submitted by America's health insurance plans.

NEW SECTION. Sec. 5. (1) The board has the authority to establish and appoint advisory committees, in accordance with the requirements of section 4 of this act, and seek input and recommendations from the advisory committees on topics relevant to the work of the board;

(2) The board shall:

(a) Determine the types and sources of data necessary to annually calculate total health care expenditures and health care cost growth, and to establish the health care cost growth benchmark, including execution of any necessary access and data security agreements with the custodians of the data. The board shall first identify existing data sources, such as the statewide health care claims database established in chapter 43.371 RCW and prescription drug data collected under chapter 43.71C RCW, and primarily rely on these sources when possible in order to minimize the creation of new reporting requirements;

(b) Determine the means and methods for gathering data to annually calculate total health care expenditures and health care cost growth, and to establish the health care cost growth benchmark. The board must select an appropriate economic indicator to use when establishing the health care cost growth benchmark. The activities may include selecting methodologies and determining sources of data. The board shall accept recommendations from the advisory committee on data issues and the advisory committee of health care providers and carriers regarding the value and feasibility of reporting various categories of information under (c) of this subsection, such as urban and rural, public sector and private sector, and major categories of health services, including prescription drugs, inpatient treatment, and outpatient treatment;

(c) Annually calculate total health care expenditures and health care cost growth:

(i) Statewide and by geographic rating area;

(ii) For each health care provider or provider system and each payer, taking into account the health status of the patients of the health care provider or the enrollees of the payer, utilization by the patients of the health care provider or the enrollees of the payer, intensity of services provided to the patients of the health care provider or the enrollees of the payer, and regional differences in input prices. The board must develop an implementation plan for reporting information about health care providers, provider systems, and payers;

(iii) By market segment;

(iv) Per capita; and

(v) For other categories, as recommended by the advisory committees in (b) of this subsection, and approved by the board;

(d) Annually establish the health care cost growth benchmark for increases in total health expenditures. The board, in determining the health care cost

growth benchmark, shall begin with an initial implementation that applies to the highest cost drivers in the health care system and develop a phased plan to include other components of the health system for subsequent years;

(e) Beginning in 2023, analyze the impacts of cost drivers to health care and incorporate this analysis into determining the annual total health care expenditures and establishing the annual health care cost growth benchmark. The cost drivers may include, to the extent such data is available:

- (i) Labor, including but not limited to, wages, benefits, and salaries;
 - (ii) Capital costs, including but not limited to new technology;
 - (iii) Supply costs, including but not limited to prescription drug costs;
 - (iv) Uncompensated care;
 - (v) Administrative and compliance costs;
 - (vi) Federal, state, and local taxes;
 - (vii) Capacity, funding, and access to postacute care, long-term services and supports, and housing; and
 - (viii) Regional differences in input prices; and
- (f) Release reports in accordance with section 7 of this act.

NEW SECTION. Sec. 6. (1) The authority may contract with a private nonprofit entity to administer the board and provide support to the board to carry out its responsibilities under this chapter. The authority may not contract with a private nonprofit entity that has a financial interest that may create a potential conflict of interest or introduce bias into the board's deliberations.

(2) The authority or the contracted entity shall actively solicit federal and private funding and in-kind contributions necessary to complete its work in a timely fashion. The contracted entity shall not accept private funds if receipt of such funding could present a potential conflict of interest or introduce bias into the board's deliberations.

NEW SECTION. Sec. 7. (1) By August 1, 2021, the board shall submit a preliminary report to the governor and each chamber of the legislature. The preliminary report shall address the progress toward establishment of the board and advisory committees and the establishment of total health care expenditures, health care cost growth, and the health care cost growth benchmark for the state, including proposed methodologies for determining each of these calculations. The preliminary report shall include a discussion of any obstacles related to conducting the board's work including any deficiencies in data necessary to perform its responsibilities under section 5 of this act and any supplemental data needs.

(2) Beginning August 1, 2022, the board shall submit annual reports to the governor and each chamber of the legislature. The first annual report shall determine the total health care expenditures for the most recent year for which data is available and shall establish the health care cost growth benchmark for the following year. The annual reports may include policy recommendations applicable to the board's activities and analysis of its work, including any recommendations related to lowering health care costs, focusing on private sector purchasers, and the establishment of a rating system of health care providers and payers.

NEW SECTION. Sec. 8. Sections 1 through 7 of this act constitute a new chapter in Title 70 RCW.

Passed by the House March 9, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 341

[Substitute House Bill 2486]

ELECTRIC MARINE BATTERY INCENTIVE--EXTENSION

AN ACT Relating to extending the electric marine battery incentive; amending RCW 82.08.996 and 82.12.996; amending 2019 c 287 s 20 (uncodified); providing an effective date; and providing expiration dates.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 82.08.996 and 2019 c 287 s 21 are each amended to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to:

(a) The sale of new battery-powered electric marine propulsion systems with continuous power greater than fifteen kilowatts(-);

(b) The sale of new vessels equipped with propulsion systems that qualify under (a) of this subsection(-);

(c)(i) The sale of batteries and battery packs used to exclusively power electric marine propulsion systems or hybrid electric marine propulsion systems, if such systems operate with a continuous power greater than fifteen kilowatts;

(ii) The sale of or charge made for labor and services rendered in respect to installing, repairing, altering, or improving batteries or battery packs that qualify under (c)(i) of this subsection;

(d)(i) The sale of new shoreside batteries purchased and installed for the purpose of reducing grid demand when charging electric and hybrid vessels;

(ii) The sale of or charge made for labor and services rendered in respect to installing, repairing, altering, or improving shoreside batteries;

(iii) The sale of or charge made for labor and services rendered in respect to installing, constructing, repairing, or improving shoreside batteries infrastructure; and

(iv) The sale of tangible personal property that will become a component of shoreside batteries infrastructure.

(2) Sellers may make tax exempt sales under this section only if the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

~~(3) ((On the last day of January, April, July, and October of each year, the state treasurer, based upon information provided by the department, must transfer from the multimodal transportation account to the general fund a sum equal to the dollar amount that would otherwise have been deposited into the general fund during the prior calendar quarter but for the exemption provided in this section. Information provided by the department to the state treasurer must be based on the best available data, except that the department may provide estimates of taxes exempted under this section until such time as retailers are able to report such exempted amounts on their tax returns.~~

~~(4))~~ For the purposes of this section:

(a) "Battery" means a secondary battery or storage cell that can be charged, discharged into a load, and recharged many times; and includes one of several different combinations of electrode materials and electrolytes;

(b) "Battery pack" means a group of any number of secondary or rechargeable batteries within a casing and used as a power source for battery-powered electric marine propulsion systems or hybrid electric marine propulsion systems;

(c) "Battery-powered electric marine propulsion system" means a fully electric outboard or inboard motor used by vessels, the sole source of propulsive power of which is the energy stored in the battery packs. The term includes required accessories, such as throttles, displays, and battery packs; ~~(and~~

~~(b))~~ (d) "Hybrid electric marine propulsion system" means a propulsion system that includes two or more sources of propulsion in one design, one of which must be electric;

(e) "Shoreside batteries" means batteries installed at a dock or similar location to provide an electric charge to a vessel powered by an electric marine propulsion system;

(f) "Shoreside batteries infrastructure" means the shoreside battery bank, charging apparatus, and emergency services generator; and

(g) "Vessel" includes every watercraft, other than a seaplane, used or capable of being used as a means of transportation on the water.

~~((5))~~ (4) This section expires July 1, ~~((2025))~~ 2030.

Sec. 2. RCW 82.12.996 and 2019 c 287 s 22 are each amended to read as follows:

(1) The tax imposed by RCW 82.12.020 does not apply to the use of:

(a) New battery-powered electric marine propulsion systems with continuous power greater than fifteen kilowatts; ~~((and))~~

(b) New vessels equipped with propulsion systems that qualify under (a) of this subsection;

(c)(i) Batteries and battery packs used to exclusively power electric marine propulsion systems or hybrid electric marine propulsion systems, if such systems operate with a continuous power greater than fifteen kilowatts;

(ii) Labor and services rendered in respect to installing, repairing, altering, or improving batteries or battery packs that qualify under (c)(i) of this subsection; and

(d)(i) New shoreside batteries purchased and installed for the purpose of reducing grid demand when charging electric and hybrid vessels;

(ii) Labor and services rendered in respect to installing, altering, or improving shoreside batteries; and

(iii) Tangible personal property that will become a component of shoreside batteries infrastructure.

(2) Sellers may make tax exempt sales under this section only if the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(3) ~~((On the last day of January, April, July, and October of each year, the state treasurer, based upon information provided by the department, must transfer from the multimodal transportation account to the general fund a sum equal to the dollar amount that would otherwise have been deposited into the~~

~~general fund during the prior calendar quarter but for the exemption provided in this section. Information provided by the department to the state treasurer must be based on the best available data, except that the department may provide estimates of taxes exempted under this section until such time as retailers are able to report such exempted amounts on their tax returns.~~

~~(4) For the purposes of this section, "battery powered electric marine propulsion system" and "vessel" have the same meanings as provided in section 22 of this act.)~~ The definitions in RCW 82.08.996 apply to this section.

~~((5))~~ (4) This section expires July 1, ((2025)) 2030.

Sec. 3. 2019 c 287 s 20 (uncodified) is amended to read as follows:

This section is the tax preference performance statement for the tax preferences contained in sections 1 and 2, chapter . . . , Laws of 2020 (sections 1 and 2 of this act) and sections 21 and 22, chapter 287, Laws of 2019. The 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 preferential tax treatment.

(1) The legislature categorizes the tax preferences as ones intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(2) It is the legislature's specific public policy objective to increase the use of electric vessels in Washington. It is the legislature's intent to establish a sales and use tax exemption on certain electric vessels in order to reduce the price charged to customers for electric vessels and to create and retain jobs associated with electric marine battery manufacturing and the construction of new electric ferries in Washington.

(3) To measure the effectiveness of the tax preferences in sections 1 and 2, chapter . . . , Laws of 2020 (sections 1 and 2 of this act) and sections 21 and 22, chapter 287, Laws of 2019 in achieving the public policy objectives described in subsection (2) of this section, the joint legislative audit and review committee must evaluate the number of electric vessels titled in the state.

(4) If a review finds that jobs in Washington associated with electric marine battery manufacturing and the construction of new electric ferries using electric battery power are created and retained, then the legislature intends to extend the expiration date of these tax preferences.

(5) In order to obtain the data necessary to perform the reviews in subsections (3) and (4) of this section, the department of licensing and the department of revenue must provide data needed for the joint legislative audit and review committee analysis. In addition to the data source described under this subsection, the joint legislative audit and review committee may use any other data it deems necessary.

NEW SECTION. Sec. 4. This act takes effect July 1, 2020.

Passed by the House March 12, 2020.

Passed by the Senate March 12, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 342

[Substitute House Bill 2556]

EARLY LEARNING PROVIDERS--TRAINING

AN ACT Relating to providing regulatory relief for early learning providers; adding a new section to chapter 43.216 RCW; creating new sections; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that a nurturing and loving relationship between an early learning provider and a child the provider cares for is an essential component of early learning and has a strong influence on that child's healthy development. Further, the legislature finds that successfully operating a child care center or licensed family home is becoming more financially challenging as the state's regulatory framework for child care and early learning has grown more comprehensive. The legislature recognizes the value of demonstrated competence that comes with a provider's experience in delivering quality child care. Therefore, in response to our state's urgent child care crisis, the legislature intends to provide relief to early learning providers by building the early learning workforce to meet the needs of working families across our state. The legislature further intends for providers to have a range of options to meet education requirements, including a noncredit-bearing community-based training pathway.

NEW SECTION. Sec. 2. A new section is added to chapter 43.216 RCW to read as follows:

(1) By July 1, 2021, the department shall implement a noncredit-bearing, community-based training pathway for licensed child care providers to meet professional education requirements associated with child care licensure. The community-based training pathway must be offered as an alternative to existing credit-bearing pathways available to providers.

(2) The department shall consult with the following stakeholders in the development and implementation of the community-based training pathway: The statewide child care resource and referral network, a community-based training organization that provides training to licensed family day care providers, a statewide organization that represents the interests of family day care providers, a statewide organization that represents the interests of licensed child day care centers, an organization that represents the interests of refugee and immigrant communities, a bilingual child care provider whose first language is not English, an organization that advocates for early learning, an organization representing private and independent schools, and the state board for community and technical colleges.

(3) The community-based training pathway must:

- (a) Align with adopted core competencies for early learning professionals;
- (b) Be made available to providers in multiple languages;
- (c) Include culturally relevant practices; and
- (d) Be made available at low cost to providers and at prices comparable to the cost of similar community-based trainings, not to exceed two hundred and fifty dollars per person; and
- (e) Be accessible to providers in rural and urban settings.

(4) The department shall allow licensed child care providers until at least August 1, 2026, to:

(a) Comply with child care licensing rules that require a provider to hold an early childhood education initial certificate or an early childhood education short certificate; or

(b) Complete community-based trainings.

(5) For the purposes of this section, "demonstrated competence" means an individual has shown that he or she has the skills to complete the required work independently.

NEW SECTION. Sec. 3. (1) The department of children, youth, and families and the state board for community and technical colleges must collaborate with representatives of local community and technical colleges to develop a plan to allow community-based training, including training described in section 2 of this act, that is completed by licensed child care providers to qualify for college credit. The department of children, youth, and families must submit the plan to the governor and the legislature by December 1, 2021.

(2) This section expires December 1, 2022.

Passed by the House February 13, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 343

[House Bill 2619]

EARLY LEARNING--VARIOUS PROVISIONS

AN ACT Relating to increasing early learning access through licensing, eligibility, and rate improvements; amending RCW 43.216.514 and 43.216.305; adding a new section to chapter 43.216 RCW; creating new sections; and providing expiration dates.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. This act may be known and cited as the rural child care access act.

NEW SECTION. Sec. 2. (1) The legislature finds that many rural communities face child care and early learning supply shortages due to factors that include geographic isolation and fewer providers. These shortages contribute to economic challenges in the child care market, undermining child care affordability for families and threatening the viability of child care businesses. Families deserve access to a full range of child care and early learning choices and providers need stable funding that is essential to meet high quality standards.

(2) The legislature further finds that while federal child care and development fund rules allow child care subsidy rates to exceed private pay rates in order to pay for quality care and health and safety requirements, state rules require child care subsidy rates to be lower than a provider's private pay rate with limited exceptions. This limitation has the effect of forcing child care providers to raise private pay rates when state subsidy rates go up, resulting in families who do not qualify for subsidy leaving licensed care because it has become unaffordable.

(3) Therefore, it is the intent of the legislature to implement policies to relieve providers and families by streamlining child care access, balancing subsidy requirements, and supporting the needs of rural communities.

Sec. 3. RCW 43.216.514 and 2019 c 408 s 7 are each amended to read as follows:

(1)(a) The department shall prioritize children for enrollment in the early childhood education and assistance program who are eligible pursuant to RCW 43.216.505.

(b) A child who is eligible at the time of enrollment in the early childhood education and assistance program maintains program eligibility until the child begins kindergarten.

(2) As space is available, children may be included in the early childhood education and assistance program pursuant to RCW 43.216.512. Priority within this group must be given first to children with incomes up to one hundred thirty percent of the federal poverty level.

***NEW SECTION. Sec. 4.** A new section is added to chapter 43.216 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department may pay child day care centers and family day care providers a subsidy rate that is equal to or higher than the provider's private pay rate in order to support high quality care and the implementation of health, safety, and quality requirements.

(2) The department must adopt rules to implement this section.

**Sec. 4 was vetoed. See message at end of chapter.*

Sec. 5. RCW 43.216.305 and 2018 c 58 s 40 are each amended to read as follows:

(1) Each agency shall make application for a license or the continuation of a full license to the department on forms prescribed by the department. Upon receipt of such application, the department shall either grant or deny a license or continuation of a full license within ninety days. A license or continuation shall be granted if the agency meets the minimum requirements set forth in this chapter and the departmental requirements consistent with this chapter, except that an initial license may be issued as provided in RCW 43.216.315. The department shall consider whether an agency is in good standing, as defined in subsection (4)(b) of this section, before granting a continuation of a full license. Full licenses provided for in this chapter shall continue to remain valid so long as the licensee meets the requirements for a nonexpiring license in subsection (2) of this section and may be transferred to a new licensee in the event of a transfer of ownership of a child care operation. The licensee, however, shall advise the secretary of any material change in circumstances which might constitute grounds for reclassification of license as to category. The license issued under this chapter (~~is not transferable and~~) applies only to the licensee and the location stated in the application. For licensed family day care homes having an acceptable history of child care, the license may remain in effect for two weeks after a move.

(2) In order to qualify for a nonexpiring full license, a licensee must meet the following requirements on an annual basis as established from the date of initial licensure:

- (a) Submit the annual licensing fee;
- (b) Submit a declaration to the department indicating the licensee's intent to continue operating a licensed child care program, or the intent to cease operation on a date certain;
- (c) Submit a declaration of compliance with all licensing rules; and
- (d) Submit background check applications on the schedule established by the department.

(3) If a licensee fails to meet the requirements in subsection (2) of this section for continuation of a full license the license expires and the licensee must submit a new application for licensure under this chapter.

(4)(a) Nothing about the nonexpiring license process may interfere with the department's established monitoring practice.

(b) For the purpose of this section, an agency is considered to be in good standing if in the intervening period between monitoring visits the agency does not have any of the following:

- (i) Valid complaints;
- (ii) A history of noncompliance related to those valid complaints or pending from prior monitoring visits; or
- (iii) Other information that when evaluated would result in a finding of noncompliance with this section.

(c) The department shall consider whether an agency is in good standing when determining the most appropriate approach and process for monitoring visits, for the purposes of administrative efficiency while protecting children, consistent with this chapter. If the department determines that an agency is not in good standing, the department may issue a probationary license, as provided in RCW 43.216.320.

NEW SECTION. Sec. 6. (1) By November 1, 2020, the department of children, youth, and families must provide the appropriate committees of the legislature with a list of recommended child care licensing innovations designed to improve access to care in rural areas of the state. The recommendations must include estimated costs for each item and any statutory changes necessary for implementation.

(2) This section expires November 1, 2021.

NEW SECTION. Sec. 7. (1) The department of children, youth, and families shall establish a pilot project to create a dual license that allows individuals to receive a combined foster care and child care license. The pilot project must commence by July 1, 2020, and conclude by June 30, 2022.

(2) The department must consult with stakeholders in the foster care and child care sectors during the design and implementation of the pilot project.

(3) The department may adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the implementation of a dual license for individuals.

(4) The department must provide a brief status report to the appropriate committees of the legislature and the governor by July 1, 2021, describing implementation of the pilot project. By November 1, 2022, the department must recommend to the governor and the appropriate committees of the legislature whether the dual license pilot project should be made permanent.

(5) This section expires November 1, 2023.

Passed by the House February 13, 2020.

Passed by the Senate March 4, 2020.

Approved by the Governor April 3, 2020, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 3, 2020.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 4, House Bill No. 2619 entitled:

"AN ACT Relating to increasing early learning access through licensing, eligibility, and rate improvements."

Section 4 allows the department to pay a subsidy rate equal to or higher than what providers bill for private pay. Although I believe that quality child care comes at a cost, I have concerns with utilizing tax-payer dollars to pay child care providers more than the market rate. I also believe subsidy payments over the market rate could have the unintended consequence of driving up private pay standards.

For these reasons I have vetoed Section 4 of House Bill No. 2619.

With the exception of Section 4, House Bill No. 2619 is approved."

CHAPTER 344

[Substitute House Bill 2632]

FALSE REPORTING

AN ACT Relating to false reporting of a crime or emergency; amending RCW 9A.84.040; reenacting and amending RCW 9.94A.515; adding a new section to chapter 4.24 RCW; creating a new section; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature recognizes that false reporting laws criminalize the knowingly false reporting of certain occurrences that are likely to cause unwarranted evacuations, public inconvenience, or alarm. Recently, however, false reporting and the 911 system have been weaponized, resulting in serious dangers and even lost lives. The term "swatting" describes the false reporting of an emergency with the goal of having a police unit or special weapons and tactics team deployed. The reckless act of swatting, often motivated by the perpetrator's bias towards protected classes, has caused death and trauma in some cases. As such, the legislature finds that a gross misdemeanor is insufficient as a legal response and hereby create felony false reporting punishments when the false reporting leads to injury or death.

Sec. 2. RCW 9A.84.040 and 2011 c 336 s 411 are each amended to read as follows:

(1) A person (~~is guilty of~~) commits false reporting if, with knowledge that the information reported, conveyed, or circulated is false, he or she initiates or circulates a false report or warning of an alleged occurrence or impending occurrence (~~of a fire, explosion, crime, catastrophe, or emergency~~) knowing that such false report is likely to cause (~~evacuation~~): Evacuation of a building, place of assembly, or transportation facility (~~(, or to cause)~~); public inconvenience or alarm; or an emergency response.

(2)(a) A person is guilty of false reporting in the first degree if the report was made with reckless disregard for the safety of others, the false reporting

caused an emergency response, and death is sustained by any person as a proximate result of an emergency response. False reporting in the first degree is a class B felony.

(b) A person is guilty of false reporting in the second degree if the report was made with reckless disregard for the safety of others, the false reporting caused an emergency response, and substantial bodily harm is sustained by any person as a proximate result of an emergency response. False reporting in the second degree is a class C felony.

(c) A person is guilty of false reporting in the third degree if he or she commits false reporting under circumstances not constituting false reporting in the first or second degree. False reporting in the third degree is a gross misdemeanor.

(3) Any criminal offense committed under this section may be deemed to have been committed either at the place from which the false report was made, at the place where the false report was received by law enforcement, or at the place where an evacuation, public inconvenience or alarm, or emergency response occurred.

(4) Where a case is legally sufficient to charge a person under the age of eighteen with the crime of false reporting and the alleged offense is the offender's first violation of this section, the prosecutor may divert the case.

(5) For the purposes of this section, "emergency response" means any action to protect life, health, or property by:

(a) A peace officer or law enforcement agency of the United States, the state, or a political subdivision of the state; or

(b) An agency of the United States, the state, or a political subdivision of the state, or a private not-for-profit organization that provides fire, rescue, or emergency medical services.

(6) Nothing in this section will be construed to: (a) Impose liability on a person who contacts law enforcement for the purpose of, or in connection with, the reporting of unlawful conduct; (b) conflict with Title 47 U.S.C. Sec. 230 of the communication decency act; or (c) conflict with Title 42 U.S.C. Sec. 1983 of the civil rights act.

NEW SECTION. Sec. 3. A new section is added to chapter 4.24 RCW to read as follows:

(1)(a) An individual who is a victim of an offense under RCW 9A.84.040 may bring a civil action against the person who committed the offense or against any person who knowingly benefits, financially or by receiving anything of value, from participation in a venture that the person knew or should have known has engaged in an act in violation of RCW 9A.84.040, and may recover damages and any other appropriate relief, including reasonable attorneys' fees.

(b) A person who is found liable under RCW 9A.84.040 shall be jointly and severally liable with each other person, if any, who is found liable under RCW 9A.84.040 for damages arising from the same violation of RCW 9A.84.040.

(2) Any person convicted of violating RCW 9A.84.040 and that resulted in an emergency response may be liable to a public agency for the reasonable costs of the emergency response by, and at the discretion of, the public agency that incurred the costs.

Sec. 4. RCW 9.94A.515 and 2019 c 271 s 7, 2019 c 243 s 5, 2019 c 64 s 3, and 2019 c 46 s 5009 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH
SERIOUSNESS LEVEL

- XVI Aggravated Murder 1 (RCW 10.95.020)
- XV Homicide by abuse (RCW 9A.32.055)
 - Malicious explosion 1 (RCW 70.74.280(1))
 - Murder 1 (RCW 9A.32.030)
- XIV Murder 2 (RCW 9A.32.050)
 - Trafficking 1 (RCW 9A.40.100(1))
- XIII Malicious explosion 2 (RCW 70.74.280(2))
 - Malicious placement of an explosive 1 (RCW 70.74.270(1))
- XII Assault 1 (RCW 9A.36.011)
 - Assault of a Child 1 (RCW 9A.36.120)
 - Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
 - Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
 - Rape 1 (RCW 9A.44.040)
 - Rape of a Child 1 (RCW 9A.44.073)
 - Trafficking 2 (RCW 9A.40.100(3))
- XI Manslaughter 1 (RCW 9A.32.060)
 - Rape 2 (RCW 9A.44.050)
 - Rape of a Child 2 (RCW 9A.44.076)
 - Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
 - Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- X Child Molestation 1 (RCW 9A.44.083)
 - Criminal Mistreatment 1 (RCW 9A.42.020)
 - Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))

- Kidnapping 1 (RCW 9A.40.020)
- Leading Organized Crime (RCW 9A.82.060(1)(a))
- Malicious explosion 3 (RCW 70.74.280(3))
- Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
- Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run—Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- VIII Arson 1 (RCW 9A.48.020)
- Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- VII Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))
- Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))
- Burglary 1 (RCW 9A.52.020)

- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- False Reporting 1 (RCW 9A.84.040(2)(a))
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)

- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
 - Bribery (RCW 9A.68.010)
 - Incest 1 (RCW 9A.64.020(1))
 - Intimidating a Judge (RCW 9A.72.160)
 - Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
 - Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
 - Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
 - Rape of a Child 3 (RCW 9A.44.079)
 - Theft of a Firearm (RCW 9A.56.300)
 - Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))
 - Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
 - Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
 - Air bag diagnostic systems (RCW 46.37.660(2)(c))
 - Air bag replacement requirements (RCW 46.37.660(1)(c))
 - Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
 - Child Molestation 3 (RCW 9A.44.089)
 - Criminal Mistreatment 2 (RCW 9A.42.030)
 - Custodial Sexual Misconduct 1 (RCW 9A.44.160)
 - Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))

- Domestic Violence Court Order Violation
(RCW 10.99.040, 10.99.050,
26.09.300, 26.10.220, 26.26B.050,
26.50.110, 26.52.070, or 74.34.145)
- Extortion 1 (RCW 9A.56.120)
- Extortionate Extension of Credit (RCW
9A.82.020)
- Extortionate Means to Collect Extensions
of Credit (RCW 9A.82.040)
- Incest 2 (RCW 9A.64.020(2))
- Kidnapping 2 (RCW 9A.40.030)
- Manufacture or import counterfeit,
nonfunctional, damaged, or
previously deployed air bag (RCW
46.37.650(1)(c))
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW
9.94.070)
- Possession of a Stolen Firearm (RCW
9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1 (RCW
9A.76.070)
- Sell, install, or reinstall counterfeit,
nonfunctional, damaged, or
previously deployed airbag (RCW
46.37.650(2)(c))
- Sending, Bringing into State Depictions of
Minor Engaged in Sexually Explicit
Conduct 2 (RCW 9.68A.060(2))
- Sexual Misconduct with a Minor 1 (RCW
9A.44.093)
- Sexually Violating Human Remains
(RCW 9A.44.105)
- Stalking (RCW 9A.46.110)
- Taking Motor Vehicle Without
Permission 1 (RCW 9A.56.070)
- IV Arson 2 (RCW 9A.48.030)
- Assault 2 (RCW 9A.36.021)

Assault 3 (of a Peace Officer with a
Projectile Stun Gun) (RCW
9A.36.031(1)(h))

Assault 4 (third domestic violence
offense) (RCW 9A.36.041(3))

Assault by Watercraft (RCW 79A.60.060)

Bribing a Witness/Bribe Received by
Witness (RCW 9A.72.090,
9A.72.100)

Cheating 1 (RCW 9.46.1961)

Commercial Bribery (RCW 9A.68.060)

Counterfeiting (RCW 9.16.035(4))

Driving While Under the Influence (RCW
46.61.502(6))

Endangerment with a Controlled
Substance (RCW 9A.42.100)

Escape 1 (RCW 9A.76.110)

Hate Crime (RCW 9A.36.080)

Hit and Run—Injury (RCW
46.52.020(4)(b))

Hit and Run with Vessel—Injury
Accident (RCW 79A.60.200(3))

Identity Theft 1 (RCW 9.35.020(2))

Indecent Exposure to Person Under Age
Fourteen (subsequent sex offense)
(RCW 9A.88.010)

Influencing Outcome of Sporting Event
(RCW 9A.82.070)

Physical Control of a Vehicle While
Under the Influence (RCW
46.61.504(6))

Possession of Depictions of a Minor
Engaged in Sexually Explicit
Conduct 2 (RCW 9.68A.070(2))

Residential Burglary (RCW 9A.52.025)

Robbery 2 (RCW 9A.56.210)

Theft of Livestock 1 (RCW 9A.56.080)

Threats to Bomb (RCW 9.61.160)

Trafficking in Stolen Property 1 (RCW
9A.82.050)

- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
- Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
- Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
- Unlawful transaction of insurance business (RCW 48.15.023(3))
- Unlicensed practice as an insurance professional (RCW 48.17.063(2))
- Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
- Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
- Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
- Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
- Willful Failure to Return from Furlough (RCW 72.66.060)
- III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
- Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
- Assault of a Child 3 (RCW 9A.36.140)
- Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
- Burglary 2 (RCW 9A.52.030)
- Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
- Criminal Gang Intimidation (RCW 9A.46.120)

Custodial Assault (RCW 9A.36.100)
Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
Escape 2 (RCW 9A.76.120)
Extortion 2 (RCW 9A.56.130)
False Reporting 2 (RCW 9A.84.040(2)(b))
Harassment (RCW 9A.46.020)
Intimidating a Public Servant (RCW 9A.76.180)
Introducing Contraband 2 (RCW 9A.76.150)
Malicious Injury to Railroad Property (RCW 81.60.070)
Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)
Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9.41.325)
Mortgage Fraud (RCW 19.144.080)
Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
Organized Retail Theft 1 (RCW 9A.56.350(2))
Perjury 2 (RCW 9A.72.030)
Possession of Incendiary Device (RCW 9.40.120)
Possession of Machine Gun, Bump-Fire Stock, Undetectable Firearm, or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
Promoting Prostitution 2 (RCW 9A.88.080)
Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))
Securities Act violation (RCW 21.20.400)
Tampering with a Witness (RCW 9A.72.120)

- Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
- Theft of Livestock 2 (RCW 9A.56.083)
- Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
- Trafficking in Stolen Property 2 (RCW 9A.82.055)
- Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
- Unlawful Imprisonment (RCW 9A.40.040)
- Unlawful Misbranding of Fish or Shellfish 1 (RCW 77.140.060(3))
- Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
- Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
- Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
- Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
- Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
- Willful Failure to Return from Work Release (RCW 72.65.070)
- II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
- Computer Trespass 1 (RCW 9A.90.040)
- Counterfeiting (RCW 9.16.035(3))
- Electronic Data Service Interference (RCW 9A.90.060)
- Electronic Data Tampering 1 (RCW 9A.90.080)
- Electronic Data Theft (RCW 9A.90.100)
- Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
- Escape from Community Custody (RCW 72.09.310)

Failure to Register as a Sex Offender
(second or subsequent offense)
(RCW 9A.44.130 prior to June 10,
2010, and RCW 9A.44.132)

Health Care False Claims (RCW
48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial
Information (RCW 9.35.010)

Malicious Mischief 1 (RCW 9A.48.070)

Organized Retail Theft 2 (RCW
9A.56.350(3))

Possession of Stolen Property 1 (RCW
9A.56.150)

Possession of a Stolen Vehicle (RCW
9A.56.068)

Retail Theft with Special Circumstances 2
(RCW 9A.56.360(3))

Scrap Processing, Recycling, or
Supplying Without a License (second
or subsequent offense) (RCW
19.290.100)

Theft 1 (RCW 9A.56.030)

Theft of a Motor Vehicle (RCW
9A.56.065)

Theft of Rental, Leased, Lease-purchased,
or Loaned Property (valued at five
thousand dollars or more) (RCW
9A.56.096(5)(a))

Theft with the Intent to Resell 2 (RCW
9A.56.340(3))

Trafficking in Insurance Claims (RCW
48.30A.015)

Unlawful factoring of a credit card or
payment card transaction (RCW
9A.56.290(4)(a))

Unlawful Participation of Non-Indians in
Indian Fishery (RCW 77.15.570(2))

Unlawful Practice of Law (RCW
2.48.180)

- Unlawful Purchase or Use of a License
(RCW 77.15.650(3)(b))
- Unlawful Trafficking in Fish, Shellfish, or
Wildlife 2 (RCW 77.15.260(3)(a))
- Unlicensed Practice of a Profession or
Business (RCW 18.130.190(7))
- Voyeurism 1 (RCW 9A.44.115)
- I Attempting to Elude a Pursuing Police
Vehicle (RCW 46.61.024)
- False Verification for Welfare (RCW
74.08.055)
- Forgery (RCW 9A.60.020)
- Fraudulent Creation or Revocation of a
Mental Health Advance Directive
(RCW 9A.60.060)
- Malicious Mischief 2 (RCW 9A.48.080)
- Mineral Trespass (RCW 78.44.330)
- Possession of Stolen Property 2 (RCW
9A.56.160)
- Reckless Burning 1 (RCW 9A.48.040)
- Spotlighting Big Game 1 (RCW
77.15.450(3)(b))
- Suspension of Department Privileges 1
(RCW 77.15.670(3)(b))
- Taking Motor Vehicle Without
Permission 2 (RCW 9A.56.075)
- Theft 2 (RCW 9A.56.040)
- Theft from a Vulnerable Adult 2 (RCW
9A.56.400(2))
- Theft of Rental, Leased, Lease-purchased,
or Loaned Property (valued at seven
hundred fifty dollars or more but less
than five thousand dollars) (RCW
9A.56.096(5)(b))
- Transaction of insurance business beyond
the scope of licensure (RCW
48.17.063)
- Unlawful Fish and Shellfish Catch
Accounting (RCW 77.15.630(3)(b))

- Unlawful Issuance of Checks or Drafts
(RCW 9A.56.060)
- Unlawful Possession of Fictitious
Identification (RCW 9A.56.320)
- Unlawful Possession of Instruments of
Financial Fraud (RCW 9A.56.320)
- Unlawful Possession of Payment
Instruments (RCW 9A.56.320)
- Unlawful Possession of a Personal
Identification Device (RCW
9A.56.320)
- Unlawful Production of Payment
Instruments (RCW 9A.56.320)
- Unlawful Releasing, Planting, Possessing,
or Placing Deleterious Exotic
Wildlife (RCW 77.15.250(2)(b))
- Unlawful Trafficking in Food Stamps
(RCW 9.91.142)
- Unlawful Use of Food Stamps (RCW
9.91.144)
- Unlawful Use of Net to Take Fish 1
(RCW 77.15.580(3)(b))
- Unlawful Use of Prohibited Aquatic
Animal Species (RCW 77.15.253(3))
- Vehicle Prowl 1 (RCW 9A.52.095)
- Violating Commercial Fishing Area or
Time 1 (RCW 77.15.550(3)(b))

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CHAPTER 345

[Engrossed Substitute House Bill 2642]

SUBSTANCE USE DISORDER TREATMENT--HEALTH COVERAGE

AN ACT Relating to removing health coverage barriers to accessing substance use disorder treatment services; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; adding a new section to chapter 71.24 RCW; and creating new sections.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Substance use disorder is a treatable brain disease from which people recover;

(b) Electing to go to addiction treatment is an act of great courage; and

(c) When people with substance use disorder are provided rapid access to quality treatment within their window of willingness, recovery happens.

(2) The legislature therefore intends to ensure that there is no wrong door for individuals accessing substance use disorder treatment services by requiring coverage, and prohibiting barriers created by prior authorization and premature utilization management review when persons with substance use disorders are ready or urgently in need of treatment services.

NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, a health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2021, may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2)(a) A health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2021, must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency that provides withdrawal management services prior to conducting a utilization review.

(b) The health plan may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection. Once the times specified in (a) of this subsection have passed, the health plan may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section.

(c)(i) The behavioral health agency under (a) of this subsection must notify an enrollee's health plan as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the health plan with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c)(ii) of this subsection, the plan may initiate a medical necessity review process. Medical necessity review must be based on the standard set of criteria established under section 6 of this act. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection that the admission to the facility was not medically necessary and advises the

agency of the decision in writing, the health plan is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the health plan's medical necessity review is completed more than one business day after start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection, the health plan must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3) The behavioral health agency shall document to the health plan the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under section 6 of this act, with documentation recorded in the patient's medical record.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The health plan is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the health plan involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the health plan shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The health plan shall pay the agency for the cost of care at the current facility until the seamless transfer to the different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the health plan's network is not available, the health plan shall pay the current agency until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

NEW SECTION. Sec. 3. A new section is added to chapter 48.43 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, a health plan issued or renewed on or after January 1, 2021, may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2)(a) A health plan issued or renewed on or after January 1, 2021, must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency that provides withdrawal management services prior to conducting a utilization review.

(b) The health plan may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection. Once the times specified in (a) of this subsection have passed, the health plan may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section.

(c)(i) The behavioral health agency under (a) of this subsection must notify an enrollee's health plan as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the health plan with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c)(ii) of this subsection, the plan may initiate a medical necessity review process. Medical necessity review must be based on the standard set of criteria established under section 6 of this act. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection that the admission to the facility was not medically necessary and advises the agency of the decision in writing, the health plan is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the health plan's medical necessity review is completed more than one business day after start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection, the health plan must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3) The behavioral health agency shall document to the health plan the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under section 6 of this act, with documentation recorded in the patient's medical record.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The health plan is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the health plan involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the health plan shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The health plan shall pay the agency for the cost of care at the current facility until the seamless transfer to the different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the health plan's network is not available, the health plan shall pay the current agency until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

NEW SECTION. Sec. 4. A new section is added to chapter 71.24 RCW to read as follows:

(1) Beginning January 1, 2021, a managed care organization may not require an enrollee to obtain prior authorization for withdrawal management services or inpatient or residential substance use disorder treatment services in a behavioral health agency licensed or certified under RCW 71.24.037.

(2)(a) Beginning January 1, 2021, a managed care organization must:

(i) Provide coverage for no less than two business days, excluding weekends and holidays, in a behavioral health agency that provides inpatient or residential substance use disorder treatment prior to conducting a utilization review; and

(ii) Provide coverage for no less than three days in a behavioral health agency that provides withdrawal management services prior to conducting a utilization review.

(b) The managed care organization may not require an enrollee to obtain prior authorization for the services specified in (a) of this subsection as a condition for payment of services prior to the times specified in (a) of this subsection. Once the times specified in (a) of this subsection have passed, the managed care organization may initiate utilization management review procedures if the behavioral health agency continues to provide services or is in the process of arranging for a seamless transfer to an appropriate facility or lower level of care under subsection (6) of this section.

(c)(i) The behavioral health agency under (a) of this subsection must notify an enrollee's managed care organization as soon as practicable after admitting the enrollee, but not later than twenty-four hours after admitting the enrollee. The time of notification does not reduce the requirements established in (a) of this subsection.

(ii) The behavioral health agency under (a) of this subsection must provide the managed care organization with its initial assessment and initial treatment plan for the enrollee within two business days of admission, excluding weekends and holidays, or within three days in the case of a behavioral health agency that provides withdrawal management services.

(iii) After the time period in (a) of this subsection and receipt of the material provided under (c)(ii) of this subsection, the managed care organization may initiate a medical necessity review process. Medical necessity review must be based on the standard set of criteria established under section 6 of this act. If the health plan determines within one business day from the start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection that the admission to the facility was not medically necessary and advises the agency of the decision in writing, the health plan is not required to pay the facility for services delivered after the start of the medical necessity review period, subject to the conclusion of a filed appeal of the adverse benefit determination. If the managed care organization's medical necessity review is completed more than one business day after start of the medical necessity review period and receipt of the material provided under (c)(ii) of this subsection, the managed care organization must pay for the services delivered from the time of admission until the time at which the medical necessity review is completed and the agency is advised of the decision in writing.

(3) The behavioral health agency shall document to the managed care organization the patient's need for continuing care and justification for level of care placement following the current treatment period, based on the standard set of criteria established under section 6 of this act, with documentation recorded in the patient's medical record.

(4) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(5) If the behavioral health agency under subsection (2)(a) of this section is not in the enrollee's network:

(a) The managed care organization is not responsible for reimbursing the behavioral health agency at a greater rate than would be paid had the agency been in the enrollee's network; and

(b) The behavioral health agency may not balance bill, as defined in RCW 48.43.005.

(6) When the treatment plan approved by the managed care organization involves transfer of the enrollee to a different facility or to a lower level of care, the care coordination unit of the managed care organization shall work with the current agency to make arrangements for a seamless transfer as soon as possible to an appropriate and available facility or level of care. The managed care organization shall pay the agency for the cost of care at the current facility until the seamless transfer to the different facility or lower level of care is complete. A seamless transfer to a lower level of care may include same day or next day appointments for outpatient care, and does not include payment for nontreatment services, such as housing services. If placement with an agency in the managed care organization's network is not available, the managed care organization shall pay the current agency at the service level until a seamless transfer arrangement is made.

(7) The requirements of this section do not apply to treatment provided in out-of-state facilities.

(8) For the purposes of this section "withdrawal management services" means twenty-four hour medically managed or medically monitored detoxification and assessment and treatment referral for adults or adolescents withdrawing from alcohol or drugs, which may include induction on medications for addiction recovery.

NEW SECTION. Sec. 5. (1) The health care authority shall develop an action plan to support admission to and improved transitions between levels of care for both adults and adolescents.

(2) The health care authority shall develop the action plan in partnership with the office of the insurance commissioner, medicaid managed care organizations, commercial health plans, providers of substance use disorder services, and Indian health care agencies.

(3) The health care authority must include the following in the action plan:

(a) Identification of barriers in order to facilitate transfers to the appropriate level of care, and specific actions to remove those barriers; and

(b) Specific actions that may lead to the increase in the number of persons successfully transitioning from one level of care to the next appropriate level of care.

(4) The barriers and action items to be identified and addressed in the action plan under subsection (3) of this section include, but are not limited to:

(a) Having the health care authority and department of health explore systems to allow higher acuity withdrawal management facilities to bill for appropriate lower levels of care while maintaining financial stability;

(b) Developing protocols for the initial notification by a substance use disorder treatment agency to fully insured health plans and managed care organizations in regards to an enrollee's admission to a facility and uniformity in the plan's response to the agency in regards to the receipt of this information;

(c) Facilitating direct transfers to withdrawal management and residential substance use disorder treatment from hospitals and jails;

(d) Addressing concerns related to individuals being denied withdrawal management services based on their drug of choice;

(e) Exploring options for allowing medicaid managed care organizations to pay an administrative rate and establishing the equivalent reimbursement mechanism for commercial health plans for a plan enrollee who needs to remain in withdrawal management or residential care until a seamless transfer can occur, but no longer requires the higher acuity level that was the reason for the initial admission; and

(f) Establishing the minimum amount of medical information necessary to gather from the patient for utilization reviews in a withdrawal management setting.

(5) For medicaid services, specific actions must align with federal and state medicaid requirements regarding medical necessity, minimize duplicative or unnecessary burdens for agencies, and be patient-centered for medicaid managed care organizations.

(6) The health care authority shall develop options for best communicating the action plan to substance use disorder agencies by December 1, 2020.

NEW SECTION. Sec. 6. For the purposes of promoting standardized training for behavioral health professionals and facilitating communications between behavioral health agencies, executive agencies, managed care organizations, private health plans, and plans offered through the public employees' benefits board, it is the policy of the state to adopt a single standard set of criteria to define medical necessity for substance use disorder treatment and to define substance use disorder levels of care in Washington. The criteria selected must be comprehensive, widely understood and accepted in the field, and based on continuously updated research and evidence. The health care authority and the office of the insurance commissioner must independently review their regulations and practices by January 1, 2021. The health care authority may make rules if necessary to promulgate the selected standard set of criteria.

Passed by the House March 10, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 346

[Engrossed Second Substitute House Bill 2662]

COST OF INSULIN

AN ACT Relating to reducing the total cost of insulin; amending RCW 70.14.060, 48.20.391, 48.21.143, 48.44.315, and 48.46.272; adding new sections to chapter 70.14 RCW; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; creating a new section; and providing expiration dates.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The legislature recognizes that:

(a) Insulin is a life-saving drug and is critical to the management of diabetes as it helps patients control their blood sugar levels;

(b) According to Yale researchers, one-quarter of patients with Type 1 or 2 diabetes have reported using less insulin than prescribed due to the high cost of insulin;

(c) The first insulin patent in the United States was awarded in 1923 and the first synthetic insulin arrived on the market in 1978; and

(d) The price and utilization of insulin has steadily increased, making it one of the costliest prescription drugs in the state. According to the Washington all-payer claims database, the allowable costs before rebates for health carriers in the state have increased eighty-seven percent since 2014, and per member out-of-pocket costs have increased an average of eighteen percent over the same time period.

(2) Therefore, the legislature intends to review, consider, and pursue several strategies with the goal of reducing the cost of insulin in Washington.

NEW SECTION. Sec. 2. A new section is added to chapter 70.14 RCW to read as follows:

(1) The total cost of insulin work group is established. The work group membership must consist of the insurance commissioner or designee and the following members appointed by the governor:

(a) A representative from the prescription drug purchasing consortium described in RCW 70.14.060;

(b) A representative from the pharmacy quality assurance commission;

(c) A representative from an association representing independent pharmacies;

(d) A representative from an association representing chain pharmacies;

(e) A representative from each health carrier offering at least one health plan in a commercial market in the state;

(f) A representative from each health carrier offering at least one health plan to state or public school employees in the state;

(g) A representative from an association representing health carriers;

(h) A representative from the public employees' benefits board or the school employees' benefits board;

(i) A representative from the health care authority;

(j) A representative from a pharmacy benefit manager that contracts with state purchasers;

(k) A representative from a drug distributor or wholesaler that distributes or sells insulin in the state;

(l) A representative from a state agency that purchases health care services and drugs for a selected population;

(m) A representative from the attorney general's office with expertise in prescription drug purchasing; and

(n) A representative from an organization representing diabetes patients who is living with diabetes.

(2) The work group must review and design strategies to reduce the cost of and total expenditures on insulin in this state. Strategies the work group must consider include, but are not limited to, a state agency becoming a licensed drug wholesaler, a state agency becoming a registered pharmacy benefit manager, and a state agency purchasing prescription drugs on behalf of the state directly from other states or in coordination with other states.

(3) Staff support for the work group shall be provided by the health care authority.

(4) By December 1, 2020, the work group must submit a preliminary report detailing strategies to reduce the cost of and total expenditures on insulin for patients, health carriers, payers, and the state. The work group must submit a final report by July 1, 2021, to the governor and the legislature. The final report must include any statutory changes necessary to implement the strategies.

(5) This section expires December 1, 2022.

NEW SECTION. Sec. 3. A new section is added to chapter 70.14 RCW to read as follows:

(1) In order to implement strategies recommended by the total cost of insulin work group established in section 2 of this act, the health care authority may:

(a) Become or designate a state agency that shall become a drug wholesaler licensed under RCW 18.64.046;

(b) Become or designate a state agency that shall become a pharmacy benefit manager registered under RCW 19.340.030; or

(c) Purchase prescription drugs on behalf of the state directly from other states or in coordination with other states.

(2) In addition to the authorities granted in subsection (1) of this section, if the total cost of insulin work group established in section 2 of this act determines that all or a portion of the strategies may be implemented without statutory changes, the health care authority and the prescription drug purchasing consortium described in RCW 70.14.060 shall begin implementation without further legislative direction.

Sec. 4. RCW 70.14.060 and 2009 c 560 s 13 are each amended to read as follows:

(1)(a) The administrator of the state health care authority shall, directly or by contract, adopt policies necessary for establishment of a prescription drug purchasing consortium. The consortium's purchasing activities shall be based upon the evidence-based prescription drug program established under RCW 70.14.050. State purchased health care programs as defined in RCW 41.05.011 shall purchase prescription drugs through the consortium for those prescription drugs that are purchased directly by the state and those that are purchased through reimbursement of pharmacies, unless exempted under ~~((this section))~~ (b) of this subsection. The administrator shall not require any supplemental rebate offered to the ~~((department of social and health services))~~ health care authority by a pharmaceutical manufacturer for prescription drugs purchased for medical assistance program clients under chapter 74.09 RCW be extended to any other state purchased health care program, or to any other individuals or entities participating in the consortium. The administrator shall explore joint purchasing opportunities with other states.

(b) State purchased health care programs are exempt from the requirements of this section if they can demonstrate to the administrator of the state health care authority that, as a result of the availability of federal programs or other purchasing arrangements, their other purchasing mechanisms will result in greater discounts and aggregate cost savings than would be realized through participation in the consortium.

(2) Participation in the purchasing consortium shall be offered as an option beginning January 1, 2006. Participation in the consortium is purely voluntary for units of local government, private entities, labor organizations, health carriers as provided in RCW 48.43.005, state purchased health care services from or through health carriers as provided in RCW 48.43.005, and for individuals who lack or are underinsured for prescription drug coverage. The administrator may set reasonable fees, including enrollment fees, to cover administrative costs attributable to participation in the prescription drug consortium.

~~(3) ((This section does not apply to state purchased health care services that are purchased from or through health carriers as defined in RCW 48.43.005, or group model health maintenance organizations that are accredited by the national committee for quality assurance.~~

(4)) The state health care authority is authorized to adopt rules implementing chapter 129, Laws of 2005.

~~((5) State purchased health care programs are exempt from the requirements of this section if they can demonstrate to the administrator that, as a result of the availability of federal programs or other purchasing arrangements, their other purchasing mechanisms will result in greater discounts and aggregate cost savings than would be realized through participation in the consortium.))~~

NEW SECTION. Sec. 5. A new section is added to chapter 48.43 RCW to read as follows:

(1) Except as required in subsection (2) of this section, a health plan issued or renewed on or after January 1, 2021, that provides coverage for prescription insulin drugs for the treatment of diabetes must cap the total amount that an enrollee is required to pay for a covered insulin drug at an amount not to exceed one hundred dollars per thirty-day supply of the drug. Prescription insulin drugs must be covered without being subject to a deductible, and any cost sharing paid by an enrollee must be applied toward the enrollee's deductible obligation.

(2) If the federal internal revenue service removes insulin from the list of preventive care services which can be covered by a qualifying health plan for a health savings account before the deductible is satisfied, for a health plan that provides coverage for prescription insulin drugs for the treatment of diabetes and is offered as a qualifying health plan for a health savings account, the carrier must establish the plan's cost sharing for the coverage of prescription insulin for diabetes at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions from his or her health savings account under internal revenue service laws and regulations. The office of the insurance commissioner must provide written notice of the change in internal revenue service guidance to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the office.

(3) This section expires January 1, 2023.

NEW SECTION. Sec. 6. A new section is added to chapter 41.05 RCW to read as follows:

(1) Except as required in subsection (2) of this section, a health plan offered to public employees and their covered dependents under this chapter that is issued or renewed by the board on or after January 1, 2021, that provides coverage for prescription insulin drugs for the treatment of diabetes must cap the total amount that an enrollee is required to pay for a covered insulin drug at an amount not to exceed one hundred dollars per thirty-day supply of the drug. Prescription insulin drugs must be covered without being subject to a deductible, and any cost sharing paid by an enrollee must be applied toward the enrollee's deductible obligation.

(2) If the federal internal revenue service removes insulin from the list of preventive care services which can be covered by a qualifying health plan for a health savings account before the deductible is satisfied, for a health plan that provides coverage for prescription insulin drugs for the treatment of diabetes and is offered as a qualifying health plan for a health savings account, the carrier must establish the plan's cost sharing for the coverage of prescription insulin for diabetes at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions from his or her health savings account under internal revenue service laws and regulations. The office of the insurance commissioner must provide written notice of the change in internal revenue service guidance to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the office.

(3) The authority must monitor the wholesale acquisition cost of all insulin products sold in the state.

(4) This section expires January 1, 2023.

Sec. 7. RCW 48.20.391 and 1997 c 276 s 2 are each amended to read as follows:

The legislature finds that diabetes imposes a significant health risk and tremendous financial burden on the citizens and government of the state of Washington, and that access to the medically accepted standards of care for diabetes, its treatment and supplies, and self-management training and education is crucial to prevent or delay the short and long-term complications of diabetes and its attendant costs.

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

(a) "Person with diabetes" means a person diagnosed by a health care provider as having insulin using diabetes, noninsulin using diabetes, or elevated blood glucose levels induced by pregnancy; and

(b) "Health care provider" means a health care provider as defined in RCW 48.43.005.

(2) All disability insurance contracts providing health care services, delivered or issued for delivery in this state and issued or renewed after January 1, 1998, shall provide benefits for at least the following services and supplies for persons with diabetes:

(a) For disability insurance contracts that include pharmacy services, appropriate and medically necessary equipment and supplies, as prescribed by a health care provider, that includes but is not limited to insulin, syringes, injection aids, blood glucose monitors, test strips for blood glucose monitors, visual reading and urine test strips, insulin pumps and accessories to the pumps, insulin infusion devices, prescriptive oral agents for controlling blood sugar levels, foot care appliances for prevention of complications associated with diabetes, and glucagon emergency kits; and

(b) For all disability insurance contracts providing health care services, outpatient self-management training and education, including medical nutrition therapy, as ordered by the health care provider. Diabetes outpatient self-management training and education may be provided only by health care providers with expertise in diabetes. Nothing in this section prevents the insurer from restricting patients to seeing only health care providers who have signed participating provider agreements with the insurer or an insuring entity under contract with the insurer.

(3) ~~((Coverage))~~ Except as provided in section 5 of this act, coverage required under this section may be subject to customary cost-sharing provisions established for all other similar services or supplies within a policy.

(4) Health care coverage may not be reduced or eliminated due to this section.

(5) Services required under this section shall be covered when deemed medically necessary by the medical director, or his or her designee, subject to any referral and formulary requirements.

(6) The insurer need not include the coverage required in this section in a group contract offered to an employer or other group that offers to its eligible enrollees a self-insured health plan not subject to mandated benefits status under this title that does not offer coverage similar to that mandated under this section.

(7) This section does not apply to the health benefit plan that provides benefits identical to the schedule of services covered by the basic health plan, as required by RCW 48.20.028.

Sec. 8. RCW 48.21.143 and 2004 c 244 s 10 are each amended to read as follows:

The legislature finds that diabetes imposes a significant health risk and tremendous financial burden on the citizens and government of the state of Washington, and that access to the medically accepted standards of care for diabetes, its treatment and supplies, and self-management training and education is crucial to prevent or delay the short and long-term complications of diabetes and its attendant costs.

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

(a) "Person with diabetes" means a person diagnosed by a health care provider as having insulin using diabetes, noninsulin using diabetes, or elevated blood glucose levels induced by pregnancy; and

(b) "Health care provider" means a health care provider as defined in RCW 48.43.005.

(2) All group disability insurance contracts and blanket disability insurance contracts providing health care services, issued or renewed after January 1, 1998, shall provide benefits for at least the following services and supplies for persons with diabetes:

(a) For group disability insurance contracts and blanket disability insurance contracts that include coverage for pharmacy services, appropriate and medically necessary equipment and supplies, as prescribed by a health care provider, that includes but is not limited to insulin, syringes, injection aids, blood glucose monitors, test strips for blood glucose monitors, visual reading and urine test strips, insulin pumps and accessories to the pumps, insulin infusion devices, prescriptive oral agents for controlling blood sugar levels, foot care appliances for prevention of complications associated with diabetes, and glucagon emergency kits; and

(b) For all group disability insurance contracts and blanket disability insurance contracts providing health care services, outpatient self-management training and education, including medical nutrition therapy, as ordered by the health care provider. Diabetes outpatient self-management training and education may be provided only by health care providers with expertise in diabetes. Nothing in this section prevents the insurer from restricting patients to seeing only health care providers who have signed participating provider agreements with the insurer or an insuring entity under contract with the insurer.

(3) ~~((Coverage))~~ Except as provided in section 5 of this act, coverage required under this section may be subject to customary cost-sharing provisions established for all other similar services or supplies within a policy.

(4) Health care coverage may not be reduced or eliminated due to this section.

(5) Services required under this section shall be covered when deemed medically necessary by the medical director, or his or her designee, subject to any referral and formulary requirements.

(6) The insurer need not include the coverage required in this section in a group contract offered to an employer or other group that offers to its eligible

enrollees a self-insured health plan not subject to mandated benefits status under this title that does not offer coverage similar to that mandated under this section.

(7) This section does not apply to the health benefit plan that provides benefits identical to the schedule of services covered by the basic health plan.

Sec. 9. RCW 48.44.315 and 2004 c 244 s 12 are each amended to read as follows:

The legislature finds that diabetes imposes a significant health risk and tremendous financial burden on the citizens and government of the state of Washington, and that access to the medically accepted standards of care for diabetes, its treatment and supplies, and self-management training and education is crucial to prevent or delay the short and long-term complications of diabetes and its attendant costs.

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

(a) "Person with diabetes" means a person diagnosed by a health care provider as having insulin using diabetes, noninsulin using diabetes, or elevated blood glucose levels induced by pregnancy; and

(b) "Health care provider" means a health care provider as defined in RCW 48.43.005.

(2) All health benefit plans offered by health care service contractors, issued or renewed after January 1, 1998, shall provide benefits for at least the following services and supplies for persons with diabetes:

(a) For health benefit plans that include coverage for pharmacy services, appropriate and medically necessary equipment and supplies, as prescribed by a health care provider, that includes but is not limited to insulin, syringes, injection aids, blood glucose monitors, test strips for blood glucose monitors, visual reading and urine test strips, insulin pumps and accessories to the pumps, insulin infusion devices, prescriptive oral agents for controlling blood sugar levels, foot care appliances for prevention of complications associated with diabetes, and glucagon emergency kits; and

(b) For all health benefit plans, outpatient self-management training and education, including medical nutrition therapy, as ordered by the health care provider. Diabetes outpatient self-management training and education may be provided only by health care providers with expertise in diabetes. Nothing in this section prevents the health care services contractor from restricting patients to seeing only health care providers who have signed participating provider agreements with the health care services contractor or an insuring entity under contract with the health care services contractor.

(3) ~~((Coverage))~~ Except as provided in section 5 of this act, coverage required under this section may be subject to customary cost-sharing provisions established for all other similar services or supplies within a policy.

(4) Health care coverage may not be reduced or eliminated due to this section.

(5) Services required under this section shall be covered when deemed medically necessary by the medical director, or his or her designee, subject to any referral and formulary requirements.

(6) The health care service contractor need not include the coverage required in this section in a group contract offered to an employer or other group that offers to its eligible enrollees a self-insured health plan not subject to

mandated benefits status under this title that does not offer coverage similar to that mandated under this section.

(7) This section does not apply to the health benefit plans that provide benefits identical to the schedule of services covered by the basic health plan.

Sec. 10. RCW 48.46.272 and 2004 c 244 s 14 are each amended to read as follows:

The legislature finds that diabetes imposes a significant health risk and tremendous financial burden on the citizens and government of the state of Washington, and that access to the medically accepted standards of care for diabetes, its treatment and supplies, and self-management training and education is crucial to prevent or delay the short and long-term complications of diabetes and its attendant costs.

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

(a) "Person with diabetes" means a person diagnosed by a health care provider as having insulin using diabetes, noninsulin using diabetes, or elevated blood glucose levels induced by pregnancy; and

(b) "Health care provider" means a health care provider as defined in RCW 48.43.005.

(2) All health benefit plans offered by health maintenance organizations, issued or renewed after January 1, 1998, shall provide benefits for at least the following services and supplies for persons with diabetes:

(a) For health benefit plans that include coverage for pharmacy services, appropriate and medically necessary equipment and supplies, as prescribed by a health care provider, that includes but is not limited to insulin, syringes, injection aids, blood glucose monitors, test strips for blood glucose monitors, visual reading and urine test strips, insulin pumps and accessories to the pumps, insulin infusion devices, prescriptive oral agents for controlling blood sugar levels, foot care appliances for prevention of complications associated with diabetes, and glucagon emergency kits; and

(b) For all health benefit plans, outpatient self-management training and education, including medical nutrition therapy, as ordered by the health care provider. Diabetes outpatient self-management training and education may be provided only by health care providers with expertise in diabetes. Nothing in this section prevents the health maintenance organization from restricting patients to seeing only health care providers who have signed participating provider agreements with the health maintenance organization or an insuring entity under contract with the health maintenance organization.

(3) ~~((Coverage))~~ Except as provided in section 5 of this act, coverage required under this section may be subject to customary cost-sharing provisions established for all other similar services or supplies within a policy.

(4) Health care coverage may not be reduced or eliminated due to this section.

(5) Services required under this section shall be covered when deemed medically necessary by the medical director, or his or her designee, subject to any referral and formulary requirements.

(6) The health maintenance organization need not include the coverage required in this section in a group contract offered to an employer or other group that offers to its eligible enrollees a self-insured health plan not subject to

mandated benefits status under this title that does not offer coverage similar to that mandated under this section.

(7) This section does not apply to the health benefit plans that provide benefits identical to the schedule of services covered by the basic health plan.

Passed by the House March 9, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 347

[Engrossed Substitute House Bill 2731]

STUDENT HEAD INJURY INFORMATION REPORTING

AN ACT Relating to reporting of student head injury information sustained during athletics and other activities; adding a new section to chapter 28A.600 RCW; and adding a new section to chapter 43.70 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 28A.600 RCW to read as follows:

(1) Beginning with the 2020-21 school year, public schools must annually report information about each diagnosed concussion sustained by a student during athletic and other activities using a procedure developed by the department of health under section 2 of this act.

(2) At a minimum, the following information must be reported: Student's grade and gender, whether the student had a previous concussion, the event date and location of the diagnosed concussion, the type and level of activity that the student was participating in at the time of the event, whether it was a practice or competition, any known cause of the event, when during the activity the injury occurred, whether protective equipment was worn on the injured student's head at the time of the event, the type of surface on which the event occurred, who initially examined the student at the time of the event, whether the student was removed from the activity at the time of the event, and follow-up information related to whether the student was given a written authorization to return to the activity by the end of the season in which the event occurred and the amount of time before the student was authorized to return to the learning environment.

NEW SECTION. Sec. 2. A new section is added to chapter 43.70 RCW to read as follows:

(1) The department must develop a procedure to, beginning in the 2020-21 school year, collect the information related to the diagnosed concussions of students as described in section 1 of this act.

(2) Beginning October 1, 2021, by October 1st annually thereafter, and in compliance with RCW 43.01.036, the department shall report a summary of the diagnosed concussion information received in the prior school year to the appropriate committees of the legislature and the office of the superintendent of public instruction. The report must include rates, patterns, trends, and other relevant information.

Passed by the House February 18, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor April 3, 2020.
Filed in Office of Secretary of State April 3, 2020.

CHAPTER 348

[Second Substitute House Bill 2864]

RUNNING START SUMMER SCHOOL PILOT PROGRAM

AN ACT Relating to establishing a running start summer school pilot program; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The legislature finds that the successes of the running start program, a program that allows students to earn high school and college credit through courses taken at participating institutions of higher education, have enabled students throughout the state to meaningfully advance their secondary and postsecondary education goals. However, because running start program schedules are constrained by the academic calendar of the applicable high school, students are precluded from participating in running start programs during the summer academic term.

(2) The legislature finds that creating a summer term running start pilot program for students who have completed grade ten or eleven would result in numerous benefits, including providing students with additional opportunities to: Complete requirements for earning a high school diploma or an associate's degree; and explore college-level courses in a lower stress environment that does not include concurrent high school obligations. The expansion of these opportunities could be especially beneficial for students who:

- (a) Need or want additional academic credit for high school requirements;
- (b) Are interested in maximizing opportunities to earn college credit before or immediately after graduating from high school;
- (c) Have not determined which career and educational pathways to pursue after high school and wish to explore academic options; and
- (d) May be the first in their family to attend an institution of higher education.

(3) The legislature, therefore, intends to establish a two-year running start summer school pilot program to evaluate interest in and barriers to expanding the running start program to include the summer term.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.630 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, shall establish the running start summer school pilot program as described in this section. The purpose of the pilot program is to evaluate interest in and barriers to expanding the running start program to include the summer term.

(2) The office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, must select up to three community colleges that choose to participate in the pilot program during the 2021 and 2022 summer academic terms. One community college must be located east of the crest of the Cascade mountains and another must be located in

a county with a population between one hundred fifteen thousand and one hundred fifty thousand.

(3) Participating community colleges must establish agreements with the school districts of eligible students about data sharing, credit transfer, funds transfer, and other administrative matters.

(4) Under the pilot program, an eligible student may enroll in a participating community college tuition-free. Students who are eligible under subsection (7)(a)(ii) of this section may enroll for a maximum of five college credits per summer academic term. Provisions in RCW 28A.600.310 (2) and (3), which describe fees paid by running start students and fee waivers for low-income running start students, apply to eligible students participating in the pilot program.

(5) The school district of an eligible student must transmit to the participating community college an amount per each full-time equivalent college student at statewide uniform rates for vocational and nonvocational students. The superintendent of public instruction shall separately calculate and allocate amounts appropriated for this specific purpose under the omnibus operating appropriations act to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset pilot program related costs. The calculations and allocations must be based upon the estimated statewide annual average per full-time equivalent high school student allocations under RCW 28A.150.260, excluding small high school enhancements, and rules adopted under RCW 28A.600.390. The funds received by the community college from the school district are not tuition or operating fees and may be retained by the community college. A student enrolled under this section must be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus operating appropriations act.

(6) By November 10, 2022, and in accordance with RCW 43.01.036, the office of the superintendent of public instruction and the state board for community and technical colleges shall jointly report to the appropriate committees of the legislature with findings from and recommendations regarding the pilot program, including recommending whether to expand the running start program to include the summer term.

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

(a) "Eligible student" means:

(i) A student attending a participating high school who will be eligible to enroll in grade eleven or twelve in the subsequent school year; or

(ii) A student who graduated from a participating high school in the current school year and who has five or fewer college credits to earn before meeting associate degree requirements.

(b) "Participating community college" means a community college selected, as described in subsection (2) of this section, to participate in the pilot program.

(c) "Participating high school" means a high school in a school district that has an agreement, as described under subsection (3) of this section, with a participating community college.

(d) "Pilot program" means the running start summer pilot program established in this section.

(e) "Running start program" has the same meaning as in RCW 28A.600.300.

(8)(a) Except as provided in (b) of this subsection, and unless the context clearly requires otherwise, the requirements established in RCW 28A.600.300 through 28A.600.400 apply to the running start summer school pilot program.

(b) The provisions of RCW 28A.600.310(4) relating to calculation, allocation, and distribution of funds and RCW 28A.600.385 relating to cooperative agreements with community colleges in Oregon and Idaho do not apply to this section.

(9) This section expires December 31, 2022.

Passed by the House February 13, 2020.

Passed by the Senate March 5, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 349

[Second Substitute Senate Bill 5144]

CHILD SUPPORT PASS-THROUGH PAYMENTS--TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

AN ACT Relating to implementing child support pass-through payments; and amending RCW 26.23.035.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 26.23.035 and 2010 2nd sp.s. c 3 s 1 are each amended to read as follows:

(1) The department of social and health services shall adopt rules for the distribution of support money collected by the division of child support. These rules shall:

(a) Comply with Title IV-D of the federal social security act as amended by the personal responsibility and work opportunity reconciliation act of 1996 and the federal deficit reduction act of 2005;

(b) Direct the division of child support to distribute support money within eight days of receipt, unless one of the following circumstances, or similar circumstances specified in the rules, prevents prompt distribution:

(i) The location of the custodial parent is unknown;

(ii) The support debt is in litigation;

(iii) The division of child support cannot identify the responsible parent or the custodian;

(c) Provide for proportionate distribution of support payments if the responsible parent owes a support obligation or a support debt for two or more Title IV-D cases; and

(d) Authorize the distribution of support money, except money collected under 42 U.S.C. Sec. 664, to satisfy a support debt owed to the IV-D custodian before the debt owed to the state when the custodian stops receiving a public assistance grant.

(2) The division of child support may distribute support payments to the payee under the support order or to another person who has lawful physical custody of the child or custody with the payee's consent. The payee may file an application for an adjudicative proceeding to challenge distribution to such other

person. Prior to distributing support payments to any person other than the payee, the registry shall:

(a) Obtain a written statement from the child's physical custodian, under penalty of perjury, that the custodian has lawful custody of the child or custody with the payee's consent;

(b) Mail to the responsible parent and to the payee at the payee's last known address a copy of the physical custodian's statement and a notice which states that support payments will be sent to the physical custodian; and

(c) File a copy of the notice with the clerk of the court that entered the original support order.

(3) If the Washington state support registry distributes a support payment to a person in error, the registry may obtain restitution by means of a set-off against future payments received on behalf of the person receiving the erroneous payment, or may act according to RCW 74.20A.270 as deemed appropriate. Any set-off against future support payments shall be limited to amounts collected on the support debt and ten percent of amounts collected as current support.

~~(4) (The division of child support shall ensure that the fifty dollar pass-through payment, as required by 42 U.S.C. Sec. 657 before the adoption of P.L. 104-193, is terminated immediately upon July 27, 1997, and all rules to the contrary adopted before July 27, 1997, are without force and effect.~~

~~(5) The division of child support shall ensure that the child support pass-through payment adopted under section 2, chapter 143, Laws of 2007 pursuant to~~ Effective February 1, 2021, consistent with 42 U.S.C. Sec. 657(a) as amended by section 7301(b)(7)(B) of the federal deficit reduction act of 2005, ((is suspended as of May 1, 2011, and all rules to the contrary adopted before May 1, 2011, are without force and effect)) the department shall pass through child support that does not exceed fifty dollars per month collected on behalf of a family, or in the case of a family that includes two or more children an amount that is not more than one hundred dollars per month. The department has rule-making authority to implement this subsection.

Passed by the Senate February 14, 2020.

Passed by the House March 4, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 350

[Engrossed Substitute Senate Bill 5147]

MENSTRUAL PRODUCTS--SALES AND USE TAX EXEMPTION

AN ACT Relating to providing tax relief by exempting menstrual products from retail sales and use tax; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that feminine hygiene products are a necessity for most females in the state. Taxing a necessary feminine hygiene product unjustly adds an additional tax burden on females that creates a tax gap between genders, requiring females to potentially pay more of their income to state taxes. The legislature further finds that taxing feminine

hygiene products adds to the regressive tax burden on low-income families. The legislature further finds that feminine hygiene products are not a discretionary purchase, they are a necessity for which there is no alternative for females to maintain proper health and hygiene. Therefore, the legislature intends to provide a permanent sales and use tax exemption for feminine hygiene products.

NEW SECTION. Sec. 2. (1) This section is the tax preference performance statement for the sales and use tax exemptions for feminine hygiene products provided in sections 3 and 4, chapter . . . , Laws of 2020 (sections 3 and 4 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preferences. It is not intended to create a private right of action by any party or be used to determine eligibility to preferential tax treatment.

(2) The legislature categorizes these tax preferences as one intended to provide tax relief for certain individuals as indicated in RCW 82.32.808(2)(e).

(3) It is the legislature's specific public policy objective to authorize a permanent sales and use tax exemption for feminine hygiene products to reduce the tax burden on females for a product that is fundamental to personal hygiene and health.

(4) The joint legislative audit and review committee is not required to include the tax preferences authorized in sections 3 and 4, chapter . . . , Laws of 2020 (sections 3 and 4 of this act) as part of its normal review process of tax preferences. The tax preferences authorized in sections 3 and 4, chapter . . . , Laws of 2020 (sections 3 and 4 of this act) will be included in the tax exemption report required under RCW 43.06.400 published by the department of revenue.

NEW SECTION. Sec. 3. A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to the sales of feminine hygiene products.

(2) "Feminine hygiene products" means sanitary napkins, tampons, menstrual cups, or any other similar products sold at retail designed specifically to catch menstrual flow either internally or externally.

NEW SECTION. Sec. 4. A new section is added to chapter 82.12 RCW to read as follows:

(1) The tax levied by RCW 82.12.020 does not apply to the use of feminine hygiene products.

(2) "Feminine hygiene products" has the same meaning as provided in section 3 of this act.

NEW SECTION. Sec. 5. The automatic expiration date provisions of RCW 82.32.805(1)(a) do not apply to this act.

NEW SECTION. Sec. 6. This act takes effect July 1, 2020.

Passed by the Senate March 7, 2020.

Passed by the House March 10, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 351

[Second Substitute Senate Bill 5947]

SUSTAINABLE FARMS AND FIELDS GRANT PROGRAM

AN ACT Relating to establishing the sustainable farms and fields grant program; adding new sections to chapter 89.08 RCW; and creating new sections.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that Washington's working agricultural lands are essential to the economic and social well-being of our rural communities and to the state's overall environment and economy. The legislature further finds that different challenges and opportunities exist to expand the use of precision agriculture for different crops in the state by assisting farmers, ranchers, and aquaculturists to purchase equipment and receive technical assistance to reduce their operations' carbon footprint while ensuring that crops and soils receive exactly what they need for optimum health and productivity. Moreover, the legislature finds that opportunities exist to enhance soil health through carbon farming and regenerative agriculture by increasing soil organic carbon levels while ensuring appropriate carbon to nitrogen ratios, and to store carbon in standing trees, seaweed, and other vegetation. Therefore, it is the intent of the legislature to provide cost-sharing competitive grant opportunities to enable farmers and ranchers to adopt practices that increase appropriate quantities of carbon stored in and above their soil and to initiate or expand the use of precision agriculture on their farms. This act seeks to leverage and enhance existing state and federal cost-sharing programs for farm, ranch, and aquaculture operations.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this section and sections 3 through 7 of this act unless the context clearly requires otherwise.

(1) "Carbon dioxide equivalent emission" means a metric measure used to compare the emission impacts from various greenhouse gases based on their relative radiative forcing effect over a specified period of time compared to carbon dioxide emissions.

(2) "Carbon dioxide equivalent impact" means a metric measure of the cumulative radiative forcing impacts of both carbon dioxide equivalent emissions and the radiative forcing benefits of carbon storage.

(3) "Commission" means the Washington state conservation commission created in this chapter.

(4) "Conservation district" means one or a group of Washington state's conservation districts created in this chapter.

NEW SECTION. Sec. 3. (1) The commission shall develop a sustainable farms and fields grant program in consultation with the department of agriculture, Washington State University, and the United States department of agriculture natural resources conservation service.

(2) As funding allows, the commission shall distribute funds, as appropriate, to conservation districts and other public entities to help implement the projects approved by the commission.

(3) No more than fifteen percent of the funds may be used by the commission to develop, or to consult or contract with private or public entities, such as universities or conservation districts, to develop:

(a) An educational public awareness campaign and outreach about the sustainable farm and field program; or

(b) The grant program, including the production of analytical tools, measurement estimation and verification methods, cost-benefit measurements, and public reporting methods.

(4) No more than five percent of the funds may be used by the commission to cover the administrative costs of the program.

(5) No more than twenty percent of the funds may be awarded to any single grant applicant.

(6) Allowable uses of grant funds include:

(a) Annual payments to enrolled participants for successfully delivered carbon storage or reduction;

(b) Up-front payments for contracted carbon storage;

(c) Down payments on equipment;

(d) Purchases of equipment;

(e) Purchase of seed, seedlings, spores, animal feed, and amendments;

(f) Services to landowners, such as the development of site-specific conservation plans to increase soil organic levels or to increase usage of precision agricultural practices, or design and implementation of best management practices to reduce livestock emissions; and

(g) Other equipment purchases or financial assistance deemed appropriate by the commission to fulfill the intent of sections 2 through 7 of this act.

(7) Grant applications are eligible for costs associated with technical assistance.

(8) Conservation districts and other public entities may apply for a single grant from the commission that serves multiple farmers.

(9) Grant applicants may apply to share equipment purchased with grant funds. Applicants for equipment purchase grants issued under this grant program may be farm, ranch, or aquaculture operations coordinating as individual businesses or as formal cooperative ventures serving farm, ranch, or aquaculture operations. Conservation districts, separately or jointly, may also apply for grant funds to operate an equipment sharing program.

(10) No contract for carbon storage or changes to management practices may exceed twenty-five years. Grant contracts that include up-front payments for future benefits must be conditioned to include penalties for default due to negligence on the part of the recipient.

(11) The commission shall attempt to achieve a geographically fair distribution of funds across a broad group of crop types, soil management practices, and farm sizes.

(12) Any applications involving state lands leased from the department of natural resources must include the department's approval.

NEW SECTION. Sec. 4. (1) When prioritizing grant recipients, the commission, in consultation with the department of agriculture, Washington State University, and the United States department of agriculture natural resources conservation service, shall seek to maximize the benefits of the grant program by leveraging other state, nonstate, public, and private sources of money. The primary metrics used to rank grant applications must be made public by the commission.

(2) The grant program must prioritize or weight projects based on consideration of the individual project's ability to:

(a) Increase the quantity of organic carbon in topsoil through practices including, but not limited to, cover cropping, no-till and minimum tillage conservation practices, crop rotations, manure application, biochar application, compost application, and changes in grazing management;

(b) Increase the quantity of organic carbon in aquatic soils;

(c) Intentionally integrate trees, shrubs, seaweed, or other vegetation into management of agricultural and aquacultural lands;

(d) Reduce or avoid carbon dioxide equivalent emissions in or from soils;

(e) Reduce nitrous oxide and methane emissions through changes to livestock or soil management; and

(f) Increase usage of precision agricultural practices.

(3) The commission shall develop and approve a prioritization metric to guide the distribution of funds appropriated by the legislature for this purpose, with the goal of producing cost-effective carbon dioxide equivalent impact benefits.

(4) Applicants that create riparian buffers along waterways, or otherwise benefit fish habitat, must receive an enhanced prioritization compared to other grant applications that perform similarly under the prioritization metrics developed by the commission.

(5) The commission shall downgrade a specific grant proposal within its prioritization metric if the proposal is expected to cause significant environmental damage to fish and wildlife habitat.

NEW SECTION. Sec. 5. (1) The commission shall determine methods for measuring, estimating, and verifying outcomes under the sustainable farms and fields grant program in consultation with Washington State University, the department of agriculture, and the United States department of agriculture natural resources conservation service.

(2) The commission may require that a grant recipient allow the commission, or contractors hired by the commission, including the Washington State University extension program, access to the grant recipient's property, with reasonable notice, to monitor the results of the project or projects funded by the grant program on the grant recipient's property.

NEW SECTION. Sec. 6. (1) By October 15, 2021, and every two years thereafter, the commission shall report to the legislature and the governor on the performance of the sustainable farms and fields grant program.

(2) The commission shall update at least annually a public list of projects and pertinent information including a summary of state and federal funds, private funds spent, landowner and other private cost-share matching expenditures, the total number of projects, and an estimate of carbon sequestered or carbon emissions reduced.

(3) By July 1, 2024, the commission, in consultation with Washington State University and the University of Washington, must evaluate and update the most appropriate carbon equivalency metric to apply to the sustainable farms and fields grant program. Until this equivalency is updated by the commission, or unless the commission identifies a better metric, the commission must initially use a one hundred year storage equivalency that can be linearly annualized to

recognize the storage of carbon on an annual basis based on the storage of 3.67 tons of biogenic carbon for one hundred years being assigned a value equal to avoiding one ton of carbon dioxide equivalent emissions.

(4) The grant recipient and other private cost-sharing participants may at their own discretion allow their business or other name to be listed on the public report produced by the commission. All grant recipients must allow anonymized information about the full funding of their project to be made available for public reporting purposes.

NEW SECTION. Sec. 7. The sustainable farms and fields account is created in the state treasury. All receipts of money directed to the account must be deposited in the account. Expenditures from the account may be used only for purposes relating to the sustainable farms and fields grant program established in section 3 of this act. Moneys in the account may be spent only after appropriation.

NEW SECTION. Sec. 8. Sections 2 through 7 of this act are each added to chapter 89.08 RCW.

NEW SECTION. Sec. 9. No public funds shall be awarded as grants under this act until public funds are appropriated specifically for the sustainable farms and fields grant program.

Passed by the Senate March 10, 2020.

Passed by the House March 4, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 352

[Engrossed Substitute Senate Bill 6040]

DEVELOPMENTAL DISABILITIES--WAIVER SERVICES--BUDGETING

AN ACT Relating to the budgeting process for certain state waiver services for individuals with developmental disabilities; amending RCW 43.88C.010; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 43.88C.010 and 2019 c 406 s 24 are each amended to read as follows:

(1) The caseload forecast council is hereby created. The council shall consist of two individuals appointed by the governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives. The chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary.

(2) The council shall employ a caseload forecast supervisor to supervise the preparation of all caseload forecasts. As used in this chapter, "supervisor" means the caseload forecast supervisor.

(3) Approval by an affirmative vote of at least five members of the council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the

compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(4) The caseload forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official state caseload forecasts prepared under RCW 43.88C.020. If the council is unable to approve a forecast before a date required in RCW 43.88C.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(5) A councilmember who does not cast an affirmative vote for approval of the official caseload forecast may request, and the supervisor shall provide, an alternative forecast based on assumptions specified by the member.

(6) Members of the caseload forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) "Caseload," as used in this chapter, means:

(a) The number of persons expected to meet entitlement requirements and require the services of public assistance programs, state correctional institutions, state correctional noninstitutional supervision, state institutions for juvenile offenders, the common school system, long-term care, medical assistance, foster care, and adoption support;

(b) The number of students who are eligible for the Washington college bound scholarship program and are expected to attend an institution of higher education as defined in RCW 28B.92.030;

(c) The number of students who are eligible for the Washington college grant program under RCW 28B.92.200 and 28B.92.205 and are expected to attend an institution of higher education as defined in RCW 28B.92.030; and

(d) The number of children who are eligible, as defined in RCW 43.216.505, to participate in, and the number of children actually served by, the early childhood education and assistance program.

(8) The caseload forecast council shall forecast the temporary assistance for needy families and the working connections child care programs as a courtesy.

(9) The caseload forecast council shall present the number of individuals who are assessed as eligible for and have requested a service through the individual and family services waiver and the basic plus waiver administered by the developmental disabilities administration as a courtesy. The caseload forecast council shall be presented with the service request list as defined in RCW 71A.10.020 to aid in development of this information.

(10) The caseload forecast council shall forecast youth participating in the extended foster care program pursuant to RCW 74.13.031 separately from other children who are residing in foster care and who are under eighteen years of age.

~~((+))~~ (11) The caseload forecast council shall forecast the number of youth expected to receive behavioral rehabilitation services while involved in the foster care system and the number of screened in reports of child abuse or neglect.

~~((+))~~ (12) Unless the context clearly requires otherwise, the definitions provided in RCW 43.88.020 apply to this chapter.

NEW SECTION. Sec. 2. Subject to amounts appropriated for this specific purpose, the developmental disabilities administration of the department of social and health services shall review the no-paid services caseload and update the information to accurately reflect a current headcount of eligible persons and the number of persons contacted who are currently interested in receiving a paid service from the developmental disabilities administration. A report of this information shall be submitted to the governor and the appropriate committees of the legislature by December 1, 2021.

Passed by the Senate March 10, 2020.

Passed by the House March 6, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 353

[Substitute Senate Bill 6521]

INNOVATIVE LEARNING PILOT PROGRAM

AN ACT Relating to creating an innovative learning pilot program; adding a new section to chapter 28A.300 RCW; creating a new section; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature intends to explore new school funding models that would permit and promote equitable access to innovative modes of instruction which allow students to earn credit through demonstration of mastery learning standards instead of completion of hours of classroom instruction. Therefore, the legislature intends to create a pilot program which authorizes full-time enrollment funding for students participating in established mastery-based learning programs and to examine the efficiency, cost, and impacts of these funding models.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.300 RCW to read as follows:

(1) By July 1, 2020, the office of the superintendent of public instruction shall create and administer an innovative learning pilot program to authorize full-time enrollment funding for students participating in mastery-based learning programs.

(2) To participate in the innovative learning pilot program, school districts must have a waiver from the credit unit graduation requirements, granted by the state board of education, for the 2019-20 school year. Districts wishing to participate must submit to the office of the superintendent of public instruction, in a manner determined by the office, the following information:

(a) Affirmation that the district wishes to participate in the pilot program and the specific schools with a waiver within the district that would participate in the pilot program;

(b) A description of the mastery-based learning program that the school district intends to implement and the number of students that are expected to participate; and

(c) An explanation of the goals of the mastery-based learning program and how the school district intends to measure and assess attainment of the goals.

(3) The pilot program must be in effect through the 2022-23 school year.

(4) The office of the superintendent of public instruction may adopt rules necessary for the effective and efficient implementation of this section, including rules that define full-time enrollment standards for students based on regular participation in an approved mastery-based learning program rather than hours of seat time. Rules adopted pursuant to this section must permit participating school districts to report full-time equivalent students in an approved mastery-based learning program for general apportionment funding.

(5) By December 1, 2022, the office of the superintendent of public instruction, in collaboration with the state board of education, must report to the legislature regarding the efficiency, cost, and impacts of the funding model or models used under the pilot program.

(6) For purposes of this section, "mastery-based learning program" means an educational program where:

(a) Students advance upon demonstrated mastery of content;

(b) Competencies include explicit, measurable, transferable learning objectives that empower students;

(c) Assessments are meaningful and a positive learning experience for students;

(d) Students receive rapid, differentiated support based on their individual learning needs; and

(e) Learning outcomes emphasize competencies that include application and creation of knowledge along with the development of important skills and dispositions.

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.

Passed by the Senate February 14, 2020.

Passed by the House March 5, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 354

[Engrossed Substitute Senate Bill 6534]

AMBULANCE TRANSPORT FUND--QUALITY ASSURANCE FEE

AN ACT Relating to an ambulance transport quality assurance fee; reenacting and amending RCW 43.84.092; adding a new chapter to Title 74 RCW; prescribing penalties; providing an expiration date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that the payments to private emergency ambulance service providers for transports for medicaid recipients have not been increased since 2004, resulting in a loss for carriers who provide this service. This has resulted in the shifting of cost of medicaid transports to other payers.

The purpose of this chapter is to provide for a quality assurance fee for specified providers of emergency ambulance services as referenced in 42 C.F.R. Sec. 433.56, which will be used to add on to base funding from all other sources,

thereby supporting additional medicaid payments to nonpublic and nonfederal providers of emergency ambulance services as specified in this chapter.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Aggregate fee schedule amount" means the product of the add-on calculated pursuant to section 6(1) of this act multiplied by the number of emergency ambulance transports for the state fiscal year.

(2) "Ambulance transport provider" means an ambulance transport provider that is licensed under RCW 18.73.140 that bills and receives patient care revenue from the provision of ground emergency ambulance transports. "Ambulance transport provider" does not include a provider that is owned or operated by the state, cities, counties, fire protection districts, regional fire protection service authorities, port districts, public hospital districts, community services districts, health care districts, federally recognized Indian tribes, or any unit of government as defined in 42 C.F.R. Sec. 433.50.

(3) "Annual quality assurance fee rate" means the quality assurance fee per emergency ambulance transport during each applicable state fiscal year assessed on each ambulance transport provider.

(4) "Authority" means the Washington state health care authority.

(5) "Available fee amount" means the sum of the following:

(a) The amount deposited in the ambulance transport fund established under section 3 of this act during the applicable state fiscal year, less the amounts described in section 3(3)(a) of this act; and

(b) Any federal financial participation obtained as a result of the deposit of the amount described in this subsection, for the applicable state fiscal year.

(6) "Effective state medical assistance percentage" means a ratio of the aggregate expenditures from state-only sources for medicaid divided by the aggregate expenditures from state and federal sources for medicaid for a state fiscal year.

(7) "Emergency ambulance transport" means the act of transporting an individual by use of an ambulance during which a client receives needed emergency medical services en route to an appropriate medical facility. "Emergency ambulance transport" does not include transportation of beneficiaries by passenger cars, taxicabs, litter vans, wheelchair vans, or other forms of public or private conveyances, nor does it include transportation by an air ambulance provider. An "emergency ambulance transport" does not occur when, following evaluation of a patient, a transport is not provided.

(8) "Fee-for-service payment schedule" means the payment rates to ambulance transport providers for emergency ambulance transports by the authority without the inclusion of the add-on described in section 6 of this act.

(9) "Gross receipts" means the total amount of payments received as patient care revenue for emergency ambulance transports, determined on a cash basis of accounting. "Gross receipts" includes all payments received as patient care revenue for emergency ambulance transports from medicaid, medicare, commercial insurance, and all other payers as payment for services rendered.

(10) "Medicaid" means the medical assistance program and the state children's health insurance program as established in Title XIX and Title XXI of the social security act, respectively, and as administered in the state of Washington by the authority.

(11) "Program" means the ambulance quality assurance fee program established in this chapter.

NEW SECTION. Sec. 3. (1) A dedicated fund is hereby established within the state treasury to be known as the ambulance transport fund. The purpose and use of the fund shall be to receive and disburse funds, together with accrued interest, in accordance with this chapter. Moneys in the fund, including interest earned, shall not be used or disbursed for any purposes other than those specified in this chapter. Any amounts expended from the fund that are later recouped by the authority on audit or otherwise shall be returned to the fund. Moneys in the account may be spent only after appropriation.

(2) The quality assurance fees collected by the authority pursuant to section 5 of this act must be deposited in the ambulance transport fund.

(3) The moneys in the ambulance transport fund, including any interest and dividends earned on money in the fund, shall be available exclusively for the following purposes in the following order of priority:

(a) To provide funding in an amount not to exceed ten percent of the annual quality assurance fee rate collection amount, exclusive of any federal matching funds, for health care coverage for Washingtonians and for the authority's staffing and administrative costs directly attributable to administering this chapter; and

(b) To make increased payments to ambulance transport providers pursuant to section 6 of this act.

NEW SECTION. Sec. 4. (1) Each ambulance transport provider must report to the authority the number of emergency ambulance transports by payer type and the annual gross receipts for the state fiscal year ending June 30, 2020, pursuant to form and timing required by the authority. The authority shall establish the timing for such reporting to occur on or after August 15, 2020.

(2) Each ambulance transport provider must report to the authority the number of emergency ambulance transports by payer type for each state fiscal quarter commencing with the state fiscal quarter ending September 30, 2020, pursuant to form and timing required by the authority. The authority shall establish the timing for such reporting to occur on or after the forty-fifth day after the end of each applicable state fiscal quarter.

(3) Each ambulance transport provider must report to the authority the annual gross receipts for each state fiscal year commencing with the state fiscal year ending June 30, 2021, pursuant to form and timing required by the authority. The authority shall establish the timing for such reporting to occur on or after the forty-fifth day after the end of each applicable state fiscal year.

(4) The authority may require a certification by each ambulance transport provider under penalty of perjury of the truth of the reports required under this section. Upon written notice to an ambulance transport provider, the authority may impose a civil penalty of one hundred dollars per day against an ambulance transport provider for every day that an ambulance transport provider fails to make a report required by this section within five days of the date upon which the report was due. Any funds resulting from a penalty imposed pursuant to this subsection shall be deposited in the ambulance transport fund established in section 3 of this act.

NEW SECTION. Sec. 5. (1) Beginning July 1, 2021, and annually thereafter, the authority shall assess each ambulance transport provider a quality assurance fee. Each ambulance transport provider must pay the quality assurance fee on a quarterly basis. The quarterly quality assurance fee payment shall be based on the annual quality assurance fee rate for the applicable state fiscal year multiplied by the number of emergency ambulance transports provided by the ambulance transport provider in the second quarter preceding the state fiscal quarter for which the fee is assessed.

(2)(a) For the state fiscal year beginning July 1, 2021, the annual quality assurance fee rate shall be calculated by multiplying the projected total annual gross receipts for all ambulance transport providers by five and one-half percent, which resulting product shall be divided by the projected total annual emergency ambulance transports by all ambulance transport providers for the state fiscal year.

(b) For state fiscal years beginning July 1, 2022, and continuing each state fiscal year thereafter, the quality assurance fee rate shall be calculated by a ratio, the numerator of which shall be the product of the projected aggregate fee schedule amount, and the denominator of which shall be ninety percent of the projected total annual emergency ambulance transports by all ambulance transport providers.

(c) If, during a state fiscal year, the actual or projected available fee amount exceeds or is less than the actual or projected aggregate fee schedule amount by more than one percent, the authority shall adjust the annual quality assurance fee rate so that the available fee amount for the state fiscal year is approximately equal to the aggregate fee schedule amount for the state fiscal year. The available fee amount for a state fiscal year shall be considered to equal the aggregate fee schedule amount for the state fiscal year if the difference between the available fee amount for the state fiscal year and the aggregate fee schedule amount for the state fiscal year constitutes less than one percent of the aggregate fee schedule amount for the state fiscal year.

(3) For each state fiscal year for which the quality assurance fee is assessed, the authority shall send each ambulance transport provider an assessment notice no later than thirty days prior to the beginning of the applicable state fiscal quarter. For each state fiscal quarter for which the quality assurance fee is assessed, the authority shall send to each ambulance transport provider an invoice of the quarterly quality assurance fee payment due for the quarter no later than thirty days before the payment is due. For each state fiscal quarter for which the quality assurance fee is assessed, the ambulance transport provider shall remit payment to the authority by the date established by the authority, which shall be no earlier than fifteen days after the beginning of the applicable state fiscal quarter.

(4)(a) Interest shall be assessed on quality assurance fees not paid on the date due at the rate and in the manner provided in RCW 43.20B.695. Interest shall be deposited in the ambulance transport fund established in section 3 of this act.

(b) In the event that any fee payment is more than sixty days overdue, the authority may deduct the unpaid fee and interest owed from any medicaid reimbursement payments owed to the ambulance transport provider until the full amount of the fee, interest, and any penalties assessed under this chapter are

recovered. Any deduction made pursuant to this subsection shall be made only after the authority gives the ambulance transport provider written notification. Any deduction made pursuant to this subsection may be deducted over a period of time that takes into account the financial condition of the ambulance transport provider.

(c) In the event that any fee payment is more than sixty days overdue, a penalty equal to the interest charge described in (a) of this subsection shall be assessed and due for each month for which the payment is not received after sixty days. Any funds resulting from a penalty imposed pursuant to this subsection shall be deposited into the ambulance transport fund established in section 3 of this act.

(d) The authority may waive a portion or all of either the interest or penalties, or both, assessed under this chapter in the event the authority determines, in its sole discretion, that the ambulance transport provider has demonstrated that imposition of the full amount of the quality assurance fee pursuant to the timelines applicable under this chapter has a high likelihood of creating an undue financial hardship for the provider. Waiver of some or all of the interest or penalties pursuant to this subsection shall be conditioned on the ambulance transport provider's agreement to make fee payments on an alternative schedule developed by the authority.

(5) The authority shall accept an ambulance transport provider's payment even if the payment is submitted in a rate year subsequent to the rate year in which the fee was assessed.

(6) In the event of a merger, acquisition, or similar transaction involving an ambulance transport provider that has outstanding quality assurance fee payment obligations pursuant to this chapter, including any interest and penalty amounts owed, the resultant or successor ambulance transport provider shall be responsible for paying to the authority the full amount of outstanding quality assurance fee payments, including any applicable interest and penalties, attributable to the ambulance transport provider for which it was assessed, upon the effective date of such transaction. An entity considering a merger, acquisition, or similar transaction involving an ambulance transport provider may submit a request to the authority to ascertain the outstanding quality assurance fee payment obligations of the ambulance transport provider pursuant to this chapter as of the date of the authority's response to that request.

NEW SECTION. Sec. 6. (1) Beginning July 1, 2021, and for each state fiscal year thereafter, reimbursement for emergency ambulance transports provided by ambulance transport providers shall be increased by application of an add-on to the associated medicaid fee-for-service payment schedule. The add-on increase to the fee-for-service payment schedule under this section shall be calculated by June 15, 2021, and shall remain the same for later state fiscal years, to the extent the authority determines federal financial participation is available. The authority shall calculate the projections required by this subsection based on the number of emergency ambulance transports and gross revenue data submitted pursuant to section 4 of this act. The fee-for-service add-on shall be equal to the quotient of the available fee amount projected by the authority on or before June 15, 2021, for the 2021-22 state fiscal year, divided by the total medicaid emergency ambulance transports, projected by the authority on or before June 15, 2021, for the 2021-22 state fiscal year. The resulting fee-

for-service payment schedule amounts after the application of this section shall be equal to the sum of the medicaid fee-for-service payment schedule amount and the add-on increase.

(2) The increased payments required by this section shall be funded solely from the following:

(a) The quality assurance fee set forth in section 5 of this act, along with any interest or other investment income earned on those funds; and

(b) Federal reimbursement and any other related federal funds.

(3) The proceeds of the quality assurance fee set forth in section 5 of this act, the matching amount provided by the federal government, and any interest earned on those proceeds shall be used to supplement, and not to supplant, existing funding for emergency ambulance transports provided by ambulance transport providers.

(4) Notwithstanding any provision of this chapter, the authority may seek federal approval to implement any add-on increase to the fee-for-service payment schedule pursuant to this section for any state fiscal year or years, as applicable, on a time-limited basis for a fixed program period, as determined by the authority.

NEW SECTION. Sec. 7. The authority may adopt rules to implement this chapter.

NEW SECTION. Sec. 8. (1)(a) The authority shall request any approval from the federal centers for medicare and medicaid services it determines are necessary for the use of fees pursuant to this chapter and for the purpose of receiving associated federal matching funds.

(b) This chapter shall be implemented only to the extent that any necessary federal approvals are obtained and federal financial participation is available. The quality assurance fee pursuant to section 5 of this act shall only be assessed and collected for quarters in which the add-on pursuant to section 6 of this act is paid.

(2) The authority may modify or make adjustments to any methodology, fee amount, or other provision specified in this chapter to the minimum extent necessary to meet the requirements of federal law or regulations or to obtain federal approval. If the authority, after consulting with ambulance transport providers, determines that a modification is needed, the authority shall execute a declaration stating that this determination has been made and that the actual or projected available fee amount for a state fiscal year remains approximately equal to the actual or projected aggregate fee schedule amount for each applicable state fiscal year, as defined by section 5(2)(c) of this act. The authority shall retain the declaration and provide a copy, within ten working days of the execution of the declaration, to the appropriate fiscal and policy committees of the legislature.

NEW SECTION. Sec. 9. If there is a delay in the implementation of this chapter for any reason, including a delay in any required approval of the quality assurance fee and reimbursement methodology specified by the federal centers for medicare and medicaid services, the following shall apply:

(1) An ambulance transport provider may be assessed the amount the provider would be required to pay to the authority if the add-on increase to the fee-for-service payment schedule described in section 5(2)(c) of this act were

already approved, but shall not be required to pay the fee until the add-on increase to the fee-for-service payment schedule described in section 6 of this act is approved. The authority shall establish a schedule for payment of retroactive fees pursuant to this subsection in consultation with ambulance transport providers to minimize the disruption to the cash flow of ambulance transport providers.

(2) The authority may retroactively implement the add-on increase to the fee-for-service payment schedule pursuant to section 6 of this act to the extent the authority determines that federal financial participation is available.

NEW SECTION. Sec. 10. (1) The assessment, collection, and disbursement of funds under this chapter shall be conditional upon:

(a) The federal centers for medicare and medicaid services not determining that the quality assurance fee revenues may not be used for the purposes set forth in this chapter;

(b) The state not reducing its fee-for-service payment schedule for emergency ambulance transports provided by ambulance transport providers;

(c) The state not delegating responsibility to pay for emergency ambulance transports to a managed care organization, prepaid inpatient health plan, or prepaid ambulatory health plan, as those terms are defined in 42 C.F.R. Sec. 438.2;

(d) Federal financial participation being available and not otherwise jeopardized;

(e) The program not prohibiting, diminishing, or harming the ground emergency medical transportation services reimbursement program described in RCW 41.05.730; and

(f) Consistent with section 6(3) of this act, the state continuing its maintenance of effort for the level of state funding not derived from the quality assurance fee of emergency ambulance transports reimbursement for the 2021-22 rate year, and for each applicable rate year thereafter, in an amount not less than the amount that the state would have paid for the same number of emergency ambulance transports under the rate methodology that was in effect on July 1, 2019.

(2) This chapter ceases to be operative on the first day of the state fiscal year beginning on or after the date one or more of the following conditions is satisfied:

(a) The federal centers for medicare and medicaid services no longer allows the collection or use of the ambulance transport provider assessment provided in this chapter;

(b) The increase to the medicaid payments described in section 6 of this act no longer remains in effect;

(c) The quality assurance fee assessed and collected pursuant to this chapter is no longer available for the purposes specified in this chapter;

(d) A final judicial determination made by any state or federal court that is not appealed, or by a court of appellate jurisdiction that is not further appealed, in any action by any party, or a final determination by the administrator of the federal centers for medicare and medicaid services that is not appealed, that federal financial participation is not available with respect to any payment made under the methodology implemented pursuant to this chapter;

(e) The state reduces its fee-for-service payment schedule for emergency ambulance transports provided by ambulance transport providers;

(f) The state delegates responsibility to pay for emergency ambulance transports to a managed care organization, prepaid inpatient health plan, or prepaid ambulatory health plan, as those terms are defined in 42 C.F.R. Sec. 438.2; and

(g) The program not prohibiting, diminishing, or harming the ground emergency medical transportation services reimbursement program described in RCW 41.05.730.

(3) In the event one or more of the conditions listed in subsection (2) of this section is satisfied, the authority shall notify, in writing and as soon as practicable, the secretary of state, the secretary of the senate, the chief clerk of the house of representatives, the appropriate fiscal and policy committees of the legislature, and the code reviser's office of the condition and the approximate date or dates that it occurred. The authority shall post the notice on the authority's web site.

(4)(a) Notwithstanding any other law, in the event this chapter becomes inoperative pursuant to subsection (2) of this section, the authority shall be authorized to conduct all appropriate close-out activities and implement applicable provisions of this chapter for prior state fiscal years during which this chapter was operative including, but not limited to, the collection of outstanding quality assurance fees pursuant to section 5 of this act and payments associated with any add-on increase to the medicaid fee-for-service payment schedule pursuant to section 6 of this act. In implementing these close-out activities, the authority shall ensure that the actual or projected available fee amount for each applicable state fiscal year remains approximately equal to the aggregate fee schedule amount for the state fiscal year, as defined by section 5(2)(c) of this act. During this close-out period, the full amount of the quality assurance fee assessed and collected remains available only for the purposes specified in this chapter.

(b) Upon a determination by the authority that all appropriate close-out and implementation activities pursuant to (a) of this subsection have been completed, the authority shall notify, in writing, the secretary of state, the secretary of the senate, the chief clerk of the house of representatives, the appropriate fiscal and policy committees of the legislature, and the code reviser's office of that determination. This chapter shall expire as of the effective date of the notification issued by the authority pursuant to this subsection.

Sec. 11. RCW 43.84.092 and 2019 c 421 s 15, 2019 c 403 s 14, 2019 c 365 s 19, 2019 c 287 s 19, and 2019 c 95 s 6 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 aircraft search and rescue 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 Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement 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 deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of licensing tuition recovery trust fund, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative 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 federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net

assessment fund, the industrial insurance premium refund 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 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 mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance 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 beginning July 1, 2004, 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 resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan 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 employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the statewide broadband account, the statewide tourism marketing account, the student achievement council tuition recovery trust fund, 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 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 tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' and reserve officers' 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 health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving 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, the state university permanent fund, and the state reclamation revolving account 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. 12. Sections 1 through 10 and 13 of this act constitute a new chapter in Title 74 RCW.

NEW SECTION. Sec. 13. This act expires July 1, 2024.

NEW SECTION. Sec. 14. 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.

Passed by the Senate March 12, 2020.

Passed by the House March 12, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 355

[Engrossed Substitute Senate Bill 6540]

WORKING CONNECTIONS CHILD CARE--AUTHORIZATION PERIOD

AN ACT Relating to working connections child care payment authorizations; amending RCW 28B.50.248; reenacting and amending RCW 43.216.135; adding a new section to chapter 43.216 RCW; creating a new section; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that the federal child care and development block grant act of 2014 reauthorized the child care and development fund program and established a minimum twelve-month eligibility period for subsidized child care in order to provide families with more stability and to support the continuity of care between children and providers. The legislature further finds that the state's policy of authorizing twelve months of uninterrupted care was affirmed by the passage of the state's early start act in

2015. However, some families are not able to access child care right away through the working connections child care program due to factors beyond their control. These barriers to care include challenges with access to child care in rural areas, declining numbers of providers accepting state subsidy, and the persistence of child care deserts in which either no child care providers are in operation or there are so few options for child care that the demand outweighs available slots. Therefore, the legislature intends to clarify the state's policy that all eligible children may receive at least a full twelve months of working connections child care.

Sec. 2. RCW 43.216.135 and 2019 c 406 s 70 and 2019 c 369 s 4 are each reenacted and amended to read as follows:

~~(1) ((The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures established by the department and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.~~

~~(2) As recommended by Public Law 113-186, authorizations for the working connections child care subsidy shall be effective for twelve months beginning July 1, 2016, unless an earlier date is provided in the omnibus appropriations act.~~

~~(3)) Existing child care providers serving nonschool-age children and receiving state subsidy payments must complete the following requirements to be eligible for a state subsidy under this section:~~

~~(a) Enroll in the early achievers program by August 1, 2016;~~

~~(b) Complete level 2 activities in the early achievers program by August 1, 2017; and~~

~~(c) Rate or request to be rated at a level 3 or higher in the early achievers program by December 31, 2019. If a child care provider does not rate at or request to be rated at a level 3 by December 31, 2019, the provider is no longer eligible to receive state subsidy. If the provider rates below a level 3 when the rating is released, the provider must complete remedial activities with the department, and must rate at or request to be rated at a level 3 or higher no later than December 30, 2020.~~

~~((4)) (2) A new child care provider serving nonschool-age children and receiving state subsidy payments must complete the following activities to be eligible to receive a state subsidy under this section:~~

~~(a) Enroll in the early achievers program within thirty days of receiving the initial state subsidy payment;~~

~~(b) Complete level 2 activities in the early achievers program within twelve months of enrollment; and~~

~~(c) Rate or request to be rated at a level 3 or higher in the early achievers program within thirty months of enrollment. If a child care provider does not rate or request to be rated at a level 3 within thirty months from enrollment into the early achievers program, the provider is no longer eligible to receive state subsidy. If the provider rates below a level 3 when the rating is released, the provider must complete remedial activities with the department, and rate or~~

request to be rated at a level 3 or higher within twelve months of beginning remedial activities.

~~((5))~~ (3) If a child care provider does not rate or request to be rated at a level 3 or higher following the remedial period, the provider is no longer eligible to receive state subsidy under this section. If a child care provider does not rate at a level 3 or higher when the rating is released following the remedial period, the provider is no longer eligible to receive state subsidy under this section.

~~((6))~~ (4) If a child care provider serving nonschool-age children and receiving state subsidy payments has successfully completed all level 2 activities and is waiting to be rated by the deadline provided in this section, the provider may continue to receive a state subsidy pending the successful completion of the level 3 rating activity.

~~((7))~~ (5) The department shall implement tiered reimbursement for early achievers program participants in the working connections child care program rating at level 3, 4, or 5.

~~((8))~~ (6) The department shall account for a child care copayment collected by the provider from the family for each contracted slot and establish the copayment fee by rule.

~~((9)(a) The department shall establish and implement policies in the working connections child care program to allow eligibility for families with children who:~~

~~(i) In the last six months have:~~

~~(A) Received child protective services as defined and used by chapters 26.44 and 74.13 RCW;~~

~~(B) Received child welfare services as defined and used by chapter 74.13 RCW; or~~

~~(C) Received services through a family assessment response as defined and used by chapter 26.44 RCW;~~

~~(ii) Have been referred for child care as part of the family's case management as defined by RCW 74.13.020; and~~

~~(iii) Are residing with a biological parent or guardian.~~

~~(b) Children who are eligible for working connections child care pursuant to this subsection do not have to keep receiving services identified in this subsection to maintain twelve month authorization. The department of social and health services' involvement with the family referred for working connections child care ends when the family's child protective services, child welfare services, or family assessment response case is closed.~~

~~(10)(a) Beginning August 1, 2020, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is:~~

~~(i) A single parent;~~

~~(ii) A full-time student of a community, technical, or tribal college; and~~

~~(iii) Pursuing vocational education that leads to a degree or certificate in a specific occupation, not to result in a bachelor's or advanced degree.~~

~~(b) An applicant or consumer is a full-time student for the purposes of this subsection if he or she meets the college's definition of a full-time student. The student must maintain passing grades and be in good standing pursuant to college attendance requirements.~~

~~(e) Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a wait list for working connections child care benefits.)~~

NEW SECTION. Sec. 3. A new section is added to chapter 43.216 RCW to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures established by the department and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by P.L. 113-186, authorizations for the working connections child care subsidy are effective for twelve months.

(a) A household's twelve-month authorization must begin on the date that child care is expected to begin.

(b) If a newly eligible household does not begin care within twelve months of being determined eligible by the department, the household must reapply in order to qualify for subsidy.

(3)(a) The department shall establish and implement policies in the working connections child care program to allow eligibility for families with children who:

(i) In the last six months have:

(A) Received child protective services as defined and used by chapters 26.44 and 74.13 RCW;

(B) Received child welfare services as defined and used by chapter 74.13 RCW; or

(C) Received services through a family assessment response as defined and used by chapter 26.44 RCW;

(ii) Have been referred for child care as part of the family's case management as defined by RCW 74.13.020; and

(iii) Are residing with a biological parent or guardian.

(b) Families who are eligible for working connections child care pursuant to this subsection do not have to keep receiving services identified in this subsection to maintain twelve-month authorization.

(4)(a) Beginning August 1, 2020, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is:

(i) A single parent;

(ii) A full-time student of a community, technical, or tribal college; and

(iii) Pursuing vocational education that leads to a degree or certificate in a specific occupation, not to result in a bachelor's or advanced degree.

(b) An applicant or consumer is a full-time student for the purposes of this subsection if he or she meets the college's definition of a full-time student. The student must maintain passing grades and be in good standing pursuant to college attendance requirements.

(c) Nothing in this subsection is intended to change how applicants or consumers are prioritized when applicants or consumers are placed on a wait list for working connections child care benefits.

(5) For purposes of this section, "authorization" means a transaction created by the department that allows a child care provider to claim payment for care. The department may adjust an authorization based on a household's eligibility status.

Sec. 4. RCW 28B.50.248 and 2019 c 406 s 71 are each amended to read as follows:

Nothing in RCW 43.216.135 or section 3 of this act requires a community or technical college to expand any of its existing child care facilities. Any additional child care services provided by a community or technical college as a result of RCW 43.216.135 or section 3 of this act must be provided within existing resources and existing facilities.

NEW SECTION. Sec. 5. This act takes effect January 1, 2021.

Passed by the Senate February 17, 2020.

Passed by the House March 5, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 356

[Engrossed Substitute Senate Bill 6248]

CAPITAL BUDGET--SUPPLEMENTAL

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 43.19.501 and 43.63A.750; amending 2019 c 413 ss 1009, 1026, 1029, 1030, 1035, 1037, 1028, 1033, 1041, 1042, 1043, 1051, 1059, 1065, 1052, 1054, 1031, 1039, 1071, 1073, 1090, 1092, 1093, 2001, 2002, 2010, 2037, 2038, 2039, 2072, 2075, 2080, 2084, 2086, 2091, 2093, 2094, 2096, 2098, 3008, 3009, 3011, 3016, 3022, 3023, 3026, 3028, 3030, 3031, 3032, 3034, 3036, 3038, 3052, 3056, 3062, 3064, 3069, 3081, 3093, 3096, 3097, 3115, 3119, 3120, 3123, 3129, 3131, 3132, 3135, 3137, 3141, 3143, 3144, 3145, 3149, 3150, 3151, 3152, 3153, 3156, 3160, 3204, 3218, 3223, 3232, 3236, 3242, 3247, 3252, 3253, 3254, 3255, 3234, 3274, 3275, 3294, 4001, 5001, 5012, 5028, 5025, 5030, 5032, 5033, 5034, 5035, 5044, 5060, 5072, 5079, 5093, 5097, 5098, 5101, 5109, 5122, 5103, 5126, 6005, 1024, 6006, 7001, 7002, 7003, 7021, and 7038 (uncodified); adding new sections to 2019 c 413 (uncodified); creating new sections; repealing 2019 c 413 ss 1005, 1059, 3099, and 3296 (uncodified); making appropriations; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A supplemental capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2021, out of the several funds specified in this act.

PART 1

GENERAL GOVERNMENT

Sec. 1001. 2019 c 413 s 1009 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE

Building Communities Fund Program (30000803)

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

(1) \$1,455,000 of the amount reappropriated in this section is provided solely for the Byrd Barr place, formerly known as Centerstone, building renovation project.

(2) \$220,000 of the amount reappropriated in this section is provided solely for El Centro de la Raza boiler fan and master plan for rehabilitation. This amount is not subject to the match requirements, pursuant to RCW 43.63A.125.

Reappropriation:

State Building Construction Account—State	\$1,675,000
Prior Biennia (Expenditures)	(\$19,184,000)
	<u>\$17,990,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$20,859,000)
	<u>\$19,665,000</u>

Sec. 1002. 2019 c 413 s 1026 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Dental Clinic Capacity Grants (40000007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1006, chapter 298, Laws of 2018, except that funding may not be directed to the Valley View Health Center.

Reappropriation:

State Building Construction Account—State	(\$10,000,000)
	<u>\$9,000,000</u>
Prior Biennia (Expenditures)	\$6,534,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$16,534,000)
	<u>\$15,534,000</u>

Sec. 1003. 2019 c 413 s 1029 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Housing Trust Fund Program (40000036)

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

(1) ~~(\$129,050,000)~~ \$132,666,000 of the state taxable building construction account—state appropriation ~~((and \$45,950,000)), \$44,084,000~~ of the state building construction account—state appropriation are provided solely for production and preservation of affordable housing. Of the amounts in this subsection:

(a) \$35,000,000 of the appropriation is provided solely for housing projects that provide supportive housing and case-management services to persons with ~~(behavioral or)~~ chronic mental illness. When evaluating applications for this population, the department must prioritize low-income supportive housing unit proposals that show:

(i) Evidence that the application was developed in collaboration with one or more health care entities that provide behavioral health care services to individuals eligible for the housing provided under this subsection;

(ii) A commitment by the applicant to provide, directly or through a formal partnership, necessary treatment and supportive services to the tenants and maintain the beds or housing units for at least a forty-year period;

(iii) Readiness to begin structural modifications or construction resulting in a fast project completion;

(iv) Program requirements that adhere to the key elements of permanent supportive housing programs including choice in housing and living arrangements, functional separation of housing and services, community integration, rights of tenancy, and voluntary recovery-focused services; and

(v) To achieve geographic distribution, the department must prioritize projects in rural areas as defined by the department per RCW 43.185.050 and unserved communities with the goal of maximizing the investment and increasing the number of supportive housing units in rural, unserved communities.

(b) \$10,000,000 of the appropriation in this section is provided solely for competitive grant awards for modular housing which includes high quality affordable housing projects that will quickly move people from homelessness into secure housing and are significantly less expensive to construct than traditional housing. These funds must be awarded to projects with a total project development cost per housing unit of less than (~~(\$125,000)~~) \$200,000, excluding the value of land, off-site infrastructure costs, and any capitalized reserves, compliant with the Americans with disabilities act, and with a commitment by the applicant to maintain the housing units for at least a fifty year period.

(c) \$10,000,000 of the appropriation in this section is provided solely for a state match or state matches on private contributions that fund the production and preservation of affordable housing. Awards must be made using a competitive process. If any funding remains unallocated after the first fiscal year during the 2019-2021 fiscal biennium, the department may allocate the remaining funding through its annual competitive process for affordable housing projects that serve and benefit low-income and special needs populations in need of housing.

(d)(i) \$10,000,000 of the appropriation in this section is provided solely for housing preservation grants or loans to be awarded competitively.

(ii) The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require a capital needs assessment to be provided prior to contract execution. Funds may not be used to add or expand the capacity of the property.

(iii) To allocate preservation funds, the department must review applications and evaluate projects based on the following criteria:

(A) The age of the property, with priority given to buildings that are more than fifteen years old;

(B) The population served, with priority given to projects with at least 50 percent of the housing units being occupied by families and individuals at or below 50 percent area median income;

(C) The degree to which the applicant demonstrates that the improvements will result in a reduction of operating or utilities costs, or both;

(D) The potential for additional years added to the affordability period of the property; and

(E) Other criteria that the department considers necessary to achieve the purpose of this program.

(e)(i) \$7,000,000 of the appropriation in this section is provided solely for loans or grants to design and construct ultra-high energy efficient affordable housing projects.

(ii) To receive funding, a project must provide a life-cycle cost analysis report to the department and must demonstrate energy-saving and renewable energy systems either designed to reach net-zero energy use after housing is fully occupied or designed to achieve the most recent building standard of the passive house institute US as of the effective date of this section.

(iii) The department must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(A) Whether the proposed design has demonstrated that the project will achieve either net-zero energy use when fully occupied or will achieve the most recent building standard of the passive house institute US as of the effective date of this section;

(B) The life-cycle cost of the project;

(C) That the project demonstrates a design, use of materials, and construction process that can be replicated by the Washington building industry;

(D) The extent to which the project leverages nonstate funds;

(E) The extent to which the project is ready to proceed to construction;

(F) Whether the project promotes sustainable use of resources and environmental quality;

(G) Whether the project is being well managed to fund maintenance and capital depreciation;

(H) Reduction of housing and utilities carbon footprint; and

(I) Other criteria that the department considers necessary to achieve the purpose of this program.

(iv) The department must monitor and track the results of the housing projects that receive ultra-high energy efficiency funding under this section.

(f) (~~(\$45,950,000)~~) \$44,084,000 of the appropriation in this section is provided solely for the following list of housing projects:

Bellwether Housing (Seattle)	\$6,000,000
Capitol Hill Housing Broadway (Seattle)	\$6,000,000
Crosswalk Teen Shelter and Transitional Housing Project (Spokane)	\$1,000,000
Ethiopian Community Affordable Housing (Seattle)	\$3,000,000
<u>FFC New Construction (Statewide)</u>	<u>\$1,384,000</u>
FUSION Emergency Housing for Homeless Families (Federal Way)	\$3,000,000
Highland Village (Airway Heights)	\$5,500,000
Home At Last (Tacoma)	(\$1,500,000)
	<u>\$2,250,000</u>
Interfaith Works Shelter (Olympia)	\$3,000,000
((NorthHaven Affordable Senior Housing Campus (Seattle)	\$1,000,000)
Pateros Gardens (Pateros)	\$1,400,000
((Roslyn Housing Project (Roslyn)	\$2,000,000)
SCIDpda North Lot (Seattle)	\$9,000,000

(Seattle Indian Health Board—Low Income Housing (Seattle).....\$1,000,000))

Tenny Creek Assisted Living (Vancouver)	\$1,750,000
THA Arlington Drive (Tacoma)	\$800,000

(g) \$6,000,000 of the appropriation for Capitol Hill Housing Broadway (Seattle) in (f) of this subsection is provided solely for the purchase of the three south annex properties. The state board for community and technical colleges must transfer the three south annex properties located at 1500 Broadway, 1534 Broadway, and 909 East Pine street in Seattle to Capitol Hill Housing to provide services and housing for homeless youth or young adults at the 1500 Broadway and 909 East Pine street properties for a minimum of fifty years. The transfer agreement between the state board for community and technical colleges and Capitol Hill Housing must specify a mutually agreed transfer date and require Capitol Hill Housing to cover any closing costs with a total purchase price of nine million dollars for the three properties. The contract between the department and Capitol Hill Housing must:

(i) Provide that Capitol Hill Housing is responsible for maintaining and securing the 1500 Broadway and 909 East Pine properties until the site is redeveloped;

(ii) Specify that, if Capitol Hill Housing does not construct at least seventy affordable housing units on the site by 2028, this funding must be fully repaid to the state or the land must revert back to the state; and

(iii) Require that Capitol Hill Housing transfer the 1534 Broadway property to YouthCare Service Center for the purpose of developing a youth community center.

(h) \$5,000,000 of the state taxable building construction account—state appropriation is provided solely for competitive grant awards for the development of community housing and cottage communities to shelter individuals or households experiencing homelessness. This funding must be awarded to projects that develop a minimum of four individual structures in the same location. Individual structures must contain insulation, electricity, overhead lights, and heating. Kitchens and bathrooms may be contained within the individual structures or offered as a separate facility that is shared with the community. When evaluating applications for this grant program, the department must prioritize projects that demonstrate:

(i) The availability of land to locate the community;

(ii) A strong readiness to proceed to construction;

(iii) A longer term of commitment to maintain the community;

(iv) A commitment by the applicant to provide, directly or through a formal partnership, case management and employment support services to the tenants;

(v) Access to employment centers, health care providers and other services; and

(vi) A community engagement strategy.

(i) (~~(\$57,050,000)~~) \$55,666,000 of the appropriation in this section is provided solely for affordable housing projects that serve and benefit low-income and special needs populations in need of housing. Of the amounts appropriated in this subsection, the department must allocate the funds as follows:

(i) \$5,000,000 of the appropriation in this section is provided solely for housing for veterans;

(ii) (~~(\$5,000,000)~~) \$3,616,000 of the appropriation in this section is provided solely for housing that serves people with developmental disabilities;

(iii) \$5,000,000 of the appropriation in this section is provided solely for housing that serves people who are employed as farmworkers; and

(iv)(A) \$5,000,000 of the appropriation in this section is provided solely for housing projects that benefit homeownership.

(B) During the 2019-2021 fiscal biennium, the department must use a separate application form for applications to provide homeownership opportunities and evaluate homeownership project applications as allowed under chapter 43.185A RCW.

(C) In addition to the definition of "first-time home buyer" in RCW 43.185A.010, for the purposes of awarding homeownership projects during the 2019-2021 fiscal biennium "first time home buyer" also includes:

(I) A single parent who has only owned a home with a former spouse while married;

(II) An individual who is a displaced homemaker as defined in 24 C.F.R. Sec. 93.2 as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and has only owned a home with a spouse;

(III) An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; or

(IV) An individual who has only owned a property that is discerned by a licensed building inspector as being uninhabitable.

(2) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(3)(a) The department must strive to allocate all of the amounts appropriated in this section within the 2019-2021 fiscal biennium in the manner prescribed in subsection (1) of this section. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

(b) By June 30, 2021, the department must report on its web site the following for every previous funding cycle: The number of homeownership and multifamily rental projects funded by housing trust fund moneys; the percentage of housing trust fund investments made to homeownership and multifamily rental projects; and the total number of households being served at up to eighty percent of the area median income, up to fifty percent of the area median income, and up to thirty percent of the area median income, for both homeownership and multifamily rental projects.

(4)(a) The department, in cooperation with the housing finance commission, must develop and implement a process for the collection of certified final development cost data from each grant or loan recipient under this section. The department must use this data as part of its cost containment policy.

(b) Beginning December 1, 2019, and continuing annually, the department must provide the legislature with a report of its final cost data for each project under this section. Such cost data must, at a minimum, include total development cost per unit for each project completed within the past year, descriptive statistics such as average and median per unit costs, regional cost variation, and other costs that the department deems necessary to improve cost controls and enhance understanding of development costs. The department must coordinate with the housing finance commission to identify relevant development costs data and ensure that the measures are consistent across relevant agencies.

Appropriation:

State Building Construction Account—State	(\$45,950,000)	<u>\$44,084,000</u>
State Taxable Building Construction Account—State	(\$129,050,000)	<u>\$132,666,000</u>
Subtotal Appropriation	(\$175,000,000)	<u>\$176,750,000</u>
Prior Biennia (Expenditures)	\$0	
Future Biennia (Projected Costs)	\$480,000,000	
TOTAL	(\$655,000,000)	<u>\$656,750,000</u>

Sec. 1004. 2019 c 413 s 1030 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Pacific Tower Capital Improvements (40000037)

Appropriation:

State Taxable Building Construction Account—State	(\$1,020,000)	<u>\$1,376,000</u>
Prior Biennia (Expenditures)	\$0	
Future Biennia (Projected Costs)	\$5,311,000	
TOTAL	(\$6,331,000)	<u>\$6,687,000</u>

Sec. 1005. 2019 c 413 s 1035 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy Transition 4 (40000042)

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

(1) The appropriations are provided solely 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. Priority must be given to projects that benefit vulnerable populations, including tribes and communities with high environmental or energy burden.

(2) In soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive processes, rather than sole source contracting processes, are used to select all projects, except as otherwise noted in this section; and

(b) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project monitoring, and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(3)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require a project applicant to identify in application materials any state of Washington employees or former state employees employed by the firm or on the firm's governing board during the past twenty-four months. Application materials must identify the individual by name, the agency previously or currently employing the individual, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of funding.

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a grantee who received funding under this section, either in procuring or performing under the grant, the department in its sole discretion may terminate the funding grant by written notice. If the grant is terminated, the department must reserve its right to pursue all available remedies under law to address the violation.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) \$6,107,000 of the state building construction account—state appropriation is provided solely for grid modernization grants for projects that: Advance clean and renewable energy technologies and transmission and distribution control systems; support integration of renewable energy sources, deployment of distributed energy resources, and sustainable microgrids; and increase utility customer options for energy sources, energy efficiency, energy equipment, and utility services.

(a) Projects must be implemented by public and private electrical utilities that serve retail customers in the state. Priority must be given to: (i) Projects that benefit vulnerable populations, including tribes and communities with high environmental or energy burden; and (ii) projects that have a partner that is a tribe or nonprofit organization that serves community eligible entities. Utilities may partner with other public and private sector research organizations, businesses, tribes, and nonprofit organizations in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) Applications for grants must disclose all sources of public funds invested in a project.

(d) \$4,400,000 of the state building construction account—state appropriation is provided solely for providing shore power electrification at terminal five for the northwest seaport alliance. In order to receive this grant, the northwest seaport alliance must demonstrate that they applied to the VW settlement for this project and were denied.

(6)(a) \$8,100,000 of the state building construction account—state appropriation is provided solely for competitive grants for strategic research and development for new and emerging clean energy technologies. These grants will be used to match federal or other nonstate funds to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult and coordinate with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the grant program. Clean energy organizations who compete for grants from the program may not participate in the design of the grant program. Criteria for the grant program must include life cycle cost analysis for projects that are part of the competitive process.

(c) The program may include, but is not limited to: Solar technologies, advanced bioenergy and biofuels, development of new earth abundant materials or lightweight materials, advanced energy storage, battery components recycling, and new renewable energy and energy efficiency technologies.

(d) \$1,000,000 of the state building construction account—state appropriation is provided solely for grants that enhance the viability of dairy digester bioenergy projects, energy efficiency, and resource recovery to demonstrate advanced nutrient recovery systems that produce value added biofertilizers, reduce trucking of lagoon water, and improve soil health and air and water quality. Grants shall include at least one project east of the Cascades and one project west of the Cascades. State agencies must promote and demonstrate the use of such recovered biofertilizers through state procurement and contracts.

(7)(a) \$3,000,000 of the state taxable building construction account—state appropriation is provided solely as grants to nonprofit lenders to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy technologies by or for the benefit of households with high energy burden or environmental health risk now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that will provide at least fifteen percent matching private capital and will administer the loan fund. The department must select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(8) \$5,000,000 of the state building construction account—state appropriation is provided solely for the Washington Maritime Innovation Center. The center must be used to support technology acceleration and incubation, and act as a focal point for maritime sustainability, including, but not limited to, supporting technology development for maritime decarbonization and electrification.

(9) \$8,300,000 of the state taxable construction account—state appropriation is provided solely for scientific instruments to help accelerate research in grid-scale energy storage at the proposed grid-scale energy storage

research, development, and testing facility at the Pacific Northwest national laboratory. The state funds are contingent on securing federal funds for the new facility, and are provided as a match to the federal funding. The instruments will support collaborations with the University of Washington and the Washington State University.

(10) \$593,000 of the state building construction account—state appropriation is provided solely to the port of Grays Harbor for an offshore ocean wave renewable energy demonstration project.

(11) \$1,500,000 of the state building construction account—state appropriation is provided solely to the (~~Port of~~) Skagit county public works department for the Guemes ferry dock shore power charging infrastructure.

Appropriation:

State Building Construction Account—State	\$21,300,000
State Taxable Building Construction Account—State.	\$11,300,000
Subtotal Appropriation.	\$32,600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$160,000,000
TOTAL	\$192,600,000

Sec. 1006. 2019 c 413 s 1037 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Early Learning Facilities (40000044)

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

(1) (~~(\$200,000)~~) \$300,000 of the state building construction account—state appropriation is provided solely for the department of children, youth, and families to provide technical assistance to the department for the early learning facilities grants in this section.

(2) (~~(\$6,100,000)~~) \$9,062,000 of the state building construction account—state appropriation is provided solely for the following list of early learning facility projects in the following amounts:

Proclaim Liberty Early Learning Facility	\$1,000,000
Roosevelt Child Care Center	\$1,500,000
City of Monroe, Boys & Girls Club ECEAP Facility	\$1,000,000
Family Support Center Olympia	\$600,000
Centralia-Chehalis Early Learning Conversion Project.	(\$2,000,000)
	<u>\$3,000,000</u>
<u>Club Discovery Early Learning</u>	<u>\$100,000</u>
<u>Anacortes Family Center</u>	<u>\$309,000</u>
<u>Boys & Girls Club Daycare</u>	<u>\$773,000</u>
<u>Issaquah School District Early Learning Center</u>	<u>\$155,000</u>
<u>Opportunity Council Early Learning Central Kitchen</u>	<u>\$52,000</u>
<u>Samish Longhouse Early Learning Center Expansion</u>	<u>\$273,000</u>
<u>Triumph Treatment Services Child Care</u>	<u>\$300,000</u>

(3) \$4,186,000 of the early learning facilities development account—state appropriation in this section is provided solely for the following list of early learning facility projects for school districts, subject to the provisions of RCW 43.31.573 through 43.31.583 and 43.84.092, in the following amounts:

Toppenish School District	\$111,000
Manson School District	\$400,000
Kettle Falls School District	\$395,000
North Thurston School District	\$324,000
Ellensburg School District	\$800,000
Everett School District.	\$800,000
Tukwila School District	\$196,000
Richland School District	\$800,000
Lake Quinault School District	\$360,000

(4) The remaining portion of the appropriation in this section is provided solely for early learning facility grants and loans subject to the provisions of RCW 43.31.573 through 43.31.583 and 43.84.092 to provide state assistance for designing, constructing, purchasing, expanding, or modernizing public or private early learning education facilities for eligible organizations.

(5) The department of children, youth, and families must develop methodology to identify, at the school district boundary 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. This methodology must inform any early learning facilities needs assessment conducted by the department of commerce and the department of children, youth, and families. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(6) When prioritizing areas with the highest unmet need for early childhood education and assistance program slots, the committee of early learning experts convened by the department of commerce pursuant to RCW 43.31.581 must first consider those areas at risk of not meeting the entitlement in accordance with RCW 43.216.556.

(7) The department of commerce must track the number of slots being renovated separately from the number of slots being constructed and, within these categories, must track the number of slots separately by program for the working connections child care program and the early childhood education and assistance program.

(8) When prioritizing applications for projects, pursuant to subsection (4) of this section, within the boundaries of a regional transit authority in a county that has received distributions or appropriations under RCW 43.79.520, the department must give priority to applications for which at least ten percent of the total project cost is supported by those distributions or appropriations.

(9) The department, in consultation with the office of the superintendent of public instruction and the department of children, youth, and families must identify buildings in the inventory and condition of schools database that are no longer included in the inventory of K-12 instructional space for purposes of calculating school construction assistance pursuant to chapter 28A.515 RCW, but that could be repurposed as early learning facilities and made available to eligible organizations. The department must report its findings and the list of buildings identified in this section to the office of financial management and the appropriate fiscal committees of the legislature by January 15, 2020.

Appropriation:

State Building Construction Account—State	.....	..(((\$6,300,000))
		<u>\$9,362,000</u>
Early Learning Facilities Revolving		
Account—State	.....	..(((\$18,014,000))
		<u>\$22,248,000</u>
Early Learning Facilities Development Account—State	.....	\$4,186,000
Subtotal Appropriation	.....	..(((\$28,500,000))
		<u>\$35,796,000</u>
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$80,000,000
TOTAL	.....	..(((\$108,500,000))
		<u>\$115,796,000</u>

Sec. 1007. 2019 c 413 s 1028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Behavioral Health Community Capacity (40000018)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6004 of this act.

Reappropriation:

State Building Construction Account—State	.....	..(((\$84,500,000))
		<u>\$77,223,000</u>
Prior Biennia (Expenditures)	.....	\$5,876,000
Future Biennia (Projected Costs)	.....	\$0
TOTAL	.....	..(((\$90,376,000))
		<u>\$83,099,000</u>

Sec. 1008. 2019 c 413 s 1033 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Community Economic Revitalization Board (40000040)

Appropriation:

Public Facility Construction Loan Revolving		
Account—State	.....	..(((\$8,600,000))
		<u>\$18,600,000</u>
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$34,400,000
TOTAL	.....	..(((\$43,000,000))
		<u>\$53,000,000</u>

NEW SECTION. Sec. 1009. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Seattle Vocational Institute (40000136)

It is the intent of the legislature that this funding be provided for the Seattle Vocational Institute no later than June 30, 2021, once the community preservation and development authority has selected board members and the title of the Seattle Vocational Institute building has been transferred to the board.

Appropriation:

State Building Construction Account—State	.....	\$1,300,000
Prior Biennia (Expenditures)	.....	\$0

Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,300,000

Sec. 1010. 2019 c 413 s 1041 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Behavioral Health Capacity Grants (40000114)

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

(1) The appropriation in this section is provided solely for the department of commerce to issue grants to community hospitals or other community providers to expand and establish new capacity for behavioral health services in communities. The department of commerce must consult an advisory group consisting of representatives from the department of social and health services, the health care authority, one representative from a managed care organization, one representative from an accountable care organization, and one representative from the association of county human services. Amounts provided in this section may be used for construction and equipment costs associated with establishment of the facilities. The department of commerce may approve funding for the acquisition of a facility or land if the project results in increased capacity. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services.

(2) The department must establish criteria for the issuance of the grants, which must include:

(a) Evidence that the application was developed in collaboration with one or more regional behavioral health entities that administer the purchasing of services;

(b) Evidence that the applicant has assessed and would meet gaps in geographical behavioral health services needs in their region;

(c) Evidence that the applicant is able to meet applicable licensing and certification requirements in the facility that will be used to provide services;

(d) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act under chapter 71.05 RCW;

(e) A commitment by the applicant to maintain and operate the beds or facility for a time period commensurate to the state investment, but for at least a fifteen-year period;

(f) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(g) A detailed estimate of the costs associated with opening the beds;

(h) A financial plan demonstrating the ability to maintain and operate the facility; and

(i) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(3) In awarding funding for projects in subsection (5) of this section, the department, in consultation with the advisory group established in subsection (1) of this section, must strive for geographic distribution and allocate funding based on population and service needs of an area. The department must consider

current services available, anticipated services available based on projects underway, and the service delivery needs of an area.

(4) The department must prioritize projects that increase capacity in unserved and underserved areas of the state.

(5) (~~(\$47,000,000)~~) \$73,231,000 is provided solely for a competitive process for each category listed and is subject to the criteria in subsections (1), (2), (3), and (4) of this section:

(a) (~~(\$4,000,000)~~) \$11,277,000 is provided solely for at least (~~(two)~~) six enhanced service facilities for long-term placement of patients discharged or diverted from the state psychiatric hospitals and that are not subject to federal funding restrictions that apply to institutions of mental diseases. The department may award the amounts provided in this subsection (5)(a) to eligible applicants that applied in the first round;

(b) \$10,000,000 is provided solely for enhanced adult residential care facilities for long-term placements of dementia discharged or diverted from the state psychiatric hospitals and are not subject to federal funding restrictions that apply to institutions of mental diseases;

(c) \$4,000,000 is provided solely for at least two facilities with secure withdrawal management and stabilization treatment beds that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(d) \$2,000,000 is provided solely for one or more crisis diversion or stabilization facilities to add sixteen beds in the Spokane region that will address both urban and rural needs, consistent with the settlement agreement in *A.B. by and through Trueblood, et al., v. DSHS, et al.* and that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(e) \$5,000,000 is provided solely for at least four mental health peer respite centers that are not subject to federal funding restrictions that apply to institutions of mental diseases. No more than one mental health peer respite center should be funded in each of the nine regions;

(f) \$8,000,000 is provided solely for the department to provide grants to community hospitals, freestanding evaluation and treatment providers, or freestanding psychiatric hospitals to develop capacity for beds to serve individuals on ninety-day or one hundred eighty-day civil commitments as an alternative to treatment in the state hospitals. In awarding this funding, the department must coordinate with the department of social and health services, the health care authority, and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the health care authority;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet the applicable licensing and certification requirements for the facility that will be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the omnibus operating appropriations act for these purposes.

(g) \$4,000,000 is provided solely for competitive community behavioral health grants to address regional needs;

(h) \$8,000,000 is provided solely for at least four intensive behavioral health treatment facilities for long-term placement of behavioral health patients with complex needs and that are not subject to federal funding restrictions that apply to institutions of mental diseases; and

(i) (~~(\$2,000,000)~~) \$20,954,000 is provided solely for grants to community providers to increase behavioral health services and capacity for children and minor youth including, but not limited to, services for substance use disorder treatment, sexual assault and traumatic stress, anxiety, or depression, and interventions for children exhibiting aggressive or depressive behaviors in facilities that are not subject to federal funding restrictions. Consideration must be given to programs that incorporate outreach and treatment for youth dealing with mental health or social isolation issues. The department may award the amounts provided in this subsection (5)(i) to eligible applicants that applied in the first round.

(6) \$1,000,000 of the state taxable building construction account—state is provided solely for deposit into the revolving fund established in Second Substitute House Bill No. 1528 (recovery support services) for capital improvements. (~~If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~)

(7) (~~(\$49,543,000)~~) (a) \$47,935,000 is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section:

CHAS Spokane Behavioral Health	\$400,000
(Chelan SUD Design)	\$206,000
Columbia Valley Community Health Remodel	\$31,000)
Colville SUD Facility	\$4,523,000
(Community Health of Snohomish County Edmonds)	\$1,000,000)
DESC Health Clinic	\$6,000,000
Detox/Inpatient SUD Building (Centralia)	\$750,000
Evergreen RC Addiction Treatment Facility for Mothers (Everett)	\$2,000,000
HealthPoint Behavioral Health Expansion (Auburn)	\$1,030,000
Issaquah Opportunity Center (Issaquah)	\$3,000,000
Jamestown S'Klallam Behavioral Health	\$7,200,000
Lynnwood Sea Mar Behavioral Health Expansion	\$1,000,000
Nexus Youth and Families	\$535,000
North Sound SUD Treatment Facility (Everett)	\$1,500,000
Oak Harbor Tri-County Behavioral Health	\$1,000,000
Peninsula Community Health Services Behavioral Health Expansion (Bremerton)	\$1,700,000
Providence Regional Medical Center	\$4,700,000
(Sea Mar Community Health Centers Seattle BH (Seattle))	\$371,000)
Sedro-Woolley North Sound E&T	\$6,600,000
Spokane Crisis Stabilization	\$2,000,000

Virginia Mason Acute Stabilization.	\$2,200,000
Yakima Neighborhood Health Services.	\$488,000
Yakima Valley Farm Workers Clinic	\$309,000
YVFWC Children's Village.	\$1,000,000

(b) \$3,577,000 is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section, except that the following projects are not required to establish new capacity:

<u>Chelan SUD Design.</u>	<u>\$206,000</u>
<u>Community Health of Snohomish County Edmonds</u>	<u>\$1,000,000</u>
<u>The Parkside Place Project (Wenatchee).</u>	<u>\$2,000,000</u>
<u>Sea Mar Community Health Centers Seattle BH (Seattle)</u>	<u>\$371,000</u>

~~(8)((a) \$20,000,000 of the appropriation in this section is provided solely for a contract with MultiCare to provide a mixed use psychiatric care facility in Auburn. The facility must include twelve to eighteen crisis stabilization beds, sixty commitment beds for short-term stays, and sixty long-term involuntary commitment beds for persons on a ninety-day or one hundred eighty-day civil commitment.~~

~~(b) The funding in this subsection is subject to the recipient maintaining and operating the beds for at least thirty years to serve (i) persons who are publicly funded and (ii) persons who are detained under the involuntary treatment act under chapter 71.05 RCW.~~

~~(9)) \$408,000 is provided solely for the department for the purpose of providing technical assistance for the community behavioral health grants.~~

~~((40)) (9) The department of commerce must notify all applicants that they may be required to have a construction review performed by the department of health.~~

~~((44)) (10) To accommodate the emergent need for behavioral health services, the department of health and the department of commerce, in collaboration with the health care authority and the department of social and health services, must establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, freestanding evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, or secure detoxification/secure withdrawal management and stabilization facilities.~~

~~((42)) (11) The department must strive to allocate all of the amounts appropriated within subsection (5) of this section in the manner prescribed. However, if upon review of applications, the department determines, in consultation with the advisory group established in subsection (1) of this section, that there are not adequate suitable projects in a category, the department may allocate funds to other behavioral health capacity project categories within subsection (5) of this section, prioritizing projects in unserved areas of the state.~~

~~((43)) (12) The department must provide a progress report by November 1, 2020. The report must include:~~

- ~~(a) The total number of applications and amount of funding requested;~~
- ~~(b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date; and~~

(c) A status report of projects that received funding in prior funding rounds, including details about the project completion and the date the facility began providing services.

Appropriation:

State Building Construction Account—State	(\$117,951,000)
	<u>\$125,151,000</u>
State Taxable Building Construction Account—State	\$1,000,000
<u>Subtotal Appropriation</u>	<u>\$126,151,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$360,000,000
TOTAL	(\$477,951,000)
	<u>\$486,151,000</u>

Sec. 1011. 2019 c 413 s 1042 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2020 Local and Community Projects (40000116)

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

(1) The department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

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

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

(5) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

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

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

?al?al "Home" in Lushootseed (Seattle)	\$947,000
4th Ave. Street Enhancement (White Center)	\$670,000

Abigail Stuart House (Olympia)	\$250,000
Aging in PACE Washington (AiPACE) (Seattle)	\$1,500,000
Airport Utility Extension (Pullman)	\$1,626,000
Aquatic and Recreation Center (King County)	\$1,050,000
Arivva Community Center (Tacoma)	\$1,000,000
Arlington B&G Club Parking Safety (Arlington)	\$530,000
Asotin Masonic Lodge (Asotin)	\$62,000
Auburn Arts & Culture Center (Auburn)	\$500,000
Audubon Center (Sequim)	\$1,000,000
B&GC of Olympic Peninsula (Port Angeles)	\$500,000
B&GC of Thurston County (Lacey)	\$98,000
Ballard Food Bank (Seattle)	\$750,000
((Battle Ground YMCA (Battle Ground)	\$500,000))
Beacon Center Renovation (Tacoma)	\$1,000,000
Bellevue HERO House (Bellevue)	\$46,000
Benton Co. Museum Building Improvements (Prosser)	\$103,000
Big Brothers Big Sisters Learning Lab (Olympia)	\$56,000
Blue Mountain Action Council Comm. Services Center (Walla Walla)	\$1,000,000
Bothell Downtown Revitalization (Bothell)	\$1,500,000
Bowers Field Airport (Ellensburg)	\$275,000
Boys & Girls Club of Thurston Co. Upgrades (Rochester)	\$31,000
Boys & Girls Club Roof and Flooring Repairs (Federal Way)	\$319,000
Breeze Creek Culvert Replacement/East 4th St. Widening (La Center)	\$1,500,000
Browns Park Project (Spokane Valley)	\$536,000
Buffalo Soldiers' Museum (Seattle)	\$200,000
Camas Washougal Nature Play Area (Washougal)	\$103,000
Campus Towers (Longview)	\$228,000
Carbonado Water Source Protection Acquisition (Carbonado)	\$1,500,000
Carl Maxey Center (Spokane)	\$350,000
Carlisle Lake Park Improvements (Onalaska)	\$213,000
Carlyle Housing Facility Upgrades (Spokane)	\$400,000
Cathlamet Pioneer Center Restoration (Cathlamet)	\$165,000
Centerville Fire Dept. (Centerville)	\$216,000
Centerville Grange (Centerville)	\$90,000
Centralia Fox Theater (Centralia)	\$1,000,000
Chehalis River Bridge Ped Safety Lighting Ph2 (Aberdeen)	\$323,000
Cheney Reclaimed Water Project (Cheney)	\$2,000,000
Chief Kitsap Education and Community Resource Center (Poulsbo)	\$1,000,000
Chief Leschi Schools Facilities & Safety Project (Puyallup)	\$250,000
Chief Leschi Schools Safety & Security (Puyallup)	\$250,000
((Children's Center Design & Feasibility Study (Vancouver)	\$400,000))
Clymer Museum Remodel Ph2 (Ellensburg)	\$258,000
Colfax Pantry Building (Colfax)	\$247,000

Community Services of Moses Lake Food Bank Facility (Moses Lake)	\$2,000,000
Conconully Community Services Complex (Conconully)	\$515,000
Cosmopolis Elem. Energy & Safety (Cosmopolis)	\$206,000
Coulee City Medical Clinic (Coulee City)	\$150,000
Curran House Museum (University Place)	\$43,000
Dakota Homestead (Seattle)	\$155,000
Dawson Park Improvements (Tacoma)	(\$258,000)
	<u>\$515,000</u>
Dayton Pump Station (Edmonds)	\$515,000
((Dock and Marine Terminal (Seattle)	\$750,000)
Downtown Park Gateway (Bellevue)	\$1,030,000
Dungeness River Audubon Center Expansion (Sequim)	\$500,000
East Blaine Infrastructure (Blaine)	\$500,000
Ejido Community Farm (Whatcom)	\$250,000
El Centro de la Raza Federal Way Office (Federal Way)	\$1,000,000
Enumclaw Aquatic Center (Enumclaw)	\$258,000
Enumclaw Expo Center Roof (Enumclaw)	\$250,000
Everett TOD Study (Everett)	\$200,000
Everett YMCA (Everett)	\$1,000,000
Evergreen High School Health Center (Vancouver)	\$388,000
Evergreen Speedway Capital Improvement (Monroe)	\$150,000
Excelsior Integrated Care Ctr. Sports Court (Spokane)	\$266,000
Excelsior Roof & Gym Repair (Spokane)	\$263,000
Excelsior Vocational Education Space (Spokane)	\$164,000
Expanding on Excellence Capital Campaign (White Salmon)	\$500,000
Family Education and Support Services (Tumwater)	\$500,000
Felts Field Gateway Improvement Phase 1 (Spokane)	\$100,000
Fennel Creek Trailhead (Bonney Lake)	\$258,000
Filipino Hall Renovation (Wapato)	\$63,000
Fircrest Pool (Fircrest)	\$1,000,000
FISH Food Bank (Ellensburg)	\$772,000
Fishtrap Creek Habitat Improvement (Lynden)	\$258,000
Flood Plain Stabilization, Habitat Enhancement (Kent)	\$1,000,000
Food Lifeline (Seattle)	\$1,004,000
Foothills Trail Extension (Wilkeson)	\$500,000
Fort Steilacoom Park Artificial Turf Infields (Lakewood)	\$1,015,000
Fourth Plain Community Commons (Vancouver)	\$800,000
Garfield Co. Hospital HVAC (Pomeroy)	\$250,000
Gateway Center (Grays Harbor)	\$500,000
Gene Coulon Memorial Beach Park Play Equipment Upgrade (Renton)	\$618,000
George Community Hall Roof (George)	\$201,000
George Davis Creek Fish Passage Project (Sammamish)	\$515,000
Gig Harbor Food Bank (Gig Harbor)	\$180,000
Goldendale Airport (Goldendale)	\$550,000
((Grand Connection Downtown Park Gateway (Bellevue)	\$1,000,000)
Granger Historical Museum Construction (Granger)	\$150,000

Granite Falls Police Dept. Renovation Project (Granite Falls)	\$412,000
Grays Harbor and Willapa Bay Sedimentation (Grays Harbor)	\$464,000
Grays Harbor YMCA (Grays Harbor)	\$293,000
Greater Maple Valley Veterans Memorial (Maple Valley)	\$102,000
Green Bridges, Healthy Communities; Aurora Bridge I-5 (Seattle)	\$1,500,000
Greenwood Cemetery Restoration (Centralia)	\$402,000
Greenwood Cemetery Safety Upgrades (Centralia)	\$91,000
HealthPoint (Tukwila)	\$1,000,000
HealthPoint Dental Expansion (SeaTac)	\$1,545,000
Heritage Senior Housing (Chelan)	\$52,000
High Dune Trail & Conservation Project (Ocean Shores)	\$140,000
Historic Downtown Chelan Revitalization (Chelan)	\$52,000
Historic Olympic Stadium Preservation Project (Hoquiam)	\$515,000
Historical Museum & Community Center Roof Replacement (Washtucna)	\$24,000
Historical Society Energy Upgrades (Anderson Island)	\$14,000
Hoh Tribe Broadband (Grays Harbor)	\$129,000
Horseshoe Lake ADA Upgrades (Woodland)	\$82,000
Housing Needs Study (Statewide)	\$200,000
Howard Bowen Event Complex (Sumas)	\$1,712,000
Howe Farm Water Service (Port Orchard)	\$52,000
ICHS Bellevue Clinic Renovation Project (Bellevue)	\$1,600,000
Illahee Preserve's Lost Continent Acquisition (Bremerton)	\$335,000
((Hwaco Boatyard Modernization (Hwaco))	\$458,000))
Imagine Children's Museum Expansion and Renovation (Everett)	\$2,000,000
Index Water System Design (Index)	\$23,000
Infrastructure for Economic Development (Port Townsend)	\$675,000
Innovative Health Care Learning Center Phase 1 (Yakima)	\$500,000
Interactive Educ. Enh./Friends Issaquah Hatchery (Issaquah)	\$113,000
Intersection Improvements Juanita Dr. (Kirkland)	\$750,000
Japanese American Exclusion Memorial (Bainbridge Island)	\$155,000
Japanese Gulch Daylight Project (Mukilteo)	\$400,000
Keller House and Carriage House Paint Restoration (Colville)	\$45,000
Key Kirkland Sidewalk Repairs (Kirkland)	\$537,000
Key Peninsula Elder Community (Gig Harbor)	\$1,000,000
Ki-Be School Parking Lot Improvements (Benton City)	\$268,000
Kitsap Conservation Study (Kitsap)	\$51,000
Kittitas Valley Event Center (Ellensburg)	\$206,000
Klickitat Co. Sheriff Office Training Bldg. (Goldendale)	\$335,000
KNKX Radio Studio (Tacoma)	\$824,000
Lacey Veterans Services Hub Facility Renovation (Lacey)	\$2,000,000
Lake Chelan Community Center (Lake Chelan)	\$250,000
Lake Chelan Water Supply (Wenatchee)	\$464,000
Lake City Community Center Replacement (Seattle)	\$2,000,000

Lake Stevens Civic Center Phase II (Lake Stevens)	\$1,000,000
Lake Sylvia State Park Pavilion (Montesano)	\$250,000
Lake Wilderness Park Improvements (Maple Valley)	\$200,000
Land Use & Infrastructure Subarea Plan (Mill Creek)	\$300,000
Larson Gallery Renovation (Yakima)	\$875,000
Leffler Park (Manson)	\$265,000
Legacy in Motion (Puyallup)	\$1,750,000
Legacy Site Utility Infrastructure (Maple Valley)	\$154,000
Lewis Co. CHS Pediatric Clinic (Centralia)	\$84,000
Little Badger Mountain Trailhead (Richland)	\$464,000
Little Mountain Road Pipeline and Booster Station (Mount Vernon)	\$1,300,000
Long Beach Police Department (Long Beach)	\$705,000
Lopez Island Swim Center (Lopez Island)	\$1,000,000
Lummi Hatchery Project (San Juan)	\$1,000,000
Mabton City Park (Mabton)	\$54,000
Main Street Redevelopment Project - Phase 2 (University Place)	\$985,000
Mariner Community Campus (Everett)	\$2,250,000
Mary's Place (Burien)	\$2,050,000
Marymount Museum/Spana-Park Senior Center (Spanaway)	\$1,000,000
McChord Airfield North Clear Zone (Lakewood)	\$500,000
McCormick Woods Sewer Lift #2 Improvements (Port Orchard)	\$800,000
Melanie Dressel Park (Tacoma)	\$500,000
Mercer Is/Aubrey Davis Park Trail Upgrade (Mercer Island)	\$500,000
Missing & Murdered Indigenous Women Memorial (Toppenish)	\$49,000
Monroe B&G Club ADA Improvements (Monroe)	\$464,000
Mountlake Terrace Main Street (Mountlake Terrace)	\$750,000
Mt. Adams Comm. Forest, Klickitat Canyon Rim Purchase (Glenwood)	\$400,000
Mt. Adams School District Athletic Fields (Harrah)	\$242,000
Mt. Peak Fire Lookout Tower (Enumclaw)	\$381,000
Mt. Spokane SP Ski Lift (Mead)	\$750,000
Mukilteo Promenade (Mukilteo)	\$500,000
Museum Storage Building (Steilacoom)	\$72,000
Naches Fire/Rescue, Yakima Co. #3 (Naches)	\$200,000
Naselle HS Music/Vocational Wing (Naselle)	\$258,000
Naselle Primary Care Clinic (Naselle)	\$216,000
Naselle SD Flooring (Naselle)	\$237,000
NCRA Maint. Bldg., Parking Lot, Event Space (Castle Rock)	\$283,000
NEW Health Programs, Colville Dental Clinic (Colville)	\$1,250,000
Newman Lake Flood Control Zone District (Newman Lake)	\$415,000
North Elliott Bay Public Dock; Marine Transit Terminal (Seattle)	(\$1,000,000)
	<u>\$1,750,000</u>
<u>Northaven Affordable Senior Housing Campus (Seattle)</u>	<u>\$1,000,000</u>
Northshore Senior Center Rehabilitation Project (Bothell)	\$500,000
Northwest African American Museum (Seattle)	\$500,000
Northwest Native Canoe Center (Seattle)	\$986,000

NW School of Wooden Boatbuilding (Port Hadlock)	\$464,000
Oak Harbor Marina (Oak Harbor)	\$400,000
Oakville SD Kitchen Renovation (Oakville)	\$517,000
Oddfellows Ellensburg Bldg. Restoration (Ellensburg)	\$267,000
Opening Doors - Permanent Supportive Housing Facility (Bremerton)	\$750,000
Orting City Hall and Police Station (Orting)	\$600,000
Orting Ped Evac Crossing (Orting)	\$103,000
Othello Regional Water (Othello)	\$425,000
Outdoors for All (Seattle)	\$1,000,000
Pacific Co. Fairgrounds Roof (Menlo)	\$210,000
Packwood FEMA Floodplain Study (Packwood)	\$637,000
Pasco Farmers Market & Park (Pasco)	\$154,000
Pendergast Regional Park Phase II (Bremerton)	\$50,000
Peninsula Community Health Service Dental Mobile (Bremerton)	\$340,000
PenMet - Cushman Trail Enhancements (Gig Harbor)	\$52,000
PenMet Community Rec Center (Gig Harbor)	\$173,000
Pet Overpopulation Prevention Vet Clinic Building (West Richland)	\$300,000
Pine Garden Apartment Roof (Shelton)	\$46,000
Pioneer Park Fountain (Walla Walla)	\$9,000
Pomeroy Booster Pumping Station (Pomeroy)	(\$96,000)
	<u>\$112,000</u>
Port of Everett (Everett)	\$300,000
Port of Ilwaco Boatyard Modernization (Ilwaco)	\$545,000
Port of Willapa Harbor Dredging Support Boat (Tokeland)	\$180,000
Poulsbo Historical Society (Poulsbo)	\$400,000
Prairie View Schoolhouse Community Center (Waverly)	\$57,000
Protect Sewer Plant from Erosion (Ocean Shores)	\$155,000
Puyallup Culvert Replacement (Puyallup)	\$515,000
Puyallup Street Frontage Improvement (Puyallup)	\$258,000
Puyallup VFW Kitchen Renovation (Puyallup)	\$52,000
Quincy Hospital (Quincy)	\$300,000
Quincy Square on 4th (Bremerton)	\$206,000
Recreation Park Renovation (Chehalis)	\$258,000
Redmond Pool (Redmond)	\$1,000,000
Renton Trail Connector (Renton)	\$500,000
Richmond Highland Recreation Center Repairs (Shoreline)	\$500,000
Rise Together White Center Project (King County)	\$1,000,000
Ritzville Business & Entrepreneurship Center (Ritzville)	\$350,000
Rosalia Sewer Improvements (Rosalia)	\$500,000
Roslyn Downtown Assoc. (Roslyn)	\$480,000
<u>Roslyn Housing Project (Roslyn)</u>	<u>\$2,000,000</u>
Royal Park & Rec Ctr. (Royal City)	\$250,000
Sargent Oyster House Maritime Museum (Allyn)	\$218,000
Schmid Ballfields Ph3 (Washougal)	\$584,000
Scott Hill Park & Sports Complex (Woodland)	\$500,000
Sea Mar Community Health Centers Tumwater Dental	

(Olympia)	\$170,000
Seaport Landing (Aberdeen)	(\$349,000) <u>\$404,000</u>
Seattle Aquarium (Seattle)	\$1,000,000
Seattle Goodwill (Seattle)	\$2,000,000
<u>Seattle Indian Health Board (Seattle)</u>	<u>\$1,000,000</u>
Sewage Lagoon Decommissioning (Concrete)	\$255,000
Shelton Civic Center Parking Lot (Shelton)	\$283,000
Shoreline Maintenance Facility - Brightwater Site (Shoreline)	\$500,000
Skabob House Cultural Center (Shelton)	\$350,000
Skagit County Sheriff Radios (Skagit)	\$1,000,000
Skamania Courthouse Plaza (Stevenson)	\$150,000
Snohomish Carnegie Project (Snohomish)	\$500,000
Snohomish County Sheriff's Office South Precinct (Snohomish)	\$1,000,000
Snohomish Fire District #26 Communications Project (Gold Bar)	\$27,000
Snoqualmie Early Learning Center (Snoqualmie)	\$500,000
Snoqualmie Valley Youth Activities Center (North Bend)	\$412,000
South Fork Snoqualmie Levee Setback Project (North Bend)	\$250,000
SOZO Sports Indoor Arena (Yakima)	\$600,000
Spokane Sportsplex (Spokane)	\$1,000,000
Springbrook Park Expansion & Clover Creek Restoration (Lakewood)	\$773,000
SR 503 Ped/Bike Ph1&2 (Woodland)	\$235,000
SR 530 "Oso" Slide Memorial (Arlington)	\$300,000
Stan and Joan Cross Park (Tacoma)	\$500,000
Starfire Sports STEM (Tukwila)	\$250,000
((Step by Step (Puyallup)	\$500,000))
Stevens Co. Disaster Response Communications (Colville)	\$500,000
Sultan Water Treatment Plant Design (Sultan)	\$246,000
Sumas History Themed Playground and Water Park (Sumas)	\$288,000
Sunnyside Airport Hangar Maintenance Facility (Sunnyside)	(\$500,000)
	<u>\$750,000</u>
Sunnyside Yakima Valley-TEC Welding Program (Yakima)	\$26,000
Sunset Multi-Service & Career Development Center (Renton)	\$1,000,000
SW WA Dance Center (Chehalis)	\$62,000
SW WA Fairgrounds (Chehalis)	\$103,000
SW Washington Regional Agriculture & Innovation Park (Tenino)	\$1,500,000
Swede Hall Renovation (Rochester)	\$196,000
((Tacoma Beacon Center Renovation (Tacoma)	\$1,000,000))
Tacoma Community House (Tacoma)	\$413,000
Tam O'Shanter Park Circulation & Parking Phase 2 (Kelso)	\$1,030,000
Tehaleh Slopes Bike Trail (Bonney Lake)	\$309,000
((Telford Helipad (Creston)	\$52,000))

Tenino City Hall Renovation (Tenino)	\$515,000
Terminal 1 Waterfront Development (Vancouver)	\$4,700,000
The AMP: Aids Memorial Pathway (Seattle)	\$600,000
The Morck Hotel (Aberdeen)	\$500,000
Toledo Sewer & Water (Toledo)	\$469,000
Tonasket Senior Citizen Ctr. (Tonasket)	\$33,000
Town Center to Burke Gilman Trail Connector (Lake Forest Park)	\$500,000
Tukwila Village Food Hall (Tukwila)	\$400,000
Twin Springs Park (Kenmore)	\$155,000
Twisp Civic Building & EOC (Twisp)	\$1,288,000
United Way of Pierce County HVAC (Tacoma)	\$206,000
University Place Arts (University Place)	\$34,000
Vertical Evacuation (Ocean Shores)	\$500,000
Veterans Memorial Museum (Chehalis)	\$123,000
Veterans Supportive Housing (Yakima)	\$2,500,000
VOA Lynnwood Center (Lynnwood)	(\$1,000,000) <u>\$1,050,000</u>
Volunteer Park Amphitheater (Seattle)	\$500,000
West Kelso Affordable Housing & Community Facility Study (Kelso)	\$258,000
WA Poison Control IT (Seattle)	\$151,000
Waitsburg Taggart Road Waterline (Waitsburg)	\$456,000
Walla Walla Dodd Water System Improvement (Walla Walla)	\$1,000,000
Wapato Creek Restoration (Fife)	\$258,000
Warren Ave. Playfield (Bremerton)	\$206,000
Washington Park Boat Launch Storm Damage (Anacortes)	\$200,000
Wesley Homes (Des Moines)	\$2,000,000
Westport Dredge Material Use (Westport)	\$250,000
Whidbey Is. B&G Coupeville (Coupeville)	\$849,000
Whidbey Is. B&G Oak Harbor (Oak Harbor)	\$743,000
((White Center Community HUB (Seattle)	\$500,000))
Wilkeson Water Protection (Wilkeson)	\$36,000
Willapa BH - Long Beach Safety Improvement Project (Long Beach)	\$225,000
William Shore Memorial Pool (Port Angeles)	\$840,000
Wing Luke Museum Homestead Home (Seattle)	\$500,000
Wisdom Ridge Business Park (Ridgefield)	\$2,000,000
Yakima Co. Veterans Dental Facility (Yakima)	\$469,000
Yakima Valley Fair & Rodeo Multi-Use Facility (Grandview)	\$200,000
Yelm Business Incubator Serving Thurston/Pierce Counties (Yelm)	\$200,000
Yelm Water Tower (Yelm)	\$303,000
YMCA Childcare Center Tenant Improvements (Woodinville)	\$1,000,000

(8) \$400,000 of the appropriation in this section is provided solely to the city of Oak Harbor to enhance the fiscal sustainability and revenue generation of the city-owned marina through feasibility work, planning, development, and acquisition.

(9) \$200,000 of the appropriation in this section is provided solely for the department to contract for a study regarding both available and needed affordable housing for farmworkers and Native Americans in Washington state. The study must include data to inform policies related to affordable housing for farmworkers and Native Americans and supplement the housing assessment conducted by the affordable housing advisory board created in chapter 43.185B RCW.

(10) \$200,000 of the appropriation in this section is provided solely for a grant to the Tacoma buffalo soldiers' museum to conduct a feasibility study for the rehabilitation of building 734, the band barracks at Fort Lawton in Discovery park. The study will provide an assessment of general conditions of building 734 and cost estimates for a comprehensive rehabilitation of the building to meet current building codes including, but not limited to heating, ventilation, air conditioning, and mechanical systems, seismic retrofits, and compliance with the Americans with disabilities act.

(11) \$1,300,000 of the appropriation in this section is provided solely for a grant to the Skagit public utility district for the Little Mountain Road pipeline and booster station. \$1,000,000 of these funds are provided solely for the design phase of the project; \$150,000 of these funds are provided solely for land acquisition; and \$150,000 of these funds are provided solely to the district for a public outreach effort to solicit input on the project from residents and rate payers.

(12) \$1,500,000 of the appropriation in this section is provided solely for preconstruction activities by Aging in PACE (AiPACE) (Seattle).

(13) \$2,000,000 of the appropriation in this section for Roslyn Housing Project is provided solely for a grant to enable Forterra NW, or a wholly-owned subsidiary of Forterra NW, to begin work on a community development project in the city of Roslyn that includes housing, commercial, retail, or governmental uses. The work must include phased preacquisition due diligence, land acquisition or predevelopment engineering, design, testing, and permitting activities, including work done by both the appropriation recipient and third parties retained by the recipient.

Appropriation:

State Building Construction Account—State	(\$162,793,000)
	<u>\$163,011,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(\$162,793,000)
	<u>\$163,011,000</u>

Sec. 1012. 2019 c 413 s 1043 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE

Washington Broadband Program (40000117)

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

(1) The appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5511 (broadband service). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this section shall lapse.))~~

(2) The funding in this section is provided solely for grants, loans, and administrative expenses related to implementation of the broadband program. Of the total funds:

(a) (~~(\$14,440,000)~~) \$10,775,000 is provided solely for loans. Moneys attributable to appropriations of state bond proceeds may not be expended for loans to nongovernmental entities.

(b) (~~(\$7,110,000)~~) \$10,775,000 is provided solely for grants.

~~((4))~~ (3) By January 1, 2021, in the first report to the legislature required under section 6 of Second Substitute Senate Bill No. 5511 (broadband service), the governor's statewide broadband office must include a list of potential regional projects that will accelerate broadband access by providing connections to local jurisdictions, with recommendations for how to fund such larger scale projects. This list must be developed within existing resources.

Appropriation:

Statewide Broadband Account—State.	\$21,550,000
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$80,000,000
TOTAL	\$101,550,000

NEW SECTION. Sec. 1013. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2021 Local and Community Projects (40000130)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

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

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

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at

the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

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

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

Al Chief Seattle Club (Seattle)	\$200,000
92nd Ave. Sewer Ext. (Battle Ground)	\$258,000
Academy Smokestack Preservation (Vancouver)	\$103,000
African Refugee & Immigrant Housing (Tukwila)	\$200,000
AG Tour Train Ride (Reardan)	\$125,000
Algona Wetland Preserve and Trail (Algona)	\$50,000
Anderson Island Historical Society (Anderson Island)	\$10,000
Anderson Road Infrastructure (Chelan)	\$258,000
Ashley House (Shoreline)	\$100,000
Asotin County Library Meeting Space (Clarkston)	\$13,000
ASUW Shell House (WWI Hanger/Canoe House) (Seattle)	\$100,000
Auburn Family YMCA (Auburn)	\$128,000
Ballard P-Patch (Seattle)	\$258,000
Ballinger Park-Hall Creek Restoration (Mountlake Terrace)	\$200,000
Bellevue Parks Changing Tables (Bellevue)	\$100,000
Bethel High School Pierce College Annex Campus (Graham)	\$300,000
Brewery Park Visitor Center (Tumwater)	\$50,000
Brewing Malting & Distilling System (Tumwater)	\$112,000
Bridgeport Irrigation (Brewster)	\$70,000
Cathlamet Pioneer Center Restoration (Cathlamet)	\$55,000
Centralia Chehalis Steam Train Repair (Chehalis)	\$154,000
Centro Cultural Mexicano (Redmond)	\$80,000
City of Fircrest Meter Replacement (Fircrest)	\$200,000
Columbia Dance Down Payment for Building Purchase (Vancouver)	\$100,000
Columbia Heritage Museum Repairs (Ilwaco)	\$150,000
Communities of Concern Commission (Statewide)	\$250,000
Community House on Broadway Kitchen Upgrades (Longview)	\$41,000
Community Hub Public Safety Initiative (Walla Walla)	\$200,000
Community Pedestrian Safety (Tukwila)	\$100,000
Community Youth Services Renovation (Olympia)	\$155,000
Conconully Fire & Rescue (Riverside)	\$179,000
Creative Districts (Statewide)	\$200,000
Doris Morrison Environmental Learning Center (Greenacres)	\$500,000
Downtown Pasco Revitalization (Pasco)	\$350,000
Edmonds Carbon Recovery (Edmonds)	\$250,000
EL 79.2 Distribution System Design (Othello)	\$175,000
El Centro de la Raza (Seattle)	\$2,000,000
Emergency Lockdown Shelter for Outdoor Preschool	

(various)	\$24,000
Emergency Shelter Project (Skykomish)	\$20,000
Emergency Structural Repairs 1902 Van Marter Building (Lind)	\$25,000
Everett Recovery Cafe Renovation Project (Everett)	\$200,000
Federal Way Little League Fields (Federal Way)	\$50,000
Federal Way Safety Cameras (Federal Way)	\$103,000
Field Arts and Events Hall (Port Angeles)	\$1,500,000
Filipino Community Center (Seattle)	\$1,000,000
Filipino-American Community Center (Bremerton)	\$165,000
Five Mile Roundabout Art Project (Spokane)	\$25,000
Fort Worden PDA - Sage Arts & Ed Center (Port Townsend)	\$560,000
Franklin Pierce Farm ARC (Tacoma)	\$1,070,000
Fusion Housing (Federal Way)	\$62,000
George Schmid Ball Field #3 and Lighting Phase 3 (Washougal)	\$200,000
Gig Harbor Community Campus (Gig Harbor)	\$52,000
Gig Harbor Peninsula FISH (Gig Harbor)	\$250,000
Grant Co. Fairgrounds Lighting (Moses Lake)	\$290,000
Harlequin State Theater (Olympia)	\$88,000
Hilltop Housing (Tacoma)	\$500,000
Home At Last (Tacoma)	\$200,000
If You Could Save Just One (Spokane)	\$100,000
Index Water Line Replacement and Repair (Index)	\$105,000
Institute for Community Leadership (Kent)	\$46,000
Islands' Oil Spill Association (Friday Harbor)	\$232,000
Jefferson County Food Preservation (Port Ludlow)	\$5,000
King County Emergency Training Facility (Fall City)	\$1,000,000
Kingston Coffee Oasis (Kingston)	\$150,000
Kitsap Humane Society (Silverdale)	\$500,000
Klickitat Co. Domestic Violence Shelter (Goldendale)	\$250,000
Lacey Food Bank (Lacey)	\$193,000
Lake Stevens Early Learning Library (Lake Stevens)	\$150,000
Lake WA Loop Trail Bicycle Safety Improvements (Kenmore) ..	\$200,000
Lakebay Marina Acquisition & Preservation (Lakebay)	\$100,000
Levee Repair (Starbuck)	\$50,000
Levee Repair (Waitsburg)	\$100,000
LGBTQ Senior Center (Seattle)	\$500,000
Lions Club Community Ctr. Generator (Lyle)	\$5,000
Longview Police Dept. New Office (Longview)	\$250,000
Lower Yakima River Restoration (Richland)	\$258,000
Magnuson Park Center for Excellence Building 2 (Seattle)	\$78,000
Mason Co./Shelton YMCA (Shelton)	\$750,000
Mini Mart City Park (Seattle)	\$200,000
Morrow Manor (Poulsbo)	\$250,000
Mount Zion Housing (Seattle)	\$250,000

Mukilteo Solar Panels (Mukilteo)	\$40,000
New Arcadia (Auburn)	\$100,000
New Beginnings House (Puyallup)	\$150,000
Non-motorized Bridge at Bothell Landing (Bothell)	\$155,000
Our Lady of Fatima Community Ctr. (Moses Lake)	\$128,000
Pataha Flour Mill Elevator (Pomeroy)	\$40,000
Pete's Pool Ball Field Renovation (Enumclaw)	\$77,000
Pike Place Market Public Access (Seattle)	\$50,000
Point Wilson Lighthouse (Port Townsend)	\$60,000
Port Angeles Boys and Girls Club (Port Angeles)	\$400,000
Port of Quincy Intermodal Terminal Infrastructure (Quincy)	\$100,000
Port Susan Trail (Stanwood)	\$200,000
Puyallup Food Bank Facility Expansion (Puyallup)	\$217,000
Puyallup VFW Orting Civil War Medal of Honor Monument (Orting)	\$7,000
Ramstead Regional Park (Everson)	\$200,000
REACH Literacy Center (Lacey)	\$50,000
Redondo Fishing Pier (Des Moines)	\$350,000
Renewable Hydrogen Production Pilot (East Wenatchee)	\$250,000
Replacement Hospice House (Richland)	\$200,000
Restroom Renovation (Ilwaco)	\$35,000
Ridgefield Library Building Project (Ridgefield)	\$500,000
Roy Water Tower (Roy)	\$26,000
S. Kitsap HS NJROTC Equipment (Port Orchard)	\$24,000
Safety Driven Replacement (Lake Stevens)	\$125,000
Salvation Army Community Resource Center (Yakima)	\$200,000
Sargent Oyster House Restoration (Allyn)	\$10,000
Satsop Business Park (Elma)	\$155,000
School and Transit Connector Sidewalk (Kirkland)	\$120,000
School District & Comm Emergency Preparedness Center (Carbonado)	\$200,000
Shelton-Mason County YMCA (Shelton)	\$200,000
Shore Aquatic Center Expansion (Port Angeles)	\$200,000
Sign Reinstallation at Maplewood Elementary (Puyallup)	\$5,000
Skagit Pump Station Modernization Design (Mount Vernon)	\$52,000
Sky Valley Emergency Generators (Sultan)	\$75,000
Sky Valley Teen Center (Sultan)	\$103,000
Sno Valley Kiosk (North Bend)	\$20,000
Snohomish Boys and Girls Club (Snohomish)	\$125,000
Snoqualmie Valley Shelter Service Resource (Snoqualmie)	\$200,000
South Yakima Conservation District Groundwater Mgmt (Yakima)	\$45,000
Spokane Sportsplex (Spokane)	\$200,000
Spokane Valley Museum (Spokane Valley)	\$70,000
Star Park Shelter (Ferndale)	\$180,000
Stevens Elementary Solar Panels (Seattle)	\$120,000

Sullivan Park Waterline Installation (Spokane Valley)	\$130,000
Thurston Boys and Girls Club (Lacey)	\$50,000
Trail Lighting - Cross Kirkland Corridor (Kirkland).	\$200,000
Transitions TLC Transitional Housing Renovations (Spokane)	\$100,000
Vashon Food Bank Site Relocation (Vashon)	\$36,000
Vashon Youth and Family Services (Vashon)	\$86,000
WA Poison Center Emergency Response to COVID-19 (Seattle)	\$124,000
Waikiki Springs Nature Preserve (Spokane)	\$1,548,000
Washington State Horse Park and Covered Arena (Ellensburg)	\$375,000
Wenatchee Valley Museum & Cultural Ctr. (Wenatchee)	\$283,000
West Biddle Lake Dam Restoration (Vancouver)	\$412,000
William Shore Pool (Port Angeles)	\$500,000
Yakima County Care Campus Conversion Project (Yakima)	\$275,000
Yelm Lions Club Cabin Renovation (Yelm)	\$207,000

(8) It is the intent of the legislature that future applications for state funding for the ASUW Shell House be made through competitive grant programs.

(9) The Creative Districts program funded in this section shall be administered by the Washington state arts commission. The commission is authorized to use up to three percent of the funds to administer the program.

Appropriation:

State Building Construction Account—State	\$29,970,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$29,970,000

Sec. 1014. 2019 c 413 s 1051 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2017-19 Stormwater Pilot Project (91001099)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$50,000
Prior Biennia (Expenditures)	(\$200,000)
	<u>\$171,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$250,000)
	<u>\$221,000</u>

Sec. 1015. 2019 c 413 s 1059 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects that Strengthen Youth & Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State	(\$300,000)	<u>\$0</u>
Prior Biennia (Expenditures)	(\$19,377,000)	<u>\$18,465,000</u>
Future Biennia (Projected Costs)	\$0	\$0
TOTAL	(\$19,677,000)	<u>\$18,465,000</u>

Sec. 1016. 2019 c 413 s 1065 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Landlord Mitigation Account (92000722)

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

~~((1) The appropriation in this section is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5600 (residential tenants). If the bill is not enacted by June 30, 2019, the amounts provided in this section shall lapse.~~

~~(2) \$1,000,000)~~ \$1,700,000 of the appropriation in this section shall be deposited in the landlord mitigation program account.

Appropriation:

State Taxable Building Construction Account—State	(\$1,000,000)	<u>\$1,700,000</u>
Prior Biennia (Expenditures)	\$0	\$0
Future Biennia (Projected Costs)	\$0	\$0
TOTAL	(\$1,000,000)	<u>\$1,700,000</u>

Sec. 1017. 2019 c 413 s 1052 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019 Local and Community Projects (91001157)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 298, Laws of 2018, except that no funding may be directed to the Yelm historic building.

Reappropriation:

State Building Construction Account—State	(\$28,000,000)	<u>\$27,961,000</u>
Prior Biennia (Expenditures)	\$12,569,000	\$12,569,000
Future Biennia (Projected Costs)	\$0	\$0
TOTAL	(\$40,569,000)	<u>\$40,530,000</u>

Sec. 1018. 2019 c 413 s 1054 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Rapid Response Community Preservation Pilot Program (91001278)

The appropriation in this section is subject to the following conditions and limitations: ~~(\$1,000,000)~~ \$2,000,000 is provided solely for a rapid response

manufactured housing community preservation pilot program for the purpose of preserving manufactured and mobile home communities. To implement the program, the department of commerce must contract directly with the northwest cooperative development center—resident owned communities through a rapid contracting process, allowing the contractor to work with residents of one or more mobile home parks to engage in one or more purchase and sale agreements, with the purpose of preserving the mobile home community as a nonprofit, or co-op run affordable housing project and benefitting people and households at or below eighty percent of the area median income. The department of commerce, in collaboration with the contractor, must submit a report to the legislature by June 30, 2021, reporting how the funds were distributed, how many mobile home parks were purchased, and the demographics of the residents.

Appropriation:

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

NEW SECTION. Sec. 1019. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Port Hadlock Wastewater Facility Project (91001545)

Appropriation:

Public Works Assistance Account—State	\$1,422,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,422,000

Sec. 1020. 2019 c 413 s 1031 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Public Works Board (40000038)

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

(1) During the 2019-2021 biennium, the public works board must prioritize water and sewer infrastructure projects.

~~(2) ((\$1,422,000 of the amounts in this section is provided solely for a grant for the port Hadlock wastewater facility project.~~

~~(3))~~ \$1,400,000 of the amounts in this section is provided solely for a grant for the Eatonville water treatment plant project.

~~((4))~~ (3) \$1,000,000 of the amounts in this section is provided solely for a grant for the Ferndale wastewater treatment project. Additionally, the public works board must prioritize financing a loan of up to \$4,000,000 for project.

~~((5))~~ (4) \$4,000,000 of the amounts in this section is provided solely for a grant for the Wenatchi landing sewer extension - phase 1.

~~((6))~~ (5) \$2,000,000 of the amounts in this section is provided solely for a grant for the Belfair sewer extension project. Additionally, the public works board must prioritize financing a loan of up to \$9,000,000 for the project.

Appropriation:

Public Works Assistance Account—State	(\$95,000,000)
	\$93,578,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(\$95,000,000)
	\$93,578,000

NEW SECTION. Sec. 1021. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Pacific Hospital Preservation and Development Plan (91001544)

The appropriation in this section is subject to the following conditions and limitations: \$50,000 is provided to the department to contract with the Pacific hospital preservation and development authority to conduct a conceptual design and scoping for a master preservation and development plan of the Pacific hospital preservation and development authority property located at 1200 12th Avenue South, Seattle, WA 98144. The master preservation and development plan must create a longer-range framework for future development of the campus, identify priorities for capital improvement, identify potential reuse of appropriate facilities for community needs, including behavioral health, and ensure the maximization of highest and best use of public resources while adhering to the Pacific hospital preservation and development authority's mission of addressing health equity disparities for disadvantaged populations.

Appropriation:

State Building Construction Account—State	\$50,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,000

NEW SECTION. Sec. 1022. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Enhanced Shelter Capacity Grants (92000939)

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

(1) \$7,818,000 of the appropriation in this section is provided solely for a homeless shelter grant program for the following list of shelter projects:

Auburn Resource Center (Auburn)	\$1,500,000
Community House (Longview)	\$206,000
Crosswalk Teen Shelter (Spokane)	\$1,500,000
Harbor Hope Center Home for Girls (Gig Harbor)	\$294,000
Noah's Ark Homeless Shelter (Wapato)	\$100,000
Positive Adolescent Dev (PAD) Emergency Housing (Bellingham)	\$206,000
Rod's House Mixed Use Facility (Yakima)	\$2,000,000

ROOTS Young Adult Shelter (Seattle)	\$1,500,000
Snoqualmie Valley Resource Center (Snoqualmie).	\$206,000
St. Vincent de Paul Cold Weather Shelter (Renton)	\$206,000
YMCA Oasis Teen Shelter (Mount Vernon)	\$100,000

(2) In contracts for grants authorized under this section, the department of commerce must follow the guidelines and compliance requirements in the Housing Trust Fund program, including provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee must repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued on the date most close in time to the date of authorization of the grant.

Appropriation:

State Building Construction Account—State	\$7,818,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,818,000

Sec. 1023. 2019 c 413 s 1039 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Energy Efficiency and Solar Grants Program (40000049)

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

(1)(a) \$1,785,000 for fiscal year 2020 and \$1,785,000 for fiscal year 2021 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, school districts, federally recognized tribal governments, and state agencies for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings.

(b) At least twenty percent of each competitive grant round must be awarded in small cities or towns with a population of five thousand or fewer residents.

(c) In each competitive round, the higher the leverage ratio of nonstate funding sources to state grant and the higher the energy savings, the higher the project ranking.

(d) For school district applicants, priority consideration must be given to school districts that demonstrate improved health and safety through reduced exposure to polychlorinated biphenyl. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(2) \$3,573,000 is provided solely for grants to be awarded in competitive rounds to local agencies, public higher education institutions, school districts, federally recognized tribal governments, and state agencies for projects that involve the purchase and installation of solar energy systems, including solar modules and inverters, with a preference for products manufactured in Washington.

(3) \$5,357,000 is provided solely for the state efficiency and environmental performance improvements to minor works and stand-alone projects at state-

owned facilities that repair or replace existing building systems including, but not limited to, HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life-cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the department shall provide grants in the amount required to improve the project's energy efficiency compared to the original project request. Prior to awarding funds, the department shall submit to the office of financial management a list of all proposed awards for review and approval.

(4) The department shall develop metrics that indicate the performance of energy efficiency efforts.

Appropriation:

State Building Construction Account—State	\$12,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$100,000,000
TOTAL	\$112,500,000

Sec. 1024. 2019 c 413 s 1071 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Emergency Repairs (90000041)

The appropriation in this section is subject to the following conditions and limitations: Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be eligible for funds from the emergency repair pool, a request letter for emergency funding signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The request must include a statement describing the health and safety hazard and impacts to facility operations, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project. For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as emergency projects are approved for funding.

Appropriation:

State Building Construction Account—State	(\$5,000,000)
	<u>\$8,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	(\$25,000,000)
	<u>\$28,000,000</u>

NEW SECTION. Sec. 1025. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Fircrest School Land Use Assessment (92000035)

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

(1) The appropriation is provided solely to contract with an independent consultant that is agreed to by both the department of social and health services and the department of natural resources to assess potential land development opportunities for the Fircrest residential habilitation center and submit recommendations to the governor, the house capital budget committee, and the senate ways and means committee by November 1, 2020. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(2) The consultant must work with the department of health, department of natural resources, the department of social and health services, and the city of Shoreline.

(3) The consultant recommendations must accomplish the following goals:

(a) Identify a site for a single-story nursing facility with a minimum of one hundred twenty beds and a site for a two-story nursing facility with a minimum of one hundred twenty beds, with an analysis of any corresponding staffing needs and the needs of the residents to ensure a sense of community and mobility;

(b) Identify potential sites for up to a forty-eight bed behavioral health facility; and

(c) Maximize the long-term revenue generating opportunities of the campus property while taking into consideration the infrastructure needs to accomplish the proposed development outlined in this subsection (3).

(4) A secondary recommendation may be submitted by the consultant that includes maximizing the long-term revenue generating opportunities of the campus property while taking into consideration the infrastructure needs to accomplish the proposed development outlined in subsections (3)(a) through (b) of this section and compatibility with the needs of the department of social and health services and the department of health, including the needs of the individuals they serve.

(5) It is the intent of the legislature to prioritize up to \$125,000,000 in funding for the nursing facility replacement on the Fircrest residential habilitation center campus in the 2021-2023 fiscal biennium.

Appropriation:

State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

Sec. 1026. 2019 c 413 s 1073 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Lake Long-Term Management Planning (30000740)

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

(1) The appropriations in this section are provided solely for an environmental impact statement that includes the following alternatives, at a minimum:

(a) Managed lake;

(b) Hybrid lake; and

(c) Estuary.

(2) A draft environmental impact statement with at least the three options in subsection (1) of this section must be submitted to legislative fiscal committees by June 30, 2021. It is the intent of the legislature that a final environmental impact statement that includes identification of a preferred alternative for Capitol Lake management must be submitted to legislative fiscal committees by June 30, 2022.

(3) The ((reappropriation is)) appropriations are subject to the provisions of section 1034, chapter 298, Laws of 2018.

(4) It is the intent of the legislature to fully fund future capital requests necessary to complete the Capitol Lake long-term management planning in accordance with the provisions of section 1034, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State \$3,369,000

Appropriation:

State Building Construction Account—State \$1,450,000

General Fund—Private/Local \$284,000

Subtotal Appropriation \$1,734,000

Prior Biennia (Expenditures) \$881,000

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

\$715,000

TOTAL (((\$4,250,000))

\$6,699,000

Sec. 1027. 2019 c 413 s 1090 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

((Newhouse Replacement)) Legislative Campus Modernization (92000020)

(1) The reappropriation in this section is subject to the following conditions and limitations: The final predesign for legislative campus modernization must be submitted to the office of financial management and legislative fiscal committees by September 1, 2020. The department must consult with the senate facilities and operations committee or their designee(s) and the house of representatives executive rules committee or their designee(s) during the development of and prior to finalizing and submitting the final predesign on September 1, 2020.

(a) With respect to the Irv Newhouse building replacement on opportunity site six, the final predesign must include demolition of buildings on opportunity site six, with the exception of the visitor center. The predesign must include details and costs for temporary office space on Capitol Campus, for which modular space is an option, to be used at least during the construction of the building for Irv Newhouse occupants. The predesign must also consider an additional floor for the Irv Newhouse building, and this component of predesign must not delay nor impact the final predesign deliverable date. The predesign must assume the following:

(i) Necessary program space required to support senate offices and support functions;

(ii) A building facade similar to the American neoclassical style of existing legislative buildings on Capitol Campus;

(iii) Member offices of similar size as member offices in the John A. Cherberg building;

(iv) Design and construction of a high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than thirty-five;

(v) Building construction that must be procured using a performance-based contracting method, such as design-build, and must include an energy performance guarantee comparing actual performance data with the energy design target;

(vi) Temporary office space on Capitol Campus, for which modular space is an option, to be used during the construction of the building. Maximizing efficient use of modular space with Pritchard renovation or replacement must be considered;

(vii) Demolition of the buildings, not including the visitor center, located on opportunity site six. Demolition costs must not exceed six hundred thousand dollars; and

(viii) At least bimonthly consultation with the senate facilities and operations committee or their designee(s).

(b) With respect to the Pritchard building replacement or renovation, and renovation of the third and fourth floors of the John L. O'Brien building, the predesign must assume the following:

(i) The necessary program space required to support house of representatives offices and support functions;

(ii) Building construction that must be procured using a performance-based contracting method, such as design-build, and must include an energy performance guarantee comparing actual performance data with the energy design target;

(iii) Design and construction that meets net-zero-ready energy standards, with an energy use intensity of no greater than thirty-five;

(iv) The detail and cost of temporary office space on Capitol Campus, for which modular space is an option, to be used during the construction of the buildings for state employed occupants of any impacted building. Maximizing efficient use of modular space with the Newhouse replacement must be considered; and

(v) At least bimonthly consultation with the leadership of the house of representatives, the chief clerk of the house of representatives, or their designee(s), and tenants of any impacted buildings.

(c) The legislative campus modernization predesign must assume:

(i) Preference for the completion of construction of the Irv Newhouse building before the renovation or replacement of the Pritchard building and before the renovation of the third and fourth floors of the John L. O'Brien building;

(ii) The amount of parking on the capitol campus remains the same or increases as a result of the legislative campus modernization construction projects; and

(iii) Options for relocation of the occupants of impacted buildings that are not employed by the state to alternative locations, including, but not limited to, the visitor center.

(d) The legislative campus modernization predesign must include an analysis of comparative costs and benefits of locations for needed space, to include the following considerations:

(i) An additional floor added to the Irv Newhouse building replacement, and this component of design must not delay nor impact the final predesign deliverable date;

(ii) Additional space added to the Pritchard replacement or renovation;

(iii) The impact to options to maintain, or increase, the amount of parking on Capitol Campus; and

(iv) Space needed for legislative support agencies.

(e) The final predesign must include an analysis of the relative costs and benefits of designing and constructing the projects authorized under this section under a single contract or individual subproject contracts, based on an evaluation of, at least, the following criteria:

(i) The interdependency and interaction of the design and construction phases of the subprojects;

(ii) Subproject phasing and sequencing, including the timing and utilization of modular temporary office space on Capitol Campus during the construction phases;

(iii) Potential cost efficiencies under each subproject;

(iv) Provide an evaluation for the most efficient and effective contracting method for subproject delivery, including design-bid-build, general contractor/construction manager, and design-build for each subproject; and

(v) Other collateral impacts.

(f) The department must have a check-in meeting by October 1, 2020, with the administrative office of the senate, the administrative office of the house of representatives, and the legislative capital budget leads. This check-in meeting must be after the predesign is submitted to the office of financial management and legislative fiscal committees.

(2) The appropriations in this section are subject to the following conditions and limitations: The new appropriations must be coded and tracked as separate discreet subprojects in the agency financial reporting system.

(a) \$3,370,000 of the appropriation is provided solely for the Irv Newhouse building replacement, and the appropriation in this subsection (2)(a) is provided solely for design and construction of the Irv Newhouse building replacement for the senate, located on opportunity site six. The design must assume:

(i) Necessary program space required to support senate offices and support functions;

(ii) A building facade similar to the American neoclassical style of existing legislative buildings on Capitol Campus;

(iii) Member offices of similar size as member offices in the John A. Cherberg building;

(iv) Design and construction of a high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than thirty-five;

(v) Building construction that must be procured using a performance-based contracting method, such as design-build, and must include an energy performance guarantee comparing actual performance data with the energy design target;

(vi) Temporary office space on Capitol Campus, for which modular space is an option, to be used during the construction of the building. Maximizing efficient use of modular space with Pritchard renovation must be considered;

(vii) Demolition of the buildings, not including the visitor center, located on opportunity site six. Demolition costs must not exceed six hundred thousand dollars;

(viii) At least bimonthly consultation with the leadership of the senate, or their designee(s), and Irv Newhouse tenants; and

(ix) Procurement of the design solution will be completed by February 1, 2021, for the Irv Newhouse building replacement.

(b) \$6,530,000 of the appropriation is provided solely for the Pritchard building replacement or renovation, and the renovation of the third and fourth floors of the John L. O'Brien building. The appropriation in this subsection is provided solely for the design and construction and assumes:

(i) The necessary program space required to support house of representatives offices and support functions;

(ii) Additional office space necessary to offset house of representatives members and staff office space that may be eliminated in the renovation of the third and fourth floors of the John L. O'Brien building;

(iii) Design and construction of a high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than thirty-five;

(iv) Building construction that must be procured using a performance-based contracting method, such as design-build, and must include an energy performance guarantee comparing actual performance data with the energy design target;

(v) Temporary office space on Capitol Campus, for which modular space is an option, to be used during the construction of the building. Maximizing efficient use of modular space with Newhouse replacement must be considered; and

(vi) At least bimonthly consultation with the leadership of the house of representatives, the chief clerk of the house of representatives, or their designee(s), and tenants of any impacted building.

(c) \$100,000 of the appropriation is provided solely for the completion of predesign efforts as described in subsection (1) of this section.

Reappropriation:

State Building Construction Account—State\$256,000

Appropriation:

State Building Construction Account—State \$10,000,000

Prior Biennia (Expenditures).....\$194,000

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

\$89,000,000

TOTAL.....((\$450,000))

\$99,450,000

Sec. 1028. 2019 c 413 s 1092 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ENTERPRISE SERVICES
Insurance Commissioner Office Building Predesign (92000029)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for a predesign study to determine space needs and cost estimates to construct a building on the capitol campus to house the office of the insurance commissioner and the department of children, youth, and families.

(1) In determining the program space required, the predesign must consider:

(a) The necessary program space required to support the office of the insurance commissioner and the department of children, youth, and families, to include detail on current space usage in Thurston county by facility compared to proposed space usage; and

(b) Parking impacts of new office space construction.

(2) The study must consider, at a minimum:

(a) The potential to fund design and construction of the building from sources other than state general obligation bonds;

(b) The financial cost analysis of current facility leases compared to the cost of a financial contract for the new building, to include operating budget cost impacts by fund source by fiscal year; and

(c) The following opportunity sites for the building, detailed in the 2017 state capitol development site study:

(i) Site 1, the general administration building;

(ii) Site 12, the professional arts building; and

(iii) ~~((Site 7, the old IBM building; and~~

~~(iv)))~~ Site 6B, the visitor center;

(3) The building must be a:

(a) High performance building and meet net-zero-ready standards, with an energy use intensity of no greater than thirty-five;

(b) Building construction that must be procured using a performance-based method such as design-build and must include an energy performance guarantee comparing actual performance data with the energy design target; and

(c) Design that includes cross-laminated timber products.

(4) The predesign study must result in:

(a) A preliminary report being submitted to the fiscal committees of the legislature by February 28, 2020; and

(b) A final report being submitted to the fiscal committees of the legislature by June 30, 2020.

Appropriation:

Insurance Commissioners Regulatory Account—State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$300,000

Sec. 1029. 2019 c 413 s 1093 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

King County Area Readiness Center (30000592)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to acquire land in King county for a readiness center and to complete a predesign. If the department has not signed a purchase and sale agreement by June 30, 2021, the

amounts provided in this section shall lapse. The department must work to secure federal funding to cover a portion of the costs for design and construction.

Appropriation:

State Building Construction Account—State	(((\$6,600,000))
	<u>\$7,055,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	(((\$83,900,000))
	<u>\$0</u>
TOTAL	(((\$90,500,000))
	<u>\$7,055,000</u>

NEW SECTION. Sec. 1030. The following acts or parts of acts are each repealed:

- (1) 2019 c 413 s 1005 (uncodified); and
- (2) 2019 c 413 s 1059 (uncodified).

**PART 2
HUMAN SERVICES**

Sec. 2001. 2019 c 413 s 2001 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

Omnibus Minor Works (40000003)

Appropriation:

State Building Construction Account—State	(((\$470,000))
	<u>\$1,888,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$470,000))
	<u>\$1,888,000</u>

NEW SECTION. Sec. 2002. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

Training Facility Capital and Functional Needs Assessment (91000002)

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

(1) The appropriation in this section is provided solely for a capital and functional needs assessment of the criminal justice training center that includes an evaluation of:

- (a) The current condition of the facilities;
- (b) Capital needs to safely and effectively facilitate current and future law enforcement training; and
- (c) Potential alternative funding sources to finance future capital needs, including, but not limited to:

- (i) Reimbursement from law enforcement agencies; and
- (ii) Public-private partnerships.

(2) Additionally, the assessment must compare the benefits and costs of alternative methods to address capital and function needs, including but not limited to:

- (a) Fully modernizing the facilities located at the current location; and
- (b) Relocating the training center to a new location.

Appropriation:

State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

Sec. 2003. 2019 c 413 s 2002 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

L&I HQ Elevators (30000018)

Reappropriation:

Accident Account—State	(\$342,000)
	<u>\$366,000</u>
Medical Aid Account—State	(\$342,000)
	<u>\$366,000</u>
Subtotal Reappropriation	(\$684,000)
	<u>\$732,000</u>

Appropriation:

Accident Account—State	\$1,450,000
Medical Aid Account—State	\$1,450,000
Subtotal Appropriation	\$2,900,000
Prior Biennia (Expenditures)	(\$350,000)
	<u>\$302,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,934,000

Sec. 2004. 2019 c 413 s 2010 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects: Statewide (30001859)

Reappropriation:

State Building Construction Account—State	(\$600,000)
	<u>\$612,000</u>
Prior Biennia (Expenditures)	(\$855,000)
	<u>\$843,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,455,000

NEW SECTION. Sec. 2005. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School - Multiple Buildings: Roofing Replacement & Repairs (30002752)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the replacement of the entire roof on the 2010 building with asphalt shingles.

Appropriation:

State Building Construction Account—State	\$2,030,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,030,000

NEW SECTION. **Sec. 2006.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School Adult Training Program (92000036)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for design of the renovation of building 66 on the Fircrest campus for the permanent relocation of the adult training program for residents of the Fircrest residential habilitation center. The design must include a plan for accommodating all activities of the adult training program currently housed in the existing adult training program building located in the northeast section of the campus and the activities currently housed in the activities building located northwest of building 66.

Appropriation:

State Building Construction Account—State	\$1,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

Sec. 2007. 2019 c 413 s 2037 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects: Statewide 2019-21 (40000381)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$1,665,000
State Building Construction Account—State	(\$11,015,000)
	<u>\$13,385,000</u>
Subtotal Appropriation	(\$12,680,000)
	<u>\$15,050,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$159,345,000
TOTAL	(\$172,025,000)
	<u>\$174,395,000</u>

Sec. 2008. 2019 c 413 s 2038 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects: Statewide 2019-21 (40000382)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$955,000
State Building Construction Account—State	(\$965,000)
	<u>\$1,800,000</u>
Subtotal Appropriation	(\$1,920,000)
	<u>\$2,755,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	(\$25,920,000)
	<u>\$26,755,000</u>

Sec. 2009. 2019 c 413 s 2039 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DSHS & DCYF Fire Alarms (91000066)

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

(1) The appropriation in this section is provided solely for projects installing fire alarms at the following locations: (a) Fircrest School; (b) Lakeland Village; (c) Western State Hospital; (d) Rainier School; and (e) Echo Glen. The Echo Glen project may include duress alarms. ~~((The projects listed in this section must be designed under one contract, and installed under one contract.))~~ The department must consult with the department of children, youth, and families to prioritize the projects.

(2) When the ~~((bid is))~~ bids are received, the department must report to the appropriate legislative committees the overall ~~((bid))~~ bids for the projects.

(3) The department must report to the appropriate legislative committees any best practices on the process by December 31, 2019.

Appropriation:

State Building Construction Account—State	\$11,819,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,819,000

Sec. 2010. 2019 c 413 s 2072 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

Minor Works Facilities Preservation (30000094)

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

A total of \$200,000 of the model toxics control act account—state is provided solely for soil mitigation associated with removal of an underground storage tank and must be held in unallotted status until the following conditions are met:

(1) The department must pursue a grant for this project from the pollution liability insurance agency.

(2) If this project is deemed unqualified for the use of funds through the pollution liability insurance agency, the appropriation from the model toxics control act account—state shall be allotted to the department to complete this project.

Reappropriation:

State Building Construction Account—State	(\$570,000)
	<u>\$755,000</u>

Appropriation:

State Building Construction Account—State	\$2,025,000
Model Toxics Control Capital Account—State	\$200,000
Subtotal Appropriation	\$2,225,000
Prior Biennia (Expenditures)	(\$2,743,000)
	<u>\$2,558,000</u>
Future Biennia (Projected Costs)	\$11,445,000
TOTAL	(\$16,783,000)
	<u>\$16,983,000</u>

Sec. 2011. 2019 c 413 s 2075 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

Retsil Building 10 (40000004)

Reappropriation:

State Building Construction Account—State	\$625,000
Prior Biennia (Expenditures)	(\$125,000)
	<u>\$0</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$750,000)
	<u>\$625,000</u>

NEW SECTION. **Sec. 2012.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSH - Life Safety Grant (40000013)

Appropriation:

General Fund—Federal	\$325,000
State Building Construction Account—State	\$175,000
Subtotal Appropriation	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

Sec. 2013. 2019 c 413 s 2080 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Green Hill School-Recreation Building: Replacement (30003237)

The appropriation in this section is subject to the following conditions and limitations: This project was formerly administered by the department of social and health services. Due to the transfer of the juvenile rehabilitation program from the department of social and health services to the department of children, youth, and families on July 1, 2019, the administration of this project shall also transfer to the department of children, youth, and families on that date.

Appropriation:

State Building Construction Account—State	(\$800,000)
	<u>\$1,800,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	(\$0)
	<u>\$29,962,000</u>
TOTAL	(\$800,000)
	<u>\$31,762,000</u>

NEW SECTION. **Sec. 2014.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, & FAMILIES

Naselle Youth Camp - Moolock Lodge: Remodel & Renovation (40000430)

Appropriation:

State Building Construction Account—State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$7,469,000
TOTAL	\$7,619,000

NEW SECTION. **Sec. 2015.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, & FAMILIES

Echo Glen Cottage 4 Remodel & Renovation (40000526)

Appropriation:

State Building Construction Account—State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,187,000
TOTAL	\$8,337,000

NEW SECTION. **Sec. 2016.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, & FAMILIES

Green Hill School: Baker Living Unit Renovation & Remodel (40000529)

Appropriation:

State Building Construction Account—State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,413,000
TOTAL	\$8,563,000

Sec. 2017. 2019 c 413 s 2084 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Implementation of JRA Capacity (91000062)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for ((a pre-design for Echo Glen, a pre-design for Green Hill, and)) a comprehensive strategic capital master plan. ((If Engrossed Second Substitute House Bill No. 1646 is not enacted by June 30, 2019, the appropriation in this section shall lapse.))

Appropriation:

State Building Construction Account—State	(\$750,000)
	<u>\$600,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(\$750,000)
	<u>\$600,000</u>

NEW SECTION. **Sec. 2018.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Perimeter Wall Renovation (30000117)

Appropriation:

State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,935,000
TOTAL	\$11,135,000

Sec. 2019. 2019 c 413 s 2086 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

CBCC: Boiler Replacement (30000130)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2025, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State\$830,000

Appropriation:

State Building Construction Account—State(((\$9,718,000))

\$10,207,000

Prior Biennia (Expenditures).....\$170,000

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

TOTAL(((\$10,718,000))

\$11,207,000

Sec. 2020. 2019 c 413 s 2091 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

WCCW: Bldg E Roof Replacement (30000810)

Reappropriation:

State Building Construction Account—State\$1,674,000

Prior Biennia (Expenditures).....(((\$1,022,000))

\$586,000

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

TOTAL(((\$2,696,000))

\$2,260,000

Sec. 2021. 2019 c 413 s 2093 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

WSP: Program and Support Building (30001101)

Reappropriation:

State Building Construction Account—State\$1,500,000

Prior Biennia (Expenditures).....(((\$1,085,000))

\$9,997,000

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

TOTAL(((\$11,585,000))

\$11,497,000

Sec. 2022. 2019 c 413 s 2094 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Prison Capacity Expansion (30001105)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2059, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State\$400,000

Prior Biennia (Expenditures).....(((\$4,400,000))

\$1,957,000

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

TOTAL(((\$4,800,000))

\$2,357,000

Sec. 2023. 2019 c 413 s 2096 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

MCC ADA Compliance Retrofit (30001118)

Reappropriation:

State Building Construction Account—State	\$750,000
Prior Biennia (Expenditures)	(((\$250,000))
	<u>\$171,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$1,000,000))
	<u>\$921,000</u>

Sec. 2024. 2019 c 413 s 2098 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

CRCC Security Electronics Network Renovation (30001124)

Reappropriation:

State Building Construction Account—State	\$5,900,000
Prior Biennia (Expenditures)	(((\$100,000))
	<u>\$36,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$6,000,000))
	<u>\$5,936,000</u>

NEW SECTION. **Sec. 2025.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Clinic Roof Replacement (40000180)

Appropriation:

State Building Construction Account—State	\$825,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,439,000
TOTAL	\$9,264,000

NEW SECTION. **Sec. 2026.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

MCC: SOU and TRU - Domestic Water and HVAC Piping System (40000246)

The appropriation in this section is subject to the following conditions and limitations: The predesign must compare the benefits of addressing each system as part of a single project with the benefits of addressing each system as a separate project in design and construction phases.

Appropriation:

State Building Construction Account—State	\$400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$19,731,000
TOTAL	\$20,131,000

PART 3

NATURAL RESOURCES

Sec. 3001. 2019 c 413 s 3008 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000039)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Appropriation:

Model Toxics Control Capital Account—State	((<u>\$3,813,000</u>))
	<u>\$3,531,000</u>
Prior Biennia (Expenditures)	((<u>\$71,296,000</u>))
	<u>\$71,578,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$75,109,000

Sec. 3002. 2019 c 413 s 3009 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (30000144)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3021, chapter 48, Laws of 2011 1st sp. sess. and section 3002, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Capital Account—State	((<u>\$324,000</u>))
	<u>\$318,000</u>
Prior Biennia (Expenditures)	((<u>\$38,710,000</u>))
	<u>\$38,716,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$39,034,000

Sec. 3003. 2019 c 413 s 3011 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000216)

Appropriation:

Model Toxics Control Capital Account—State	((<u>\$19,152,000</u>))
	<u>\$18,603,000</u>
Prior Biennia (Expenditures)	((<u>\$43,712,000</u>))
	<u>\$44,261,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$62,864,000

Sec. 3004. 2019 c 413 s 3016 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (30000326)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.

Appropriation:

Model Toxics Control Capital Account—State	((<u>\$3,526,000</u>))
	<u>\$2,284,000</u>
Prior Biennia (Expenditures)	((<u>\$46,474,000</u>))
	<u>\$47,716,000</u>

Future Biennia (Projected Costs).....	\$0
TOTAL	\$50,000,000

Sec. 3005. 2019 c 413 s 3022 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (30000337)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3007, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Capital Account—State.....	(\$1,940,000)
	<u>\$1,843,000</u>
Prior Biennia (Expenditures).....	(\$23,115,000)
	<u>\$23,212,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL	\$25,055,000

Sec. 3006. 2019 c 413 s 3023 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites Initiative (30000351)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3008, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Capital Account—State.....	(\$169,000)
	<u>\$168,000</u>
Prior Biennia (Expenditures).....	(\$7,431,000)
	<u>\$7,432,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL	\$7,600,000

Sec. 3007. 2019 c 413 s 3026 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000374)

Appropriation:

Model Toxics Control Capital Account—State.....	(\$10,710,000)
	<u>\$10,489,000</u>
Prior Biennia (Expenditures).....	(\$51,827,000)
	<u>\$52,048,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL	\$62,537,000

Sec. 3008. 2019 c 413 s 3028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (30000427)

The reappropriations and appropriations in this section are subject to the following conditions and limitations: The reappropriations and appropriations are subject to the provisions of section 3009, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—State \$1,171,000

Appropriation:

Model Toxics Control Capital Account—State ~~(\$3,436,000)~~

\$2,647,000

Prior Biennia (Expenditures) ~~(\$17,893,000)~~

\$18,682,000

Future Biennia (Projected Costs) \$0

TOTAL \$22,500,000

Sec. 3009. 2019 c 413 s 3030 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites Initiative (30000432)

Appropriation:

Model Toxics Control Capital Account—State ~~(\$8,908,000)~~

\$8,650,000

Prior Biennia (Expenditures) ~~(\$992,000)~~

\$1,250,000

Future Biennia (Projected Costs) \$0

TOTAL \$9,900,000

Sec. 3010. 2019 c 413 s 3031 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000458)

The reappropriations and appropriations in this section are subject to the following conditions and limitations: The reappropriations and appropriations are subject to the provisions of section 3011, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—State \$16,967,000

Appropriation:

Model Toxics Control Capital Account—State ~~(\$15,786,000)~~

\$12,927,000

Prior Biennia (Expenditures) ~~(\$19,994,000)~~

\$22,853,000

Future Biennia (Projected Costs) \$0

TOTAL \$52,747,000

Sec. 3011. 2019 c 413 s 3032 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Leaking Tank Model Remedies (30000490)

Appropriation:

Model Toxics Control Capital Account—State ~~(\$672,000)~~

\$519,000

Prior Biennia (Expenditures) ~~(\$1,328,000)~~

\$1,481,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

Sec. 3012. 2019 c 413 s 3034 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Stormwater Financial Assistance Program (30000535)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3012, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Stormwater Account—State	(\$27,816,000)
	<u>\$26,950,000</u>
Prior Biennia (Expenditures)	(\$3,384,000)
	<u>\$4,250,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$31,200,000

Sec. 3013. 2019 c 413 s 3036 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Floodplains by Design (30000537)

Reappropriation:

State Building Construction Account—State	(\$19,149,000)
	<u>\$19,369,000</u>
Prior Biennia (Expenditures)	(\$16,411,000)
	<u>\$16,191,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$35,560,000

Sec. 3014. 2019 c 413 s 3038 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Cleanup Toxics Sites - Puget Sound (30000542)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3013, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Capital Account—State	(\$7,917,000)
	<u>\$7,885,000</u>
Prior Biennia (Expenditures)	(\$6,464,000)
	<u>\$6,496,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,381,000

Sec. 3015. 2019 c 413 s 3052 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2017-19 Remedial Action Grants (30000707)

Appropriation:

Model Toxics Control Capital Account—State	(\$5,877,000)
	<u>\$5,872,000</u>
Prior Biennia (Expenditures)	(\$0)
	<u>\$5,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,877,000

Sec. 3016. 2019 c 413 s 3056 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000712)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 298, Laws of 2018.

Reappropriation:

Columbia River Basin Water Supply Development	
Account—State	(\$12,203,000)
	<u>\$12,250,000</u>
Columbia River Basin Water Supply Revenue	
Recovery Account—State	\$2,000,000
State Building Construction Account—State	\$19,541,000
Subtotal Reappropriation	(\$33,744,000)
	<u>\$33,791,000</u>
Prior Biennia (Expenditures)	(\$56,000)
	<u>\$9,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$33,800,000

Sec. 3017. 2019 c 413 s 3062 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2017-19 Clean Up Toxic Sites - Puget Sound (30000749)

Appropriation:

Model Toxics Control Capital Account—State	(\$2,099,000)
	<u>\$1,310,000</u>
Prior Biennia (Expenditures)	(\$83,000)
	<u>\$872,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,182,000

Sec. 3018. 2019 c 413 s 3064 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2017-19 Stormwater Financial Assistance Program (30000796)

The reappropriations and appropriations in this section are subject to the following conditions and limitations: The reappropriation and appropriation are subject to the provisions of section 3005, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$25,000,000
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Appropriation:

Model Toxics Control Stormwater Account—State	(\$11,400,000)
	<u>\$11,334,000</u>
Prior Biennia (Expenditures)	(\$0)
	<u>\$66,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$36,400,000

Sec. 3019. 2019 c 413 s 3069 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Reduce Air Pollution from Transit/Sch. Buses/State-Owned Vehicles (40000109)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3010, chapter 298, Laws of 2018, except funds directed to the Northwest Seaport Alliance for a clean truck fund in section 3010(6), chapter 298, Laws of 2018, may also be used for the Northwest Seaport Alliance to provide shore power electrification to vessels in Tacoma.

Reappropriation:

Air Pollution Control Account—State	\$26,483,000
Prior Biennia (Expenditures)	\$1,917,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$28,400,000

Sec. 3020. 2019 c 413 s 3081 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2019-21 Stormwater Financial Assistance Program (40000144)

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

(1) Appropriations in this section are provided solely for competitive grants to local governments implementing projects that reduce the impacts of stormwater on Washington state's waters.

(2) \$29,750,000 of the appropriation is provided solely for grants directed to areas of Puget Sound that will benefit southern resident killer whales.

Appropriation:

Model Toxics Control Stormwater Account—State	(\$44,000,000)
	<u>\$49,006,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$160,000,000
TOTAL	(\$204,000,000)
	<u>\$209,006,000</u>

NEW SECTION. **Sec. 3021.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2020 Eastern Washington Clean Sites Initiative (40000286)

Appropriation:

Model Toxics Control Capital Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. **Sec. 3022.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2020 Remedial Action Grants (40000288)

Appropriation:

Model Toxics Control Capital Account—State	\$32,656,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$32,656,000

Sec. 3023. 2019 c 413 s 3093 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2019-21 Chehalis Basin Strategy (40000209)

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

(1)(a) Up to (~~(\$23,757,000)~~) \$24,007,000 of the appropriation is for advancing the long-term strategy for the Chehalis basin projects to reduce flood damage and restore aquatic species including project level environmental review, data collection, engineering design of future construction projects, feasibility analysis, and engagement of state agencies, tribes, the office of Chehalis basin, and other parties.

(b) Of the amount provided in this subsection, up to \$250,000 is for contracting with an independent third party to assess the financial impacts on landowners whose property could become the site of a flood retention structure and temporary reservoir project, including, but not limited to, timber valuation, construction of alternative transportation networks, and lost timber production associated with the project.

(2)(a) Up to (~~(\$49,450,000)~~) \$49,900,000 of the appropriation is for construction of local priority flood protection and habitat restoration projects.

(b) Of the amount provided in this subsection, up to \$450,000 is for a state match for equal funding from the office of the Chehalis basin for the Lower Satsop Restoration and Protection Program Keys Road Protection Project.

(3) The office of Chehalis basin board has discretion to allocate the funding between subsections (1) and (2) of this section if needed to meet the objectives of this appropriation; however, \$10,000,000 of the amounts in this section are provided solely for the final design, permitting, property acquisition, and construction of the Aberdeen Hoquiam north shore levee and related stormwater conveyance and pump station upgrades.

(4) Up to one and a half percent of the appropriation provided in this section may be used by the recreation and conservation office to administer contracts associated with the subprojects funded through this section. Contract administration includes, but is not limited to: Drafting and amending contracts, reviewing and approving invoices, tracking expenditures, and performing field inspections to assess project status when conducting similar assessments related to other agency contracts in the same geographic area.

Appropriation:

State Building Construction Account—State	(\$73,207,000)
	<u>\$73,907,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$288,000,000
TOTAL	(\$361,207,000)
	<u>\$361,907,000</u>

Sec. 3024. 2019 c 413 s 3096 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Habitat Mitigation (91000007)

Reappropriation:

State Building Construction Account—State	\$47,000
Prior Biennia (Expenditures)	(\$2,802,000)
	<u>\$2,398,000</u>

Future Biennia (Projected Costs).....	\$0
TOTAL	(\$2,849,000)
	<u>\$2,445,000</u>

Sec. 3025. 2019 c 413 s 3097 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (91000032)

Appropriation:

Model Toxics Control Capital Account—State	(\$304,000)
	<u>\$179,000</u>
Prior Biennia (Expenditures).....	(\$8,966,000)
	<u>\$9,091,000</u>

Future Biennia (Projected Costs).....	\$0
TOTAL	\$9,270,000

NEW SECTION. Sec. 3026. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Heating Oil Capital Financing Assistance Program (30000704)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for implementation of Substitute Senate Bill No. 6256 (heating oil insurance program). If the bill is not enacted by June 30, 2020, the amount provided in this section shall lapse.

Appropriation:

PLIA Underground Storage Tank Revolving Account—State ..	\$4,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$24,000,000
TOTAL	\$28,000,000

Sec. 3027. 2019 c 413 s 3115 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler - WWI Historic Facilities Preservation (30000100)

Reappropriation:

State Building Construction Account—State	\$1,091,000
Prior Biennia (Expenditures).....	(\$2,295,000)
	<u>\$1,582,000</u>
Future Biennia (Projected Costs).....	\$1,963,000
TOTAL	(\$5,349,000)
	<u>\$4,636,000</u>

Sec. 3028. 2019 c 413 s 3119 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Marine Facilities - Various Locations Moorage Float Replacement (30000496)

Reappropriation:

State Building Construction Account—State	\$111,000
Prior Biennia (Expenditures).....	(\$458,000)
	<u>\$349,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL	(\$569,000)

\$460,000

Sec. 3029. 2019 c 413 s 3120 (uncodified) is amended to read as follows:
FOR THE STATE PARKS AND RECREATION COMMISSION

Willapa Hills Trail Develop Safe Multi-Use Trail Crossing at SR 6
(30000519)

Reappropriation:

State Building Construction Account—State ((\$25,000))
\$79,000

Appropriation:

State Building Construction Account—State \$4,961,000
Prior Biennia (Expenditures) ((\$397,000))

\$343,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,383,000

Sec. 3030. 2019 c 413 s 3123 (uncodified) is amended to read as follows:
FOR THE STATE PARKS AND RECREATION COMMISSION

Goldendale Observatory - Expansion (30000709)

Reappropriation:

State Building Construction Account—State ((\$551,000))
\$583,000

Prior Biennia (Expenditures) ((\$4,793,000))
\$4,761,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,344,000

Sec. 3031. 2019 c 413 s 3129 (uncodified) is amended to read as follows:
FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden - Replace Failing Sewer Lines (30000860)

Reappropriation:

State Building Construction Account—State ((\$1,493,000))
\$1,668,000

Prior Biennia (Expenditures) ((\$1,061,000))
\$886,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,554,000

Sec. 3032. 2019 c 413 s 3131 (uncodified) is amended to read as follows:
FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Sammamish Dock Grant Match (30000872)

Reappropriation:

State Building Construction Account—State \$959,000
Prior Biennia (Expenditures) ((\$141,000))

\$121,000

Future Biennia (Projected Costs) \$0

TOTAL ((\$1,100,000))

\$1,080,000

Sec. 3033. 2019 c 413 s 3132 (uncodified) is amended to read as follows:
FOR THE STATE PARKS AND RECREATION COMMISSION

Birch Bay - Replace Failing Bridge (30000876)

Reappropriation:

State Building Construction Account—State	\$100,000
Prior Biennia (Expenditures)	(\$237,000)
	<u>\$148,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$337,000)
	<u>\$248,000</u>

Sec. 3034. 2019 c 413 s 3135 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Mount Spokane - Maintenance Facility Relocation from Harms Way (30000959)

Reappropriation:

State Building Construction Account—State	\$1,921,000
Prior Biennia (Expenditures)	(\$587,000)
	<u>\$520,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$2,508,000)
	<u>\$2,441,000</u>

Sec. 3035. 2019 c 413 s 3137 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide - Depression Era Structures Restoration Assessment (30000966)

Reappropriation:

State Building Construction Account—State	\$186,000
Prior Biennia (Expenditures)	(\$1,086,000)
	<u>\$1,050,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$1,272,000)
	<u>\$1,236,000</u>

Sec. 3036. 2019 c 413 s 3141 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Health and Safety (30000977)

Reappropriation:

State Building Construction Account—State	(\$402,000)
	<u>\$537,000</u>
Prior Biennia (Expenditures)	(\$647,000)
	<u>\$512,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,049,000

Sec. 3037. 2019 c 413 s 3143 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works—Program (30000979)

Reappropriation:

State Building Construction Account—State	\$646,000
Prior Biennia (Expenditures)	(\$845,000)
	<u>\$620,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$1,491,000)
	<u>\$1,266,000</u>

Sec. 3038. 2019 c 413 s 3144 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Moran Summit Learning Center - Interpretive Facility (30000980)

Reappropriation:

State Building Construction Account—State	(\$903,000)
	<u>\$955,000</u>
Prior Biennia (Expenditures)	(\$112,000)
	<u>\$60,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,015,000

Sec. 3039. 2019 c 413 s 3145 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Penrose Point Sewer Improvements (30000981)

Reappropriation:

State Building Construction Account—State	(\$320,000)
	<u>\$367,000</u>
	Appropriation:
<u>State Building Construction Account—State</u>	<u>\$289,000</u>
Prior Biennia (Expenditures)	(\$130,000)
	<u>\$83,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$450,000)
	<u>\$739,000</u>

Sec. 3040. 2019 c 413 s 3149 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide Septic System Renovation (30001017)

Reappropriation:

State Building Construction Account—State	\$65,000
Prior Biennia (Expenditures)	(\$185,000)
	<u>\$177,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$250,000)
	<u>\$242,000</u>

Sec. 3041. 2019 c 413 s 3150 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide Electrical System Renovation (30001018)

Reappropriation:

State Building Construction Account—State	\$462,000
Prior Biennia (Expenditures)	(\$288,000)
	<u>\$267,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$750,000)
	<u>\$729,000</u>

Sec. 3042. 2019 c 413 s 3151 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide - ADA Compliance (30000985)

Reappropriation:

State Building Construction Account—State	(\$467,000)
	<u>\$784,000</u>

Prior Biennia (Expenditures)	(\$533,000)
	<u>\$216,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

Sec. 3043. 2019 c 413 s 3152 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide New Park (30001019)

Reappropriation:

State Building Construction Account—State	(\$267,000)
	<u>\$313,000</u>
Prior Biennia (Expenditures)	(\$46,000)
	<u>\$0</u>
Future Biennia (Projected Costs)	\$20,006,000
TOTAL	\$20,319,000

Sec. 3044. 2019 c 413 s 3153 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden Replace Failing Water Lines (30001022)

Reappropriation:

State Building Construction Account—State	(\$214,000)
	<u>\$339,000</u>
Prior Biennia (Expenditures)	(\$163,000)
	<u>\$38,000</u>
Future Biennia (Projected Costs)	\$2,013,000
TOTAL	\$2,390,000

Sec. 3045. 2019 c 413 s 3156 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide Fish Barrier Removal (40000010)

Reappropriation:

State Building Construction Account—State	(\$53,000)
	<u>\$194,000</u>
	Appropriation:
State Building Construction Account—State	\$1,605,000
Prior Biennia (Expenditures)	(\$247,000)
	<u>\$106,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,905,000

Sec. 3046. 2019 c 413 s 3160 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Nisqually New Full Service Park (40000153)

Appropriation:

State Building Construction Account—State	(\$2,994,000)
	<u>\$3,857,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$17,700,000
TOTAL	(\$20,694,000)
	<u>\$21,557,000</u>

NEW SECTION. Sec. 3047. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Palouse to Cascades Trail: Crab Creek Trestle Replacement (40000162)

Appropriation:

State Building Construction Account—State	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

Sec. 3048. 2019 c 413 s 3204 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Youth Athletic Facilities (40000007)

The appropriation in this section is subject to the following conditions and limitations: The amounts appropriated in this section may be awarded only to projects approved by the legislature, as identified in LEAP capital documents No. 2020-467-HSBA, developed on February 25, 2020, and No. 2020-467-HB, developed on February 14, 2020.

Appropriation:

State Building Construction Account—State	\$12,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$32,000,000

Sec. 3049. 2019 c 413 s 3218 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION OFFICE

Recreation & Conservation Office Recreation Grants (92000131)

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

(1) The reappropriations are subject to the provisions of section 3086, chapter 2, Laws of 2018.

(2) A maximum of \$615,000 of unused funds in this appropriation may be used for replacement and repair of dock facilities available for public use at Van Riper marina, without requiring matching resources, and provided that a grant and lease term of 30 years is offered to the recipient from the state.

(3) A maximum of \$302,000 of unused amounts in this appropriation may be used for the state route number 547 pedestrian and bicycle safety trail near Kendall, without requiring matching resources.

(4) A maximum of \$448,000 of unused amounts in this appropriation may be used for the Stanwood Port Susan trail project near Stanwood, without requiring matching resources.

(5) A maximum of \$300,000 of unused amounts in this appropriation may be used for the ebey waterfront trail near Marysville, without requiring matching resources.

(6) A maximum of \$400,000 of unused amounts in this appropriation may be used for trail lighting on the cross Kirkland corridor (CKC) at the I-405 underpass in Totem Lake near Kirkland, without requiring matching resources.

Reappropriation:

State Building Construction Account—State	\$14,559,000
Outdoor Recreation Account—State	\$1,337,000
Subtotal Reappropriation	\$15,896,000

Prior Biennia (Expenditures)	\$18,885,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$34,781,000

NEW SECTION. **Sec. 3050.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE RECREATION AND CONSERVATION OFFICE

Community Forest Project List Development (91001354)

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

(1) The recreation and conservation office shall consult with the department of natural resources and stakeholders to develop funding criteria and a ranked project list to establish community forest projects for funding consideration in the 2021-2023 biennium.

(2) The recreation and conservation office shall develop options for establishing accounting assurances for future revenues that may be generated from community forests.

(3) The criteria established under subsection (1) of this section must allow for a review of project submissions by the recreation and conservation funding board in a manner that is complementary to existing conservation funding programs administered by the office.

(4) A project may be included in the ranked list created under subsection (1) of this section only if it meets the following conditions:

- (a) The property under consideration must be forestland;
- (b) Acquisition of the property under consideration must be fee simple;
- (c) The entity acquiring the property under consideration must be a nonprofit conservation organization, local government, tribe, or a state agency working directly with one or more of the these entities; and
- (d) The community forest project must promote, enhance, or develop community and economic benefits.

(5) The recreation and conservation office shall submit the funding criteria and the ranked project list required under subsection (1) of this section and the accounting options required under subsection (2) of this section to the legislature by December 31, 2020.

Appropriation:

State Building Construction Account—State	\$50,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,000

Sec. 3051. 2019 c 413 s 3223 (uncodified) is amended to read as follows:

FOR THE STATE CONSERVATION COMMISSION

2019-21 Match for Federal RCPP (40000006)

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

(1) The state building construction account—state appropriation is provided solely for a state match to the United States department of agriculture regional conservation partnership.

(2) The commission must, to the greatest extent possible, leverage other state and local projects in funding the match and development of the regional conservation partnership program grant applications.

Appropriation:

State Building Construction Account—State	(\$4,000,000)
	<u>\$6,249,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$7,800,000
TOTAL	(\$11,800,000)
	<u>\$14,049,000</u>

Sec. 3052. 2019 c 413 s 3232 (uncodified) is amended to read as follows:

FOR THE STATE CONSERVATION COMMISSION

Improve Shellfish Growing Areas 2017-19 (92000012)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3052, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$800,000
Prior Biennia (Expenditures)	(\$3,200,000)
	<u>\$3,199,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$4,000,000)
	<u>\$3,999,000</u>

NEW SECTION. **Sec. 3053.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE STATE CONSERVATION COMMISSION

CREP PIP Loan Program 2017-19 (92000014)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6019, chapter 413, Laws of 2019.

Reappropriation:

Conservation Assistance Revolving Account—State	\$350,000
Prior Biennia (Expenditures)	\$50,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$400,000

Sec. 3054. 2019 c 413 s 3236 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding (20082048)

((The appropriations in this section are subject to the following conditions and limitations: \$3,900,000 of the appropriation is provided solely for repair of the Wiley Slough dike.))

Reappropriation:

General Fund—Federal	\$10,000,000
General Fund—Private/Local	\$863,000
Special Wildlife Account—Federal	\$1,000,000
Special Wildlife Account—Private/Local	\$1,680,000

State Wildlife Account—State	\$400,000
Subtotal Reappropriation	\$13,943,000

Appropriation:

General Fund—Federal	\$10,000,000
General Fund—Private/Local	\$1,000,000
Special Wildlife Account—Federal	\$1,000,000
Special Wildlife Account—Private/Local	\$1,000,000
State Wildlife Account—State	\$500,000
Subtotal Appropriation	\$13,500,000
Prior Biennia (Expenditures)	\$72,421,000
Future Biennia (Projected Costs)	\$58,500,000
TOTAL	\$158,364,000

Sec. 3055. 2019 c 413 s 3242 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Soos Creek Hatchery Renovation (30000661)

Reappropriation:

State Building Construction Account—State	\$5,555,000
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Appropriation:

State Building Construction Account—State	(\$1,710,000)
	<u>\$4,646,000</u>
Prior Biennia (Expenditures)	\$6,144,000
Future Biennia (Projected Costs)	(\$3,031,000)
	<u>\$0</u>
TOTAL	(\$16,440,000)
	<u>\$16,345,000</u>

Sec. 3056. 2019 c 413 s 3247 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Springs Production Shift (30000723)

Reappropriation:

State Building Construction Account—State	(\$1,400,000)
	<u>\$1,546,000</u>
Prior Biennia (Expenditures)	(\$2,670,000)
	<u>\$2,524,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,070,000

Sec. 3057. 2019 c 413 s 3252 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Snow Creek Reconstruct Facility (30000826)

The appropriation in this section is subject to the following conditions and limitations: In constructing the project, the department must consider the firelight toilet technology.

Reappropriation:

State Building Construction Account—State	\$25,000
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Appropriation:

State Building Construction Account—State	\$143,000
Prior Biennia (Expenditures)	(\$75,000)
	<u>\$68,000</u>

Future Biennia (Projected Costs)	\$4,794,000
TOTAL	<u>(\$5,037,000)</u>
	<u>\$5,030,000</u>

Sec. 3058. 2019 c 413 s 3253 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Forks Creek Hatchery - Renovate Intake and Diversion (30000827)

Reappropriation:

State Building Construction Account—State	<u>(\$2,423,000)</u>
	<u>\$2,577,000</u>

Appropriation:

State Building Construction Account—State	\$3,086,000
Prior Biennia (Expenditures)	<u>(\$2,000)</u>
	<u>\$198,000</u>

Future Biennia (Projected Costs)	\$0
TOTAL	<u>(\$5,511,000)</u>
	<u>\$5,861,000</u>

Sec. 3059. 2019 c 413 s 3254 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hurd Creek - Relocate Facilities out of Floodplain (30000830)

Reappropriation:

State Building Construction Account—State	\$600,000
Prior Biennia (Expenditures)	<u>(\$200,000)</u>
	<u>\$177,000</u>

Future Biennia (Projected Costs)	\$0
TOTAL	<u>(\$800,000)</u>
	<u>\$777,000</u>

Sec. 3060. 2019 c 413 s 3255 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Dungeness Hatchery - Replace Main Intake (30000844)

Reappropriation:

State Building Construction Account—State	\$300,000
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Appropriation:

State Building Construction Account—State	\$4,830,000
Prior Biennia (Expenditures)	<u>(\$315,000)</u>
	<u>\$276,000</u>

Future Biennia (Projected Costs)	\$0
TOTAL	<u>(\$5,445,000)</u>
	<u>\$5,406,000</u>

NEW SECTION. **Sec. 3061.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Wiley Slough Dike Raising (40000004)

Appropriation:

State Building Construction Account—State	\$972,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,183,000
TOTAL	<u>\$5,155,000</u>

NEW SECTION. Sec. 3062. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

(1) Nothing in this section alters the obligation set forth in the permanent injunction, including the compliance deadline, entered on March 29, 2013, in *United States v. Washington*, sub-proceeding 01-1 (Culverts), or the guidelines for compliance within the specified timeline with the permanent injunction as developed by the state agencies during the implementation process.

(2) Nothing in this section creates an obligation on the part of the state to provide funding for corrections for nonstate-owned culverts. Nothing in this section precludes the state from providing funding for corrections for nonstate-owned culverts.

(3) In order to provide recommendations, the Brian Abbott fish barrier removal board must develop a comprehensive statewide culvert remediation plan that works in conjunction with the state approach and that fully satisfies the requirements of the *United States v. Washington* permanent injunction and makes both local and state funding recommendations for additional nonstate barrier corrections across state culvert correction programs that maximize the fisheries habitat gain and other benefits to prey available for southern resident killer whale and salmon recovery.

(4) The comprehensive statewide culvert remediation plan must be consistent with the principles and requirements of the *United States v. Washington* permanent injunction and RCW 77.95.180 and must achieve coordinated investment strategy goals of permanent injunction compliance and the following additional resource benefits. The Brian Abbott fish barrier removal board chair, representing the board and the appropriate department of fish and wildlife executive management, shall consult with tribes to develop a watershed approach. Provided it is consistent with the *United States v. Washington* permanent injunction, prioritization of barrier corrections must be developed on a watershed basis and must maximize the following resource priorities:

(a) Stocks that are listed as threatened or endangered under the federal endangered species act;

(b) Stocks that contribute to protection and recovery of southern resident orca whales;

(c) Critical stocks of anadromous fish that limit or prevent harvest of anadromous fish, as identified in the Pacific salmon treaty; and

(d) Weak stocks of anadromous fish that limit or prevent harvest of anadromous fish, as determined in North of Cape Falcon process.

(5) The comprehensive statewide culvert remediation plan must include recommendations on methods and procedures for state agencies and local governments to complete and maintain accurate barrier inventories. This plan must also allow for efficient bundling of projects to minimize disruption to the public due to construction as well as adjustments in response to obstacles and opportunities encountered during delivery.

(6) The Brian Abbott fish barrier removal board must also:

(a) Provide to the office of financial management and the fiscal committees of the legislature its recommendation as to statutory or policy changes, or budget needs for the board or state capital budget programs, for better implementation

and coordination among the state's culvert correction programs by January 15, 2021; and

(b) Develop a plan to seek and maximize the chances of success of significant federal investment in the comprehensive statewide culvert remediation plan.

(7) It is the intent of the legislature that, in developing future budgets, state agencies administering state culvert correction programs will recommend, to the maximum extent possible, funding in their culvert correction programs for correction of barriers that are part of the comprehensive statewide culvert remediation plan developed by the Brian Abbott fish barrier removal board under this section.

(8) By November 1, 2020, and March 1, 2021, the Brian Abbott fish barrier removal board and the department of transportation must provide updates on the development of the statewide culvert remediation plan to the office of financial management and the legislative fiscal committees. The first update must include a project timeline and plan to ensure that all agencies with culvert correction programs are involved in the creation of the comprehensive plan.

(9) Prior to presenting the comprehensive statewide culvert remediation plan, the Brian Abbott fish barrier removal board must present the status of the plan to the annual Washington state and Western Washington treaty tribes fish passage barrier repair progress and coordination meeting. The board must submit the comprehensive statewide culvert remediation plan and the process by which it will be adaptively managed over time to the governor and the legislative fiscal committees by January 15, 2021.

Sec. 3063. 2019 c 413 s 3234 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Deschutes Watershed Center (20062008)

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

(1) The reappropriation is subject to the provisions of section 3205, chapter 19, Laws of 2013 2nd sp. sess.

(2) To avoid foregoing the investment in design and permitting that has already been expended on the Pioneer Park location for the Deschutes Watershed Center, the comanagers shall reconsider this site along with any other locations they agree on. The comanagers shall reevaluate feasible locations by September 30, 2020, and prepare a decision document to justify the best available location.

Reappropriation:

State Building Construction Account—State	\$9,697,000
Prior Biennia (Expenditures)	\$5,798,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,495,000

Sec. 3064. 2019 c 413 s 3274 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Forestry Riparian Easement Program (FREPE) (30000279)

Reappropriation:

State Building Construction Account—State	(\$400,000)
	<u>\$520,000</u>

Prior Biennia (Expenditures)	(\$3,100,000)
	<u>\$2,980,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,500,000

Sec. 3065. 2019 c 413 s 3275 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Teanaway Working Forest (30000289)

Reappropriation:

State Building Construction Account—State	(\$600,000)
	<u>\$675,000</u>
Prior Biennia (Expenditures)	(\$881,000)
	<u>\$662,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$1,481,000)
	<u>\$1,337,000</u>

Sec. 3066. 2019 c 413 s 3294 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Forest Riparian Easement Program (FREP) (40000052)

Appropriation:

State Building Construction Account—State	(\$2,500,000)
	<u>\$3,500,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	(\$22,500,000)
	<u>\$23,500,000</u>

NEW SECTION. Sec. 3067. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Grouse Ridge Fish Barriers & RMAP Compliance (40000056)

Appropriation:

State Building Construction Account—State	\$3,245,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,694,000
TOTAL	\$4,939,000

NEW SECTION. Sec. 3068. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Emergent Environmental Mitigation Projects (40000058)

Appropriation:

Forest Development Account—State	\$92,000
Resource Management Cost Account—State	\$93,000
Model Toxics Control Capital Account—State	\$135,000
Subtotal Appropriation	\$320,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$320,000

NEW SECTION. Sec. 3069. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Minor Works - Preservation: 2019-21 (40000061)

Appropriation:

State Building Construction Account—State	\$1,550,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,550,000

NEW SECTION. Sec. 3070. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Whitmarsh (March Point) Landfill Site Cleanup (40000069)

Appropriation:

Model Toxics Control Capital Account—State	\$3,063,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,063,000

NEW SECTION. Sec. 3071. The following acts or parts of acts are each repealed:

- (1) 2019 c 413 s 3099 (uncodified); and
- (2) 2019 c 413 s 3296 (uncodified).

PART 4

TRANSPORTATION

Sec. 4001. 2019 c 413 s 4001 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

Fire Training Academy Stormwater Remediation (30000030)

Reappropriation:

Fire Service Training Account—State	\$2,832,000
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Appropriation:

<u>Fire Service Training Account—State</u>	<u>\$414,000</u>
Prior Biennia (Expenditures)	\$300,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$3,132,000)
	\$3,546,000

NEW SECTION. Sec. 4002. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION

Telford Helipad (40000001)

Appropriation:

State Building Construction Account—State	\$75,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$75,000

PART 5

EDUCATION

Sec. 5001. 2019 c 413 s 5001 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Pierce County Skills Center (20084856)

Reappropriation:

State Building Construction Account—State	((\$472,000))
	<u>\$32,000</u>
Prior Biennia (Expenditures)	\$35,072,000
Future Biennia (Projected Costs)	\$0
TOTAL	((\$35,544,000))
	<u>\$35,104,000</u>

Sec. 5002. 2019 c 413 s 5012 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Construction Assistance Program - Maintenance Level (40000013)

The appropriations in this section are subject to the following conditions and limitations: \$1,005,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years.

Appropriation:

State Building Construction Account—State	((\$879,021,000))
	<u>\$851,208,000</u>
Common School Construction Account—State	((\$160,032,000))
	<u>\$185,908,000</u>
Common School Construction Account—Federal	((\$3,000,000))
	<u>\$3,840,000</u>
Subtotal Appropriation	((\$1,042,053,000))
	<u>\$1,040,956,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,870,192,000
TOTAL	((\$5,912,245,000))
	<u>\$5,911,148,000</u>

Sec. 5003. 2019 c 413 s 5028 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 Small District Modernization Grants (92000139)

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

(1) The legislature finds that small school districts with total enrollments of one thousand students or less may have school facilities with significant building systems deficiencies and low property values, and that raising enough funds to participate in the school construction assistance program to replace or modernize their school facilities would present an extraordinary tax burden on property owners or would exceed allowable debt.

(2) \$200,000 of the appropriation is provided solely for the office of the superintendent of public instruction to administer the grant program and provide technical assistance to small school districts seeking grants funded in this section.

(3) ((~~\$1,000,000~~)) \$957,000 of the appropriation is provided solely for planning grants for small school districts interested in seeking modernization grants in subsection (4) of this section. The superintendent may prioritize

planning grants for school districts with the most serious building deficiencies and the most limited financial capacity. Planning grants may not exceed \$50,000 per district.

(4) The remaining portion of the appropriation is provided solely for modernization grants for small school districts with significant building system deficiencies and limited financial capacity with the following conditions:

(a) The superintendent of public instruction must appoint an advisory committee whose members have experience in financing and managing school facilities in small school districts to assist the office in designing the grant application process, developing the prioritization criteria, and evaluating the grant applications. Advisory committee members may not be involved in developing projects or applying for grants funded in this section.

(b) In addition to prioritization criteria developed by the office of the superintendent of public instruction and the advisory committee pursuant to (4)(a) of this section, the office and the advisory committee must also prioritize projects that: (i) Improve student health, safety, and academic performance for the largest number of students; (ii) provide the most available school district resources, including in-kind resources; and (iii) make use of mass-timber products, including cross-laminated timber, or aggregates and concretes materials.

(c) The superintendent must submit a list of small school district modernization projects, as prioritized by the advisory committee, to the legislature by January 15, 2020. The list must include: (i) A description of the project; (ii) the proposed state funding level, not to exceed \$5,000,000; (iii) estimated total project costs; and (iv) local funding resources. The appropriated funds in this subsection may be awarded only ~~((after the legislature approves the list))~~ to projects approved by the legislature, as identified in LEAP capital document No. 2020-51, developed March 6, 2020.

(5) For projects in this section that are also eligible for funding through the school construction assistance program, the office of the superintendent of public instruction must expedite and streamline the administrative requirements, timelines, and matching requirements for the funds provided in this section to be used promptly. Funds provided in this section plus state funds provided in the school construction assistance program grant must not exceed total project costs minus available local resources.

Appropriation:

State Building Construction Account—State	(\$20,000,000)
	<u>\$23,383,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(\$20,000,000)
	<u>\$23,383,000</u>

Sec. 5004. 2019 c 413 s 5025 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
Distressed Schools (92000041)

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

(1) Except as provided for under subsection (2) of this section, the reappropriation is subject to the provisions of section 5007, chapter 298, Laws of 2018.

(2) School districts that receive reappropriations in this section may use the reappropriation to fund local share of project cost requirements for projects also eligible for funding through the school construction assistance program.

Reappropriation:

State Building Construction Account—State	\$41,585,000
Prior Biennia (Expenditures)	\$3,901,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$45,486,000

Sec. 5005. 2019 c 413 s 5030 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2019-21 Distressed Schools (92000142)

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

(1) \$4,400,000 of the appropriation in this section is provided solely for classroom additions and other modernizations at Leschi elementary school in Seattle public schools.

(2) \$10,500,000 of the appropriation in this section is provided solely for classroom additions at Madison middle school in Seattle public schools.

(3) \$3,100,000 of the appropriation in this section is provided solely for heating and ventilation upgrades at North Beach elementary school in Seattle public schools.

(4) The remaining portion of the appropriation is provided solely for competitive grants for modular classrooms (~~((made with mass timber products, including cross laminated timber,))~~) for the purpose of replacing portables in school districts with space challenges due to unavailable land for new school facilities to accommodate enrollment growth or with an overdependent use of portables to provide classroom space. The grants are subject to the following conditions and limitations:

(a) School districts are responsible for the costs of site preparation; required permits; delivery and installation of the modular classrooms; furnishings, fixtures, and equipment; utility connections; and any other infrastructure costs related to the modular classrooms;

(b) The office of the superintendent of public instruction must prioritize projects based on the following criteria in the following order:

(i) School districts with high ratios of portable classrooms to permanent classrooms;

(ii) School districts with low acreage of land available for new construction;

(iii) Projects that achieve lowest cost per classroom (~~((with highest percentage of mass timber products in the overall construction of the project))~~); and

(iv) Projects that (~~((demonstrate))~~) are multistory (~~((application of mass timber products))~~).

(5) \$1,000,000 of the appropriation in this section is provided solely for a distressed schools project in the Mount Adams school district.

(6) \$700,000 of the appropriation in this section is provided solely for a two-classroom preschool addition at John Muir Elementary School in Seattle.

(7) \$300,000 of the appropriation in this section is provided solely for conversion of two classrooms to a new health clinic at Lowell Elementary School in Seattle.

(8) \$328,000 of the appropriation in this section is provided solely for an agricultural resource center in Tacoma.

(9) \$200,000 of the appropriation in this section is provided solely for a schoolyard park in Tacoma.

(10) \$309,000 of the appropriation in this section is provided solely for a school-based health center in Port Orchard.

(11) \$100,000 of the appropriation in this section is provided solely for the Republic school district for predesign and scoping work related to the replacement of a school facility. It is the intent of the legislature to appropriate \$9,000,000 for the Republic school district in the 2021-23 fiscal biennium for the demolition of an existing school facility and for the design and construction of a new school, subject to the Republic school district securing a local match equal to not less than \$4,500,000.

(12) School districts that receive funding in this section may use that funding for the local share of project cost requirements for projects also eligible for funding through the school construction assistance program.

Appropriation:

State Building Construction Account—State	(\$23,000,000)
	\$25,937,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(\$23,000,000)
	\$25,937,000

NEW SECTION. Sec. 5006. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Seismic Safety Retrofit Program (92000148)

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

(1) The appropriation is provided solely for school seismic safety retrofit grants to school districts for seismic retrofits and seismic safety related improvements of school buildings used for the instruction of students in kindergarten through twelfth grade. The superintendent of public instruction must prioritize school seismic safety retrofit grants for school districts with the most significant building deficiencies and the greatest seismic risks as determined by the most recent geological data and building engineering assessments, beginning with facilities classified as very high risk.

(2) In the development of school seismic safety retrofit project priorities for the 2021-2023 fiscal biennium, in addition to prioritizing projects based on their seismic risk classification, the superintendent of public instruction shall also give due consideration to the following: (a) Prioritizing improvements of school buildings used for the instruction of students in kindergarten through twelfth grade; (b) the financial capacity of low property value school districts in the

sizing of grant awards; and (c) facilities' seismic needs in light of the useful life of the facilities.

Appropriation:

State Building Construction Account—State	\$13,240,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$120,000,000
TOTAL	\$133,240,000

Sec. 5007. 2019 c 413 s 5032 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

Independent Living Skills Center (30000107)

Reappropriation:

State Building Construction Account—State	\$143,000
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Appropriation:

<u>State Building Construction Account—State</u>	<u>\$1,192,000</u>
Prior Biennia (Expenditures)	\$27,000
Future Biennia (Projected Costs)	(\$0)
TOTAL	\$8,076,000
	(\$170,000)
	\$9,438,000

Sec. 5008. 2019 c 413 s 5033 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

2019-21 Campus Preservation (40000004)

Appropriation:

State Building Construction Account—State	(\$580,000)
	\$655,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,320,000
TOTAL	(\$2,900,000)
	\$2,975,000

Sec. 5009. 2019 c 413 s 5034 (uncodified) is amended to read as follows:

FOR THE WASHINGTON ((STATE)) CENTER FOR ((CHILDHOOD DEAFNESS AND HEARING LOSS)) DEAF AND HARD OF HEARING YOUTH

Academic and Physical Education Building (30000036)

The ((reappropriation)) appropriations in this section ((is)) are subject to the following conditions and limitations: The ((reappropriation is)) appropriations are subject to the provisions of section 5009, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	(\$786,000)
	\$787,000

Appropriation:

<u>State Building Construction Account—State</u>	<u>\$4,637,000</u>
Prior Biennia (Expenditures)	(\$214,000)
	\$213,000
Future Biennia (Projected Costs)	(\$0)
TOTAL	\$50,511,000
	(\$1,000,000)

\$56,148,000

Sec. 5010. 2019 c 413 s 5035 (uncodified) is amended to read as follows:

FOR THE WASHINGTON ((STATE)) CENTER FOR ((CHILDHOOD DEAFNESS AND HEARING LOSS)) DEAF AND HARD OF HEARING YOUTH

Minor Works: Preservation 2019-21 (30000045)

Appropriation:

State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$4,000,000
TOTAL	\$4,500,000

Sec. 5011. 2019 c 413 s 5044 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Behavioral Health Teaching Facility (40000038)

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

(1)(a) The appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1593 (behavioral health teaching facility). The appropriation provided may be used for predesign, siting, ((and)) design costs, enabling projects, and early work packages. If the bill is not enacted by June 30, 2019, the amount provided in this section shall lapse.

(b) The university must submit the predesign to the appropriate legislative committees by February 1, 2020.

(2) The behavioral health teaching facility must provide a minimum of fifty long-term civil commitment beds, fifty geriatric/voluntary psychiatric beds, and fifty licensed medical/surgery beds, with the capacity to treat patients with psychiatric diagnoses and/or substance use disorders. The project construction must also include construction of a 24/7 telehealth consultation program within the facility.

Appropriation:

State Building Construction Account—State	\$33,250,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$191,250,000
TOTAL	\$224,500,000

NEW SECTION. Sec. 5012. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Magnuson Health Sciences Phase II - Renovation/Replacement (40000049)

Appropriation:

State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$59,000,000
TOTAL	\$60,000,000

NEW SECTION. Sec. 5013. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Washington State University Vancouver - Life Sciences Building (30000840)

Appropriation:

State Building Construction Account—State	\$4,000,000
Prior Biennia (Expenditures)	\$500,000
Future Biennia (Projected Costs)	\$52,600,000
TOTAL	\$57,100,000

Sec. 5014. 2019 c 413 s 5060 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON UNIVERSITY

Engineering Building (30000556)

Reappropriation:

Eastern Washington University Capital Projects	
Account—State	(\$245,000)
	\$345,000
Prior Biennia (Expenditures)	(\$100,000)
	\$0
Future Biennia (Projected Costs)	\$56,695,000
TOTAL	\$57,040,000

Sec. 5015. 2019 c 413 s 5072 (uncodified) is amended to read as follows:

FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works Preservation: 2019-21 (40000041)

Appropriation:

State Building Construction Account—State	\$2,463,000
Central Washington University Capital Projects	
Account—State	(\$7,000,000)
	\$4,537,000
<u>Subtotal Appropriation</u>	<u>\$7,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$28,000,000
TOTAL	\$35,000,000

NEW SECTION. Sec. 5016. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE CENTRAL WASHINGTON UNIVERSITY

Campus Security Enhancements (40000074)

Appropriation:

Central Washington University Capital Projects	
Account—State	\$2,463,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,463,000

Sec. 5017. 2019 c 413 s 5079 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Historic Lord Mansion (91000029)

The (~~reappropriation~~) appropriations in this section (~~is~~) are subject to the following conditions and limitations: The (~~reappropriation is~~) appropriations are subject to the provisions of section 5016, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$100,000
<u>Appropriation:</u>	
State Building Construction Account—State	\$300,000
Prior Biennia (Expenditures)	(\$404,000)
	<u>\$337,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$504,000)
	<u>\$737,000</u>

NEW SECTION. Sec. 5018. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

Yakima Sun Dome Reflectors (92000002)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section, or as much thereof as may be necessary, is provided solely for evaluating the replacement of the reflectors on the Yakima Sun Dome.

Appropriation:

State Building Construction Account—State	\$80,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$80,000

Sec. 5019. 2019 c 413 s 5093 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Washington Heritage Grants (30000237)

Reappropriation:

State Building Construction Account—State	\$643,000
Prior Biennia (Expenditures)	(\$9,054,000)
	<u>\$8,411,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$9,697,000)
	<u>\$9,054,000</u>

Sec. 5020. 2019 c 413 s 5097 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Heritage Capital Grant Projects: 2019-21 (40000014)

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

- (1) The appropriation is subject to the provisions of RCW 27.34.330.
- (2) The appropriation is provided solely for the following list of projects:

Metro Parks Tacoma - W.W. Seymour Botanical	
Conservatory Rehab	\$773,000
Discover Your Northwest - Chittenden Locks Fish	
Ladder Viewing	\$382,000
Foss Waterway Seaport - Balfour Dock Building:	
Phase IIIE	\$307,000
City of Tumwater, WA - Old Brewhouse Tower Rehab	\$513,000
Gig Harbor - Harbor History Museum - Fishing	

Vessel Shenandoah	\$100,000
City of Vancouver, Washington - Re-roof 3 Bldgs Officer's Row	\$150,000
NW School of Wooden Boatbuilding - Expanding Public Access	\$240,000
Kalispel Tribe - Restoration of Our Lady of Sorrows Church	\$33,000
KC Dept. of Natural Resources - Mukai Farmstead & Garden Preserv	\$600,000
City of Edmonds - Edmonds Museum (Carnegie Library Restoration)	\$74,000
Vancouver National Historic Reserve Trust - Renovate Providence	\$490,000
Washington Trust for Historic Preservation - Stimson-Green Mansion	\$100,000
Phinney Neighborhood Association - John B. Allen School	\$30,000
PNW Railroad Archive - Mounting rails	\$47,000
City of Roslyn - Historic Community Center, Library, & City Hall	\$233,000
Quincy Valley Historical Society & Museum - Comm Heritage Barn	\$41,000
The NW Railway Museum - Puget Sound Electric Railway Interurban	\$229,000
The Cutter Theatre - 1912 Metaline Falls School Re-Roofing	\$26,000
Delridge Neighborhoods Dev Assoc - Structural improvements	\$299,000
Seattle City Light - Continue Georgetown Steam Plan	\$773,000
Skagit County Historical Society - Skagit City School Rehab	\$22,000
Mount Baker Theatre - Mount Baker Theatre Preservation	\$1,000,000
North Bay Historical Society - Sargent Oyster House Restoration	\$160,000
City of Lynnwood - Heritage Park Water Tower Phase II Renovation	\$124,000
Town of Waverly - Restoration of Prairie View Schoolhouse	\$55,000
City of Lacey - Renovating Lacey warehouse for new museum	\$979,000
Northwest Schooner Society - Restoration 1906 Keepers Quarters	\$82,000
Sammamish Heritage Society - Reard House Phase III: Reconstruct	\$123,000
Cheney Depot Society - Cheney Depot Relocation & Rehabilitation	\$367,000
The 5th Ave Theatre Assoc - Theatre Upgrade:	

Auditorium	\$560,000
Highline Historical Society - Phase 3: Highline Heritage Museum	\$71,000
University Place Historical Society - Curran House History Museum	\$41,000
Coupeville Maritime Heritage Foundation - Preserv of vessel Suva	\$71,000
((Fort Worden Public Development Authority - Sage Arts & Ed Ctr	\$560,000))
South Pierce County Historical Society - Eatonville Tofu House	\$15,000
City of Everett - Van Valley Home lead Abatement & Pres	\$67,000
Appropriation: State Building Construction Account—State	(((\$9,737,000)) <u>\$9,177,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$9,737,000)) <u>\$9,177,000</u>

Sec. 5021. 2019 c 413 s 5098 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Minor Works - Preservation: 2019-21 (40000086)

Appropriation:

State Building Construction Account—State	(((\$1,545,000)) <u>\$2,608,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$9,543,000
TOTAL	(((\$11,088,000)) <u>\$12,151,000</u>

NEW SECTION. **Sec. 5022.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Black History Commemoration (91000008)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the Washington State Historical Society to lead a commemoration of Black History Month in 2021 at the State Capitol to include the planning and presentation of events and/or exhibitions on the Capitol campus, development of digital educational resources, and the creation or refurbishment of permanent fixtures and/or structures commemorating the history of African Americans in Washington state.

Appropriation:

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

Sec. 5023. 2019 c 413 s 5101 (uncodified) is amended to read as follows:
FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
Minor Works - Preservation: 2019-21 (40000026)

Appropriation:

State Building Construction Account—State	((\$800,000))
	<u>\$1,559,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$3,200,000
TOTAL	(((\$4,000,000)))
	<u>\$4,759,000</u>

Sec. 5024. 2019 c 413 s 5109 (uncodified) is amended to read as follows:
FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
North Seattle Community College: Technology Building Renewal
(30000129)

It is the intent of the legislature that all remaining work on this project be completed by June 30, 2023.

Reappropriation:

State Building Construction Account—State	\$569,000
Prior Biennia (Expenditures).....	\$24,847,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$25,416,000

Sec. 5025. 2019 c 413 s 5122 (uncodified) is amended to read as follows:
FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Shoreline: Allied Health, Science & Manufacturing Replacement
(30000990)

Reappropriation:

State Building Construction Account—State	\$2,902,000
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~~((Appropriation:~~

State Building Construction Account—State	(\$36,642,000))
Prior Biennia (Expenditures).....	\$690,000
Future Biennia (Projected Costs).....	(((\$0)))
	<u>\$36,642,000</u>
TOTAL	\$40,234,000

Sec. 5026. 2019 c 413 s 5103 (uncodified) is amended to read as follows:
FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Yakima Valley Community College: Palmer Martin Building (30000121)

Reappropriation:

State Building Construction Account—State	\$953,000
Prior Biennia (Expenditures).....	(((\$19,287,000)))
	<u>\$19,196,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL	(((\$20,240,000)))
	<u>\$20,149,000</u>

Sec. 5027. 2019 c 413 s 5126 (uncodified) is amended to read as follows:
FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Spokane Falls: Fine and Applied Arts Replacement (30001458)

The appropriation in this section is subject to the following conditions and limitations: The appropriation authorizes Spokane Falls to enter into a contract

for the construction of this project. It is the intent of the legislature that \$17,140,000 will be appropriated for this project in the 2021-2023 fiscal biennium.

Reappropriation:

State Building Construction Account—State \$2,616,000

Appropriation:

State Building Construction Account—State \$20,000,000

Prior Biennia (Expenditures) \$211,000

Future Biennia (Projected Costs) (\$0)

\$17,140,000

TOTAL ((~~\$2,827,000~~))

\$39,967,000

NEW SECTION. Sec. 5028. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Everett: Baker Hall Replacement (40000190)

Appropriation:

State Building Construction Account—State \$275,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$32,279,000

TOTAL \$32,554,000

PART 6

2017-2019 BIENNIUM PROVISIONS

Sec. 6001. 2019 c 413 s 6005 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE

2017-19 Housing Trust Fund Program (30000872)

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

(1) \$83,500,000 of the state taxable building construction account—state appropriation, \$19,631,000 of the state building construction account—state appropriation, and \$8,658,000 of the Washington housing trust account—state appropriation are provided solely for affordable housing and preservation of affordable housing. Of the amounts in this subsection:

(a) \$24,370,000 is provided solely for housing projects that provide supportive housing and case-management services to persons with chronic mental illness. The department must prioritize low-income supportive housing unit proposals that provide services or include a partner community behavioral health treatment provider;

(b) \$10,000,000 is provided solely for housing preservation grants or loans to be awarded competitively. The grants may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require that a capital needs assessment is performed to estimate the cost of the preservation project at contract execution. Funds may not be used to add or expand the capacity of the property. To receive grants, housing projects must meet the following requirements:

(i) The property is more than fifteen years old;

(ii) At least 50 percent of the housing units are occupied by families and individuals at or below 30 percent area median income.

(iii) The improvements will result in reduction of operating or utilities costs, or both; and

(iv) Other criteria that the department considers necessary to achieve the purpose of this program.

(c) \$5,000,000 is provided solely for housing projects that benefit people at or below 80 percent of the area median income who have been displaced by a natural disaster declared by the governor, including people who have been displaced within the last two biennia.

(d) \$1,000,000 of the Washington housing trust account—state appropriation is provided solely for the department to work with the communities of concern commission to focus on creating capital assets that will help reduce poverty and build stronger and more sustainable communities using the communities' cultural understanding and vision. The funding must be used for predevelopment costs for capital projects identified by the commission and for other activities to assist communities in developing capacity to create community-owned capital assets.

(e) \$1,000,000 of the Washington housing trust account—state appropriation and \$1,500,000 of the state taxable building construction account—state appropriation are provided solely for the ~~((purchase of the three south annex properties. The state board for community and technical colleges must transfer the three south annex properties located at 1530 Broadway, 1534 Broadway, and 909 East Pine street to one or more nonprofits or public development authorities selected by the department, if the selected entities agree to use the properties to provide services and housing for homeless youth or young adults for a minimum of twenty five years. The transfer agreement between the state board for community and technical colleges and the selected entities must specify a mutually agreed transfer date and require the selected entities to cover any closing costs with a total purchase price of nine million dollars for all three properties))~~ department to contract directly with YouthCare Service Center to purchase the 1534 Broadway site from Capitol Hill Housing in order for YouthCare Service Center to develop a youth community center.

(f) \$25,506,000 is provided solely for the following list of housing projects:

- (i) Spokane Housing Predesign \$500,000
- (ii) El Centro de la Raza \$737,000
- (iii) Highland Village Preservation \$1,500,000
- (iv) King County Modular Housing Project \$1,500,000
- (v) Nisqually Tribal Housing \$1,250,000
- (vi) Othello Homesight Community Center \$3,000,000
- (vii) Parkview Apartments Affordable Housing \$100,000
- (viii) Supported Housing and Employment (Longview) \$129,000

(ix) \$2,000,000 is provided solely for homeownership assistance for low-income households displaced from their manufactured/mobile homes due the closure or conversion of a mobile home park or manufactured housing community in south King County. \$1,500,000 of this amount in this subsection is provided solely for low-income residents displaced from the Firs Mobile Home Park located in SeaTac.

(x) \$6,000,000 is provided solely for grants for high quality low-income housing projects that will quickly move people from homelessness into secure housing, and are significantly less expensive to construct than traditional housing. It is the intent of the legislature that these grants serve projects with a total project development cost per housing unit of less than ~~(\$125,000)~~ \$135,000, excluding the value of land, and with a commitment by the applicant to maintain the housing units for at least a twenty-five year period. Amounts provided that are subject to this subsection must be used to plan, predesign, design, provide technical assistance and financial services, purchase land for, and build innovative low-income housing units. \$3,000,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing in Shelton and \$3,000,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing for veterans in Orting. Mental health and substance abuse counseling services must be offered to residents of housing projects supported by appropriations in this subsection. \$500,000 of the appropriation for housing units in Shelton can be released for purchase of land, planning, or predesign services before the project is fully funded. \$500,000 of the appropriation for housing units in Orting can be released for purchase of land, planning, or predesign services before the project is fully funded.

(xi) \$7,290,000 is provided solely for grants to the following organizations using innovative methods to address homelessness: \$4,290,000 for THA Arlington drive youth campus in Tacoma and \$3,000,000 for a King county housing project.

(xii) \$1,500,000 is provided solely for Valley Cities modular housing project in Auburn.

(g) Of the amounts appropriated remaining after (a) through (f) of this subsection, the department must allocate the funds as follows:

- (i) 10 percent is provided solely for housing projects that benefit veterans;
- (ii) 10 percent is provided solely for housing projects that benefit homeownership;
- (iii) 5 percent is provided solely for housing projects that benefit people with developmental disabilities;

(iv) The remaining amount is provided solely for projects that serve low-income and special needs populations in need of housing, including, but not limited to, homeless families with children, homeless youth, farmworkers, and seniors.

(2) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(3) The department must strive to allocate all of the amounts appropriated in this section within the 2017-2019 fiscal biennium in the manner prescribed in subsection (1) of this section. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Building Construction Account—State \$19,631,000

State Taxable Building Construction Account—State	\$83,500,000
Washington Housing Trust Account—State	\$8,658,000
Subtotal Appropriation	\$111,789,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$400,000,000
TOTAL	\$511,789,000

Sec. 6002. 2019 c 413 s 1024 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2018 Local and Community Projects (40000005)

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

(1) The reappropriation is subject to the provisions of section 6003 of this act, except that no funding may be directed to the Puyallup Meeker Mansion Public Plaza.

(2) The Interbay public development advisory committee shall provide a report to the legislature and office of the governor with recommendations by November 15, 2019. The Interbay advisory committee's recommendations must include recommendations regarding the structure, composition, and scope of authority of any subsequent state public development authority that may be established to implement the recommendations of the Interbay advisory committee.

(3) The Interbay public development advisory committee terminates June 30, 2020.

Reappropriation:

State Building Construction Account—State	(\$91,142,000)
	<u>\$90,642,000</u>
Prior Biennia (Expenditures)	\$39,799,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$130,941,000)
	<u>\$130,441,000</u>

Sec. 6003. 2019 c 413 s 6006 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy Funds 3 (30000881)

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

(1) The appropriations are provided solely 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.

(2) In soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive processes, rather than sole source contracting processes, are used to select all projects, except as otherwise noted in this section; and

(b) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project

monitoring and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(3)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require a project applicant to identify in application materials any state of Washington employees or former state employees employed by the firm or on the firm's governing board during the past twenty-four months. Application materials must identify the individual by name, the agency previously or currently employing the individual, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of funding.

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a grantee who received funding under this section, either in procuring or performing under the grant, the department in its sole discretion may terminate the funding grant by written notice. If the grant is terminated, the department must reserve its right to pursue all available remedies under law to address the violation.

(4) The requirements in subsections (2) and (3) of this section must be satisfied in funding agreements issued by the department.

(5) \$11,000,000 of the state building construction account, is provided solely for grid modernization grants for projects that advance clean and renewable energy technologies, and transmission and distribution control systems; that support integration of renewable energy sources, deployment of distributed energy resources, and sustainable microgrids; and that increase utility customer options for energy sources, energy efficiency, energy equipment, and utility services.

(a) Projects must be implemented by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) Applications for grants must disclose all sources of public funds invested in a project.

(6) \$7,900,000 of the state building construction account and \$3,100,000 of the energy efficiency account are provided solely for grants to demonstrate new approaches to electrification of transportation systems.

(a) Projects must be implemented by local governments, federally recognized tribal governments, or by public and private electrical utilities that serve retail customers in the state. Eligible parties may partner with other public and private sector research organizations and businesses in applying for funding. The department of commerce must coordinate with other electrification programs, including projects the department of transportation is developing and projects funded by the Volkswagen consent decree, to determine the most effective distribution of the systems.

(b) Priorities must be given to eligible technologies that reduce the top two hundred hours of demand and the demand side.

(c) Eligible technologies for these projects include, but are not limited to:

(i) Electric vehicle and transportation system charging and open source control infrastructure, including inductive charging systems;

(ii) Electric vehicle sharing in low-income, multi-unit housing communities in urban areas;

(iii) Grid-related vehicle electrification, connecting vehicle fleets to grid operations, including school and transit buses;

(iv) Electric vehicle fleet management tools with open source software;

(v) Maritime electrification, such as electric ferries, water taxis, and shore power infrastructure.

(7)(a) \$8,600,000 of the state building construction account is provided solely for strategic research and development for new and emerging clean energy technologies, as needed to match federal or other nonstate funds to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult and coordinate with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the grant program unless the organization prefers to compete for the grants. If the organization prefers to receive grants from the program they may not participate in the consultant process determining how the grant process is structured. The program shall offer matching funds for competitively selected clean energy projects, including but not limited to: Solar technologies, advanced bioenergy and biofuels, development of new earth abundant materials or lightweight materials, advanced energy storage, battery components recycling, and new renewable energy and energy efficiency technologies. Criteria for the grant program must include life cycle cost analysis for projects that are part of the competitive process.

(c) \$750,000 of this subsection (7) is provided solely for the state efficiency and environmental program.

(8) \$8,000,000 of the state taxable construction account is provided solely for scientific instruments to help accelerate research in advanced materials at the proposed science laboratories infrastructure facility at the Pacific Northwest national laboratory. These state funds are contingent on securing federal funds for the new facility, and are provided as match to the federal funding. The instruments will support researchers at the bioproducts sciences and engineering laboratory, the joint center for deployment research in earth abundant materials, the center for advanced materials and clean energy technology, and other energy and materials collaborations with the University of Washington and Washington State University.

(9) \$1,600,000 of the state building construction account and \$2,400,000 of the energy efficiency account are provided solely for grants to be awarded in competitive rounds for the deployment of solar projects located in Washington state.

(a) Priority must be given to distribution side projects that reduce peak electricity demand.

(b) Projects must be capable of generating more than one hundred kilowatts of direct current generating capacity.

(c) Except as provided in (d) of this subsection, grants shall not exceed \$200,000 per megawatt of direct current generating capacity and total grant funds per project shall not exceed \$1,000,000 per applicant. Applicants may not use other state grants.

(d) At least 35 percent of the total allocation of a project must be for community solar projects that provide solar electricity to low-income households, low-income tribal housing programs, affordable housing providers, and nonprofit organizations providing services to low-income communities. The provisions of (c) of this subsection do not apply to projects funded under this subsection (9)(d).

(e) Priority must be given to major components made in Washington.

(f) The department must attempt to prioritize an equitable geographic distribution and a diversity of project sizes.

(10) \$2,400,000 of the state building construction account is provided solely for the first phase of a project which, when fully deployed, will reduce emissions of greenhouse gases by a minimum of seven hundred fifty thousand tons per year, increase energy efficiency, and protect or create aluminum manufacturing jobs located in Whatcom county.

(11) \$1,100,000 of the state building construction account—state appropriation is provided solely for a grant to the public utility district no. 1 of Klickitat county for the remediation, survey, and evaluation of a closed-loop pump storage hydropower project at the John Day pool.

Appropriation:

State Building Construction Account—State	\$32,600,000
State Taxable Building Construction Account—State.	\$8,000,000
Energy Efficiency Account—State	\$5,500,000
Subtotal Appropriation	\$46,100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$200,000,000
TOTAL	\$246,100,000

PART 7

MISCELLANEOUS PROVISIONS

Sec. 7001. 2019 c 413 s 7001 (uncodified) is amended to read as follows:

RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are (~~forty-eight million six hundred eighteen thousand two hundred eighteen dollars for the 2019-2021 biennium, three hundred six million nine hundred two thousand nine hundred ninety six dollars for the 2021-2023 biennium, and four hundred thirty three million two hundred fifty nine thousand five hundred seventy three dollars for the 2023-2025 biennium~~) forty-three million three hundred fourteen thousand six hundred forty-two dollars for the 2019-2021 biennium, three hundred million four hundred twenty-two thousand three hundred forty-three dollars for the 2021-2023 biennium, and four hundred seventeen million four hundred fifty-five thousand six hundred sixty dollars for the 2023-2025 biennium.

Sec. 7002. 2019 c 413 s 7002 (uncodified) is amended to read as follows:

ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS.

(1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Secretary of state: Enter into a financing contract for up to \$103,143,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new library-archives building.

(4) Washington state patrol: Enter into a financing contract for up to \$7,450,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a burn building for live fire training.

(5) Department of social and health services: Enter into a financing contract for up to \$3,600,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase the King county secure community transition center.

(6) Department of fish and wildlife: Enter into a financing contract for up to \$3,099,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase automated salmon marking trailers.

(7) Department of natural resources: Enter into a financing contract for up to \$1,800,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to remodel spaces within agency-owned commercial buildings that will benefit the common school trust.

(8) Western Washington University: Enter into a financing contract for up to \$9,950,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a consolidated academic support services facility. Debt service for this facility may not be paid from additional student fees.

(9) Community and technical colleges:

(a) Enter into a financing contract on behalf of Columbia Basin Community College for up to \$27,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a student recreation center.

(b) Enter into a financing contract on behalf of Pierce College Puyallup for up to \$2,831,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase land and construct parking.

(c) Enter into a financing contract on behalf of Walla Walla Community College for up to \$1,500,000 plus financing expenses and required reserves

pursuant to chapter 39.94 RCW to build a student activity center on the Clarkston campus.

(d) Enter into a financing contract on behalf of Walla Walla Community College for up to \$6,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student recreation center.

(e) Enter into a financing contract on behalf of Wenatchee Valley College for up to \$4,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Wells Hall replacement project.

(f) Enter into a financing contract on behalf of Yakima Valley Community College for up to \$22,700,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build additional instructional and lab classroom space.

(g) Enter into a financing contract on behalf of Everett Community College for up to \$10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase one or more properties adjacent to the campus.

(h) Enter into a financing contract on behalf of South Seattle College for up to \$10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student wellness and fitness center.

(10) Eastern Washington University: Enter into a financing contract for up to \$3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for roof replacement projects.

Sec. 7003. 2019 c 413 s 7003 (uncodified) is amended to read as follows:

(1) To ensure that major construction projects are carried out in accordance with legislative and executive intent, agencies must complete a predesign for state construction projects with a total anticipated cost in excess of (~~(\$5,000,000, or)~~ \$10,000,000 (~~for higher education institutions~~)). "Total anticipated cost" means the sum of the anticipated cost of the predesign, design, and construction phases of the project.

(2) Appropriations for design may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign.

(3) The predesign must explore at least three project alternatives. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative should be the most reasonable and cost-effective solution. The predesign document must include, but not be limited to, program, site, and cost analysis, and an analysis of the life-cycle costs of the alternatives explored, in accordance with the predesign manual adopted by the office of financial management.

(4) The office of financial management may make an exception to some or all of the predesign requirements in this section (~~(after notifying the legislative fiscal committees and waiting ten days for comment by the legislature regarding the proposed exception)~~). The office of financial management shall report any exception to the fiscal committees of the legislature and include: (a) A description of the major capital project for which the predesign waiver is made; (b) an explanation of the reason for the waiver; and (c) a rough order of magnitude cost estimate for the project's design and construction.

(5) In deliberations related to submitting an exception under this section, the office of financial management shall consider the following factors:

(a) Whether there is any determination to be made regarding the site of the project;

(b) Whether there is any determination to be made regarding whether the project will involve renovation, new construction, or both;

(c) Whether, within six years of submitting the request for funding, the agency has completed, or initiated the construction of, a substantially similar project;

(d) Whether there is any anticipated change to the project's program or the services to be delivered at the facility;

(e) Whether the requesting agency indicates that the project may not require some or all of the predesign requirements in this section due to a lack of complexity; and

(f) Whether any other factors related to project complexity or risk, as determined by the office of financial management, could reduce the need for, or scope of, a predesign.

(6) If under this section some or all predesign requirements are waived, the office of financial management may instead propose a professional project cost estimate instead of a request for predesign funding.

NEW SECTION. Sec. 7004. If Substitute House Bill No. 2936 (predesign) is not enacted by June 30, 2020, section 7003 of this act is null and void.

Sec. 7005. RCW 43.19.501 and 2018 c 2 s 7027 are each amended to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department in Thurston county. ~~((For the 2015-2017 biennium, moneys in the account may be used for studies related to real estate.))~~

During the ~~((2017-2019))~~ 2019-2021 fiscal biennium, the Thurston county capital facilities account may be appropriated for costs associated with staffing to support capital budget and project activities and lease and facility oversight activities.

Sec. 7006. 2019 c 413 s 7021 (uncodified) is amended to read as follows:

(1) The department of enterprise services, in consultation with the office of financial management, is granted the authority to sell the real property known as the Tacoma Rhodes complex. The property consists of the Broadway building, Market building, and parking garage.

(2) The department may negotiate a sale with the city of Tacoma for less than fair market value, but the purchase price must cover appraisal costs, all debt service, all closing costs, all financing contracts, and the cost of outstanding liabilities necessary to keep the department whole.

(3) If the department and the city of Tacoma are unable to negotiate agreed upon terms and execute a purchase and sale agreement by December 31, 2019, the department may sell the property to any purchaser for no less than fair market value.

(4) The terms and conditions of the sale must meet the business needs of the state tenants.

(5) Any sale proceeds remaining after the department has satisfied all of the obligations, including appraisal costs, all debt service, all closing costs, all financing contracts, and the cost of outstanding liabilities, must be deposited into the Thurston county capital facilities account. It is the intent of the legislature to use the sale proceeds for projects on the Capitol Campus.

NEW SECTION. Sec. 7007. A new section is added to 2019 c 413 (uncodified) to read as follows:

In order to accelerate the reduction of embodied carbon and improve the environmental performance of construction materials, agencies shall, whenever possible, review and consider embodied carbon reported in environmental product declarations when evaluating proposed structural materials for construction projects.

Sec. 7008. RCW 43.63A.750 and 2006 c 371 s 235 are each amended to read as follows:

(1) A competitive grant program to assist nonprofit organizations in acquiring, constructing, or rehabilitating performing arts, art museums, and cultural facilities is created.

(2)(a) The department shall submit a list of recommended performing arts, art museum projects, and cultural organization projects eligible for funding to the governor and the legislature in the department's biennial capital budget request beginning with the 2001-2003 biennium and thereafter. The list, in priority order, shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed twelve million dollars, except that lists submitted during the 2019-2021 fiscal biennium may not exceed sixteen million dollars.

(b) The department shall establish a competitive process to prioritize applications for state assistance as follows:

(i) The department shall conduct a statewide solicitation of project applications from nonprofit organizations, local governments, and other entities, as determined by the department. The department shall evaluate and rank applications in consultation with a citizen advisory committee, including a representative from the state arts commission, using objective criteria. The evaluation and ranking process shall also consider local community support for projects and an examination of existing assets that applicants may apply to projects.

(ii) The department may establish the amount of state grant assistance for individual project applications but the amount shall not exceed twenty percent, or thirty-three and one-third percent for lists submitted during the 2019-2021 fiscal biennium, of the estimated total capital cost or actual cost of a project, whichever is less. The remaining portions of the project capital cost shall be a match from nonstate sources. The nonstate match may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department is authorized to set matching requirements for individual projects. State assistance may be used to fund separate definable phases of a project if the project demonstrates adequate progress and has secured the necessary match funding.

(iii) The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the department shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

Sec. 7009. 2019 c 413 s 7038 (uncodified) is amended to read as follows:

UNIVERSITY OF WASHINGTON TRANSFER TO SEATTLE.

By June 30, 2020, the University of Washington must transfer the deed of the property and general purpose facility, King County parcel numbers 308500-2100, 713830-0015, and 713880-0025, located ~~((at))~~ near 2901 27th Avenue South, Seattle, to the city of Seattle for the purposes of developing affordable housing, including supportive housing, for households at or below eighty percent of the area median income and ((providing health care services in partnership with a public hospital system)) for other potential educational, research, and clinical uses by the university, including an early learning facility. ((The University of Washington may reserve easements in the transferred property at no cost to the university.)) If the university constructs and occupies space for its potential uses on the transferred property, then such space must be occupied at no base rent paid by the university. The transfer shall count toward the ~~((obligation))~~ commitment to build affordable housing under the university's institutional campus master plan agreement. The city shall seek to maximize the affordable housing development potential of the property consistent with transit-oriented development principles. Liabilities existing on the property at the time of transfer will transfer with the property. When the deed is transferred to the city, any existing leases of the property expire, except those leases that the university and city have agreed to extend beyond the transfer date. The transfer must be at no cost to the city. As a condition of the transfer, the city of Seattle may only transfer the property to a nonprofit corporation or a unit of state or local government. For purposes of this section, a nonprofit corporation includes
a:

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

(2) Limited partnership or limited liability limited partnership where a nonprofit as defined in subsection (1) of this section is a general partner or a member of a single purpose entity serving as a general partner, in which all of the members meet the definition of subsection (1) of this section; or

(3) Limited liability company where a nonprofit as defined in subsection (1) of this section is a managing member or a member of a single purpose entity serving as a managing member in which all of the members meet the definition of subsection (1) of this section.

NEW SECTION. Sec. 7010. 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. 7011. 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.

Passed by the Senate March 12, 2020.

Passed by the House March 11, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

CHAPTER 357

[Engrossed Substitute Senate Bill 6168]

OPERATING BUDGET-SUPPLEMENTAL

AN ACT Relating to fiscal matters; amending RCW 28B.76.525, 28B.76.526, 28B.145.050, 41.80.040, 43.31.502, 43.185C.060, 69.50.540, 74.46.561, 82.08.170, 82.19.040, and 90.56.510; amending 2019 c 415 ss 101, 102, 103, 104, 105, 106, 107, 108, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 148, 147, 149, 150, 151, 152, 153, 141, 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, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 503, 504, 505, 506, 507, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 601, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 719, 701, 703, 712, 720, 725, 728, 730, 721, 722, 724, 726, 801, 802, 803, 805, 938, and 946, 2019 c 406 ss 13 and 5, and 2019 c 324 s 12 (uncodified); reenacting and amending RCW 71.24.580; adding a new section to chapter 43.79 RCW; adding new sections to 2019 c 415 (uncodified); creating new sections; making appropriations; providing an expiration date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

PART I

GENERAL GOVERNMENT

***Sec. 101.** 2019 c 415 s 101 (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

General Fund—State Appropriation (FY 2020)	(\$40,202,000)
	<u>\$40,403,000</u>
General Fund—State Appropriation (FY 2021)	(\$43,039,000)
	<u>\$44,256,000</u>
Pension Funding Stabilization Account—State	
Appropriation.	\$4,266,000
TOTAL APPROPRIATION	(\$87,507,000)
	<u>\$88,925,000</u>

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

(1) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute House Bill No. 2018 (harassment/legislature). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(2) \$25,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the joint legislative task force created in section 923 to develop a business plan for the establishment of a publicly owned depository/state bank in Washington state.

**Sec. 101 is partially vetoed. See message at end of chapter.*

***Sec. 102.** 2019 c 415 s 102 (uncodified) is amended to read as follows:

FOR THE SENATE

General Fund—State Appropriation (FY 2020)	(\$28,693,000)
	<u>\$28,736,000</u>
General Fund—State Appropriation (FY 2021)	(\$32,675,000)
	<u>\$33,869,000</u>
Pension Funding Stabilization Account—State	
Appropriation	\$2,932,000
TOTAL APPROPRIATION	(\$64,300,000)
	<u>\$65,537,000</u>

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

(1) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute House Bill No. 2018 (harassment/legislature). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(2) \$175,000 of the general fund—state appropriation for fiscal year 2020 and \$175,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a human resource officer consistent with the implementation of the senate's appropriate workplace conduct policy.

(3) \$25,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the joint legislative task force created in section 923 to develop a business plan for the establishment of a publicly owned depository/state bank in Washington state.

**Sec. 102 is partially vetoed. See message at end of chapter.*

Sec. 103. 2019 c 415 s 103 (uncodified) is amended to read as follows:

FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Performance Audits of Government Account—State	
Appropriation	(\$9,867,000)
	<u>\$9,844,000</u>
TOTAL APPROPRIATION	(\$9,867,000)
	<u>\$9,844,000</u>

The appropriation((s)) in this section ((are)) is 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 2019-2021 work plan as necessary to efficiently manage workload.

~~((3))~~ (2) \$266,000 of the performance audit of governments account—state appropriation is provided solely for implementation of Second Substitute

House Bill No. 1216 (school safety & well-being). If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.

~~((4))~~ (3) \$17,000 of the performance audits of government account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5025 (self-help housing development and taxes). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

~~((5))~~ (4)(a) \$342,000 of the performance audits of government account—state appropriation is provided solely for the joint legislative audit and review committee to conduct a performance audit of the department of health's ambulatory surgical facility regulatory program. The study must explore:

(i) A comparison of state survey requirements and process and the centers for medicare and medicaid services survey requirements and process;

(ii) The licensing fees required of ambulatory surgical facilities as they relate to actual department of health costs for regulating the facilities;

(iii) Payments received by the department of health from the centers for medicare and medicaid services for surveys conducted on behalf of the centers for medicare and medicaid services; and

(iv) Staffing for the survey program, including any need for an increase or reduction of staff.

(b) The audit must be completed and provided to the legislature by January 1, 2021.

(5) \$100,000 of the performance audits of government account—state appropriation is provided solely for the joint legislative audit and review committee to conduct a performance audit of the health care authority's budget structure, including its chart of accounts. The study must:

(a) Include a comparison of other state medicaid agency budget structures of similar size; and

(b) Be completed and provided to the legislature by September 1, 2021.

Sec. 104. 2019 c 415 s 104 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Performance Audits of Government Account—State

Appropriation(((\$4,573,000))

\$4,585,000

TOTAL APPROPRIATION(((\$4,573,000))

\$4,585,000

Sec. 105. 2019 c 415 s 105 (uncodified) is amended to read as follows:

FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE

General Fund—State Appropriation (FY 2020)(((\$12,081,000))

\$12,086,000

General Fund—State Appropriation (FY 2021)(((\$12,233,000))

\$13,946,000

Pension Funding Stabilization Account—State

Appropriation \$822,000

TOTAL APPROPRIATION(((\$25,136,000))

\$26,854,000

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. 2019 c 415 s 106 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund—State Appropriation (FY 2020)	\$333,000
General Fund—State Appropriation (FY 2021)	\$347,000
State Health Care Authority Administrative Account—	
State Appropriation	\$471,000
Pension Funding Stabilization Account—State	
Appropriation	\$28,000
Department of Retirement Systems Expense	
Account—State Appropriation	(\$5,700,000)
	\$5,721,000
TOTAL APPROPRIATION	(\$6,879,000)
	\$6,900,000

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

(1) \$35,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a benchmark analysis of the value of public employee benefits and how those benefits compare to other employers.

(2) During the 2020 legislative interim, the select committee on pension policy shall study the consistency of administrative practices under the portability provisions of chapter 41.54 RCW. In conducting this study, the select committee on pension policy shall:

(a) Convene a study group including representatives of the department of retirement systems, the office of the state actuary, the state institutions of higher education, and the cities of Seattle, Tacoma, and Spokane. The purpose of this study group is to facilitate the sharing of information and data needed for the select committee on pension policy to conduct the analysis and draft its report;

(b) Review and compare written policies of each of the entities in (a) of this subsection enacted pursuant to carrying out dual membership provisions under chapter 41.54 RCW, as well as any participant data needed to make reasonable comparisons of administrative practices;

(c) Identify differences in administrative practices, and consider the implications for making those practices consistent between entities; and

(d) Report any findings to the appropriate committees of the legislature by December 15, 2020.

Sec. 107. 2019 c 415 s 107 (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund—State Appropriation (FY 2020)	(\$5,002,000)
	\$5,000,000
General Fund—State Appropriation (FY 2021)	(\$5,503,000)
	\$5,520,000
Pension Funding Stabilization Account—State	
Appropriation	\$566,000
TOTAL APPROPRIATION	(\$11,071,000)
	\$11,086,000

Sec. 108. 2019 c 415 s 108 (uncodified) is amended to read as follows:

FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES

General Fund—State Appropriation (FY 2020)	..((<u>\$4,212,000</u>))	<u>\$4,213,000</u>
General Fund—State Appropriation (FY 2021)	..((<u>\$4,681,000</u>))	<u>\$4,694,000</u>
Pension Funding Stabilization Account—State		
Appropriation	.....	\$436,000
TOTAL APPROPRIATION	..((<u>\$9,329,000</u>))	<u>\$9,343,000</u>

Sec. 109. 2019 c 415 s 111 (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund—State Appropriation (FY 2020)	..((<u>\$8,989,000</u>))	<u>\$9,016,000</u>
General Fund—State Appropriation (FY 2021)	..((<u>\$9,397,000</u>))	<u>\$9,433,000</u>
Pension Funding Stabilization Account—State		
Appropriation	.....	\$674,000
TOTAL APPROPRIATION	..((<u>\$19,060,000</u>))	<u>\$19,123,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$163,000 of the general fund—state appropriation for fiscal year 2020 and \$167,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for salary increases for staff attorneys and law clerks based on a 2014 salary survey.

Sec. 110. 2019 c 415 s 112 (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund—State Appropriation (FY 2020)	..((<u>\$1,707,000</u>))	<u>\$1,708,000</u>
General Fund—State Appropriation (FY 2021)	..((<u>\$1,728,000</u>))	<u>\$1,739,000</u>
Pension Funding Stabilization Account—State		
Appropriation	.....	\$128,000
TOTAL APPROPRIATION	..((<u>\$3,563,000</u>))	<u>\$3,575,000</u>

Sec. 111. 2019 c 415 s 113 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund—State Appropriation (FY 2020)	..((<u>\$1,217,000</u>))	<u>\$1,280,000</u>
General Fund—State Appropriation (FY 2021)	..((<u>\$1,280,000</u>))	<u>\$1,614,000</u>
Pension Funding Stabilization Account—State		
Appropriation	.....	\$130,000
TOTAL APPROPRIATION	..((<u>\$2,627,000</u>))	<u>\$3,024,000</u>

Sec. 112. 2019 c 415 s 114 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund—State Appropriation (FY 2020)	(\$20,390,000)
	<u>\$20,575,000</u>
General Fund—State Appropriation (FY 2021)	(\$21,313,000)
	<u>\$21,371,000</u>
Pension Funding Stabilization Account—State Appropriation	\$1,492,000
TOTAL APPROPRIATION	(\$43,195,000)
	<u>\$43,438,000</u>

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

(1) \$229,000 of the general fund—state appropriation for fiscal year 2020 and \$311,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for salary step increases for eligible employees.

(2) \$606,000 of the general fund—state appropriation for fiscal year 2020 and \$606,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for salary increases for court of appeals law clerks based on a 2014 salary survey.

***Sec. 113.** 2019 c 415 s 115 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund—State Appropriation (FY 2020)	(\$64,569,000)
	<u>\$64,580,000</u>
General Fund—State Appropriation (FY 2021)	(\$66,736,000)
	<u>\$72,151,000</u>
General Fund—Federal Appropriation	\$2,203,000
General Fund—Private/Local Appropriation	\$681,000
Judicial Stabilization Trust Account—State Appropriation	\$6,692,000
Pension Funding Stabilization Account—State Appropriation	\$4,572,000
Judicial Information Systems Account—State Appropriation	(\$63,220,000)
	<u>\$63,233,000</u>
TOTAL APPROPRIATION	(\$208,673,000)
	<u>\$214,112,000</u>

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

(1) The distributions made under this subsection 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) \$1,399,000 of the general fund—state appropriation for fiscal year 2020 and \$1,399,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of

serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

(3)(a) \$7,000,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2019-21 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 forty-five 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 sixty days after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

(4) \$96,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1517 (domestic violence). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse

(5) \$66,000 of the general fund—state appropriation for fiscal year 2020 and \$66,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for DNA testing for alleged fathers in dependency and termination of parental rights cases.

(6) \$237,000 of the general fund—state appropriation for fiscal year 2020 and \$1,923,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the expansion of the state interpreter reimbursement program.

(7) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$360,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of public guardianship for guardianship fees, initial assessments, average annual legal fees, and for less restrictive options to support decision-making.

(8) \$1,094,000 of the general fund—state appropriation for fiscal year 2020 and \$1,094,000 of the general fund—state appropriation for fiscal year 2021 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.

(9) \$25,808,000 of the judicial information systems account—state appropriation is provided solely for judicial branch information technology projects. Expenditures from the judicial information systems account shall not exceed available resources. Judicial branch information technology project prioritization shall be determined by the judicial information system committee.

(10) ~~(\$1,027,000)~~ \$750,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$377,000)~~ \$2,077,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5604 (uniform guardianship, etc.). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(11) \$68,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Substitute Senate Bill No. 5149 (monitoring w/victim notif.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(12) \$298,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Senate Bill No. 5450 (adding superior court judges). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(13) \$25,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Engrossed Second Substitute Senate Bill No. 5720 (involuntary treatment act). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(14) \$207,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the development and implementation of a statewide online training system for court staff and judicial officers.

(15) \$135,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 6268 (abusive litigation/partners). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(16) \$5,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 6641 (sex offender treatment avail). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(17) \$333,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the administrative office of the courts to implement a statewide text notification system. The court date notification texting services must provide subscribers with criminal court date notifications and reminders by short message service or text message that includes but is not limited to the court date, session changes, and a court date reminder in advance of the scheduled court date.

(18) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to reimburse counties affected by extraordinary judicial costs arising from a long-term leave of absence by a superior court judge in the Asotin-Columbia-Garfield tri-county judicial district. An affected county may apply to the office for reimbursement for the reasonable costs of expenses incurred since April 24, 2019, for: Travel, lodging, and subsistence of visiting elected judges holding court in the tri-county district under RCW 2.08.140; the state and local shares of pro tempore judge compensation in the tri-county district under RCW 2.08.180; the state and local shares of pro tempore judge compensation under RCW 2.08.180 for a county that has provided a visiting elected judge; and similar county-borne extraordinary expenses that arise

directly from the leave of absence. Where appropriate, the office must apportion reimbursement among the district's counties in accordance with RCW 2.08.110.

(19) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to the YWCA Clark county court-appointed special advocates (CASA) program to fund volunteer efforts, staff, recruitment efforts, public awareness, and programs that assist abused and neglected children involved in legal proceedings.

(20) \$666,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Engrossed Second Substitute House Bill No. 2467 (firearm background checks). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(21) \$112,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute House Bill No. 2277 (youth solitary confinement). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(22) \$1,214,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute House Bill No. 2793 (vacating criminal records). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(23) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the administrative office of the courts to develop a domestic violence risk assessment instrument that:

(a) Uses information from relevant court records and prior offenses to predict the likelihood of a domestic violence incident; and

(b) Determines whether law enforcement risk data and domestic violence supplemental forms are useful in determining reoffense.

**Sec. 113 is partially vetoed. See message at end of chapter.*

Sec. 114. 2019 c 415 s 116 (uncodified) is amended to read as follows:

FOR THE OFFICE OF PUBLIC DEFENSE

General Fund—State Appropriation (FY 2020)	(\$46,538,000)
	<u>\$47,200,000</u>
General Fund—State Appropriation (FY 2021)	(\$46,394,000)
	<u>\$47,644,000</u>
Judicial Stabilization Trust Account—State	
Appropriation.	(\$3,805,000)
	<u>\$3,809,000</u>
Pension Funding Stabilization Account—State	
Appropriation.	\$278,000
TOTAL APPROPRIATION	(\$97,015,000)
	<u>\$98,931,000</u>

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

(1) The amounts provided include funding for expert and investigative services in death penalty personal restraint petitions.

(2) \$900,000 of the general fund—state appropriation for fiscal year 2020 and \$900,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the purpose of improving the quality of trial court public defense services. The department 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.

(3) The office of public defense shall enter into an interagency agreement with the department of children, youth, and families to facilitate the use of federal title IV-E reimbursement for parent representation services.

(4) \$288,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$244,000)~~ \$444,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the parents for parents program. Funds must be used to expand services in new sites and maintain and improve service models for the current programs. Of the amounts provided in this subsection, \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for continuing services in Grant, Cowlitz, Jefferson, Okanogan, and Chelan counties and for providing oversight, coordination, start-up training, technical assistance, and quality monitoring for all sites across the state.

(5)(a) \$305,000 of the general fund—state appropriation for fiscal year 2020 and \$305,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office to contract with a nonprofit organization for:

(i) Continuing legal education and case-specific resources for public defense attorneys; and

(ii) The incarcerated parents project to support incarcerated parents and their families, and public defenders representing incarcerated parents in the child welfare, juvenile, and criminal systems.

(b) The nonprofit organization must have experience providing statewide training and services to state-funded public defense attorneys for indigent clients.

(6) \$4,532,000 of the general fund—state appropriation for fiscal year 2020 and \$4,532,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for salary increases for state-contracted public defense attorneys representing indigent persons on appeal and indigent parents involved in dependency and termination cases.

(7) \$1,389,000 of the general fund—state appropriation for fiscal year 2020 and \$1,388,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for additional attorneys, social workers, and staff support, for the parents' representation program.

(8) \$180,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a cost-of-living increase for contracted social workers.

(9) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to compensate parents representation program attorneys to prepare parenting plans at the culmination of dependency cases.

Sec. 115. 2019 c 415 s 117 (uncodified) is amended to read as follows:

FOR THE OFFICE OF CIVIL LEGAL AID

General Fund—State Appropriation (FY 2020)	(\$20,348,000)
	\$20,949,000
General Fund—State Appropriation (FY 2021)	(\$22,142,000)
	\$22,951,000
Judicial Stabilization Trust Account—State	
Appropriation	\$1,464,000
Pension Funding Stabilization Account—State	
Appropriation	\$44,000

TOTAL APPROPRIATION . . . . .	..( (\$43,998,000))
	<u>\$45,408,000</u>

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

(1) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2020 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2021 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are sixty years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(2) \$759,000 of the general fund—state appropriation for fiscal year 2020 and \$2,275,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office to continue implementation of the civil justice reinvestment plan.

(3) \$400,000 of the general fund—state appropriation for fiscal year 2020 and \$105,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the children's representation study authorized in chapter 20, Laws of 2017 3rd sp. sess. The report of initial findings to the legislature must be submitted by December 31, 2020.

(4) The office of civil legal aid shall enter into an interagency agreement with the department of children, youth, and families to facilitate the use of federal title IV-E reimbursement for child representation services.

(5) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a contract with the international families justice coalition to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. Amounts provided in this section may not be expended for direct private legal representation of clients in domestic relations and family law cases.

(6) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Senate Bill No. 5651 (kinship care legal aid). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for closing compensation differentials between volunteer legal aid programs and the northwest justice project.

(8) \$1,205,000 of the general fund—state appropriation for fiscal year 2020 and \$1,881,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a vendor rate increase resulting from a collective bargaining agreement between the northwest justice project and its staff union.

(9) (~~(\$300,000)~~) \$307,500 of the general fund—state appropriation for fiscal year 2020 and (~~(\$300,000)~~) \$317,500 of the general fund—state appropriation for fiscal year 2021 are provided solely for a research-based controlled comparative study of the differences in outcomes for tenants facing eviction who receive legal representation and tenants facing eviction without legal representation in unlawful detainer cases filed under the residential

landlord tenant act. Funding must be used to underwrite both the research and the costs of legal representation provided to tenants associated with the study. Researchers will identify four counties to study. A preliminary report must be submitted to the appropriate committees of the legislature by January 31, 2021, and a final report on the study, which includes findings on demographics and outcomes, must be submitted to the appropriate committees of the legislature by ~~(March 31)~~ June 30, 2021.

(10) \$126,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for expenditures made to address fiscal year 2019 caseload driven shortfalls in the children's representation program and the children's representation study.

(11) \$225,000 of the general fund—state appropriation for fiscal year 2020 and \$193,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to wind down the children's representation study authorized in section 28, chapter 20, Laws of 2017 3rd sp.s.

(12) \$492,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to establish a statewide reentry legal aid project. The office of civil legal aid shall enlist support from the statewide reentry council to identify an appropriate nonprofit entity to establish and operate the statewide reentry legal aid project, establish initial priority areas of focus, and determine client service objectives, benchmarks, and intended outcomes. The office of civil legal aid and the statewide reentry council shall provide the relevant legislative committees with an initial status report by December 2021.

(13) \$165,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the automation, deployment, and hosting of an automated family law document assembly system provided for in chapter 299, Laws of 2018.

(14) \$25,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of civil legal aid to provide funding to King county organizations that provide legal services. Of this amount:

(a) \$13,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a nonprofit organization to develop an updated kinship legal services guide based on continuing changes in laws and practices.

(b) \$12,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a bar association to operate a kinship legal services program that trains kinship caregivers about recent enacted guardianship laws.

*Sec. 116. 2019 c 415 s 118 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund—State Appropriation (FY 2020)	(\$10,871,000)
	\$9,858,000
General Fund—State Appropriation (FY 2021)	(\$8,900,000)
	\$10,454,000
Economic Development Strategic Reserve Account—State	
Appropriation	(\$2,000,000)
	\$7,000,000
Pension Funding Stabilization Account—State	
Appropriation	\$674,000
TOTAL APPROPRIATION	(\$22,445,000)
	\$27,986,000

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

(1) \$703,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$703,000)~~ \$803,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the education ombuds.

(2) \$61,000 of the general fund—state appropriation for fiscal year 2020 and \$30,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute House Bill No. 1130 (pub. school language access). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(3) \$311,000 of the general fund—state appropriation for fiscal year 2020 and \$301,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5356 (LGBTQ commission). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(4) ~~(\$375,000)~~ \$397,000 of the general fund state—appropriation for fiscal year 2020 and ~~(\$375,000)~~ \$353,000 of the general fund state—appropriation for fiscal year 2021 are provided solely for the office to contract with a neutral third party to establish a process for local, state, tribal, and federal leaders and stakeholders to address issues associated with the possible breaching or removal of the four lower Snake river dams in order to recover the Chinook salmon populations that serve as a vital food source for southern resident orcas. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(5) \$110,000 of the general fund—state appropriation in fiscal year 2020 is provided solely for the office of regulatory innovations and assistance to convene agencies and stakeholders to develop a small business bill of rights. Of this amount, a report must be submitted to appropriate legislative policy and fiscal committees by November 1, 2019, to include:

(a) Recommendations of rights and protections for small business owners when interacting with state agencies, boards, commissions, or other entities with regulatory authority over small businesses; and

(b) Recommendations on communication plans that state regulators should consider when communicating these rights and protections to small business owners in advance or at the time of any audit, inspection, interview, site visit, or similar oversight or enforcement activity.

(6) ~~(\$2,003,000)~~ \$966,000 of the general fund—state appropriation in fiscal year 2020 is provided solely for executive protection unit costs.

(7) \$15,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the clemency and pardons board to expedite the review of applications where the petitioner indicates an urgent need for the pardon or commutation, including, but not limited to, a pending deportation order or deportation proceeding.

(8) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of the education ombuds, in consultation with the office of the superintendent of public instruction and the Washington state office of equity, to develop a plan to implement a program to promote skills, knowledge, and awareness concerning issues of diversity, equity, and inclusion among families with school-age children. The office of education ombuds shall

submit a report with recommendations to the governor and the appropriate committees in the legislature by September 1, 2020.

(9) \$1,289,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of the Washington state office of equity.

**Sec. 116 is partially vetoed. See message at end of chapter.*

Sec. 117. 2019 c 415 s 119 (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund—State Appropriation (FY 2020)	(\$1,276,000)
	\$1,313,000
General Fund—State Appropriation (FY 2021)	(\$1,312,000)
	\$1,545,000
General Fund—Private/Local Appropriation	\$90,000
Pension Funding Stabilization Account—State Appropriation	\$54,000
TOTAL APPROPRIATION	(\$2,732,000)
	\$3,002,000

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

(1) \$180,000 of the general fund—state appropriation for fiscal year 2020 and \$179,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the continuation of the complete Washington program and to add new pathways, such as the healthcare industry, to the program.

(2) \$195,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the Washington world fellows program.

Sec. 118. 2019 c 415 s 120 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund—State Appropriation (FY 2020)	(\$5,229,000)
	\$5,532,000
General Fund—State Appropriation (FY 2021)	(\$5,109,000)
	\$5,456,000
Public Disclosure Transparency Account—State Appropriation	(\$574,000)
	\$714,000
Pension Funding Stabilization Account—State Appropriation	\$260,000
TOTAL APPROPRIATION	(\$11,172,000)
	\$11,962,000

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

(1) \$45,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5861 (legislature/code of conduct). ~~(If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.)~~

(2) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$83,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to develop a training course for individuals

acting as treasurers or deputy treasurers for candidates pursuant to RCW 42.17A.210. Out of this amount:

- (a) The course must provide, at a minimum, a comprehensive overview of:
 - (i) The responsibilities of treasurers and deputy treasurers;
 - (ii) The reporting requirements necessary for candidate compliance with chapter 42.17A RCW, including triggers and deadlines for reporting;
 - (iii) Candidate campaign contribution limits and restrictions under chapter 42.17A RCW;
 - (iv) The use of the commission's electronic filing system;
 - (v) The consequences for violation of chapter 42.17A RCW; and
 - (vi) Any other subjects or topics the commission deems necessary for encouraging effective compliance with chapter 42.17A RCW.
- (b) The commission must make the course available to all interested individuals no later than September 1, 2019. The course must be provided in a format able to be used both in person and remotely via the internet.

(3) \$140,000 of the public disclosure transparency account—state appropriation is provided solely for staff for business analysis and project management of information technology projects.

(4) 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.

Sec. 119. 2019 c 415 s 121 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund—State Appropriation (FY 2020)	(\$33,449,000)
	<u>\$34,997,000</u>
General Fund—State Appropriation (FY 2021)	(\$18,313,000)
	<u>\$19,562,000</u>
General Fund—Federal Appropriation	(\$8,097,000)
	<u>\$8,098,000</u>
Public Records Efficiency, Preservation, and Access	
Account—State Appropriation	(\$9,363,000)
	<u>\$9,677,000</u>
Charitable Organization Education Account—State	
Appropriation	\$900,000
Washington State ((Heritage Center) <u>Library</u>	
<u>Operations</u> Account—State Appropriation	(\$11,498,000)
	<u>\$11,516,000</u>
Local Government Archives Account—State	
Appropriation	(\$11,019,000)
	<u>\$11,027,000</u>
Pension Funding Stabilization Account—State	
Appropriation	\$960,000
<u>Election Account—State Appropriation</u>	<u>\$1,800,000</u>
<u>Election Account—Federal Appropriation</u>	<u>(\$4,887,000)</u>
	<u>\$13,687,000</u>
TOTAL APPROPRIATION	(\$98,486,000)
	<u>\$112,224,000</u>

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

(1) \$3,801,000 of the general fund—state appropriation for fiscal year 2020 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$2,932,000 of the general fund—state appropriation for fiscal year 2020 and \$3,011,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2019-2021 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

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

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

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

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

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

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

(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) \$13,600,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for operation of the presidential primary election, including reimbursement to ~~((reimburse))~~ counties for the state's share of presidential primary election costs.

(5) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for humanities Washington speaker's bureau community conversations to expand programming in underserved areas of the state.

(6) \$2,295,000 of the general fund—state appropriation for fiscal year 2020 and \$2,526,000 of the general fund—state appropriation for fiscal year 2021 are

provided solely for implementation of Substitute Senate Bill No. 5063 (ballots, prepaid postage). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(7) \$1,227,000 of the local government archives account—state appropriation and \$28,000 of the public records efficiency, preservation, and access account—state appropriation are provided solely to implement Engrossed Substitute House Bill No. 1667 (public records request administration). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(8) \$114,000 public records efficiency, preservation, and access account—state appropriation and \$114,000 local government archives account—state appropriation are provided solely for digital archives functionality and is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(9) \$198,000 of the general fund—state appropriation for fiscal year 2020, \$198,000 of the general fund—state appropriation for fiscal year 2021, and \$500,000 of the election account—federal appropriation are provided solely for election security improvements.

(10) \$82,000 of the general fund—state appropriation for fiscal year 2020 and \$77,000 of the general fund—state appropriation for fiscal year 2021 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, beginning July 31, 2020, to legislative policy and fiscal committees. The annual report must include reasons for ballot rejection and an analysis of the ways ballots are received, counted, and rejected that can be used by policymakers to better understand election administration.

(11) \$500,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for civic engagement. The secretary of state and county auditors will collaborate to increase voter participation and educate voters about improvements to state election laws that will impact the 2019 and 2020 elections.

(12) \$1,800,000 of the election account—state appropriation for fiscal year 2021 and \$8,800,000 of the election account—federal appropriation for fiscal year 2021 are provided solely to enhance election technology and make election security improvements. The office of the secretary of state will provide one-time grant funding to county auditors for election security improvements. Election security improvements may include but are not limited to installation of multi-factor authentication, emergency generators, vulnerability scanners, facility access control enhancements, and alarm systems. Funding will be prioritized based on demonstrated need.

(13) \$132,000 of the general fund—state appropriation for fiscal year 2020 and \$520,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for dedicated staffing for 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 the triage and customer service to system users.

(14) \$300,000 of the public records efficiency, preservation, and access account—state appropriation is provided solely for additional project staffing to pack, catalog, and move the states archival collection in preparation for the move to the new library archives building that will be located in Tumwater.

(15) \$674,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Senate Bill No. 6313 (young voters). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(16) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for general election costs for Substitute Senate Joint Resolution No. 8212 (investment of LTC funds). If the resolution is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(17) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the secretary of state to support the capacity for the retention and transition of historical and archived records from the national archives and records administration located at Sandpoint. The secretary of state may explore options, including building storage and access capacity by working with universities, tribes, and museums that have engaged with the Smithsonian institution.

Sec. 120. 2019 c 415 s 122 (uncodified) is amended to read as follows:

FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund—State Appropriation (FY 2020)	(\$365,000)
	\$380,000
General Fund—State Appropriation (FY 2021)	(\$352,000)
	\$420,000
Pension Funding Stabilization Account—State	
Appropriation	\$28,000
TOTAL APPROPRIATION	(\$745,000)
	\$828,000

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) \$33,000 of the general fund—state appropriation for fiscal year 2020 and \$22,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1713 (Native American women). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(3) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the governor's office of Indian affairs for a task force to evaluate and propose a plan for tribal extradition in Washington.

Sec. 121. 2019 c 415 s 123 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund—State Appropriation (FY 2020)	(\$318,000)
	<u>\$332,000</u>
General Fund—State Appropriation (FY 2021)	(\$330,000)
	<u>\$425,000</u>
Pension Funding Stabilization Account—State	
Appropriation	\$26,000
TOTAL APPROPRIATION	(\$674,000)
	<u>\$783,000</u>

The appropriations in this section ((~~is~~) are) subject to the following conditions and limitations: \$3,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5023 (ethnic studies). ((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))

Sec. 122. 2019 c 415 s 124 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

State Treasurer's Service Account—State	
Appropriation	(\$19,982,000)
	<u>\$20,045,000</u>
TOTAL APPROPRIATION	(\$19,982,000)
	<u>\$20,045,000</u>

Sec. 123. 2019 c 415 s 125 (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund—State Appropriation (FY 2020)	\$28,000
General Fund—State Appropriation (FY 2021)	\$32,000
((State)) Auditing Services Revolving Account—State	
Appropriation	(\$12,650,000)
	<u>\$13,492,000</u>
Performance Audits of Government Account—State	
Appropriation	(\$1,679,000)
	<u>\$2,502,000</u>
TOTAL APPROPRIATION	(\$14,389,000)
	<u>\$16,054,000</u>

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) The state auditor must conduct a performance and accountability audit of practices related to awarding, tracking, and reporting contracts with outside entities and contracts between the University of Washington and affiliated entities. Utilizing the information gathered under section 606(1)(z) of this act, similar provisions from prior biennia, and best practices in contract management and oversight, the auditor must recommend a plan to make contract information, including those for contracted services and consulting, available in a centralized and searchable form. The recommendations of the auditor must be reported to the fiscal committees of the legislature and the office of financial management no later than December 30, 2020.

(4) \$825,000 of the auditing services revolving account—state appropriation is provided solely for accountability and risk based audits.

(5) Within existing resources of the performance audits of government account, the state auditor's office shall conduct a performance audit of the 2020 general election for five counties with low ballot rejection rates and five counties with high ballot rejection rates as chosen by the state auditor. The audit must: Review each county's procedures for identifying, correcting if appropriate, and reviewing and rejecting questionable ballots; examine the accuracy of the ballot rejections; compare each county's practices with requirements of the law and with best practices; compare the counties' practices to one another to determine why ballot rejection rates vary; identify any trends in rejected ballots, including the demographics of the voters whose ballots were rejected; and make recommendations about process or procedure to reduce the rate of rejected ballots while protecting broad access to the ballot. The state auditor shall submit a report containing the results of the audit to the appropriate committees of the legislature and make the report available on its web site.

Sec. 124. 2019 c 415 s 126 (uncodified) is amended to read as follows:

FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund—State Appropriation (FY 2020)	(\$226,000)
	<u>\$238,000</u>
General Fund—State Appropriation (FY 2021)	(\$243,000)
	<u>\$270,000</u>
Pension Funding Stabilization Account—State Appropriation	\$30,000
TOTAL APPROPRIATION	(\$499,000)
	<u>\$538,000</u>

Sec. 125. 2019 c 415 s 127 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund—State Appropriation (FY 2020)	(\$14,972,000)
	<u>\$15,564,000</u>
General Fund—State Appropriation (FY 2021)	(\$14,940,000)
	<u>\$16,531,000</u>
General Fund—Federal Appropriation	(\$15,992,000)
	<u>\$17,801,000</u>
Public Service Revolving Account—State Appropriation	(\$4,195,000)
	<u>\$4,228,000</u>

New Motor Vehicle Arbitration Account—State	
Appropriation.	\$1,693,000
Medicaid Fraud Penalty Account—State Appropriation	(\$5,556,000)
	<u>\$5,584,000</u>
Child Rescue Fund—State Appropriation	\$500,000
Legal Services Revolving Account—State	
Appropriation.	(\$276,544,000)
	<u>\$291,952,000</u>
Local Government Archives Account—State Appropriation.	(\$348,000)
	<u>\$356,000</u>
Local Government Archives Account—Local	\$330,000
Pension Funding Stabilization Account—State Appropriation	\$1,602,000
Tobacco Prevention and Control Account—State	
Appropriation.	\$273,000
TOTAL APPROPRIATION	(\$336,945,000)
	<u>\$356,414,000</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 financial management and the chairs 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) \$58,000 of the general fund—state appropriation for fiscal year 2020 and \$58,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1166 (sexual assault kits). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(5) \$63,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1399 (paid family and medical leave). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(6) \$44,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill

No. 1224 (rx drug cost transparency). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(7) \$79,000 of the legal services revolving account—state appropriation is provided solely for implementation of House Bill No. 2052 (marijuana product testing). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(8) \$330,000 of the local government archives account—local appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1667 (public records request admin). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(9) \$161,000 of the general fund—state appropriation for fiscal year 2020 and \$161,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the civil rights unit to provide additional services in defense and protection of civil and constitutional rights for people in Washington.

(10) \$88,000 of the general fund—state appropriation for fiscal year 2020, \$85,000 of the general fund—state appropriation for fiscal year 2021, and \$344,000 of the legal services revolving account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5297 (assistant AG bargaining). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(11) \$700,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(12) \$592,000 of the public service revolving account—state appropriation and \$47,000 of the legal services revolving account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

~~(14))~~ (13) \$200,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a work group to study and institute a statewide program for receiving reports and other information for the public regarding potential self-harm, potential harm, or criminal acts including but not limited to sexual abuse, assault, or rape. Out of this amount:

(a) The work group must review the aspects of similar programs in Arizona, Michigan, Colorado, Idaho, Nevada, Oregon, Utah, Wisconsin, and Wyoming; and must incorporate the most applicable aspects of those programs to the program proposal;

(b) The program proposal must include a plan to implement a twenty-four hour hotline or app for receiving such reports and information; and

(c) The program proposal and recommendations must be submitted to legislative fiscal committees by July 31, 2020.

~~((15))~~ (14) \$75,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the attorney general to develop an implementation plan to collect and disseminate data on the use of force by public law enforcement agencies and private security services.

(a) The plan must identify how to effectively collect data on the occasions of justifiable homicide or uses of deadly force by a public officer, peace officer, or person aiding under RCW 9A.16.040 by all general authority Washington law

enforcement agencies and the department of corrections. The plan must address any necessary statutory changes, possible methods of collection, and any other needs that must be addressed to collect the following information:

- (i) The number of tort claims filed and moneys paid in use of force cases;
 - (ii) The number of incidents in which peace officers discharged firearms at citizens;
 - (iii) The demographic characteristics of the officers and citizens involved in each incident, including sex, age, race, and ethnicity;
 - (iv) The agency or agencies employing the involved officers and location of each incident;
 - (v) The particular weapon or weapons used by peace officers and citizens; and
 - (vi) The injuries, if any, suffered by officers and citizens.
- (b) The implementation plan must also identify how to effectively collect data on the occasions of the use of force requiring the discharge of a firearm by any private security guard employed by any private security company licensed under chapter 18.170 RCW. The plan must address any necessary statutory changes, possible methods of collection, and any other needs that must be addressed to collect the following information:

- (i) The number of incidents in which security guards discharged firearms at citizens;
 - (ii) The demographic characteristics of the security guards and citizens involved in each incident, including sex, age, race, and ethnicity;
 - (iii) The company employing the involved security guards and the location of each incident;
 - (iv) The particular weapon or weapons used by security guards and citizens; and
 - (v) The injuries, if any, suffered by security guards and citizens.
- (c) The attorney general must compile reports received pursuant to this subsection and make public the data collected.
- (d) The department of licensing, department of corrections, Washington state patrol, and criminal justice training commission must assist the attorney general as necessary to complete the implementation plan.

~~((14))~~ (15) \$4,220,000 of the general fund—federal appropriation and \$1,407,000 of the medicaid fraud penalty account—state appropriation are provided solely for additional staffing and program operations in the medicaid fraud control division.

~~((17)—\$4,292,000))~~ (16) \$8,392,000 of the legal services revolving account—state appropriation is provided solely for child welfare and permanency staff.

~~((18))~~ (17) \$141,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5035 (prevailing wage laws). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(18) \$751,000 of the general fund—state appropriation for fiscal year 2021, \$82,000 of the general fund—federal appropriation, \$32,000 of the public service revolving account—state appropriation, \$27,000 of the medicaid fraud penalty account—state appropriation, \$4,529,000 of the legal services revolving account—state appropriation, and \$8,000 of the local government archives

account—state appropriation are provided solely for the collective bargaining agreement referenced in section 902 of this act.

(19) \$600,000 of the general fund—state appropriation for fiscal year 2020 and \$616,000 of the general fund—state appropriation for fiscal year 2021 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.

(20) \$605,000 of the legal services revolving fund—state appropriation is provided solely for defending challenges to chapter 354, Laws of 2019 that set vapor pressure limits for in-state receipt of crude oil by rail.

(21) \$1,069,000 of the legal services revolving fund—state appropriation is provided solely for the office to compel the United States department of energy to meet Hanford cleanup deadlines.

(22) \$1,563,000 of the legal services revolving fund—state appropriation for fiscal year 2021 is provided solely to defend the state in the *Wolf vs State Board for Community and Technical Colleges* case.

(23) \$59,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6158 (model sexual assault protocols). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(24) \$192,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2467 (firearm background checks). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(25) \$59,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute House Bill No. 2511 (domestic workers). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(26) \$244,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2638 (sports wagering/compacts). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(27) \$35,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2662 (total cost of insulin). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(28) \$394,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for two additional investigators and a data consultant for the homicide investigation tracking system (HITS).

Sec. 126. 2019 c 415 s 128 (uncodified) is amended to read as follows:

FOR THE CASELOAD FORECAST COUNCIL

General Fund—State Appropriation (FY 2020)	(\$1,907,000)
	<u>\$2,040,000</u>
General Fund—State Appropriation (FY 2021)	(\$1,922,000)
	<u>\$2,063,000</u>
Pension Funding Stabilization Account—State Appropriation	\$168,000
TOTAL APPROPRIATION	(\$3,997,000)
	<u>\$4,271,000</u>

The appropriations (~~within~~) in this section are subject to the following conditions and limitations: \$43,000 of the general fund—state appropriation for fiscal year 2020 and \$27,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the caseload forecast council to provide information, data analysis, and other necessary assistance upon the request of the task force established in section 952 of this act.

*Sec. 127. 2019 c 415 s 129 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

General Fund—State Appropriation (FY 2020)	((<u>\$94,046,000</u>))
	<u>\$96,462,000</u>
General Fund—State Appropriation (FY 2021)	((<u>\$92,285,000</u>))
	<u>\$146,437,000</u>
General Fund—Federal Appropriation	((<u>\$327,876,000</u>))
	<u>\$327,896,000</u>
General Fund—Private/Local Appropriation	((<u>\$9,107,000</u>))
	<u>\$9,112,000</u>
Public Works Assistance Account—State Appropriation.	((<u>\$8,207,000</u>))
	<u>\$8,212,000</u>
Lead Paint Account—State Appropriation	\$251,000
Building Code Council Account—State Appropriation	\$16,000
Liquor Excise Tax Account—State Appropriation	\$1,291,000
((Economic Development Strategic Reserve Account—State	
Appropriation.	<u>\$5,000,000</u>
Home Security Fund Account—State Appropriation	((<u>\$60,422,000</u>))
	<u>\$120,425,000</u>
Energy Freedom Account—State Appropriation	\$5,000
Affordable Housing for All Account—State Appropriation.	\$13,895,000
Financial Fraud and Identity Theft Crimes Investigation	
and Prosecution Account—State Appropriation	((<u>\$1,975,000</u>))
	<u>\$2,325,000</u>
Low-Income Weatherization and Structural Rehabilitation	
Assistance Account—State Appropriation	\$1,399,000
Statewide Tourism Marketing Account—State Appropriation.	\$3,028,000
Community and Economic Development Fee Account—State	
Appropriation.	\$4,200,000
Growth Management Planning and Environmental Review	
Fund—State Appropriation	\$5,800,000
Pension Funding Stabilization Account—State	
Appropriation.	\$1,616,000
Liquor Revolving Account—State Appropriation	\$5,918,000
Washington Housing Trust Account—State	
Appropriation.	((<u>\$12,944,000</u>))
	<u>\$67,947,000</u>
Prostitution Prevention and Intervention Account—State	
Appropriation.	\$26,000
Public Facility Construction Loan Revolving Account—	
State Appropriation	((<u>\$903,000</u>))
	<u>\$1,076,000</u>
<u>Model Toxics Control Stormwater Account—State</u>	

<u>Appropriation</u>	<u>\$150,000</u>
<u>Dedicated Marijuana Account—State Appropriation</u>	
(FY 2021).....	<u>\$1,100,000</u>
<u>Andy Hill Cancer Research Endowment Fund Match</u>	
Transfer Account—State Appropriation.....	<u>\$7,454,000</u>
<u>Community Preservation and Development Authority</u>	
Account—State Appropriation.....	<u>\$1,000,000</u>
TOTAL APPROPRIATION.....	<u>(\$650,210,000)</u>
	<u>\$827,041,000</u>

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

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 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.

(3) \$375,000 of the general fund—state appropriation for fiscal year 2020 and \$375,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to the retired senior volunteer program.

(4) 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.

(5) \$375,000 of the general fund—state appropriation for fiscal year 2020 and \$375,000 of the general fund—state appropriation for fiscal year 2021 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(6) ~~(\$804,000)~~ \$3,304,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$804,000)~~ \$3,304,000 of the general fund—state appropriation for fiscal year 2021 ~~((and \$5,000,000 of the economic development strategic reserve account—state appropriation))~~ are provided solely for associate development organizations. During the 2019-2021 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.

(7) \$5,907,000 of the liquor revolving account—state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(8) 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.

(9) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(10) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the northwest agriculture business center.

(11) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 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.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 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.

(13) \$643,000 of the general fund—state appropriation for fiscal year 2020 and \$643,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(14) \$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.

(15) \$2,000,000 of the home security fund—state appropriation is provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

(16) \$1,980,000 of the general fund—state appropriation for fiscal year 2020 and \$1,980,000 of the general fund—state appropriation for fiscal year 2021 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 (a) shared permanent supportive housing; (b) independent permanent supportive housing; and (c) low and no-barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.

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.

(17) \$557,000 of the general fund—state appropriation for fiscal year 2020 and \$557,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to design and administer the achieving a better life experience program.

(18) The department is authorized to suspend issuing any nonstatutorily required grants or contracts of an amount less than \$1,000,000 per year.

(19) \$1,070,000 of the general fund—state appropriation for fiscal year 2020 \$1,070,000 of the general fund—state appropriation for fiscal year 2021 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.

(20) \$60,000 of the general fund—state appropriation for fiscal year 2020 and \$60,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(21) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$1,500,000)~~ \$2,000,000 of the general fund—state appropriation for fiscal year 2021 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.

(22)(a) \$3,500,000 of the general fund—state appropriation for fiscal year 2020 and \$3,500,000 of the general fund—state appropriation for fiscal year 2021 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 thirty 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.

(23)(a) ~~(\$2,735,000)~~ \$2,091,000 of the general fund—state appropriation for fiscal year 2020, ~~(\$2,265,000)~~ \$3,159,000 of the general fund—state appropriation for fiscal year 2021, and \$7,000,000 of the home security fund—state appropriation are provided solely for the office of homeless youth prevention and protection programs to:

(i) 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;

(ii) Contract with other public agency partners to test innovative program models that prevent youth from exiting public systems into homelessness; and

(iii) 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.

(b) Of the amounts provided in this subsection:

(i) \$2,000,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to build infrastructure and services to support a continuum of interventions including but not limited to prevention, crisis response, and long-term housing in reducing youth homelessness in four identified communities as part of the anchor community initiative; and

(ii) (~~(\$625,000)~~) \$91,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$625,000)~~) \$1,159,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a 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 eighteen. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages eighteen to twenty-four.

(24) \$36,650,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$36,650,000)~~) \$51,650,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the essential needs and housing support program.

(25) \$1,436,000 of the general fund—state appropriation for fiscal year 2020 and \$1,436,000 of the general fund—state appropriation for fiscal year 2021 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; and (g) military and defense. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and other agencies to serve in the role of sector lead.

(26) \$1,237,000 of the liquor excise tax account—state appropriation is provided solely for the department to provide fiscal note assistance to local governments, including increasing staff expertise in multiple subject matter areas, including but not limited to criminal justice, taxes, election impacts,

transportation and land use, and providing training and staff preparation prior to legislative session.

(27) The department must develop a model ordinance for cities and counties to utilize for siting community based behavioral health facilities.

(28) \$198,000 of the general fund—state appropriation for fiscal year 2020 and \$198,000 of the general fund—state appropriation for fiscal year 2021 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. By July 1, 2020, the department, in collaboration with the department of social and health services, the department of health, and the health care authority, must submit to the office of financial management and the appropriate committees of the legislature, a report on behavioral health treatment facility capacity. The department must submit updates of the report every six months to the office of financial management and the appropriate committees of the legislature. The format of the report must be developed in consultation with staff from the office of financial management and the appropriate fiscal committees of the legislature. The report must identify current capacity, capacity in development, and average daily utilization by state funded clients for the prior period. The report must summarize data by type of facility and location and must include all facilities licensed by the department of health to provide behavioral health treatment or residential services and all facilities licensed or operated by the department of social and health services that provide behavioral health treatment services or residential support for individuals with enhanced behavioral health support needs. The department of social and health services, the department of health, and the health care authority must provide timely information to the department for inclusion in the reports.

(29)(a) During the 2019-2021 fiscal biennium, the department must revise its agreements and contracts with vendors to include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(i) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(ii) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(A) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.

(B) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(C) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(b) The provision must allow for the termination of the contract if the department or department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(c) The department must implement this provision with any new contract and at the time of renewal of any existing contract.

(30)(a) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—local appropriation are provided solely for the department to contract with a consultant to study the current and ongoing impacts of the SeaTac international airport. The general fund—state funding provided in this subsection serves as a state match and may not be spent unless \$150,000 of local matching funds is transferred to the department. The department must seek feedback on project scoping and consultant selection from the cities listed in (b) of this subsection.

(b) The study must include, but not be limited to:

(i) The impacts that the current and ongoing airport operations have on quality of life associated with air traffic noise, public health, traffic, congestion, and parking in residential areas, pedestrian access to and around the airport, public safety and crime within the cities, effects on residential and nonresidential property values, and economic development opportunities, in the cities of SeaTac, Burien, Des Moines, Tukwila, Federal Way, Normandy Park, and other impacted neighborhoods; and

(ii) Options and recommendations for mitigating any negative impacts identified through the analysis.

(c) The department must collect data and relevant information from various sources including the port of Seattle, listed cities and communities, and other studies.

(d) The study must be delivered to the legislature by June 1, 2020.

(31) Within amounts appropriated in this section, the office of homeless youth prevention and protection must make recommendations to the appropriate committees of the legislature by October 31, 2019, regarding rights that all unaccompanied homeless youth and young adults should have for appropriate care and treatment in licensed and unlicensed residential runaway and homeless youth programs.

(32) \$787,000 of the general fund—state appropriation for fiscal year 2020 and \$399,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1344 (child care access work group). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(33) \$144,000 of the general fund—state appropriation for fiscal year 2020 and \$144,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with a nonprofit organization with offices located in the cities of Maple Valley, Enumclaw, and Auburn to provide

street outreach and connect homeless young adults ages eighteen through twenty-four to services in south King county.

(34) \$218,000 of the general fund—state appropriation for fiscal year 2020 and \$61,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1444 (appliance efficiency). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(35) \$100,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1114 (food waste reduction). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(36) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a contract with the city of Federal Way to support after-school recreational and educational programs.

~~((38))~~ (37) \$150,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department to convene a work group regarding the development of Washington's green economy based on the state's competitive advantages. The work group must focus on developing economic, education, business, and investment opportunities in energy, water, and agriculture. The work group must consist of at least one representative from the department, the department of natural resources, the department of agriculture, the Washington state department of transportation, a four-year research university, a technical college, the private sector, an economic development council, a city government, a county government, a tribal government, a non-government organization, a statewide environmental advocacy organization, and up to two energy utility providers. The work group must:

(a) Develop an inventory of higher education resources including research, development, and workforce training to foster green economic development in energy, water, and agriculture;

(b) Identify investment opportunities in higher education research, development, and workforce training to enhance and accelerate green economic development;

(c) Make recommendations for green economic development investment opportunities and how state government may serve as a clearing house, or economic center, to support private investments and build the green economy in Washington to serve national and global markets;

(d) Identify opportunities for integrating technology in energy, water, natural resources, and agriculture, and create resource efficiencies including water and energy conservation and smart grid technologies;

(e) Recommend policies at the state and local government level to promote and accelerate development of the green economy in Washington state;

(f) Submit an interim report with the work group recommendations to the appropriate legislative committees by December 1, 2019; and

(g) Submit a final report with the work group recommendations to the appropriate legislative committees by June 30, 2020.

~~((39))~~ (38) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to a nonprofit organization focused on supporting

pregnant women and single mothers who are homeless or at risk of being homeless throughout Pierce county. The grant must be used for providing classes relating to financial literacy, renter rights and responsibilities, parenting, and physical and behavioral health.

~~((40))~~ (39) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to provide capacity-building grants through the Latino community fund for educational programs and human services support for children and families in rural and underserved communities.

~~((41))~~ (40) \$400,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the city of Bothell to complete the canyon park regional growth center subarea plan.

~~((42))~~ (41) \$172,000 of the general fund—state appropriation for fiscal year 2020 and \$165,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington statewide reentry council for operational staff support, travel, and administrative costs.

~~((44))~~ (42) \$964,000 of the general fund—state appropriation for fiscal year 2020 and \$1,045,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Third Substitute House Bill No. 1257 (energy efficiency). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~(45))~~ (43) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and \$1,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 16, Laws of 2017 3rd sp. sess. (E2SSB 5254).

~~((46))~~ (44) General fund—federal appropriations provided in this section assume continued receipt of the federal Byrne justice assistance grant for state and local government drug and gang task forces.

~~((47))~~ (45) \$450,000 of the general fund—state appropriation for fiscal year 2020 and \$450,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to a nonprofit organization for an initiative to advance affordable housing projects and education centers on public or tax-exempt land in Washington state. The department must award the grant to an organization with an office located in a city with a population of more than six hundred thousand that partners in equitable, transit-oriented development. The grant must be used to:

(a) Produce an inventory of potentially developable public or tax-exempt properties;

(b) Analyze the suitability of properties for affordable housing, early learning centers, or community space;

(c) Organize community partners and build capacity to develop sites, as well as coordinate negotiations among partners and public owners;

(d) Facilitate collaboration and co-development between affordable housing, early learning centers, or community space;

(e) Catalyze the redevelopment of ten sites to create approximately fifteen hundred affordable homes; and

(f) Subcontract with the University of Washington to facilitate public, private, and non-profit partnerships to create a regional vision and strategy for building affordable housing at a scale to meet the need.

~~((48))~~ (46) \$500,000 of the general fund—state appropriation for fiscal 2021 is 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.

~~((49))~~ (47) \$800,000 of the general fund—state appropriation for fiscal year 2020 and \$800,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to provide a grant for a criminal justice diversion center pilot program in Spokane county.

(a) Spokane county must report collected data from the pilot program to the department. ~~((The department must submit a report to the appropriate committees of the legislature by October 1, 2020.))~~ The report must contain, at a minimum:

~~((a))~~ (i) An analysis of the arrests and bookings for individuals served in the pilot program;

~~((b))~~ (ii) An analysis of the connections to behavioral health services made for individuals who were served by the pilot program;

~~((c))~~ (iii) An analysis of the impacts on housing stability for individuals served by the pilot program; and

~~((d))~~ (iv) The number of individuals served by the pilot program who were connected to a detoxification program, completed a detoxification program, completed a chemical dependency assessment, completed chemical dependency treatment, or were connected to housing.

(b) No more than fifty percent of the funding provided in this subsection may be used for planning and predevelopment activities related to site readiness and other startup expenses incurred before the pilot program becomes operational.

~~((50))~~ (48)(a) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for one or more better health through housing pilot project. The department must contract with one or more accountable communities of health to work with hospitals and permanent supportive housing providers in their respective accountable community of health regions to plan for and implement the better health through housing pilot project. The accountable communities of health must have established partnerships with permanent supportive housing providers, hospitals, and community health centers.

(b) The pilot project must prioritize providing permanent supportive housing assistance to people who:

(i) Are homeless or are at imminent risk of homelessness;

(ii) Have complex physical health or behavioral health conditions; and

(iii) Have a medically necessary condition, risk of death, negative health outcomes, avoidable emergency department utilization, or avoidable hospitalization without the provision of permanent supportive housing, as determined by a vulnerability assessment tool.

(c) Permanent supportive housing assistance may include rental assistance, permanent supportive housing service funding, or permanent supportive housing operations and maintenance funding. The pilot program shall work with permanent supportive housing providers to determine the best permanent

supportive housing assistance local investment strategy to expedite the availability of permanent supportive housing for people eligible to receive assistance through the pilot project.

(d) Within the amounts provided in this subsection, the department must contract with the Washington state department of social and health services division of research and data analysis to design and conduct a study to evaluate the impact of the better health through housing pilot project or projects. The division shall submit a final study report to the governor and appropriate committees of the legislature by June 30, 2021. The study objectives must include:

(i) Baseline data collection of the physical health conditions, behavioral health conditions, housing status, and health care utilization of people who receive permanent supportive housing assistance through the pilot project;

(ii) The impact on physical health and behavioral health outcomes of people who receive permanent supportive housing assistance through the pilot project as compared to people with similar backgrounds who did not receive permanent supportive housing assistance; and

(iii) The impact on health care costs and health care utilization of people who receive permanent supportive housing assistance through the pilot project as compared to people with similar backgrounds who did not receive permanent supportive housing assistance.

(e) A reasonable amount of the amounts provided in this subsection may be used to pay for costs to administer the pilot contracts and housing assistance.

(f) Amounts provided in this subsection do not include funding provided under title XIX or title XXI of the federal social security act, funding from the general fund—federal appropriation, or funding from the general fund—local appropriation for transformation through accountable communities of health, as described in initiative one of the medicaid transformation demonstration waiver under healthier Washington.

(g) The accountable communities of health must annually report the progress and impact of the better health through housing pilot project or projects to the joint select committee on health care oversight by December 1st of each year.

~~((51))~~ (49) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract for the promotion of leadership development, community building, and other services for the Native American community in south King county.

~~((52))~~ (50)(a) ~~(\$50,000)~~ \$12,000 of the general fund—state appropriation for fiscal year 2020 ~~((is))~~ and \$38,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to provide to Chelan county to collaborate with the department of fish and wildlife and the Stemilt partnership on the following activities:

(i) Identifying and evaluating possible land exchanges in the Stemilt basin that provide mutual benefits to outdoor recreation and the mission of a public agency; and

(ii) Completing independent appraisals of all properties that may be included in a possible land exchange by ~~(June 30, 2020)~~ January 1, 2021.

(b) \$20,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to provide to the department of fish and wildlife to complete technical studies, assessments, environmental review, and due diligence for lands included in any potential exchange and for project review for near-and long-term facility replacement and expansion of the mission ridge ski and board resort.

(c) The department must require the department of fish and wildlife, in collaboration with Chelan county, to submit recommendations for potential land exchange and supporting appraisals and environmental analysis to the Chelan county board of commissioners and the appropriate committees of the legislature by ~~((December 1, 2020))~~ June 1, 2021.

~~((53))~~ (51) \$500,000 of the general fund—state appropriation for fiscal year 2020, ~~(\$500,000)~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2021 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 2021 is 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.

~~((54))~~ (52) \$1,275,000 of the general fund—state appropriation for fiscal year 2020 and \$1,227,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~((55))~~ (53) \$47,000 of the general fund—state appropriation for fiscal year 2020 and \$47,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5223 (electrical net metering). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~((56))~~ (54) \$81,000 of the general fund—state appropriation for fiscal year 2020 and \$76,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5324 (homeless student support). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~((57))~~ (55) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~((58))~~ (56) \$264,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$264,000)~~ \$676,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5511 (broadband service). ~~((If the bill is not enacted by June 30,~~

~~2019, the amounts provided in this subsection shall lapse.))~~ Within the amounts provided in this subsection, the department must translate survey materials used to gather information on broadband access into a minimum of three languages and include demographic data in the report associated with the bill.

~~((59))~~ (57) \$272,000 of the general fund—state appropriation for fiscal year 2020 and \$272,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the lead based paint enforcement activities within the department.

~~((60))~~ (58) \$250,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a one-time grant to the port of Port Angeles for a stormwater management project to protect ancient tribal burial sites and to maintain water quality.

~~((61))~~ (59) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to municipalities using a labor program model designed for providing jobs to individuals experiencing homelessness to lead to full-time employment and stable housing.

~~((62))~~ (60) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of the recommendations by the joint transportation committee's Washington state air cargo movement study to support an air cargo marketing program and assistance program. The department must coordinate promotion activities at domestic and international trade shows, air cargo events, and other activities that support the promotion, marketing, and sales efforts of the air cargo industry.

~~((63))~~ (61) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators on 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 seven hundred thousand and serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

~~((64(a)))~~ (62) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to provide a grant to a nonprofit organization to assist fathers transitioning from incarceration to family reunification. The grant recipient must have experience contracting with:

~~((i))~~ (a) The department of corrections to support offender betterment projects; and

~~((ii))~~ (b) The department of social and health services to provide access and visitation services.

~~((65))~~ (63) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to a nonprofit organization to promote public education around wildfires to public school students of all ages and to expand outreach on issues related to forest health and fire suppression. The grant

recipient shall sponsor projects including, but not limited to, a multi-media traveling presentation.

~~((66))~~ (64) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to a nonprofit organization to help reduce crime and violence in neighborhoods and school communities. The grant recipient must promote safe streets and community engagement in the city of Tacoma through neighborhood organizing, law enforcement-community partnerships, neighborhood watch programs, youth mobilization, and business engagement.

~~((67))~~ (65) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to increase the financial stability of low income Washingtonians through participation in children's education savings accounts, earned income tax credits, and the Washington retirement marketplace. The grant recipient must be a statewide association of local asset building coalitions that promotes policies and programs in Washington to assist low-and-moderate income residents build, maintain, and preserve assets through investments in education, homeownership, personal savings and entrepreneurship.

~~((68))~~ (66) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to a nonprofit organization to catalyze a market for mass timber and promote forest health, workforce development, and updates to building codes. The grant recipient must have at least twenty-five years of experience in land acquisition and program management to conserve farmland, create jobs, revitalize small towns, reduce wildfires, and reduce greenhouse emissions.

~~((69))~~ (67) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to assist people with limited incomes in nonmetro 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.

~~((70))~~ (68) \$270,000 of the general fund—state appropriation for fiscal year 2020 ~~((is))~~ and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to a nonprofit organization within the city of Tacoma for social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture through the arts, and overcoming barriers to social, political, economic, and cultural community development. Of the amounts provided in this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to provide a public policy fellowship program that offers training in grassroots organizing, leadership development, civic engagement, and policy engagement focused on Latino and indigenous community members.

~~((71))~~ (69) \$5,800,000 of the growth management planning and environmental review fund—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1923 (urban

residential building). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection:

(a) \$5,000,000 is provided solely for grants to cities for costs associated with the bill;

(b) \$500,000 is provided solely for administration costs to the department; and

(c) \$300,000 is provided solely for a grant to the Washington real estate research center.

~~((72))~~ (70) \$100,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department to produce a proposal and recommendations for establishing an industrial waste coordination program by December 1, 2019.

(71) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$400,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to develop a comprehensive analysis of statewide emissions reduction strategies. This technical analysis must: (a) Identify specific strategies that are likely to be most effective in achieving necessary emissions reductions for key energy uses and customer segments; and (b) be performed by one or more expert consultants, with administrative and policy support provided by the department.

(72) \$7,454,000 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.

(73) \$600,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to law enforcement agencies to implement group violence intervention strategies in areas with high rates of gun violence. Grant funding will be awarded to two sites, with priority given to Yakima county and south King county. The sites must be located in areas with high rates of gun violence, include collaboration with the local leaders and community members, use data to identify the individuals most at risk to perpetrate gun violence for interventions, and include a component that connects individuals to services. Priority is given to sites meeting these criteria who also can demonstrate leveraging existing local or federal resources.

(74) \$80,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to facilitate research on nontraditional workers across the regulatory continuum, including convening cross-agency partners. The purpose of the research is to recommend policies and practices regarding the state's worker and small business programs, address changes in the labor market, and continue work initiated by the independent contractor employment study funded in section 127(47), chapter 299, Laws of 2018. The department must submit a report of its findings to the governor by November 1, 2020.

(75) \$1,343,000 of the financial fraud and identity theft crimes investigation and prosecution account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6074 (financial fraud/theft crimes). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(76) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the operations of the long-term care ombudsman program.

(77) \$607,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to a statewide nonprofit resource center to assist current and prospective homeowners, and homeowners at risk of foreclosure. Funding must be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, foreclosure prevention hotlines, low-income legal services, mediation, and other activities that promote homeownership.

(78) \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to nonprofit organizations that primarily serve communities of color and poor rural communities in community planning, technical assistance, and predevelopment as part of the development of capital assets and programs that help reduce poverty and build stronger and more sustainable communities. The funds will be used to further the goal of equitable development of all Washington communities.

(79) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to provide a grant to a nonprofit organization in King county to provide adult culinary skills training, housing, and other services to students who are experiencing or at risk of experiencing homelessness.

(80) \$391,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

(81) \$350,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to convene a work group to review and make recommendations for legislation to update the growth management act in light of the road map to Washington's future report produced by the Ruckelshaus center. The task force must involve stakeholders from diverse perspectives in the process, including but not limited to representatives of counties, cities, the forestry and agricultural industries, the environmental community, Native American tribes, and state agencies. The work group must report on its activities and recommendations by December 1, 2020.

(82) \$100,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(83) \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the formation of a healthy energy workers board. The board must conduct an unmet health care needs assessment for Hanford workers and develop recommendations on how these health care needs can be met. The board must also review studies on how to prevent worker exposure, summarize existing results and recommendations, develop key indicators of progress in meeting unmet health care needs, and catalogue the health surveillance systems in use at the Hanford site. The workers board must submit a report to the legislature by June 1, 2021, documenting recommendations on meeting health care needs, progress on meeting key indicators, and, if necessary,

recommendations for the establishment of new health surveillance systems at Hanford.

(84) \$23,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for curriculum development and training sessions for a veteran's certified peer counseling pilot program in Lewis county delivered in partnership with a Lewis county veterans museum.

(85) \$60,000,000 of the home security fund—state appropriation is provided solely for increasing local temporary shelter capacity. The amount provided in this subsection is subject to the following conditions and limitations:

(a) A city or county applying for grant funding shall submit a sheltering proposal that aligns with its local homeless housing plan under RCW 43.185C.050. This proposal must include at a minimum:

(i) A strategy for outreach to bring currently unsheltered individuals into shelter;

(ii) Strategies for connecting sheltered individuals to services including but not limited to: Behavioral health, chemical dependency, education or workforce training, employment services, and permanent supportive housing services;

(iii) An estimate on average length of stay;

(iv) An estimate of the percentage of persons sheltered who will exit to permanent housing destinations and an estimate of those that are expected to return to homelessness;

(v) An assessment of existing shelter capacity in the jurisdiction, and the net increase in shelter capacity that will be funded with the state grant; and

(vi) Other appropriate measures as determined by the department.

(b) The department shall not reimburse more than \$56 per day per net additional person sheltered above the baseline of shelter occupancy prior to award of the funding. Eligible uses of funds include shelter operations, shelter maintenance, shelter rent, loan repayment, case management, navigation to other services, efforts to address potential impacts of shelters on surrounding neighborhoods, capital improvements and construction, and outreach directly related to bringing unsheltered people into shelter. The department shall coordinate with local governments to encourage cost-sharing through local matching funds.

(c) The department shall not reimburse more than \$10,000 per shelter bed prior to occupancy, for costs associated with creating additional shelter capacity or improving existing shelters to improve occupancy rates and successful outcomes. Eligible costs prior to occupancy include acquisition, construction, equipment, staff costs, and other costs directly related to creating additional shelter capacity.

(d) For the purposes of this subsection "shelter" means any facility, the primary purpose of which is to provide space for homeless in general or for specific populations of homeless. The shelter must: Be structurally sound to protect occupants from the elements and not pose any threat to health or safety, have means of natural or mechanical ventilation, and be accessible to persons with disabilities, and the site must have hygiene facilities, which must be accessible but do not need to be in the structure.

(86) \$500,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Senate Bill No. 6430 (industrial waste program). If the bill is not enacted by June 30, 2020, the amount provided

in this subsection shall lapse. Of the amount provided in this subsection, \$250,000 of the general fund—state appropriation is provided solely for industrial waste coordination grants.

(87)(a) \$400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to continue and expand the el nuevo camino pilot project for the purpose of addressing serious youth gang problems in counties in eastern Washington. The department shall adopt policies and procedures as necessary to administer the pilot project, including the application process, disbursement of the grant award to the selected applicants, and tracking compliance and measuring outcomes. Partners, grant recipients, prosecutors, mental health practitioners, schools, and other members of the el nuevo camino pilot project, shall ensure that programs, trainings, recruiting, and other operations for el nuevo camino pilot project prohibit discriminatory practices, including biased treatment and profiling of youth or their communities. For the purposes of this subsection, antidiscriminatory practices prohibit grant recipients or their partners from using factors such as race, ethnicity, national origin, immigration or citizenship status, age, religion, gender, gender identity, gender expression, sexual orientation, and disability in guiding or identifying affected populations.

(b) An eligible applicant:

(i) Is a county located in Washington or its designee;

(ii) Is located east of the Cascade mountain range;

(iii) Has an identified gang problem;

(iv) Pledges and provides a minimum of sixty percent of matching funds over the same time period of the grant;

(v) Has established a coordinated effort with committed partners, including law enforcement, prosecutors, mental health practitioners, and schools;

(vi) Has established goals, priorities, and policies in compliance with the requirements of (c) of this subsection; and

(vii) Demonstrates a clear plan to engage in long-term antigang efforts after the conclusion of the pilot project.

(c) The grant recipients must:

(i) Work to reduce youth gang crime and violence by implementing the comprehensive gang model of the federal juvenile justice and delinquency prevention act of 1974;

(ii) Increase mental health services to unserved and underserved youth by implementing the best practice youth mental health model of the national center for mental health and juvenile justice;

(iii) Work to keep high-risk youth in school, reenroll dropouts, and improve academic performance and behavior by engaging in a grass roots team approach in schools with the most serious youth violence and mental health problems, which must include a unique and identified team in each district participating in the project;

(iv) Hire a project manager and quality assurance coordinator;

(v) Adhere to recommended quality control standards for Washington state research-based juvenile offender programs as set forth by the Washington state institute for public policy; and

(vi) Report to the department by April 1, 2021, with the following:

(A) The number of youth and adults served through the project and the types of services accessed and received;

(B) The number of youth satisfactorily completing chemical dependency treatment in the county;

(C) The estimated change in domestic violence rates;

(D) The estimated change in gang participation and gang violence;

(E) The estimated change in dropout and graduation rates;

(F) The estimated change in overall crime rates and crimes typical of gang activity;

(G) The estimated change in recidivism for youth offenders in the county; and

(H) Other information required by the department or otherwise pertinent to the pilot project.

(d) The department shall report the information from (c)(vi) of this subsection and other relevant data to the legislature and the governor by June 1, 2021.

(88) \$421,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 6288 (office of firearm violence). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(89)(a) \$15,000,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to support the operation, maintenance, and service costs of permanent supportive housing projects or permanent supportive housing units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding where the projects or units:

(i) Are dedicated as permanent supportive housing units;

(ii) Are occupied by low-income households with incomes at or below thirty percent of the area median income; and

(iii) Require a supplement to rental income to cover ongoing property operating, maintenance, and service expenses.

(b) The department may use a maximum of five percent of the appropriations in this subsection to administer the grant program.

(90) \$1,007,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to administer a transitional housing pilot program for nondependent homeless youth. In developing the pilot program, the department will work with the adolescent unit within the department of children, youth, and families, which is focused on cross-system challenges impacting youth, including homelessness.

(91) \$420,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Substitute Senate Bill No. 6495 (housing & essential needs). The amount provided in this subsection is provided solely for essential needs and housing support assistance to individuals newly eligible for housing and essential needs support under Substitute Senate Bill No. 6495. If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(92) \$10,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to make recommendations on a sustainable,

transparent, and reactive funding model for the operation of the long-term care ombuds program.

(a) The department must recommend a plan that:

(i) Serves all residents in long term care equally;

(ii) Is reactive to changes in service costs; and

(iii) Is reactive to changes in number of residents and types of facilities served.

(b) The department shall convene not more than three stakeholder meetings that includes representatives from the department of social and health services, the department of commerce, the department of health, the office of financial management, the office of the governor, the long-term care ombuds program, representatives of long term care facilities, representatives for the area agencies on aging, and other stakeholders as appropriate. The department must submit a report with recommendations to the governor and the appropriate fiscal and policy committees of the legislature by December 1, 2020.

(93) \$300,000 of the general fund—state appropriation for fiscal year 2021 is 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. By June 1, 2021, the department must transmit a report to the economic development committees of the legislature providing the following information, metrics, and private investment resulting from the department's engagement with international markets:

(a) An overview of the international markets in which the department has established representation and activities and contracts funded with amounts provided in this subsection;

(b) Additional funding invested in Washington companies;

(c) The number of jobs created in Washington; and

(d) The number of partnerships established and maintained by the department with international governments, businesses, and organizations.

(94) \$80,000 of the general fund—state appropriation for fiscal year 2021 is 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 one million or more and one county east of the crest of the Cascade mountain range with a population of five hundred thousand or more.

(95) \$400,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(96) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department of commerce to co-lead a prevention workgroup with the department of children, youth, and families. The workgroup

shall focus on preventing youth and young adult homelessness and other related negative outcomes. The workgroup 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 workgroup on youth homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement or justice system involvement.

(a) The workgroup must develop a preliminary strategic plan to be submitted to the appropriate committees of the legislature by December 31, 2020 that details:

(i) How existing efforts in this area are coordinated;

(ii) The demographics of youth involved in homelessness and other related negative outcomes;

(iii) Recommendations on promising interventions and policy improvements; and

(iv) Detail and descriptions of current prevention funding streams.

(b) The department of commerce shall solicit private funding to support this workgroup. It is the intent of the legislature that this study be supported by a minimum of a one-to-one match with private funds.

(97) \$300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to the pacific science center for a maker and innovation lab. Grant funds are to be used to develop and operate new experiential learning opportunities.

(98) \$1,500,000 of the general fund—state appropriation for fiscal year 2021 is 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 activities and planning that helps communities address the shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts.

(99) \$400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to a regional museum that is working with a national museum of American history and a regional theater to provide educational tools and experiences to students statewide relating to the democratic system in the state of Washington.

(100) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to a nonprofit organization formed in 2018 that provides a shared housing and living environment for pregnant women, single mothers, and their children who are homeless or at risk of being homeless throughout Pierce county. The nonprofit organization must have persons in executive leadership who have experienced family homelessness. The grant must be used for providing classes at the shared housing location on topics such as financial literacy, renter rights and responsibilities, parenting, and physical and behavioral health.

(101) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to contract with a consultant to

study incorporating the unincorporated communities of Fredrickson, Midland, North Clover Creek, Collins, Parkland, Spanaway, Summit-Waller, and Summit View into a single city. The study must include, but not be limited to, the impacts 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 study to the appropriate committees of the legislature by June 1, 2021.

(102) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to Clallam county to conduct an assessment of the needs of the county's homeless population. The assessment must include an analysis of the impacts of substance abuse treatment at the county's substance abuse treatment facilities on the county's homeless population. The assessment must also provide recommendations for improvements of the county's local homeless housing program. Funding provided in this subsection may also be used to implement recommendations from the assessment or to provide shelter, services, and relocation assistance for homeless individuals.

(103) \$500,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of homeless youth prevention and protection programs to create a centralized diversion fund to serve homeless or at-risk youth and young adults, including those who are unsheltered, exiting inpatient programs, or in school. Funding provided in this subsection may be used for short-term rental assistance, offsetting costs for first and last month's rent and security deposits, transportation costs to go to work, and assistance in obtaining photo identification or birth certificates.

(104) \$400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to a nonprofit located in King county that serves homeless and at-risk youth and young adults. The grant must be used for a pre-apprenticeship program for youth and young adults experiencing homelessness to prepare and obtain employment in the construction trades by building affordable housing and to earn a high school diploma or equivalent, college credits, or industry certifications.

(105) \$175,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to contract with a nongovernment organization whose primary focus is the economic development of the city of Federal Way. The contract must be for economic development activities with a focus on business expansion, retention, and attraction, job creation, and workforce development in the south Puget Sound.

(106) \$5,000,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a pilot program to address the immediate housing needs of low or extremely low-income elderly or disabled adults receiving federal supplemental security, federal social security disability, or federal social security retirement income who have an immediate housing need and live in King, Snohomish, Thurston, Kitsap, Pierce, or Clark counties.

(107) \$25,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to the King county drainage district number 5 for extraordinary audit costs and to perform deferred maintenance on drainage ditches located within the district.

(108) \$150,000 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.

(109) \$750,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to the south King fire and rescue fire protection district located in King county to purchase a maritime emergency response vessel.

(110) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a contract with a nonprofit to provide technical assistance to manufactured home community resident organizations who wish to convert the park in which they reside to resident ownership, pursuant to RCW 59.22.039.

(111) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2342 (comprehensive plan updates). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(112) \$46,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2405 (comm. property/clean energy). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(113) \$1,100,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2870 (marijuana retail licenses). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(114) \$297,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to a nonprofit provider of sexual assault services located in Renton. The grant must be used for information technology system improvements.

(115) \$100,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(116) \$1,000,000 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.

(117)(a) \$40,000,000 of the Washington housing trust account—state appropriation is provided solely for production and preservation of affordable housing.

(b) In evaluating projects in this subsection, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(c) The appropriations in this subsection are subject to the reporting requirements in section 1029 (3) and (4), chapter 413, Laws of 2019.

(118)(a) \$10,000,000 of the Washington housing trust account—state appropriation is provided solely for the preservation of affordable multifamily

housing at risk of losing affordability due to expiration of use restrictions that otherwise require affordability including, but not limited to, United States department of agriculture funded multifamily housing.

(b) Within the amount provided in this subsection, the department must implement necessary procedures no later than July 1, 2020, to enable rapid commitment of funds on a first-come, first-served basis to qualifying project proposals that satisfy the goal of long-term preservation of Washington's affordable multifamily housing stock, particularly in rural areas of the state.

(c) The department must adhere to the following award terms and procedures for the rapid response program created under (b) of this subsection:

(i) The funding is not subject to the ninety-day application periods in RCW 43.185.070 or 43.185A.050.

(ii) Awards must be in the form of a recoverable grant with a forty-year low income housing covenant on the land.

(iii) If a capital needs assessment is required, the department must work with the applicant to ensure that this does not create an unnecessary impediment to rapidly accessing these funds.

(iv) Awards may be used for acquisition or for acquisition and rehabilitation of properties to preserve the affordable housing units beyond existing use restrictions and keep them in Washington's housing portfolio.

(v) No single award may exceed \$2,500,000, although the department must consider waivers of this award cap if an applicant demonstrates sufficient need.

(vi) The award limit in (c)(v) of this subsection may only be applied to the use of awards provided under this subsection. The amount awarded under this subsection may not be calculated in award limitations for other housing trust fund awards.

(vii) If the department receives simultaneous applications for funding under this program, proposals that reach the greatest public benefit, as defined by the department, must be prioritized. For purposes of this subsection, "greatest public benefit" includes, but is not limited to:

(A) The greatest number of units that will be preserved;

(B) Whether the project has federally funded rental assistance tied to it;

(C) The scarcity of the affordable housing applied for compared to the number of available affordable housing units in the same geographic location; and

(D) The program's established funding priorities under RCW 43.185.070(5).

(d) The appropriations in this subsection are subject to the reporting requirements in section 1029 (3) and (4), chapter 413, Laws of 2019.

(119)(a) \$5,000,000 of the Washington housing trust account—state appropriation is provided solely for housing preservation grants or loans to be awarded competitively.

(b) The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require a capital needs assessment to be provided prior to contract execution. Funds may not be used to add or expand the capacity of the property.

(c) To allocate preservation funds, the department must review applications and evaluate projects based on the following criteria:

(i) The age of the property, with priority given to buildings that are more than fifteen years old;

(ii) The population served, with priority given to projects with at least fifty percent of the housing units being occupied by families and individuals at or below fifty percent area median income;

(iii) The degree to which the applicant demonstrates that the improvements will result in a reduction of operating or utilities costs, or both;

(iv) The potential for additional years added to the affordability period of the property; and

(v) Other criteria that the department considers necessary to achieve the purpose of this program.

(d) The appropriations in this subsection are subject to the reporting requirements in section 1029 (3) and (4), chapter 413, Laws of 2019.

(120) \$500,000 of the general fund—state appropriation for fiscal year 2020 [2021] is provided solely for the department of commerce to contract with a nonprofit organization to establish and operate a center for child care retention and expansion. The nonprofit organization must be a Bellingham, Washington-based nonprofit community action agency with fifty years of experience serving homeless and low-income families and individuals.

(a) Funding provided in this subsection may be used for, but is not limited to, the following purposes:

(i) Creating a rapid response team trained to help child care businesses whose continuity of operations is threatened;

(ii) Developing business model prototypes for new child care settings; and

(iii) Assisting existing or new child care businesses in assessing readiness for expansion or acquisition.

(b) Of the amounts provided in this subsection:

(i) \$120,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for staffing at the center for child care; and

(ii) \$380,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the nonprofit organization to distribute grants to third party child care providers and nongovernmental organizations. Nonprofit entities applying for funding as a statewide network must:

(A) Have an existing infrastructure or network of academic, innovation, and mentoring program grant-eligible entities;

(B) Provide after-school and summer programs with youth development services; and

(C) Provide proven and tested recreational, educational, and character-building programs for children ages six to eighteen years of age.

**Sec. 127 is partially vetoed. See message at end of chapter.*

Sec. 128. 2019 c 415 s 130 (uncodified) is amended to read as follows:

FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund—State Appropriation (FY 2020)	(\$860,000)
	<u>\$874,000</u>
General Fund—State Appropriation (FY 2021)	(\$888,000)
	<u>\$914,000</u>
Pension Funding Stabilization Account—State Appropriation	\$102,000
Lottery Administrative Account—State Appropriation	\$50,000
TOTAL APPROPRIATION	(\$1,900,000)

\$1,940,000

*Sec. 129. 2019 c 415 s 131 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund—State Appropriation (FY 2020)	(\$28,833,000)
	<u>\$29,306,000</u>
General Fund—State Appropriation (FY 2021)	(\$12,303,000)
	<u>\$13,799,000</u>
General Fund—Federal Appropriation	(\$32,512,000)
	<u>\$33,013,000</u>
General Fund—Private/Local Appropriation	\$5,526,000
Economic Development Strategic Reserve Account—State Appropriation	\$330,000
Personnel Service Account—State Appropriation	(\$35,133,000)
	<u>\$35,360,000</u>
Higher Education Personnel Services Account—State Appropriation	\$1,497,000
Statewide Information Technology System Development <u>Maintenance and Operations</u> Revolving Account—State Appropriation	(\$13,298,000)
	<u>\$32,921,000</u>
Office of Financial Management Central Service Account— State Appropriation	(\$20,710,000)
	<u>\$21,118,000</u>
Pension Funding Stabilization Account—State Appropriation	\$2,446,000
Performance Audits of Government Account—State Appropriation	\$678,000
TOTAL APPROPRIATION	(\$153,266,000)
	<u>\$175,994,000</u>

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

- (1)(a) The student achievement council and 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 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 state need grant and college bound recipients;
 - (ii) The number of students on the unserved waiting list of the state need grant;
 - (iii) Persistence and completion rates of state need grant recipients and college bound recipients as well as students on the state need grant unserved waiting list, disaggregated by institution of higher education;
 - (iv) State need grant recipients and students on the state need grant unserved waiting list grade point averages; and
 - (v) State need 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.

(c) The education data center shall enter data sharing agreements with the joint legislative audit and review committee and the Washington state institute for public policy to ensure that legislatively directed research assignments regarding state financial aid programs may be completed in a timely manner.

(2)(a) (~~(\$10,000,000)~~) \$29,623,000 of the statewide information technology system development revolving account—state appropriation is provided solely for (~~(continuation of readiness activities for)~~) the one Washington program agency financial reporting system replacement, phase 1A core financials. Of the amounts provided in this subsection:

(i) (~~(\$7,082,000)~~) \$7,082,000 of the statewide information technology system development revolving account—state appropriation is provided solely for organizational enterprise resource planning, organizational change management, and procurement contracts in fiscal year 2020.

(ii) \$459,000 of the statewide information technology system development revolving account—state appropriation is provided solely for staff in fiscal year 2020.

(iii) \$1,000,000 of the statewide information technology system development revolving account—state appropriation is provided solely for other contractual services or project staffing in fiscal year 2020.

(iv) (~~(\$459,000)~~) \$1,366,000 of the statewide information technology system development revolving account—state appropriation is provided solely for program staff in fiscal year 2021.

(v) \$442,000 of the statewide information technology system development revolving account—state appropriation is provided solely for dedicated integration development staffing in fiscal year 2021. This staff will work to expand the states integration layer.

(vi) \$140,000 of the statewide information technology system development revolving account—state appropriation is provided solely for a dedicated statewide accounting consultant in fiscal year 2021. This staff will work with state agencies to standardize workflow and work with the systems integrator to configure the agency financial reporting system replacement. The staff will also update applicable state administrative and accounting manual chapters to document new standardized workflows.

(vii) (~~(\$1,000,000)~~) \$19,576,000 of the statewide information technology system development revolving account—state appropriation is provided solely for other contractual services or project staffing in fiscal year 2021.

(b) Beginning September 30, 2019, the office of financial management shall provide written quarterly reports on the one Washington program to the legislative fiscal committees and the legislative evaluation and accountability program committee to include how (~~(funding was spent for the prior quarter)~~) funding was spent for the prior quarter and what the ensuing quarter budget will be by fiscal month. The written report must also include:

(i) A list of quantifiable deliverables accomplished and the expenditures by deliverable by fiscal month;

(ii) A report on the contract full time equivalent charged and paid to each vendor by fiscal month; and

(iii) A report identifying each state agency that received change management vendor work from the information technology pool by fiscal month.

(c) Prior to spending any funds, the director of the office of financial management must agree to the spending and sign off on the spending.

(d) This subsection is subject to the conditions, limitations, and review requirements of ~~((section 719 of this act))~~ section 701 of this act.

(e) Financial reporting for the agency change management funding must be coded and charged discretely in the agency financial reporting system each fiscal month so that it can be differentiated from the noninformation technology pool change management budget and costs.

(3) 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.

(4) \$12,741,000 of the personnel service account—state appropriation in this section is provided solely for administration of orca pass benefits included in the 2019-2021 collective bargaining agreements and provided to nonrepresented employees as identified in section 996 of this act. The office of financial management must bill each agency for that agency's proportionate share of the cost of orca passes. The payment from each agency must be deposited in to the personnel service account and used to purchase orca passes. The office of financial management may consult with the Washington state department of transportation in the administration of these benefits.

(5) \$12,485,000 of the personnel service fund appropriation is provided solely for the administration of a flexible spending arrangement (FSA) plan. Agencies shall pay their proportional cost for the program as determined by the office of financial management. Total amounts billed by the office of financial management for this purpose may not exceed the amount provided in this subsection. The office of financial management may, through interagency agreement, delegate administration of the program to the health care authority.

(6) \$1,536,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5741 (all payer claims database), and is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act. ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(7) \$157,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the implementation of Substitute House Bill No. 1949 (firearm background checks). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(8) Within amounts appropriated in this section, funding is provided to implement Second Substitute House Bill No. 1497 (foundational public health).

(9) \$110,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the office of financial management to determine annual primary care medical expenditures in Washington, by insurance carrier, in total and as a percentage of total medical expenditure. Where feasible, this determination must also be broken down by relevant characteristics such as

whether expenditures were for in-patient or out-patient care, physical or mental health, by type of provider, and by payment mechanism.

(a) The determination must be made in consultation with statewide primary care provider organizations using the state's all payer claims database and other existing data.

(b) For purposes of this section:

(i) "Primary care" means family medicine, general internal medicine, and general pediatrics.

(ii) "Primary care provider" means a physician, naturopath, nurse practitioner, physician assistant, or other health professional licensed or certified in Washington state whose clinical practice is in the area of primary care.

(iii) "Primary care medical expenditures" means payments to reimburse the cost of physical and mental health care provided by a primary care provider, excluding prescription drugs, vision care, and dental care, whether paid on a fee-for-service basis or as a part of a capitated rate or other type of payment mechanism.

(iv) "Total medical expenditure" means payments to reimburse the cost of all health care and prescription drugs, excluding vision care and dental care, whether paid on a fee-for-service basis or as part of a capitated rate or other type of payment mechanism.

(c) By December 1, 2019, the office of financial management shall report its findings to the legislature, including an explanation of its methodology and any limits or gaps in existing data which affected its determination.

(10) \$1,200,000 of the office of financial management central services—state appropriation is provided solely for the education research and data center to set up a data enclave and to work on complex data sets. This is subject to the conditions, limitations and review requirements of (~~section 719 of this act~~) section 701 of this act. The data enclave for customer access must include twenty-five users, to include one user from each of the following entities:

(a) The house;

(b) The senate;

(c) The legislative evaluation and accountability program committee;

(d) The joint legislative audit and review committee; and

(e) The Washington state institute for public policy.

(11) (~~\$345,000 of the statewide information technology system development revolving account state appropriation is provided solely for modifications to the facilities portfolio management tool to expand the ability to track leases of land, buildings, equipment, and vehicles. This is subject to the conditions, limitations, and review requirements of section 719 of this act.~~)

(14)) \$250,000 of the office of financial management central service—state appropriation is provided solely for a dedicated budget staff for the work associated with the information technology cost pool projects. 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;

(b) Amount by project of funding approved to date and for the last fiscal month;

(c) Amount by agency of funding approved to date and for the last fiscal month;

(d) Total amount approved to date and for the last fiscal month; ~~((and))~~

(e) Amount of expenditure on each project by the agency to date and for the last fiscal month;

(f) A projection for the information technology pool account by fiscal month through the 2019-2021 fiscal biennium close, and as a calculation of amount spent to date as a percentage of total appropriation;

(g) A projection of each project by fiscal month through the 2019-2021 fiscal biennium close, and a calculation of amount spent to date as a percentage of total project cost; and

(h) A list of agencies and projects that have not yet been approved for funding by the office of financial management.

~~((15))~~ (12) \$15,000,000 of the general fund—state appropriation for fiscal year 2020, \$159,000 of the general fund—state appropriation for fiscal year 2021, and \$5,000,000 of the general fund—private/local appropriation are provided solely for the office of financial management to prepare for the 2020 census. No funds provided under this subsection may be used for political purposes. The office must:

(a) Complete outreach and a communication campaign that reaches the state's hardest to count residents;

(b) Perform frequent outreach to the hard-to-count population both in person through community messengers and through various media avenues;

(c) Establish deliverable-based outreach contracts with nonprofit organizations and local and tribal contracts;

(d) Consider the recommendations of the statewide complete count committee;

(e) Prepare documents in multiple languages to promote census participation;

(f) Provide technical assistance with the electronic census forms; and

(g) Hold in reserve \$5,000,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000,000 of the general fund—private/local appropriation, until January 1, 2020, for contracting with community based organizations with historical access to and credibility with hard-to-count people to support outreach to the hardest to count and last-mile efforts.

(13) Within existing resources and in consultation with the office of the superintendent of public instruction, the office of financial management shall review and report on the pupil transportation funding system for K-12 education. The report shall include findings and recommendations and shall be submitted to the governor and the appropriate committees of the legislature by August 1, 2020. This report shall include review of the following:

(a) The formula components and modeling approach in RCW 28A.160.192;

(b) The data used in the analysis for completeness, validity, and appropriateness;

(c) The timing requirements and whether they could be changed;

(d) The STARS model for appropriateness, functionality, and alignment with statute; and

(e) The capacity and resources of the office of the superintendent of public instruction to produce the transportation analysis.

(14) \$192,000 of the general fund—state appropriation for fiscal year 2020 and \$288,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of financial management to contract for project management and fiscal modeling to support collaborations with the office of the superintendent of public instruction and department of children, youth, and families to complete a report with options and recommendations for administrative efficiencies and long-term strategies which align and integrate high-quality early learning programs administered by both agencies. The report is due to the governor and the appropriate committees of the legislature by September 1, 2020.

(15) When determining financial feasibility and submitting a request for funds necessary to implement collective bargaining agreements for the 2021-2023 fiscal biennium, the office of financial management should request funds from the state general fund rather than the state wildlife account for the department of fish and wildlife cost. The legislature intends that requests for funds not be made from accounts with insufficient fund balances and where the administering agency lacks the statutory authority to generate additional revenue to the account.

(16) The office shall consult with agencies of the state, including but not limited to the department of natural resources, state parks and recreation commission, department of fish and wildlife, conservation commission, Puget Sound partnership, recreation and conservation office, and department of ecology, to prioritize actions and investments that mitigate the effects of climate change and strengthen the resiliency of communities and the natural environment. The recommended prioritization list shall be submitted to the governor and the legislature by November 1, 2020, to be considered for funding from the climate resiliency account created in section 924 of this act.

(17) The education research and data center must provide data requested by the joint legislative audit and review committee or the Washington state institute for public policy within six months from the date of the initial formal request. The education research and data center and data contributors must notify the joint committee or the institute in writing if they determine the data request does not comply with the federal educational rights and privacy act, no later than twenty-one days after the initial formal request.

(18) \$40,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of financial management to review and report on vendor rates for services provided to low-income individuals at the department of children, youth, and families, the department of corrections, and the department of social and health services. The report must be submitted to the governor and the appropriate committees of the legislature by December 1, 2020, and must include review of, at least:

- (a) The current rates for services by vendor;
- (b) A history of increases to the rates since fiscal year 2010 by vendor;
- (c) A comparison of how the vendor increases and rates compare to inflation; and
- (d) A summary of the billing methodology for the vendor rates.

(19) \$150,000 of the general fund—state appropriation for fiscal year 2021 and \$150,000 of the general fund—federal appropriation are provided solely for the office to seek an independent audit of the health care authority's

administrative costs and expenditures. The audit must be provided to the legislature no later than September 1, 2021, and must include all administrative costs associated with the medicaid program, including, but not limited to costs expended by the authority for:

(a) Staff necessary to operate the program;

(b) Administrative costs associated with managed care plan operation;

(c) Other administrative costs incurred through additional third party administrators or administrators of medicaid or medicaid-related programs; and

(d) Fiscal intermediaries and third party administrators engaged on behalf of the authority.

(20) \$350,000 of the general fund—state appropriation for fiscal year 2021, and \$350,000 of the general fund—federal appropriation are provided solely to contract with one or more research or actuarial entities to examine the delivery of behavioral and physical health care services for which the health care authority contracts with a risk-bearing fiscal intermediary, excluding any contracts for employee benefit programs. A report must be provided to the legislature no later than September 1, 2021, and must include:

(a) A description of the types of payment methods currently used by risk-bearing fiscal intermediaries to establish provider payments. The report must identify, and, to the extent practicable, quantify, instances of case payment rates, broad encounter rates, value-based purchasing, subcapitation, or similar methodologies;

(b) Options available to the legislature and the governor to ensure that risk-bearing fiscal intermediaries meet standards for quality and access to care; and

(c) Options available to the legislature and the governor to modify payment rates to providers that offer services under medicaid managed care. To the extent practicable, for each option the report must discuss the potential implications to federal funding and client access to care for both state-funded and private pay patients and identify whether the option could be restricted to particular types of service, provider specializations, client characteristics, care settings, geographic areas, or other relevant, identified demographic criteria.

(21) \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the education research and data center to expand its higher education finance report on the education research and data center web site to include budget, expenditure, and revenue data for institutions of higher education. The budget, expenditure, and revenue data must be by fund for each institution and for all appropriated, nonappropriated, and nonallotted funds, including the source and use of tuition and fee revenue. Expenditure data must include program and activity information. Revenue data must include source of funds.

(22) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided on a one-time basis solely for the office to work with a correctional facility located in Des Moines, Washington serving the confinement needs of multiple member cities and a number of contract agencies to study and review the most cost effective delivery options for providing medication assisted treatment to individuals located in local jails and state correctional facilities. The office shall provide a report to the legislature and the appropriate fiscal committees of the legislature by November 10, 2020, which includes

recommendations for and the costs associated with providing safe, effective treatment and coordination of care. The study and report must include identification of alternative revenue sources.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the education research and data center to conduct a statewide study of opportunity youth. The center shall provide a report of its findings to the appropriate committees of the legislature by December 31, 2020. The study must include:

(a) The number of people in Washington between the ages of sixteen and twenty-nine who have enrolled in Washington schools or participated in the Washington workforce between 2015 and 2019 before completely opting out, including:

(i) The rate of young people without a high school diploma or a high school equivalency certificate who are disconnected from high school;

(ii) The rate of young people with a high school diploma, but without a postsecondary credential, who are disconnected from postsecondary education and may or may not be working;

(iii) The rate of young people with a postsecondary credential, but not enrolled in postsecondary education, who are disconnected from the Washington workforce; and

(iv) The rate of young people disconnected from the Washington workforce and not enrolled in Washington schools.

(b) The education levels for each of the following age bands: 16-18, 19-21, 22-24, 25-29. The education levels include:

(i) No diploma;

(ii) High school diploma or high school equivalency certificate;

(iii) Some higher education but no degree;

(iv) Associates degree;

(v) Bachelor's degree;

(vi) Graduate degree or higher; and

(vii) Degree (associates or higher).

(c) The employment levels for each of the following age bands: 16-18, 19-21, 22-24, 25-29. The employment levels include:

(i) Not employed;

(ii) Part-time; and

(iii) Full-time.

(d) Disaggregation of data to the extent possible by race, gender, native or foreign born, income above or below 200 percent of the poverty line, average salary, and job industry.

**Sec. 129 is partially vetoed. See message at end of chapter.*

Sec. 130. 2019 c 415 s 132 (uncodified) is amended to read as follows:

FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Account—State

Appropriation.	(\$45,688,000)
	<u>\$47,550,000</u>
TOTAL APPROPRIATION	(\$45,688,000)
	<u>\$47,550,000</u>

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

(1) \$173,000 of the administrative hearing revolving account—state appropriation is provided solely for the implementation of chapter 13, Laws of 2019 (SHB 1399).

(2) \$46,000 of the administrative hearings revolving account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1645 (parental improvement). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

Sec. 131. 2019 c 415 s 133 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account—State Appropriation	(\$29,854,000)
	<u>\$29,858,000</u>
TOTAL APPROPRIATION	(\$29,854,000)
	<u>\$29,858,000</u>

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. 132. 2019 c 415 s 134 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund—State Appropriation (FY 2020)	(\$401,000)
	<u>\$438,000</u>
General Fund—State Appropriation (FY 2021)	(\$413,000)
	<u>\$465,000</u>
Pension Funding Stabilization Account—State Appropriation	\$26,000
TOTAL APPROPRIATION	(\$840,000)
	<u>\$929,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$3,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5023 (ethnic studies). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

Sec. 133. 2019 c 415 s 135 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund—State Appropriation (FY 2020)	(\$318,000)
	<u>\$321,000</u>
General Fund—State Appropriation (FY 2021)	(\$301,000)
	<u>\$408,000</u>
Pension Funding Stabilization Account—State Appropriation	\$26,000
TOTAL APPROPRIATION	(\$645,000)
	<u>\$755,000</u>

Sec. 134. 2019 c 415 s 136 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense

Account—State Appropriation	(\$60,059,000)
	<u>\$61,964,000</u>
TOTAL APPROPRIATION	(\$60,059,000)
	<u>\$61,964,000</u>

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

(1) ~~(\$160,000)~~ \$166,000 of the department of retirement systems—state appropriation is provided solely for the administrative costs associated with implementation of Substitute House Bill No. 1661 (higher education retirement). If the bill is not enacted by June 30, ~~(2019)~~ 2020, the amount provided in this subsection shall lapse.

(2) \$106,000 of the department of retirement systems—state appropriation is provided solely for the administrative costs associated with implementation of Senate Bill No. 5350 (optional life annuity). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(3) \$139,000 of the department of retirement systems—state appropriation is provided solely for the administrative costs associated with implementation of Engrossed Substitute House Bill No. 1308 or Senate Bill No. 5360 (retirement system defaults). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(4) \$44,000 of the department of retirement systems—state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 1408 (survivorship benefit options). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(5) \$53,000 of the department of retirement systems—state appropriation is provided solely for implementation of Senate Bill No. 6417 (survivor option change). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(6) \$48,000 of the department of retirement systems—state appropriation is provided solely for implementation of Engrossed House Bill No. 1390 (public employees retirement systems). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(7) \$44,000 of the department of retirement systems—state appropriation is provided solely for the administrative costs associated with ongoing implementation and administrative costs associated with House Bill No. 2189 (PSERS/comp restoration work). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(8) \$144,000 of the department of retirement systems—state appropriation is provided solely for the administrative costs associated with ongoing implementation of chapter 259 [chapter 295], Laws of 2019 (E2SHB 1139).

(9) \$38,000 of the department of retirement systems—state appropriation is provided solely for the administrative costs associated with ongoing implementation and administrative costs associated with Substitute House Bill No. 2544 (definition of veteran). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

Sec. 135. 2019 c 415 s 137 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund—State Appropriation (FY 2020)	(\$150,681,000)
	<u>\$150,901,000</u>
General Fund—State Appropriation (FY 2021)	(\$144,287,000)
	<u>\$153,625,000</u>
Timber Tax Distribution Account—State Appropriation	(\$7,289,000)
	<u>\$7,368,000</u>
Business License Account—State Appropriation.	(\$20,666,000)
	<u>\$20,666,000</u>
Waste Reduction, Recycling, and Litter Control Account—State Appropriation	\$168,000
Model Toxics Control Operating Account— State Appropriation	\$119,000
Financial Services Regulation Account—State Appropriation.	\$5,000,000
Pension Funding Stabilization Account—State Appropriation.	\$13,486,000
TOTAL APPROPRIATION	(\$341,636,000)
	<u>\$351,333,000</u>

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

(1) \$142,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the implementation of Second Substitute House Bill No. 1059 (B&O return filing due date). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(2)(a) ~~(\$4,150,000)~~ \$4,268,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$1,921,000)~~ \$3,238,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to implement 2019 revenue legislation.

(b) Within the amounts provided in this subsection, sufficient funding is provided for the department to implement section 11 of Engrossed Substitute Senate Bill No. 5183 (manufactured/mobile homes).

(c)(i) Of the amounts provided in this subsection, ~~(\$1,061,000)~~ \$711,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$977,000)~~ \$1,327,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to facilitate a tax structure work group, initially created within chapter 1, Laws of 2017 3rd sp. sess. (SSB 5883) and hereby reauthorized.

(ii) In addition to the membership as set forth in chapter 1, Laws of 2017 3rd sp. sess., the tax structure work group is expanded to include ~~(nonvoting))~~ voting members as follows:

- (A) The president of the senate must appoint two members from each of the two largest caucuses of the senate;
- (B) The speaker of the house of representatives must appoint two members from each of the two largest caucuses of the house of representatives; and
- (C) The governor must appoint one member who represents the office of the governor.

(iii) The work group must include the following nonvoting members:

- (A) One representative of the department;
- (B) One representative of the association of Washington cities; and
- (C) One representative of the Washington state association of counties.

(iv) All voting members of the work group must indicate, in writing, their interest in serving on the tax structure work group and provide a statement of understanding that the commitment to serve on the tax structure work group is through December 31, 2024. Elected officials not reelected to their respective offices may be relieved of their responsibilities on the tax structure work group. Vacancies on the tax structure work group must be filled within sixty days of notice of the vacancy. The work group must choose a chair or cochair from among its legislative membership. The chair is, or cochair is, responsible for convening the meetings of the work group no less than quarterly each year. Recommendations and other decisions of the work group may be approved by a simple majority vote. All work group members may have a representative attend meetings of the tax structure work group in lieu of the member, but voting by proxy is not permitted. Staff support for the work group must be provided by the department. The department may engage one or more outside consultants to assist in providing support for the work group. Members of the work group must serve without compensation but may be reimbursed for travel expenses under RCW 44.04.120, 43.03.050, and 43.03.060.

(v) The duties of the work group are to:

(A) By December 1, 2019, convene no less than one meeting to elect a chair, or cochair, and conduct other business of the work group;

(B) By December ~~((+))~~ 31, 2020, the department and technical advisory group must prepare a summary report of their preliminary findings and alternatives described in (c)(vii) of this subsection;

(C) By May 1, 2021, the work group must:

(I) Hold no less than one meeting in Olympia to review the preliminary findings described in (c)(vii) of this subsection. At least one meeting must engage stakeholder groups, as described in (c)(vi)(A) of this subsection;

(II) Begin to plan strategies to engage taxpayers and key stakeholder groups to encourage participation in the public meetings described in (c)(vii) of this subsection;

(III) Present the summary report described in (c)(vii) of this subsection in compliance with RCW 43.01.036 to the appropriate committees of the legislature;

(IV) Be available to deliver a presentation to the appropriate committees of the legislature including the elements described in (c)(vi)(B) of this subsection; and

(V) Finalize the logistics of the engagement strategies described in (c)(v)(D) of this subsection; and

(D) After the conclusion of the 2021 legislative session, the work group must:

(I) Hold no less than five public meetings in geographically dispersed areas of the state;

(II) Present the findings described in (c)(vii) of this subsection and alternatives to the state's current tax structure at the public meetings;

(III) Provide an opportunity at the public meetings for taxpayers to engage in a conversation about the state tax structure including, but not limited to, providing feedback on possible recommendations for changes to the state tax structure and asking questions about the report and findings and alternatives to the state's current tax structure presented by the work group;

(IV) Utilize methods to collect taxpayer feedback before, during, or after the public meetings that may include, but is not limited to: Small group discussions, in-person written surveys, in-person visual surveys, online surveys, written testimony, and public testimony;

(V) Encourage legislators to inform their constituents about the public meetings that occur within and near their legislative districts;

(VI) Inform local elected officials about the public meetings that occur within and near their communities; and

(VII) Summarize the feedback that taxpayers and other stakeholders communicated during the public meetings and other public engagement methods, and submit a final summary report, in accordance with RCW 43.01.036, to the appropriate committees of the legislature. This report may be submitted as an appendix or update to the summary report described in (c)(vii) of this subsection.

(vi)(A) The stakeholder groups referenced by (c)(v)(C)(I) of this subsection must include, at a minimum, organizations and individuals representing the following:

(I) Small, start-up, or low-margin business owners and employees or associations expressly dedicated to representing these businesses, or both; and

(II) Individual taxpayers with income at or below one hundred percent of area median income in their county of residence or organizations expressly dedicated to representing low-income and middle-income taxpayers, or both;

(B) The presentation referenced in (c)(v)(C)(IV) of this subsection must include the following elements:

(I) The findings and alternatives included in the summary report described in (c)(vii) of this subsection; and

(II) The preliminary plan to engage taxpayers directly in a robust conversation about the state's tax structure including, presenting the findings described in (c)(vii) of this subsection and alternatives to the state's current tax structure, and collecting feedback to inform development of recommendations.

(vii) The duties of the department, with assistance of one or more technical advisory groups, are to:

(A) With respect to the final report of findings and alternatives submitted by the Washington state tax structure study committee to the legislature under section 138, chapter 7, Laws of 2001 2nd sp. sess.:

(I) Update the data and research that informed the recommendations and other analysis contained in the final report;

(II) Estimate how much revenue all the revenue replacement alternatives recommended in the final report would have generated for the 2017-2019 fiscal biennium if the state had implemented the alternatives on January 1, 2003;

(III) Estimate the tax rates necessary to implement all recommended revenue replacement alternatives in order to achieve the revenues generated during the 2017-2019 fiscal biennium as reported by the economic and revenue forecast council;

(IV) Estimate the impact on taxpayers, including tax paid as a share of household income for various income levels, and tax paid as a share of total business revenue for various business activities, for (c)(vii)(A)(II) and (III) of this subsection; and

(V) Estimate how much revenue would have been generated in the 2017-2019 fiscal biennium, if the incremental revenue alternatives recommended in the final report would have been implemented on January 1, 2003, excluding any recommendations implemented before the effective date of this section;

(B) With respect to the recommendations in the final report of the 2018 tax structure work group:

(I) Conduct economic modeling or comparable analysis of replacing the business and occupation tax with an alternative, such as corporate income tax or margins tax, and estimate the impact on taxpayers, such as tax paid as a share of total business revenue for various business activities, assuming the same revenues generated by business and occupation taxes during the 2017-2019 fiscal biennium as reported by the economic and revenue forecast council; and

(II) Estimate how much revenue would have been generated for the 2017-2019 fiscal biennium if the one percent revenue growth limit on regular property taxes was replaced with a limit based on population growth and inflation if the state had implemented this policy on January 1, 2003;

(C) To analyze our economic competitiveness with border states:

(I) Estimate the revenues that would have been generated during the 2017-2019 fiscal biennium, had Washington adopted the tax structure of those states, assuming the economic tax base for the 2017-2019 fiscal biennium as reported by the economic and revenue forecast council; and

(II) Estimate the impact on taxpayers, including tax paid as a share of household income for various income levels, and tax paid as a share of total business revenue for various business activities for (c)(vii)(C)(I) of this subsection;

(D) To analyze our economic competitiveness in the context of a national and global economy, provide comparisons of the effective state and local tax rate of the tax structure during the 2017-2019 fiscal biennium and various alternatives under consideration, as they compare to other states and the federal government, as well as consider implications of recent changes to federal tax law;

(E) To the degree it is practicable, conduct tax incidence analysis of the various alternatives under consideration to account for the impacts of tax shifting, such as business taxes passed along to consumers and property taxes passed along to renters;

(F) To the degree it is practicable, present findings and alternatives by geographic area, in addition to statewide; and

(G) Conduct other analysis as directed by the work group.

(3) \$63,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(4) Within existing resources, the department must compile a report on the annual amount of state retail sales tax collected under chapter 82.08 RCW on

sales occurring at area fairs and county fairs as described in RCW 15.76.120. The report must be submitted to the appropriate committees of the legislature by December 1, 2019.

(5) \$4,000,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to implement 2020 revenue legislation.

(6) \$47,000 of the business license account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6632 (business licensing services). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(7) By January 1, 2021, and by January 1st of each year thereafter, the department must notify the fiscal committees of the legislature of the amount of taxes collected on qualified transactions and paid to each compacting tribe in the prior fiscal year under Substitute Senate Bill No. 6601 or Substitute House Bill No. 2803 (Indian tribes compact/taxes).

(8) Within amounts appropriated in this section, the department shall update the document titled "Washington Action Plan - FAA Policy Concerning Airport Revenue" to reflect changes to Washington tax code regarding hazardous substances. The department, in consultation with the aviation division of the Washington state department of transportation, shall develop and recommend a methodology to segregate and track actual amounts collected from the hazardous substance tax under chapter 82.21 RCW and the petroleum products tax under chapter 82.23A RCW as imposed on aviation fuel. The department must submit a report, including the recommended methodology, to the fiscal committees of the legislature by January 11, 2021.

(9) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to evaluate long-term funding options to support the operations of the Pioneer Square-International District community preservation and development authority established in RCW 43.167.060. The department must provide a report to the governor and appropriate committees of the legislature by June 30, 2021, with recommendations for funding options including but not limited to an impact fee on tickets sold for events held in major public facilities located adjacent to the geographic area established by the authority. In developing its recommendations, the department must consult with the authority, King county, the city of Seattle, and the owners and operators of major public facilities projects located adjacent to the geographic area established by the authority.

Sec. 136. 2019 c 415 s 138 (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund—State Appropriation (FY 2020)	(\$2,382,000)
	\$2,543,000
General Fund—State Appropriation (FY 2021)	(\$2,421,000)
	\$2,598,000
Pension Funding Stabilization Account—State Appropriation	\$162,000
TOTAL APPROPRIATION	(\$4,965,000)
	\$5,303,000

The appropriations in this section are subject to the following conditions and limitations: \$30,000 of the general fund—state appropriation for fiscal year 2020 and \$9,000 of the general fund—state appropriation for fiscal year 2021

are provided solely for the board to continue maintaining its legacy case management software and conduct a feasibility study to determine how best to update or replace the case management software.

Sec. 137. 2019 c 415 s 139 (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

General Fund—State Appropriation (FY 2020)	\$109,000
General Fund—State Appropriation (FY 2021)	(\$101,000)
	<u>\$760,000</u>
Minority and Women's Business Enterprises	
Account—State Appropriation	(\$5,347,000)
	<u>\$5,352,000</u>
TOTAL APPROPRIATION	(\$5,557,000)
	<u>\$6,221,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of minority and women's business enterprises to enter into an interagency agreement with the Washington state department of transportation for the department to write a surety bonding program report. This report is due to the governor by December 1, 2020.

Sec. 138. 2019 c 415 s 140 (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund—Federal Appropriation	\$4,661,000
Insurance Commissioner's Regulatory Account—State	
Appropriation	(\$69,673,000)
	<u>\$68,917,000</u>
Insurance Commissioner's Fraud Account—State	
Appropriation	<u>\$1,784,000</u>
TOTAL APPROPRIATION	(\$74,334,000)
	<u>\$75,362,000</u>

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

(1) \$536,000 of the insurance commissioners regulatory account—state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5526 (individual health insurance market). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(2) \$45,000 of the insurance commissioners regulatory account—state appropriation is provided solely to implement Engrossed Substitute House Bill No. 1879 (Rx drug utilization management). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(3) \$397,000 of the insurance commissioners regulatory account—state appropriation is provided solely to implement Substitute House Bill No. 1075 (consumer competitive group insurance). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(4) \$1,015,000 of the insurance commissioners regulatory account—state appropriation is provided solely to implement Second Substitute House Bill No.

1065 (out-of-network health). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(5) \$60,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of chapter 16, Laws of 2019 (HB 1001) (service contract providers).

(6) \$84,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of chapter 56, Laws of 2019 (SSB 5889) (insurance communications confidentiality).

(7) \$125,000 of the insurance commissioners regulatory account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5602 (reproductive health care). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(8) \$125,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for staffing and supporting the work of the natural disaster and resiliency workgroup for Substitute Senate Bill No. 5106 (natural disaster mitigation). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(9) Within the amounts appropriated in this section, the commissioner shall review how pharmacy benefit managers are regulated in other states and report the findings to the governor and appropriate committees of the legislature by September 15, 2019.

(10) \$333,000 of the insurance commissioners regulatory account—state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5601 (health care benefit managers). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(11) \$1,784,000 of the insurance commissioners fraud account—state appropriation is provided solely for the implementation of Senate Bill No. 6049 (insurance fraud account). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(12) \$10,000 of the insurance commissioners regulatory account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6050 (insurance guaranty fund). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(13) \$61,000 of the insurance commissioners regulatory account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6051 (medicare part D supplement). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(14) \$30,000 of the insurance commissioners regulatory account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6052 (life insurance/behavior). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(15) \$45,000 of the insurance commissioners regulatory account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2662 (total cost of insulin). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(16) \$323,000 of the insurance commissioners regulatory account—state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6331 (captive insurance). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(17) \$15,000 of the insurance commissioners regulatory account—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 6404 (health plans/prior authorization). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(18) \$10,000 of the insurance commissioners regulatory account—state appropriation is provided solely for the implementation of Second Engrossed Senate Bill No. 5887 (prior authorization). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(19)(a) The office of the insurance commissioner and the health care authority shall convene a work group to determine next steps for insurance coverage of specialty palliative care as defined in the Bree collaborative's 2019 palliative care report. The office of the insurance commissioner and the health care authority shall cochair the work group.

(b) The work group shall consist of the executive director of the Bree collaborative; commercial health insurance companies regulated by the office of the insurance commissioner; managed care organizations; the Washington state hospital association; an organization representing palliative care providers; an organization representing home health agencies; an organization representing hospice services; and a pediatric palliative care provider.

(c) The work group shall report its recommendations to the health care committees of the legislature, and the joint legislative executive committee on aging and disability issues by November 1, 2020.

(20) \$23,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Second Substitute House Bill No. 2457 (health care cost board). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(21) \$32,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Substitute House Bill No. 2554 (health plan exclusions). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(22) \$71,000 of the insurance commissioner's regulatory account—state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2642 (sub. use disorder coverage). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

Sec. 139. 2019 c 415 s 142 (uncodified) is amended to read as follows:

FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account—State

Appropriation.	(\$60,028,000)
	\$60,101,000
TOTAL APPROPRIATION	(\$60,028,000)
	\$60,101,000

Sec. 140. 2019 c 415 s 143 (uncodified) is amended to read as follows:

FOR THE LIQUOR AND CANNABIS BOARD

General Fund—State Appropriation (FY 2020)	(\$356,000)
	\$355,000
General Fund—State Appropriation (FY 2021)	(\$392,000)
	\$566,000
General Fund—Federal Appropriation.	(\$3,034,000)

	<u>\$3,035,000</u>
General Fund—Private/Local Appropriation	\$75,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	(((\$11,662,000)) <u>\$11,649,000</u>
Dedicated Marijuana Account—State Appropriation (FY 2021)	(((\$11,625,000)) <u>\$12,148,000</u>
Pension Funding Stabilization Account—State Appropriation	\$80,000
Liquor Revolving Account—State Appropriation	(((\$74,514,000)) <u>\$74,902,000</u>
TOTAL APPROPRIATION	(((\$101,738,000)) <u>\$102,810,000</u>

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 marijuana 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) The traceability system is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(3) \$70,000 of the liquor revolving account—state appropriation is provided solely to implement chapter 61, Laws of 2019 (SHB 1034) (restaurant/soju endorsement).

(4) \$23,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$23,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely to implement Engrossed Substitute House Bill No. 1794 (marijuana business agreements). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(5) \$722,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$591,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Substitute Senate Bill No. 5318 (marijuana license compliance). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(6) \$350,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$350,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the board to hire additional staff for cannabis enforcement and licensing activities.

(7) \$100,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 is provided solely for the board to convene a work group to determine the feasibility of and make recommendations for varying the marijuana excise tax rate based on product potency. The work group must submit a report of its findings to the appropriate committees of the legislature by December 1, 2019.

(8) \$71,000 of the liquor revolving account—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5006 (sale of wine by microbrewery). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(9) \$178,000 of the liquor revolving account—state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5549 (distillery marketing and sales). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(10) \$56,000 of the liquor revolving account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6392 (local wine industry license). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(11) \$42,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6206 (marijuana compliance certification). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(12) \$65,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 is provided solely for implementation of House Bill No. 2826 (marijuana vapor products). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(13) \$348,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2870 (marijuana retail licenses). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(14) \$172,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute Senate Bill No. 6254 (vapor products). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(15) \$30,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 is provided solely for the board to convene a task force on marijuana odor with members as provided in this subsection.

(a) The governor shall appoint seven members, who must include a representative from the following:

(i) The state liquor and cannabis board;

(ii) The department of ecology;

(iii) The department of health;

(iv) The Washington state department of agriculture;

(v) A state association of counties;

(vi) A state association of cities; and

(vii) A representative from the recreational marijuana community or a marijuana producer, processor, or retailer licensed by the state liquor and cannabis board.

(b) The task force shall choose its chair from among its membership. The state liquor and cannabis board shall convene the initial meeting of the task force.

(c) The task force shall review the following issues: The available and most appropriate ways or methods to mitigate, mask, conceal, or otherwise address marijuana odors and emissions and the potentially harmful impact of marijuana odors and emissions on people who live, work, or are located in close proximity

to a marijuana production or processing facility, including but not limited to: (a) Filtering systems; (b) natural odor masking mechanisms or odor concealing mechanisms; (c) zoning and land use controls and regulations; and (d) changes to state laws and regulations including, but not limited to, laws and regulations related to nuisance and public health.

(d) Staff support for the task force must be provided by the board.

(e) Members of the task force 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. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(f) The task force must report its findings and recommendations to the governor and the majority and minority leaders of the two largest caucuses of the house of representatives and the senate by December 31, 2020.

Sec. 141. 2019 c 415 s 144 (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

General Fund—State Appropriation (FY 2020)	\$173,000
General Fund—State Appropriation (FY 2021)	\$123,000
General Fund—Private/Local Appropriation	(\$16,725,000)
	\$16,642,000
Public Service Revolving Account—State Appropriation	(\$41,545,000)
	\$42,054,000
<u>Public Service Revolving Account—Federal Appropriation</u>	<u>\$230,000</u>
Pipeline Safety Account—State Appropriation	(\$3,506,000)
	\$2,571,000
Pipeline Safety Account—Federal Appropriation	(\$3,202,000)
	\$4,163,000
TOTAL APPROPRIATION	(\$65,274,000)
	\$65,956,000

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

(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.

(2) \$330,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Third Substitute House Bill No. 1257 (energy efficiency). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~

~~(4)) (3) \$95,000 of the public service revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1512 (transportation electrification). ((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~

~~(6)) (4) \$50,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the commission to convene a work group on preventing underground utility damage. The work group is subject to the following requirements:~~

(a) The utilities and transportation commission shall contract with an independent facilitator for the work group to facilitate and moderate meetings, provide objective facilitation and negotiation between work group members, ensure participants receive information and guidance so that they respond in a timely manner, and synthesize agreements and points under negotiation.

(b) The work group shall discuss topics such as, but not limited to: How facility operators and excavators schedule meeting times and places; new requirements for marking locatable underground facilities; a definition of "noninvasive methods"; the procedures that must take place when an excavator discovers (and may or may not damage) an underground facility; positive response procedures; utility identification procedures for newly constructed and replacement underground facilities; the membership composition of the dig law safety committee; liability for damage occurring from an excavation when either the excavator or the facility operator fails to comply with the statutory requirements relating to notice requirements or utility marking requirements; and ensuring consistency with the pipeline and hazardous materials safety administration towards a uniform national standard.

(c) The work group shall include, but is not limited to, members representing cities, counties, public and private utility companies, construction and excavator communities, water-sewer districts, and other government entities with underground facilities.

(d) The work group shall meet a minimum of four times and produce a report with recommendations to the governor and legislature by December 1, 2019.

~~((7))~~ (5) \$123,000 of the general fund—state appropriation for fiscal year 2020, \$123,000 of the general fund—state appropriation for fiscal year 2021, and \$814,000 of the public services revolving account—state appropriation are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~

~~(8))~~ (6) \$14,000 of the public service revolving account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1112 (hydrofluorocarbons emissions). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~

~~(9))~~ (7) The appropriations in this section include sufficient funding for the implementation of Second Substitute Senate Bill No. 5511 (broadband service).

(8) \$580,000 of the public service revolving account—state appropriation and \$15,000 of the pipeline safety account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 2518 (natural gas transmission). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

Sec. 142. 2019 c 415 s 145 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund—State Appropriation (FY 2020)	((9,900,000)) \$10,101,000
General Fund—State Appropriation (FY 2021)	((10,269,000)) \$11,403,000
General Fund—Federal Appropriation	((118,165,000)) \$119,228,000

Enhanced 911 Account—State Appropriation	(\$43,745,000)
	<u>\$43,746,000</u>
Disaster Response Account—State Appropriation	(\$28,774,000)
	<u>\$49,998,000</u>
Disaster Response Account—Federal Appropriation	(\$97,048,000)
	<u>\$134,058,000</u>
Military Department Rent and Lease Account—State Appropriation	(\$615,000)
	<u>\$1,066,000</u>
Military Department Active State Service Account—State Appropriation	\$400,000
Oil Spill Prevention Account—State Appropriation	\$1,040,000
Worker and Community Right to Know Fund—State Appropriation	(\$1,848,000)
	<u>\$1,849,000</u>
Pension Funding Stabilization Account—State Appropriation	\$1,244,000
TOTAL APPROPRIATION	(\$313,048,000)
	<u>\$374,133,000</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 (~~(on)~~ 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 2019-2021 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) \$625,000 of the general fund—state appropriation for fiscal year 2020 and \$625,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the conditional scholarship program pursuant to chapter 28B.103 RCW.

(4) \$11,000,000 of the enhanced 911 account—state appropriation is provided solely for financial assistance to counties.

(5) \$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.

(6) \$100,000 of the enhanced 911 account—state appropriation is provided solely for the department, in collaboration with a representative group of counties, public service answering points, and first responder organizations, to submit a report on the 911 system to the appropriate legislative committees by October 1, 2020. The report must include:

(a) The actual cost per fiscal year for the state, including all political subdivisions, to operate and maintain the 911 system including, but not limited to, the ESNet, call handling equipment, personnel costs, facility costs, contractual costs, administrative costs, and legal fees.

(b) The difference between the actual state and local costs and current state and local 911 funding.

(c) Potential cost-savings and efficiencies through the consolidation of equipment, regionalization of services or merging of facilities, positive and negative impacts on the public, legal or contractual restrictions, and appropriate actions to alleviate these constraints.

(7) \$118,000 of the general fund—state appropriation for fiscal year 2020 and \$118,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5012 (governmental continuity). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(8) ~~(((\$464,000))~~ \$659,000 of the general fund—state appropriation for fiscal year 2020 and ~~(((\$464,000))~~ \$2,087,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to procure and install ~~((sixteen))~~ thirty-nine all-hazard alert broadcast sirens to increase inundation zone coverage to alert individuals of an impending tsunami or other disaster.

(9) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to procure and install seismic monitoring stations and global navigation satellite systems that integrate with the early warning system known as ShakeAlert.

(10) \$120,000 of the general fund—state appropriation for fiscal year 2020 and \$120,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to support an education and public outreach program in advance of the new early earthquake warning system known as ShakeAlert.

(11) \$80,000 of the general fund—state appropriation for fiscal year 2020 and \$23,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementing Substitute Senate Bill No. 5106 (natural disaster mitigation). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(12) \$200,000 of the military department rental and lease account—state appropriation is provided solely for maintenance staffing.

(13) \$251,000 of the military department rental and lease account—state appropriation is provided solely for the maintenance and operation, including equipment replacement, of the communications infrastructure at camp Murray.

Sec. 143. 2019 c 415 s 146 (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund—State Appropriation (FY 2020)	(((\$2,238,000))
	<u>\$2,237,000</u>
General Fund—State Appropriation (FY 2021)	(((\$2,283,000))
	<u>\$2,291,000</u>
Personnel Service Account—State Appropriation	(((\$4,282,000))
	<u>\$4,343,000</u>

Higher Education Personnel Services Account—State	
Appropriation.....	(((\$1,410,000)) <u>\$1,412,000</u>)
Pension Funding Stabilization Account—State Appropriation	\$228,000
TOTAL APPROPRIATION	(((\$10,441,000)) <u>\$10,511,000</u>)

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

(1) \$122,000 of the general fund—state appropriation for fiscal year 2020 and \$112,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the administrative costs associated with implementation of Substitute House Bill No. 1575 (collective bargaining/dues). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(2) The appropriations in this section include sufficient funding for the implementation of Senate Bill No. 5022 (granting interest arbitration to certain higher education uniformed personnel).

(3) \$56,000 of the personnel service account—state appropriation is provided solely for the administrative costs associated with ongoing implementation and administrative costs associated with Substitute House Bill No. 2017 (admin. law judge bargaining). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

Sec. 144. 2019 c 415 s 148 (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account—State	
Appropriation.....	(((\$3,631,000)) <u>\$3,833,000</u>)
TOTAL APPROPRIATION	(((\$3,631,000)) <u>\$3,833,000</u>)

Sec. 145. 2019 c 415 s 147 (uncodified) is amended to read as follows:

FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers'	
Administrative Account—State Appropriation	(((\$1,020,000)) <u>\$1,121,000</u>)
TOTAL APPROPRIATION	(((\$1,020,000)) <u>\$1,121,000</u>)

The appropriation in this section is subject to the following conditions and limitations: \$100,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for legal and consultation fees and services necessary for the board for volunteer firefighters' and reserve officers to address issues related to plan qualification with the federal internal revenue service. The board shall report on the measures taken, and the results to that point, to the appropriate legislative fiscal committees by December 15, 2020.

Sec. 146. 2019 c 415 s 149 (uncodified) is amended to read as follows:

FOR THE FORENSIC INVESTIGATION COUNCIL

Death Investigations Account—State Appropriation	(((\$692,000)) <u>\$746,000</u>)
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TOTAL APPROPRIATION	((\$692,000))
	<u>\$746,000</u>

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

(1) \$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.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

Sec. 147. 2019 c 415 s 150 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund—State Appropriation (FY 2020)	((\$4,732,000))
	<u>\$4,810,000</u>
General Fund—State Appropriation (FY 2021)	((\$4,795,000))
	<u>\$6,324,000</u>
General Fund—Private/Local Appropriation	\$102,000
Building Code Council Account—State Appropriation	((\$1,519,000))
	<u>\$1,966,000</u>
TOTAL APPROPRIATION	((\$11,148,000))
	<u>\$13,202,000</u>

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

(1) ((~~\$4,371,000~~)) \$4,343,000 of the general fund—state appropriation for fiscal year 2020 and ((~~\$4,371,000~~)) \$4,354,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the payment of facilities and services charges to include campus rent, utilities, parking, and contracts, public and historic facilities charges, 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 enjoy all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) In accordance with RCW 46.08.172 and 43.135.055, the department is authorized to increase parking fees in fiscal years 2020 and 2021 as necessary to meet the actual costs of conducting business.

(3) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have written 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.

(4) 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 2020 and \$1,300,000 in fiscal year 2021.

(5) \$100,000 of the general fund—state appropriation in fiscal year 2020 and \$100,000 of the general fund—state appropriation in fiscal year 2021 is provided solely for the agency to procure cyber incident insurance on behalf of forty-three small to medium sized agencies that are currently without this coverage.

(6)(a) During the 2019-2021 fiscal biennium, the department must revise its master contracts with vendors, including cooperative purchasing agreements under RCW 39.26.060, to include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(i) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(ii) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(A) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.

(B) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(C) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(b) The provision must allow for the termination of the contract if the public entity using the contract or agreement of the department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(c) The department must implement this provision with any new contract and at the time of renewal of any existing contract.

(d) Any cost for the implementation of this section must be recouped from the fees charged to master contract vendors.

(7) \$10,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department to query and inventory all state agency use and amounts of glyphosate. Within amounts provided, the department must offer to pay to state agencies the difference in costs for using alternatives for vegetation control. A report to the appropriate committees of the legislature on the findings of the query and inventory must be made by December 31, 2019.

(8)(a) (~~(\$5,000)~~) \$45,000 of the general fund—state appropriation for fiscal year 2020 (~~(is)~~) and \$70,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a legislative work group to study and make recommendations on a monument on the capital campus to honor residents who

died in the global war in terror. The department of enterprise services must staff the work group, which shall be composed of:

- (i) One member from each of the four major caucuses of the legislature;
- (ii) The director of the department of veterans affairs or his or her designee;
- (iii) The director of the Washington state parks and recreation commission or his or her designee;
- (iv) The director of the department of enterprise services or his or her designee;
- (v) The director of the Washington state military department or his or her designee;

- (vi) The secretary of state or his or her designee;

- (vii) The state archivist or his or her designee;

- (viii) A representative of the capitol campus design advisory committee that is not the secretary of state or a legislative member already designated to be part of the work group; and

- (ix) Two representatives from veterans organizations appointed by the governor.

(b) The work group shall choose two cochairs from among its legislative membership. The legislative membership shall convene the initial meeting of the work group before November 1, 2019.

(c) The work group shall:

- (i) Conduct a study of the feasibility of establishing a new memorial on the capitol campus to honor fallen service members from the global war on terrorism;

- (ii) Provide the names of the recommended individuals to be honored at the memorial;

- (iii) Recommend locations where the memorial could be constructed on the capitol campus and provide any permit requirements or other restrictions that may exist for each location;

- (iv) Provide potential draft designs that could be used for the memorial;

- (v) Provide information regarding the anticipated funding needed for:

- (A) The design, construction, and placement of the memorial;

- (B) Any permits that may be required;

- (C) Anticipated ongoing maintenance cost for the memorial based on potential materials used and historical maintenance of other memorials on campus; and

- (D) An unveiling ceremony or other expenses that may be necessary for the memorial;

- (vi) Make recommendations regarding the funding sources that may be available, which may include solicitation of private funds or a method for obtaining the necessary funds; and

- (vii) Make recommendations regarding an agency, committee, or commission to coordinate the design, construction, and placement of a memorial on the capitol campus.

(d) Legislative members of the work group shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members shall be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

(e) The work group shall submit a report of its recommendations to the appropriate committees of the legislature in accordance with RCW 43.01.036 by ~~((November 1, 2020))~~ June 30, 2021.

~~(9) ((The department may expend private local funds for new signage designating the Joan Benoit Samuelson marathon park if the private local funds are received for that specific purpose.~~

~~((10))~~(a) Within existing resources, beginning October 31, 2019, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislature by October 31st of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that 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, the contract term start and end dates, the contract dollar amount in total, contract dollar amount by state fiscal year to include contract spending projections for each ensuing state fiscal year through the contract term, and type of service delivered. The list of contracts must be provided electronically in excel and sortable by all fields.

(b) In determining the type of service delivered, groupings must include agreed upon items by the department, the office of the chief information officer, senate fiscal staff, and house fiscal staff. This grouping criteria must be agreed upon by August 31, 2019.

~~((11))~~ (10) The department must use any new resources provided for civic education solely for the free-to-schools civic education program.

(11) Within existing resources, the department must study the increase in tort claims filed generally and with a specific focus on the increase in tort claims filed and payouts made against the department of children, youth, and families. The study must include an assessment of the source of the payouts, such as jury awards, court judgments, mediation, and arbitration awards. The department should determine the root cause for these increases and develop recommendations on how to reduce the number of tort claims filed and payouts made. The department must coordinate its work with the department of children, youth, and families and the office of the attorney general. A report must be provided to the office of financial management and the appropriate committees of the legislature by November 1, 2020.

(12) In collaboration with the office of the governor, the department will add a diversity, equity, and inclusion training module to the learning management system by June 30, 2021.

(13) \$447,000 of the building code council account—state appropriation is provided solely for an economic study, additional staffing for the council, and to upgrade the web site. Upgrading the web site is subject to the conditions, limitations, and review provided in section 701 of this act.

Sec. 148. 2019 c 415 s 151 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund—State Appropriation (FY 2020) ~~(\$1,926,000)~~
\$2,133,000

General Fund—State Appropriation (FY 2021)	(((\$1,979,000))
	<u>\$2,328,000</u>
General Fund—Federal Appropriation	(((\$2,150,000))
	<u>\$2,300,000</u>
General Fund—Private/Local Appropriation	\$14,000
Pension Funding Stabilization Account—State	
Appropriation	\$136,000
TOTAL APPROPRIATION	(((\$6,205,000))
	<u>\$6,911,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$103,000 of the general fund—state appropriation for fiscal year 2020 and \$103,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.

Sec. 149. 2019 c 415 s 152 (uncodified) is amended to read as follows:

FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY

General Fund—State Appropriation (FY 2020)	\$188,000
General Fund—State Appropriation (FY 2021)	\$188,000
Consolidated Technology Services Revolving Account—	
State Appropriation	(((\$25,048,000))
	<u>\$29,522,000</u>
((Consolidated Technology Services Revolving	
Nonappropriated Account—State Appropriation	\$244,176,000))
TOTAL APPROPRIATION	(((\$269,600,000))
	<u>\$29,898,000</u>

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

(1) ~~(((\$12,297,000))~~ \$11,468,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of the chief information officer. Of this amount:

(a) ~~(((\$2,000,000))~~ \$1,663,000 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 subject to the provisions of ~~((section 719 of this act))~~ section 701 of this act. The staff will:

(i) Provide master level project management guidance to agency IT stakeholders;

(ii) 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 quarterly, beginning July 1, 2020; and

(iii) Beginning December 31, 2019, provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects.

(b)(i) \$250,000 of the consolidated technology services revolving account—state appropriation is provided solely to ensure that the state has a more nimble,

extensible information technology dashboard. Dashboard elements must include at the minimum:

- (A) Start date of the project;
- (B) End date of the project when the project will close out and implementation will occur;
- (C) Term of the project in fiscal years across all biennia to reflect the start of the project through the end of the project;
- (D) Total project cost from start date through end date in total dollars, and a subtotal of near general fund outlook;
- (E) Estimated annual fiscal year cost for maintenance and operations after implementation and close out;
- (F) Actual spend by fiscal year and in total for fiscal years that are closed; and
- (G) Date a feasibility study was completed.

(ii) The office of the chief information officer may recommend additional elements be included but must have agreement with legislative fiscal committees and the office of financial management prior to including the additional elements.

(c) The agency must ensure timely posting of project data on the information technology dashboard for at least each project funded in the budget to include, at a minimum, posting on the new dashboard:

(i) The budget funded level by project for each project within thirty calendar days of the budget being signed into law;

(ii) The project historical expenditures through fiscal year 2019, by June 30, 2020, for all projects that started prior to July 1, 2019; and

(iii) Whether each project has completed a feasibility study, by June 30, 2020.

(2) ~~(\$12,751,000)~~ \$13,001,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security. Of this amount:

(a) \$800,000 of the consolidated technology services revolving account—state appropriation is provided solely for the computer emergency readiness to review security designs of computer systems and to complete security evaluations of state agency systems and applications to identify vulnerabilities and opportunities for system hardening.

(b) \$768,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security to decrypt network traffic to identify and evaluate network traffic for malicious activity and threats, and is subject to the conditions, limitations, and review provided in ~~(section 719 of this act)~~ section 701 of this act.

(c) \$608,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security to complete cyber security designs for new platforms, databases, and applications.

(3) 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)(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) 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) 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) 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) ((\$1,524,000 of the consolidated technology services revolving account non-appropriated is provided solely to the logging and monitoring project and is subject to the conditions, limitations, and review provided in section 719 of this act.~~

~~(9)) \$750,000 of the ((general fund—state appropriation for fiscal year 2020)) consolidated technology services revolving account—state appropriation is provided for the office to conduct a statewide cloud computing readiness assessment to prepare for the migration of core services to cloud services, including ways it can leverage cloud computing to reduce costs. The assessment must:~~

- ~~(a) Inventory state agency assets, associated service contracts, and other relevant information;~~
- ~~(b) Identify impacts to state agency staffing resulting from the migration to cloud computing including:~~

(i) Skill gaps between current on-premises computing practices and how cloud services are procured, secured, administered, maintained, and developed; and

(ii) Necessary retraining and ongoing training and development to ensure state agency staff maintain the skills necessary to effectively maintain information security and understand changes to enterprise architectures;

(c) Identify additional resources needed by the agency to enable sufficient cloud migration support to state agencies; and

(d) Be submitted as a report, by June 30, 2020, to the governor and the appropriate committees of the legislature that summarizes statewide cloud migration readiness and makes recommendations for migration goals.

~~((+0))~~ (9) The health care authority, the health benefit exchange, the department of social and health services, the department of health, 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. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition's plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (a) The status of any information technology projects currently being developed or implemented that affect the coalition; (b) funding needs of these current and future information technology projects; and (c) next steps for the coalition's information technology projects. 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 is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(10) \$4,303,000 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.

Sec. 150. 2019 c 415 s 153 (uncodified) is amended to read as follows:
FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Professional Engineers' Account—State Appropriation	(\$4,863,000)
	<u>\$5,534,000</u>
TOTAL APPROPRIATION	(\$4,863,000)
	<u>\$5,534,000</u>

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

(1) \$4,172,000 of the professional engineers' account—state appropriation is provided solely for implementation of House Bill No. 1176 (businesses and professions). ((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))

(2) \$1,480,000 of the professional engineers' account—state appropriation is provided solely for the business and technology modernization project pursuant to an interagency agreement with the department of licensing and is subject to the conditions, limitations, and review provided in section 701 of this act.

Sec. 151. 2019 c 415 s 141 (uncodified) is amended to read as follows:
FOR THE LAW ENFORCEMENT OFFICERS' AND FIREFIGHTERS' PLAN 2 RETIREMENT BOARD

General Fund—State Appropriation (FY 2020)	\$50,000
<u>Law Enforcement Officers' and Firefighters' Plan 2</u>	
<u>Expense Nonappropriated Fund—State Appropriation.</u>	<u>\$50,000</u>
TOTAL APPROPRIATION	\$100,000

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

(1) The \$50,000 general fund—state appropriation in this section is for the law enforcement officers' and firefighters' retirement system plan 2 board to study the tax, legal, fiscal, policy, and administrative issues related to allowing tribal law enforcement officers to become members of the law enforcement officers' and firefighters' plan 2 retirement system. This funding is in addition to other expenditures in the nonappropriated law enforcement officers' and firefighters' retirement system plan 2 expense account. In preparing this study, the department of retirement systems, the attorney general's office, and the office of the state actuary shall provide the board with any information or assistance the board requests. The board shall also receive stakeholder input as part of its deliberation. The board shall submit a report of the results of this study to the legislature by January 1, 2020.

(2) \$50,000 of the law enforcement officers' and firefighters' plan 2 expense nonappropriated fund—state appropriation is provided solely for a study of the pension benefits provided to emergency medical technicians providing services in King county between October 1, 1978 and January 1, 2003. The board shall examine the legal and fiscal implications of extending membership in the plan for these periods, including King county employers that might be included, the benefits that would be paid to members on a prospective and retroactive basis, and the contribution requirements and plan liability that would be created for employers, employees, and the state.

PART II
HUMAN SERVICES

Sec. 201. 2019 c 415 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, 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. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition's plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (a) The status of any information technology projects currently being developed or implemented that affect the coalition; (b) funding needs of these current and future information technology projects; and (c) next steps for the coalition's information technology projects. 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 is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ 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, 2020, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2020 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 2020 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.

(c) The department may not transfer appropriations from any other program or subprogram to the mental health program. Within the mental health program, the department may transfer appropriations that are provided solely for a specified purpose as needed to fund actual expenditures through the end of fiscal year 2020.

(d) The department may not transfer appropriations for the developmental disabilities program to any other program or subprograms of the department of social and health services.

***Sec. 202.** 2019 c 415 s 202 (uncodified) is amended to read as follows:
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
 MENTAL HEALTH PROGRAM**

(1) INSTITUTIONAL SERVICES	
General Fund—State Appropriation (FY 2020)	(\$400,740,000)
	\$423,815,000
General Fund—State Appropriation (FY 2021)	(\$417,578,000)
	\$440,131,000
General Fund—Federal Appropriation	(\$117,745,000)
	\$119,930,000
General Fund—Private/Local Appropriation	(\$27,800,000)
	\$26,965,000
Pension Funding Stabilization Account—State Appropriation	\$33,300,000
TOTAL APPROPRIATION	(\$997,163,000)
	\$1,044,141,000

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

(a) The state psychiatric hospitals 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.

(b) \$311,000 of the general fund—state appropriation for fiscal year 2020 and \$310,000 of the general fund—state appropriation for fiscal year 2021 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 (1)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood. The department must collect data from the city of Lakewood 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.

(c) \$45,000 of the general fund—state appropriation for fiscal year 2020 and \$45,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$19,000 of the general fund—state appropriation for fiscal year 2020 and \$19,000 of the general fund—state appropriation for fiscal year 2021 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. The city must submit a proposal to the department for a community policing program for eastern state hospital and adjacent areas by September 30, 2019.

(e) \$135,000 of the general fund—state appropriation for fiscal year 2020 and \$135,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to hire 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.

(f) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to track compliance with RCW 71.05.365 requirements for transition of state hospital patients into community settings within fourteen days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these funds to track the following elements related to this requirement: (i) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (ii) 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 (iii) the date on which either the individual is transitioned to the community or has been re-evaluated 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 fourteen day standard by December 1, 2019 and December 1, 2020.

(g) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 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.

(i) The predictive modeling tool must be developed to leverage data from a variety of sources and identify factors that are strongly associated with future criminal justice involvement. The department must submit a report to the office of financial management and the appropriate committees of the legislature which describes the following: (A) The proposed data sources to be used in the predictive model and how privacy issues will be addressed; (B) modeling results including a description of measurable factors most strongly predictive of risk of future criminal justice involvement; (C) an assessment of the accuracy, timeliness, and potential effectiveness of the tool; (D) identification of interventions and strategies that can be effective in reducing future criminal justice involvement of high risk patients; and (E) the timeline for implementing processes to provide monthly lists of high-risk client to contracted managed care organizations and behavioral health entities.

(ii) The model for civil and forensic state hospital bed need must be developed and updated in consultation with staff from 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 predicting 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 department must submit a report to the legislature by October 1, 2019, with an update of the model and the estimated civil and forensic state hospital bed need by November 1, 2020, and each November 1st thereafter through the end of fiscal year 2027. The department must continue to update the model on a calendar quarterly basis and provide updates to the office of financial management and the appropriate committees of the legislature accordingly.

(h) (~~(\$2,982,000)~~) \$2,097,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$2,199,000)~~) \$3,084,000 of the general fund—state appropriation for fiscal year 2021 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. 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, crisis diversion and supports, education and training, and workforce development.

(i) \$6,450,000 of the general fund—state appropriation for fiscal year 2020 and \$7,147,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to maintain and further increase 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 (SSB 5889) (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 and further increase the number of staff providing competency evaluation services. During the 2019-2021 fiscal biennium, the department must use a portion of these amounts to increase the number of forensic evaluators 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.

(j) \$56,441,000 of the general fund—state appropriation for fiscal year 2020, \$63,159,000 of the general fund—state appropriation for fiscal year 2021, and \$2,127,000 of the general fund—federal appropriation are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (SSB 5889) (timeliness of competency treatment and evaluation services). These amounts must be used to maintain increases that began in fiscal year 2016 and further increase the number of forensic beds at western state hospital and eastern state hospital.

Pursuant to chapter 7, Laws of 2015 1st sp. sess. (2E2SSB 5177) (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. During the 2019-2021 fiscal biennium, the department must use a portion of these amounts to increase forensic bed capacity at the state hospitals 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.

(k) (~~(\$67,463,000)~~) \$86,601,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$67,463,000)~~) \$86,705,000 of the general fund—state appropriation for fiscal year 2021 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. (~~(Of the amounts provided in each fiscal year, \$33,102,000 is provided on a one-time basis.)~~)

(i) The staffing tool must be designed and implemented 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 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 and that is informed by a review of the Oregon state hospital staffing model.

(ii) Within these amounts, 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. By December 1, 2019, the department and hospital staffing committees must submit a report to the office of financial management and the appropriate committees of the legislature that includes the following: (A) Progress in implementing the acuity based staffing tool; (B) a comparison of average monthly staffing expenditures to budgeted staffing levels and to the recommended state hospital staffing plan by function and at the ward level; and (C) metrics and facility performance for the use of overtime and extra duty pay, patient length of stay, discharge management, active treatment planning, medication administration, patient and staff aggression, and staff recruitment and retention. The department must use information gathered from implementation of the clinical staffing tool and the hospital-wide staffing model to provide budget oversight and accountability and inform and prioritize future budget requests for staffing at the state hospitals.

(iii) The department must submit calendar quarterly reports to the office of financial management and the appropriate committees of the legislature that include monitoring of monthly spending, staffing levels, overtime and use of locums 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 an update from the hospital staffing committees.

(iv) 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 thirty 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 thirty days of granting such authorizations and identify the reason and time frame for the extension.

(l) \$11,285,000 of the general fund—state appropriation for fiscal year 2020 and \$10,581,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to implement strategies to improve patient and staff safety at eastern and western state hospitals. These amounts must be used for implementing a new intensive care model program at western state hospital. Remaining amounts may be used for enclosure of nursing stations, increasing the number of security guards, and provision of training on patient and staff safety. The department must provide implementation reports to the office of financial management and the appropriate committees of the legislature as follows:

(i) A report must be submitted by December 1, 2019, which includes a description of the intensive care model being implemented, a profile of the types of patients being served at the program, the staffing model being used for the program, and preliminary information on outcomes associated with the program. 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 on the unit.

(ii) A report must be submitted by December 1, 2020, which provides an update on the implementation of the intensive care model, any changes that have occurred, and updated information on the outcomes associated with implementation of the program.

(m) \$4,262,000 of the general fund—state appropriation for fiscal year 2021 and \$2,144,000 of the general fund—federal appropriation are provided solely to open a new unit at the child study treatment center which shall serve up to eighteen children.

(n) \$2,593,000 of the general fund—state appropriation for fiscal year 2020 and \$2,593,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Laswhay* settlement agreement.

(o) Within the amounts provided in this subsection, the department must facilitate the development of a volunteer support group and create a pilot program to encourage the visitation of patients by families and loved ones.

(i) The department must organize and coordinate the activities of a volunteer support group. The activities of the support group may include but are not limited to raising funds and providing support for (A) assisting family members who want to visit western state hospital with transportation and housing costs; (B) increasing patient opportunities to participate in activities such as arts and crafts, library, sports, and music; (C) allowing for the provision of service dogs to live at western state hospital; and (D) engaging in education about western state hospital to the public and public officials.

(ii) The department must establish a pilot program to increase visitation by families and loved ones. The department must designate a staff person to coordinate the pilot program. The pilot program shall: (A) Direct western state hospital staff at all levels that families will be encouraged to visit selected patients; (B) allow for the decision on whether a patient and or family would benefit from a visit to be made by a patients clinical care team; (C) facilitate communication between case workers and families and loved ones regarding invitations to visit; (D) provide for a welcoming space for family visits to occur in a location outside of the patient's ward; and (E) arrange, within available resources, for travel and accommodation subsidies for families of limited means.

(p) 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 and quality of care measure broken out by hospital and including but not limited to (i) monthly FTE expenditures compared to allotments; (ii) monthly dollar expenditures compared to allotments; (iii) monthly FTE expenditures per ten thousand patient bed days; (iv) monthly dollar expenditures per ten thousand patient bed days; (v) percentage of FTE expenditures for overtime; (vi) average length of stay by category of patient; (vii) average monthly civil wait list; (viii) average monthly forensic wait list; (ix) rate of staff assaults per 10,000 bed days; (x) rate of patient assaults per 10,000 bed days; (xi) average number of days to release after a patient has been determined to be clinically ready for discharge; and (xii) 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 November 1, 2020, and provide annual updates thereafter.

(q) \$1,660,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to repair, replace, or upgrade failing infrastructure at western and eastern state hospitals.

(r) \$1,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a cost of living adjustment to the personal needs allowance pursuant to RCW 74.09.340.

(2) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2020)	(\$5,884,000))
	\$5,812,000
General Fund—State Appropriation (FY 2021)	(\$5,763,000))

	\$5,736,000
General Fund—Federal Appropriation	\$315,000
TOTAL APPROPRIATION	(\$11,962,000)
	<u>\$11,863,000</u>

**Sec. 202 is partially vetoed. See message at end of chapter.*

Sec. 203. 2019 c 415 s 203 (uncodified) is amended to read as follows:
**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
 DEVELOPMENTAL DISABILITIES PROGRAM**

(1)(a) The appropriations to the department of social and health services in this section must be expended for the programs and in the amounts specified in this section. However, after May 1, 2020, unless prohibited by this act, the department may transfer appropriations for fiscal year 2020 among programs and subprograms of this section 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 2020 caseload forecasts and utilization assumptions in the developmental disabilities program, 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.

(2) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2020)	(\$737,825,000)
	<u>\$732,559,000</u>
General Fund—State Appropriation (FY 2021)	(\$803,041,000)
	<u>\$810,256,000</u>
General Fund—Federal Appropriation	(\$1,591,789,000)
	<u>\$1,579,826,000</u>
General Fund—Private/Local Appropriation	\$4,024,000
Pension Funding Stabilization Account—State Appropriation	\$6,364,000
<u>Developmental Disability Community Trust Account—State Appropriation</u>	<u>\$1,000,000</u>
TOTAL APPROPRIATION	(\$3,143,043,000)
	<u>\$3,134,029,000</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 2020 and \$225 per bed beginning in fiscal year 2021. 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 2020 and \$116 per bed beginning in fiscal year 2021.

(iii) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2020 and \$359 per bed beginning in fiscal year 2021.

(c) \$7,527,000 of the general fund—state appropriation for fiscal year 2020, \$16,092,000 of the general fund—state appropriation for fiscal year 2021, and \$29,989,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2019-2021 fiscal biennium.

(d) \$1,058,000 of the general fund—state appropriation for fiscal year 2020, \$2,245,000 of the general fund—state appropriation for fiscal year 2021, and \$4,203,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(e) 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.

(f) 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.

(g) \$1,705,000 of the general fund—state appropriation for fiscal year 2020, \$1,688,000 of the general fund—state appropriation for fiscal year 2021, and \$1,465,000 of the general fund—federal appropriation are provided solely for the development and implementation of thirteen 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 family 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.

(h) \$2,025,000 of the general fund—state appropriation for fiscal year 2020 and \$2,006,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the development and implementation of thirteen 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.

(i) \$4,005,000 of the general fund—state appropriation for fiscal year 2020, \$6,084,000 of the general fund—state appropriation for fiscal year 2021, and \$9,826,000 of the general fund—federal appropriation are provided solely 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 (i)(i) 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 (i)(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.

(j) \$1,029,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for state-operated behavioral health group training homes for clients with developmental disabilities who require a short-term placement for crisis stabilization following a hospital stay. The developmental disabilities administration shall research and assess options to claim federal medicaid funds for state-operated behavioral health group training homes and report its findings to the governor and appropriate legislative committees by December 1, 2019.

(k) \$605,000 of the general fund—state appropriation for fiscal year 2020, \$1,627,000 of the general fund—state appropriation for fiscal year 2021, and \$1,797,000 of the general fund—federal appropriation are provided solely for expanding the number of clients receiving services under the basic plus medicaid waiver. Approximately three hundred fifty additional clients are anticipated to graduate from high school during the 2019-2021 fiscal biennium and will receive employment services under this expansion.

(l) \$20,243,000 of the general fund—state appropriation for fiscal year 2020, ~~(\$41,933,000)~~ \$44,855,000 of the general fund—state appropriation for fiscal year 2021, and ~~(\$60,976,000)~~ \$63,822,000 of the general fund—federal appropriation are provided solely to increase rates for community residential service providers offering supported living, group home, and licensed staff residential services to individuals with development disabilities. The amounts in this subsection (1)(l) include funding to increase the rate by 13.5 percent effective January 1, 2020, and by 1.8 percent effective January 1, 2021.

The amounts provided in this subsection must be used to improve the recruitment and retention of quality direct care staff to better protect the health and safety of clients with developmental disabilities.

~~((m))~~ (m) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to establish parent-to-parent programs for parents of children with developmental disabilities in Ferry, Pend Oreille, Stevens, San Juan, and Wahkiakum counties.

~~((n))~~ (n) \$401,000 of the general fund—state appropriation for fiscal year 2020, \$424,000 of the general fund—state appropriation for fiscal year 2021, and \$1,043,000 of the general fund—federal appropriation are provided solely to assist home care agencies with implementing electronic visit verification systems that are compliant with the federal 21st century cures act no later than January 1, 2020.

~~((o))~~ (o) \$3,626,000 of the general fund—state appropriation for fiscal year 2020, \$4,757,000 of the general fund—state appropriation for fiscal year 2021, and \$10,444,000 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 2019-2021 fiscal biennium.

~~((p))~~ (p) \$63,000 of the general fund—state appropriation for fiscal year 2020, \$44,000 of the general fund—state appropriation for fiscal year 2021, and ~~(\$62,000)~~ \$106,000 of the general fund—federal appropriation are provided solely to begin implementing an asset verification system that is compliant with the federal medicaid extenders act by January 1, 2021 and is subject to the conditions, limitation, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

~~((+))~~ (q) \$13,000 of the general fund—state appropriation for fiscal year 2020, \$20,000 of the general fund—state appropriation for fiscal year 2021, and \$23,000 of the general fund—federal appropriation are provided solely to implement chapter 70, Laws of 2019 (SHB 1199).

~~((+))~~ (r) \$153,000 of the general fund—state appropriation for fiscal year 2020, \$356,000 of the general fund—state appropriation for fiscal year 2021, and \$643,000 of the general fund—federal appropriation are provided solely to increase rates for assisted living facility providers consistent with chapter 225, Laws of 2018 (SHB 2515) and for a rate add-on to providers that serve sixty percent or more medicaid clients.

~~((+))~~ (s) \$193,000 of the general fund—state appropriation for fiscal year 2020, \$385,000 of the general fund—state appropriation for fiscal year 2021, and \$654,000 of the general fund—federal appropriation are provided solely for a ten percent rate increase, effective January 1, 2020, for nurse delegation, private duty nursing, and supported living nursing services.

~~((+))~~ (t) \$3,490,000 of the general fund—local appropriation and \$3,490,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. 5359 (residential services and supports). The annual certification renewal fee for community residential service businesses is \$847 per client in fiscal year 2020 and \$859 per client in fiscal year 2021. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs. ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~((+))~~ (u) The appropriations in this section include sufficient funding to implement Second Substitute Senate Bill No. 5672 (adult family ~~((homes))~~ homes specialty services).

~~((+))~~ (v) \$100,000 of the general fund—state appropriation for fiscal year 2020, \$95,000 of the general fund—state appropriation for fiscal year 2021, and \$195,000 of the general fund—federal appropriation are provided solely 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.

~~((+))~~ (w) \$4,886,000 of the general fund—state appropriation for fiscal year 2020, \$7,150,000 of the general fund—state appropriation for fiscal year 2021, and \$11,894,000 of the general fund—federal appropriation are provided solely to complete the three-year phase in of forty-seven clients from residential habilitation centers to state operated living alternatives.

~~((+))~~ (x) \$2,279,000 of the general fund—state appropriation for fiscal year 2020, \$2,279,000 of the general fund—state appropriation for fiscal year 2021, and \$4,558,000 of the general fund—federal appropriation are provided solely for additional staffing resources for the transition of clients living in the intermediate care facilities at Rainier school, Fircrest school, and Lakeland village to state operated living alternatives to address deficiencies identified by the centers for medicare and medicaid services.

~~((+))~~ (y) \$51,000 of the general fund—state appropriation for fiscal year 2020, ~~(((\$54,000))~~ \$108,000 of the general fund—state appropriation for fiscal year 2021, and ~~(((\$134,000))~~ \$203,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home

care agencies by five cents per hour effective July 1, 2019, and by an additional five cents per hour effective July 1, 2020.

~~((ee))~~ (z) \$1,798,000 of the general fund—state appropriation for fiscal year 2020, \$2,422,000 of the general fund—state appropriation for fiscal year 2021, and \$4,219,000 of the general fund—federal appropriation are provided solely for state-operated living alternative homes.

(i) Of the amounts provided in this subsection, \$480,000 of the general fund—state appropriation for fiscal year 2020, \$646,000 of the general fund—state appropriation for fiscal year 2021, and \$1,125,000 of the general fund—federal appropriation are provided solely to place residents in transition from the Rainier PAT A intermediate care facility.

(ii) Of the amounts provided in this subsection, \$420,000 of the general fund—state appropriation for fiscal year 2020, \$565,000 of the general fund—state appropriation for fiscal year 2021, and \$985,000 of the general fund—federal appropriation are provided solely to place developmental disability administration clients upon discharge from a hospital stay when the clients' previous providers are unable to manage the clients' care needs.

(aa) \$75,000 of the general fund—state appropriation for fiscal year 2021 and \$96,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 2380 (home care agencies). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(bb) \$60,000 of the general fund—state appropriation for fiscal year 2020, \$120,000 of the general fund—state appropriation for fiscal year 2021, and \$120,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 6419 (habilitation center clients). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(cc) \$145,000 of the general fund—state appropriation for fiscal year 2020, \$146,000 of the general fund—state appropriation for fiscal year 2021, and \$214,000 of the general fund—federal appropriation are provided solely to review the no-paid services caseload pursuant to Engrossed Substitute Senate Bill No. 6040 (developmental disability budgeting).

(dd) \$6,000 of the general fund—state appropriation for fiscal year 2021 and \$4,000 of the general fund—federal appropriation are provided solely for a cost of living adjustment to the personal needs allowance pursuant to RCW 74.09.340.

~~((2))~~ (3) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2020)	(\$119,201,000)
	\$119,274,000
General Fund—State Appropriation (FY 2021)	(\$120,511,000)
	\$120,754,000
General Fund—Federal Appropriation	(\$233,122,000)
	\$233,430,000
General Fund—Private/Local Appropriation	\$27,041,000
Pension Funding Stabilization Account—State Appropriation	\$11,396,000
TOTAL APPROPRIATION	(\$511,271,000)
	\$511,895,000

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 2020 and \$495,000 of the general fund—state appropriation for fiscal year 2021 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) \$830,000 of the general fund—state appropriation for fiscal year 2020 and \$135,000 of the general fund—federal appropriation are provided solely for the loss of federal revenue and the transition of residents due to the decertification of the Rainier school PAT A intermediate care facility by the centers for medicare and medicaid services in calendar year 2019. It is the intent of the legislature that the developmental disabilities administration complete the transitions of Rainier PAT A residents by September 2019.

(e) \$3,455,000 of the general fund—state appropriation for fiscal year 2020, \$3,455,000 of the general fund—state appropriation for fiscal year 2021, and \$6,910,000 of the general fund—federal appropriation are provided solely for additional staffing resources for clients living in the intermediate care facilities at Rainier school, Fircrest school, and Lakeland village to address deficiencies identified by the centers for medicare and medicaid services and to gather information for the 2020 legislative session that will support appropriate levels of care for residential habilitation center clients.

(i) The department of social and health services must contract with the William D. Ruckelshaus center or other neutral third party to continue the facilitation of meetings and discussions about how to support appropriate levels of care for residential habilitation center clients based on the clients' needs and ages. The options explored in the meetings and discussions must include, but are not limited to, the longer-term issues identified in the January 2019 report to the legislature, including shifting care and staffing needs, crisis stabilization, alternative uses of residential habilitation center campus, and transforming adult family homes. An agreed-upon preferred longer term vision must be included within a report to the office of financial management and appropriate fiscal and policy committees of the legislature before December 1, 2019. The report must describe the policy rationale, implementation plan, timeline, and recommended statutory changes for the preferred long-term vision.

(ii) The parties invited to participate in the meetings and discussions must include:

(A) One member from each of the two largest caucuses in the senate, who shall be appointed by the majority leader and minority leader of the senate;

(B) One member from each of the two largest caucuses in the house of representatives, who shall be appointed by the speaker and minority leader of the house of representatives;

(C) One member from the office of the governor, appointed by the governor;

(D) One member from the developmental disabilities council;

(E) One member from the ARC of Washington;

(F) One member from the Washington federation of state employees;

(G) One member from the service employees international union 1199;

(H) One member from the developmental disabilities administration within the department of social and health services;

(I) One member from the aging and long term support administration within the department of social and health services; and

(J) Two members who are family members or guardians of current residential habilitation center residents.

(K) Staff support for the work group must be provided by the department of social and health services.

~~((3))~~ (4) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2020)	(\$2,558,000)
	<u>\$2,536,000</u>
General Fund—State Appropriation (FY 2021)	(\$2,660,000)
	<u>\$2,640,000</u>
General Fund—Federal Appropriation	(\$3,080,000)
	<u>\$3,203,000</u>
Pension Funding Stabilization Account—State Appropriation	\$270,000
TOTAL APPROPRIATION	(\$8,568,000)
	<u>\$8,649,000</u>

~~((4))~~ (5) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2020)	\$62,000
General Fund—State Appropriation (FY 2021)	\$62,000
General Fund—Federal Appropriation	\$1,092,000
Pension Funding Stabilization Account—State Appropriation	\$4,000
TOTAL APPROPRIATION	\$1,220,000

*Sec. 204. 2019 c 415 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 2020)	(\$1,313,688,000)
	<u>\$1,320,605,000</u>
General Fund—State Appropriation (FY 2021)	(\$1,454,323,000)
	<u>\$1,482,768,000</u>
General Fund—Federal Appropriation	(\$3,465,113,000)
	<u>\$3,457,726,000</u>
General Fund—Private/Local Appropriation	(\$37,765,000)
	<u>\$37,729,000</u>
Traumatic Brain Injury Account—State Appropriation	\$4,558,000
Skilled Nursing Facility Safety Net Trust Account— State Appropriation	\$133,360,000

Pension Funding Stabilization Account—State	
Appropriation.....	\$12,392,000
Long-Term Services and Supports Trust Account—State	
Appropriation.....	(\$2,437,000)
	<u>\$2,937,000</u>
TOTAL APPROPRIATION.....	(\$6,423,636,000)
	<u>\$6,452,075,000</u>

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 (~~\$220.37~~) \$229.10 for fiscal year 2020 and may not exceed (~~\$251.49~~) \$250.71 for fiscal year 2021.

(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 2020 and \$225 per bed beginning in fiscal year 2021. 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 2020 and \$116 per bed beginning in fiscal year 2021.

(c) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2020 and \$359 per bed beginning in fiscal year 2021.

(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) \$1,858,000 of the general fund—state appropriation for fiscal year 2020 and \$1,857,000 of the general fund—state appropriation for fiscal year 2021 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.

(5) \$15,748,000 of the general fund—state appropriation for fiscal year 2020, \$33,024,000 of the general fund—state appropriation for fiscal year 2021, and \$62,298,000 of the general fund—federal appropriation are provided solely for the implementation of the agreement reached between the governor and the

service employees international union healthcare 775nw under the provisions of chapters 74.39A and 41.56 RCW for the 2019-2021 fiscal biennium.

(6) \$6,320,000 of the general fund—state appropriation for fiscal year 2020, \$13,142,000 of the general fund—state appropriation for fiscal year 2021, and \$24,768,000 of the general fund—federal appropriation are provided solely for the homecare agency parity impacts of the agreement between the governor and the service employees international union healthcare 775nw.

(7) \$5,094,000 of the general fund—state appropriation for fiscal year 2020 and \$5,094,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(8) 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.

(9) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.

(10) \$479,000 of the general fund—state appropriation for fiscal year 2020 and \$479,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(11) 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.

(12) 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,

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 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.

(13) \$315,000 of the general fund—state appropriation for fiscal year 2020, \$315,000 of the general fund—state appropriation for fiscal year 2021, and \$630,000 of the general fund—federal appropriation are provided solely 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.

(14) \$135,000 of the general fund—state appropriation for fiscal year 2020, \$135,000 of the general fund—state appropriation for fiscal year 2021, and \$270,000 of the general fund—federal appropriation are provided solely for 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.

(15)(a) No more than (~~(\$102,880,000)~~) \$79,799,000 of the general fund—federal appropriation may be expended for tailored support for older adults and medicaid alternative care described in initiative 2 of the medicaid transformation demonstration waiver under healthier Washington. The department shall not increase general fund—state expenditures on this initiative. The secretary in collaboration with the director of the health care 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 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) No more than \$2,525,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. Under this initiative, the department and the health care authority shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its providers 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 department shall not increase general fund—state expenditures under this initiative. The secretary in cooperation with the director 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 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.

(16) \$13,303,000 of the general fund—state appropriation for fiscal year 2020, \$15,891,000 of the general fund—state appropriation for fiscal year 2021, and \$36,390,000 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 2019-2021 fiscal biennium.

(17) \$40,000 of the general fund—state appropriation for fiscal year 2020, \$40,000 of the general fund—state appropriation for fiscal year 2021, and \$80,000 of the general fund—federal appropriation are provided solely for the department, in partnership with the department of health and the health care authority, to assist a collaborative public-private entity with implementation of recommendations in the state plan to address alzheimer's disease and other dementias.

(18) \$428,000 of the general fund—state appropriation for fiscal year 2020, (~~(\$446,000)~~) \$1,761,000 of the general fund—state appropriation for fiscal year 2021, and (~~(\$896,000)~~) \$2,520,000 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.

(19) \$117,000 of the general fund—state appropriation for fiscal year 2020 and \$116,000 of the general fund—state appropriation for fiscal year 2021 are provided solely 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.

(20) \$18,000 of the traumatic brain injury account—state appropriation is provided solely to implement Substitute House Bill No. 1532 (domestic violence TBIs). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(21) ~~\$543,000 of the general fund—state appropriation for fiscal year 2020, \$495,000 of the general fund—state appropriation for fiscal year 2021, and ((\$543,000))~~ \$1,038,000 of the general fund—federal appropriation are provided solely to begin implementing an asset verification system that is compliant with the federal medicaid extenders act by January 1, 2021 and is subject to the conditions, limitation, and review provided in ~~((section 719 of this act))~~ section 701 of this act. Of the amounts provided in this subsection, \$75,000 of the general fund—state appropriation in fiscal year 2020 and \$75,000 of the general fund—federal appropriation are provided solely for a feasibility study of information technology solutions for an asset verification system. The feasibility study shall consider the department's existing case management systems that may be required to interface with the asset verification system. The department shall work with the health care authority to develop a long-term strategy for an

asset verification system that complies with federal requirements, maximizes efficient use of staff time, supports accurate client financial eligibility determinations, and incorporates relevant findings from the feasibility study, and shall report its findings and recommendation to the governor and appropriate legislative committees no later than December 1, 2019.

(22) (~~(\$2,437,000)~~) \$2,937,000 of the long-term services and supports trust account—state appropriation is provided solely to implement Second Substitute House Bill No. 1087 (long-term services and support). Of the amounts provided in this subsection, (~~(\$217,000)~~) \$717,000 is provided solely for a contract with the state actuary. (~~(If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.)~~)

(23) \$2,373,000 of the general fund—state appropriation for fiscal year 2020, \$2,459,000 of the general fund—state appropriation for fiscal year 2021, and \$6,215,000 of the general fund-federal appropriation are provided solely to assist home care agencies with implementing electronic visit verification systems that are compliant with the federal 21st century cures act no later than January 1, 2020.

(24) \$727,000 of the general fund—state appropriation for fiscal year 2020, \$1,455,000 of the general fund—state appropriation for fiscal year 2021, and \$2,469,000 of the general fund—federal appropriation are provided solely for a ten percent rate increase, effective January 1, 2020, for in-home skilled nursing services, nurse delegation, in-home private duty nursing, and adult family home private duty nursing.

(25) \$3,353,000 of the general fund—local appropriation and \$1,055,000 of the general fund—federal appropriation are provided solely to implement Senate Bill No. 5359 (residential services and supports). The annual certification renewal fee for community residential service businesses is \$847 per client in fiscal year 2020 and \$859 per client in fiscal year 2021. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs. (~~(If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.)~~)

(26) \$17,481,000 of the general fund—state appropriation for fiscal year 2020, \$28,471,000 of the general fund—state appropriation for fiscal year 2021, and \$41,031,000 of the general fund—federal appropriation are provided solely 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, 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.

(27) \$1,344,000 of the general fund—state appropriation for fiscal year 2020 and \$1,344,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the kinship care support program.

(28) ~~\$306,000~~ of the general fund—state appropriation for fiscal year 2020, (~~\$317,000~~) \$634,000 of the general fund—state appropriation for fiscal year 2021, and (~~\$794,000~~) \$1,198,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by five cents per hour effective July 1, 2019, and by an additional five cents per hour effective July 1, 2020.

(29) \$94,000 of the general fund—state appropriation for fiscal year 2020 and \$94,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to establish a pilot project to provide personal care services to homeless seniors and persons with disabilities from the time the person presents at a shelter to the time the person becomes eligible for medicaid personal care services.

(a) The department shall contract with a single nonprofit organization that provides personal care services to homeless persons and operates a twenty-four hour homeless shelter, and that is currently partnering with the department to bring medicaid personal care services to homeless seniors and persons with disabilities.

(b) The department shall submit a report by December 1, 2020, to the governor and appropriate legislative committees. The report shall address findings and outcomes of the pilot and recommendations.

~~((31))~~ (30) \$3,669,000 of the general fund—state appropriation for fiscal year 2020, \$8,543,000 of the general fund—state appropriation for fiscal year 2021, and \$15,434,000 of the general fund—federal appropriation are provided solely to increase rates for assisted living facility providers consistent with chapter 225, Laws of 2018 (SHB 2515) and to provide a rate add-on to providers that serve sixty percent or more (~~(medicare)~~) medicaid clients.

~~((32))~~ (31) \$375,000 of the general fund—state appropriation for fiscal year 2020, (~~\$375,000~~) \$637,000 of the general fund—state appropriation for fiscal year 2021, and (~~\$750,000~~) \$1,016,000 of the general fund—federal appropriation are provided solely to increase rates for adult day health and adult day care providers effective July 1, 2019, and to increase rates by 6 percent effective July 1, 2020.

~~((33))~~ (32) The appropriations in this section include sufficient funding for the implementation of Second Substitute Senate Bill No. 5672 (adult family homes specialty services).

(33) No later than December 31, 2021, the department of social and health services and the health care authority shall submit a waiver request to the federal department of health and human services to authorize presumptive medicaid eligibility determinations for clients preparing for acute care hospital discharge who may need long-term services and supports. The department and the authority shall hold stakeholder discussions, including opportunities for public review and comment, during development of the waiver request. Upon submission of the waiver request, the department and the authority shall submit a report to the governor and the appropriate legislative committees that describes the request and identifies any statutory changes that may be necessary if the federal government approves the request.

(34) \$926,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for community-based resources for dementia education and support in two areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their family caregivers.

(35) \$439,000 of the general fund—state appropriation for fiscal year 2021 and \$559,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 2380 (home care agencies). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(36) The appropriations in this section include sufficient funding to implement Engrossed Substitute House Bill No. 1023 (adult family homes/8 beds). A nonrefundable fee of \$455 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(37)(a) The department is authorized, when granting a limited exception to a nursing facility from the registered nurse coverage requirement under the process described in RCW 74.42.360(3)(b), to consider the competitiveness of wages and benefits offered by the facility as compared to nursing facilities with comparable geographic or metropolitan areas within Washington state and the provider's recruitment and retention efforts.

(b) In addition to the review required in RCW 74.42.360(3)(b)(ii), the department, along with a stakeholder work group, shall conduct a review of the exceptions process to determine if it is still necessary. As part of this review, the department shall provide the legislature with a report that includes enforcement and citation data for facilities that received an exception in the three previous fiscal years compared to comparable facilities that did not receive an exception. The report must include a similar comparison of data, provided to the department by the long-term care ombuds, on long-term care ombuds referrals for facilities that were granted an exception in the three previous fiscal years versus those without an exception. This report, along with a recommendation as to whether the exceptions process should continue, is due to the legislature no later than June 30, 2021.

(38) \$1,364,000 of the general fund—state appropriation for fiscal year 2021 and \$1,633,000 of the general fund—federal appropriation are provided solely to increase rates for specialized dementia care services.

(39) \$77,000 of the general fund—state appropriation for fiscal year 2021 and \$76,000 of the general fund—federal appropriation are provided solely for

implementation of Engrossed Second Substitute Senate Bill No. 6205 (long-term care workers). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(40) \$17,000 of the general fund—state appropriation for fiscal year 2021 and \$12,000 of the general fund—federal appropriation is provided solely for a cost of living adjustment to the personal needs allowance pursuant to RCW 74.09.340.

**Sec. 204 is partially vetoed. See message at end of chapter.*

***Sec. 205.** 2019 c 415 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 2020)	(\$362,649,000)	<u>\$354,021,000</u>
General Fund—State Appropriation (FY 2021)	(\$365,538,000)	<u>\$364,531,000</u>
General Fund—Federal Appropriation	(\$1,453,819,000)	<u>\$1,460,971,000</u>
General Fund—Private/Local Appropriation		\$5,416,000
Domestic Violence Prevention Account—State Appropriation		\$2,404,000
Pension Funding Stabilization Account—State Appropriation	(\$26,754,000)	<u>\$26,349,000</u>
Administrative Contingency Account—State Appropriation		\$4,000,000
TOTAL APPROPRIATION	(\$2,220,580,000)	<u>\$2,217,692,000</u>

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

(1)(a) ~~(\$77,346,000)~~ \$67,875,000 of the general fund—state appropriation for fiscal year 2020, ~~(\$74,058,000)~~ \$68,063,000 of the general fund—state appropriation for fiscal year 2021, ~~(\$808,761,000)~~ \$835,701,000 of the general fund—federal appropriation, \$4,000,000 of the administrative contingency account—state appropriation, and ~~(\$5,662,000)~~ \$5,585,000 of the pension funding stabilization account—state 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)(i) (~~(\$266,668,000)~~) \$265,980,000 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.

(ii) Of the amounts in (a) of this subsection, \$1,213,000 of the general fund—state appropriation for fiscal year 2020 and \$989,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1603 (economic assistance programs). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(c)(i) (~~(\$158,316,000)~~) \$155,622,000 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.

(ii) \$2,430,000 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.

(iii) Of the amounts in (a) of this subsection, \$864,000 of the general fund—state appropriation for fiscal year 2020 and \$649,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1603 (economic assistance programs). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(d)(~~(+)~~) \$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. The department shall work in collaboration with the department of children, youth, and families to track the average monthly child care subsidy caseload and expenditures by fund type including the child care development fund, general fund—state, and the temporary assistance for needy families grant for the purpose of estimating the monthly temporary assistance for needy families grant reimbursement.

(e) \$68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f)(i) (~~(\$122,945,000)~~) \$137,723,000 of the amounts in (1)(a) of this section is for WorkFirst administration and overhead.

(ii) Of the amounts in (a) of this subsection, \$218,000 of the general fund—state appropriation for fiscal year 2020 and \$39,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of

Second Substitute House Bill No. 1603 (economic assistance programs). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(iii) Of the amount in (f) of this subsection, \$284,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Substitute Senate Bill No. 6478 (economic assistance programs). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(iv) Of the amount in (f) of this subsection, \$291,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Substitute House Bill No. 2441 (TANF access). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(g) The amounts in subsections (1)(b) through (e) of this section shall be expended for the programs and in the amounts specified. However, the department may transfer up to ten percent of funding between subsections (1)(b) through (f) of this section. 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) Each calendar quarter, 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.

(j) In the 2019-2021 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (b) through (f) 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) \$2,545,000 of the general fund—state appropriation for fiscal year 2020 and \$2,546,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2020 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 2021 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, 2020, and annually thereafter, 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 one hundred 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) \$3,682,000 of the general fund—state appropriation for fiscal year 2020, \$1,344,000 of the general fund—state appropriation for fiscal year 2021, and \$10,333,000 of the general fund—federal appropriation are provided solely for the continuation of the ESAR project and ~~((are))~~ implementation of a disaster recovery plan. The funding is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(8) 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.

(9) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and ~~(((\$1,000,000))~~ \$1,200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for operational support of the Washington information network 211 organization.

(10) ~~(((\$996,000))~~ \$748,000 of the general fund—state appropriation for fiscal year 2020, \$2,930,000 of the general fund—state appropriation for fiscal year 2021, and ~~(((\$775,000))~~ \$576,000 of the general fund—federal appropriation are provided solely to ~~((begin implementing))~~ implement an asset

verification system that is compliant with the federal medicaid extenders act by January 1, 2021 and is subject to the conditions, limitations, and review provided in section 701 of this act.

(11) Within amounts appropriated in this section, the department must conduct a comprehensive study of the WorkFirst transportation pilot. The department must submit a report by November 1, 2020, to the governor and the appropriate fiscal and policy committees that includes a cost benefit analysis of the transportation pilot. At a minimum, the report must include the total annual cost of the pilot since implementation, total annual number of clients accessing transportation services through the pilot, impacts to sanctions and the participation rate, employment outcomes, caseload impacts, department recommendations, and lessons learned.

(12) \$2,375,000 of the general fund—state appropriation for fiscal year 2021 and \$44,000 of the general fund—federal appropriation are provided solely to eliminate the supplied shelter grant standard for the pregnant women assistance, refugee cash assistance, and the aged, blind, or disabled assistance programs.

(13) \$164,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Third Substitute Senate Bill No. 5164 (trafficking victims assist.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(14)(a) \$142,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for staff and information technology costs associated with extending health care coverage for an additional ten months for postpartum persons who are eligible under pregnancy eligibility rules at the end of the sixty day postpartum period, to provide a total of twelve months postpartum coverage.

(b) The department must coordinate system changes with the health care authority and the health benefit exchange.

(15) \$1,121,000 of the general fund—state appropriation for fiscal year 2021 and \$1,107,000 of the general fund—federal appropriation are provided solely for the implementation of Second Substitute Senate Bill No. 5144 (child support pass-through). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(16) \$228,000 of the general fund—state appropriation for fiscal year 2021 is provided to eliminate the mid-certification review for aged participants in the aged, blind, and disabled program.

**Sec. 205 is partially vetoed. See message at end of chapter.*

Sec. 206. 2019 c 415 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 2020)	(\$16,656,000))
	<u>\$16,663,000</u>
General Fund—State Appropriation (FY 2021)	(\$17,605,000))
	<u>\$17,632,000</u>
General Fund—Federal Appropriation	(\$109,571,000))
	<u>\$109,595,000</u>
Pension Funding Stabilization Account—State Appropriation	\$2,024,000

TOTAL APPROPRIATION((~~\$145,856,000~~))
\$145,914,000

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

(1) The department of social and health services vocational rehabilitation program shall participate in the development of an implementation plan to build statewide capacity among school districts to improve transition planning for students in special education who meet criteria for services from the developmental disabilities administration, pursuant to section 501(3)(c) of this act.

(2) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for supported employment services for additional eligible clients with the most significant disabilities who would otherwise be placed on the federally required order of selection waiting list.

Sec. 207. 2019 c 415 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 2020)((~~\$53,965,000~~))
\$52,711,000

General Fund—State Appropriation (FY 2021)((~~\$54,800,000~~))
\$53,921,000

Pension Funding Stabilization Account—State
 Appropriation \$4,580,000

TOTAL APPROPRIATION((~~\$113,345,000~~))
\$111,212,000

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.

(2) \$705,000 of the general fund—state appropriation for fiscal year 2020 and \$784,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to expand its King county secure transition facility from six beds to twelve beds beginning January 1, 2020.

(3) \$225,000 of the general fund—state appropriation for fiscal year 2020 and \$210,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to hire staff to provide medical transportation and hospital watch services for individuals in need of medical care outside the main facility.

(4) \$158,000 of the general fund—state appropriation for fiscal year 2020 and \$152,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to hire an administrator to coordinate siting efforts for new secure community transition facilities to house individuals transitioning to the community from the main facility.

Sec. 208. 2019 c 415 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 2020)	.....	..((\$31,403,000))
		<u>\$31,806,000</u>
General Fund—State Appropriation (FY 2021)	.....	..((\$32,427,000))
		<u>\$36,863,000</u>
General Fund—Federal Appropriation	.....	..((\$44,592,000))
		<u>\$48,142,000</u>
Pension Funding Stabilization Account—State Appropriation	.....	..((\$6,044,000))
		<u>\$6,449,000</u>
TOTAL APPROPRIATION	.....	..((\$114,466,000))
		<u>\$123,260,000</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, 2020, and February 1, 2021. 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) \$47,000 of the general fund—state appropriation for fiscal year 2020, \$47,000 of the general fund—state appropriation for fiscal year 2021, and \$142,000 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 2019-2021 fiscal biennium.

Sec. 209. 2019 c 415 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 2020)	.....	..((\$36,426,000))
		<u>\$36,524,000</u>
General Fund—State Appropriation (FY 2021)	.....	..((\$38,154,000))
		<u>\$41,064,000</u>
General Fund—Federal Appropriation	.....	..((\$41,143,000))
		<u>\$42,178,000</u>
TOTAL APPROPRIATION	.....	..((\$115,723,000))
		<u>\$119,766,000</u>

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

(1) 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 contents valued over \$250,000.

(2) \$63,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

Sec. 210. 2019 c 415 s 210 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY

During the 2019-2021 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.

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.

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.

The health care authority, the health benefit exchange, the department of social and health services, the department of health, 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. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition's plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (1) The status of any information technology projects currently being developed or implemented that affect the coalition; (2) funding needs of these current and future information technology projects; and

(3) next steps for the coalition's information technology projects. 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 is subject to the conditions, limitations, and review provided in ((section 719 of this act)) section 701 of this act.

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, 2020, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2020 among programs after approval by the director of the office of financial management. To the extent that appropriations in sections 211 through 215 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 2020 that are provided solely for a specified purpose. The authority may also transfer general fund—state appropriations for fiscal year 2020 that are provided solely for a specified purpose within section 215 of this act to cover any deficits in section 215 of this act resulting from assumptions related to the return of \$35,000,000 in general fund—state behavioral health organization reserves in fiscal year 2020. 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 section. 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. 2019 c 415 s 211 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY—MEDICAL ASSISTANCE

General Fund—State Appropriation (FY 2020)	((\$2,281,076,000))
	<u>\$2,378,633,000</u>
General Fund—State Appropriation (FY 2021)	((\$2,325,882,000))
	<u>\$2,440,100,000</u>
General Fund—Federal Appropriation	(((\$11,597,642,000)))
	<u>\$12,319,236,000</u>
General Fund—Private/Local Appropriation	(((\$285,918,000)))
	<u>\$246,218,000</u>
Emergency Medical Services and Trauma Care Systems	
Trust Account—State Appropriation	\$15,086,000
Hospital Safety Net Assessment Account—State	
Appropriation	(((\$721,718,000)))
	<u>\$715,909,000</u>
Medicaid Fraud Penalty Account—State Appropriation	(((\$10,364,000)))
	<u>\$10,208,000</u>
Dedicated Marijuana Account—State	
Appropriation (FY 2020)	(((\$18,951,000)))

	<u>\$20,870,000</u>
Dedicated Marijuana Account—State	
Appropriation (FY 2021)	((\$19,341,000))
	<u>\$20,953,000</u>
Pension Funding Stabilization Account—State	
Appropriation	\$4,544,000
Medical Aid Account—State Appropriation	\$538,000
TOTAL APPROPRIATION	((\$17,281,060,000))
	<u>\$18,172,295,000</u>

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

(1) The authority shall not accept or expend any federal funds received under a medicaid transformation waiver under healthier Washington except as described in subsections (2) and (3) of this section until specifically approved and appropriated by the legislature. To ensure compliance with legislative directive budget requirements and terms and conditions of the waiver, the authority shall implement the waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the innovation waiver requires better analytic capability, transparency, consistency, timeliness, accuracy, and lack of redundancy with other established measures and that the patient must be considered first and foremost in the implementation and execution of the demonstration waiver. In order to effectuate these goals, the authority shall: (a) Require the Dr. Robert Bree collaborative and the health technology assessment program to reduce the administrative burden upon providers by only requiring performance measures that are nonduplicative of other nationally established measures. The joint select committee on health care oversight will evaluate the measures chosen by the collaborative and the health technology assessment program for effectiveness and appropriateness; (b) develop a patient satisfaction survey with the goal to gather information about whether it was beneficial for the patient to use the center of excellence location in exchange for additional out-of-pocket savings; (c) ensure patients and health care providers have significant input into the implementation of the demonstration waiver, in order to ensure improved patient health outcomes; and (d) in cooperation with the department of social and health services, 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 waivers for federal approval. By federal standard, the medicaid transformation demonstration waiver shall not exceed the duration originally granted by the centers for medicare and medicaid services and any programs created or funded by this waiver do not create an entitlement. Beginning May 15, 2019, and continuing through December 15, 2019, by the 15th of each month, the director in consultation with the secretary shall report to the fiscal chair of the appropriate committees of the legislature in the manner and form requested the status of the medicaid transformation waiver, including any anticipated or proposed changes to accruals or expenditures.

(2) No more than ((~~\$305,659,000~~)) \$153,357,000 of the general fund—federal appropriation and no more than ((~~\$157,284,000~~)) \$86,190,000 of the

general fund—local appropriation may be expended for transformation through accountable communities of health described in initiative 1 of the medicaid transformation demonstration waiver under healthier Washington, including preventing youth drug use, opioid prevention and treatment, and physical and behavioral health integration. Under this initiative, the authority shall take into account local input regarding community needs. In order to ensure 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 increase general fund—state expenditures under this initiative. The director shall also report to the fiscal committees of the legislature all of the expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees. By December 15, 2019, the authority in collaboration with each accountable community of health shall demonstrate how it will be self-sustaining by the end of the demonstration waiver period, including sources of outside funding, and provide this reporting to the joint select committee on health care oversight. If by the third year of the demonstration waiver there are not measurable, improved patient outcomes and financial returns, the Washington state institute for public policy will conduct an audit of the accountable communities of health, in addition to the process set in place through the independent evaluation required by the agreement with centers for medicare and medicaid services.

(3)(a) No more than \$79,829,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. 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 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 under this initiative. 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) No more than \$89,476,000 of the general fund—federal appropriation and no more than \$36,548,000 of the general fund—local appropriation may be expended for the medicaid quality improvement program. Under federal regulations, the medicaid quality improvement program is authorized and allows states to design quality improvement programs for the medicaid population in ways that support the state's quality goals. Medicaid quality improvement program payments will not count against initiative 1 of the medicaid transformation demonstration waiver spending limit and are excluded from the waiver's budget neutrality calculation. Apple health managed care organizations and their partnering providers will receive medicaid quality improvement program payments as they meet designated milestones. Partnering providers and apple health managed care organizations will 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 shall only utilize the medicaid quality improvement program to support the transformation waiver and shall not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not create an entitlement. The authority shall not increase general fund—state, federal, or local expenditures under this program. 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 of the expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(4) Annually, no later than November 1st, the authority shall report to the governor and appropriate committees of the legislature: (a) Savings attributed to behavioral and physical integration in areas that are scheduled to integrate in the following calendar year, and (b) savings attributed to behavioral and physical health integration and the level of savings achieved in areas that have integrated behavioral and physical health.

(5) 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).

(6) 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.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) \$4,261,000 of the general fund—state appropriation for fiscal year 2020, \$4,261,000 of the general fund—state appropriation for fiscal year 2021,

and \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(12) 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.

(13) (~~(\$6,000,000)~~) (a) \$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.

(b) The authority, in consultation with the department of social and health services and the nursing homes operated by public hospitals in (a) of this subsection, must develop a plan with recommendations for an upper payment limit calculation and the supplemental payment model for nursing homes operated by a public hospital district. The group must consider how to restructure payments under (a) of this subsection, taking into consideration alternate upper payment limit calculation. If upon completion of the plan, the authority determines it can implement the recommendations of the group within the amounts provided in (a) of this subsection, the authority must submit a state plan amendment, if necessary, and submit a report to the fiscal committees of the legislature no later than September 30, 2020.

(c) \$193,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the authority to provide a one-time grant to a standalone skilled nursing facility operated by a public hospital district in Grant county. This grant is provided as a one-time offset to address the impact of the recoupment requirements of this subsection (13).

(14) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2019-2021 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, 2020, and by November 1, 2021, 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 2020 and fiscal year 2021, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. 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 2019-2021 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 eleven 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. (~~(\$537,000)~~) \$759,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$522,000)~~) \$740,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for state grants for the participating hospitals.

(15) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(16) 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.

(17) The authority shall submit reports to the governor and the legislature by September 15, 2020, and no later than September 15, 2021, 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.

(18) 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.

(19) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(20) 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.

(21) 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.

(22) \$90,000 of the general fund—state appropriation for fiscal year 2020, \$90,000 of the general fund—state appropriation for fiscal year 2021, 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.

(23) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(24) 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.

(25) 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.

(26) The authority shall use revenue appropriated from the dedicated marijuana fund for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state 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.

(27) Beginning no later than January 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.

(28) Sufficient funds are provided for the authority to remove payment and billing limitations identified during the review process required for implementation of chapter 226, Laws of 2017 (behavioral health care - primary care integration) for health and behavior codes, psychotherapy codes, and to continue to offer face-to-face tobacco cessation counseling only for pregnant individuals. Additional funding is provided to increase the rates for the health and behavior codes and psychotherapy codes identified through the stakeholder work group process required under chapter 226, Laws of 2017 (SSB 5779) by ten percent.

(29)(a) \$34,145,000 of the general fund—state appropriation for fiscal year 2021 and \$5,898,000 of the general fund—federal appropriation are provided solely for the compromise of claims in the reconciliation process for rural health clinics for the calendar years 2014-2017. The authority may not recover the state portion of rural health clinic reconciliations for calendar years 2014-2017 for which no state accrual was made. If the authority determines there are unliquidated prior period accrual balances available to refund the federal government for these years, these amounts must be used prior to the amounts provided under this subsection.

(b) By October 15, 2019, the authority shall report to the governor and relevant committees of the legislature the status of rural health clinic reconciliations for calendar years 2011-2013, including any use of available unliquidated prior period accrual balances to refund the federal government for those calendar years. Additionally, the report shall include the status of rural health clinic reconciliations for calendar years 2014-2017, including anticipated amounts owed to or from rural health clinics from the reconciliation process for those fiscal years. The authority shall not recover the state portion of rural health reconciliations for calendar years 2011-2013 for which no general fund state accrual was made. The authority shall not pursue recoveries for calendar years 2014-2017 until after the legislature has an opportunity to take action during the 2020 legislative session. If the legislature does not take any action on rural health clinic reconciliations for calendar years 2014-2017, recoveries shall commence per administrative rule.

(c) Beginning with fiscal year 2020, and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health centers.

(d) Beginning with fiscal year 2020, and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations

with rural health centers during the fiscal year close process following generally accepted accounting practices.

(30) 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.

(31) \$300,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$300,000)~~) \$600,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Bree collaborative to support collaborative learning and targeted technical assistance for quality improvement initiatives. The collaborative must use these amounts to hire one full-time staff person to promote the adoption of Bree collaborative recommendations and to hold two conferences focused on the sharing of best implementation practices.

(32) Within the amounts appropriated in this section, the authority shall reimburse for maternity (~~(support)~~) services provided by doulas. The authority and the department of health must consult with stakeholders and develop methods to secure approval from the centers for medicare and medicaid services for reimbursement for doulas. The authority will report the group's recommendations to the appropriate committees of the legislature by December 1, 2020.

(33) The authority shall facilitate a home health work group consisting of home health provider associations, hospital associations, managed care organizations, the department of social and health services, and the department of health to develop a new medicaid payment methodology for home health services. The authority must submit a report with final recommendations and a proposed implementation timeline to the appropriate committees of the legislature by November 30, 2019. The work group must consider the following when developing the new payment methodology:

- (a) Reimbursement for telemedicine;
- (b) Reimbursement for social work for clients with behavioral health needs;
- (c) An additional add-on for services in rural or underserved areas;
- (d) Quality metrics for home health providers serving medical assistance clients including reducing hospital readmission;
- (e) The role of home health in caring for individuals with complex, physical, and behavioral health needs who are able to receive care in their own home, but are unable to be discharged from hospital settings; and

(f) Partnerships between home health and other community resources that enable individuals to be served in a cost-effective setting that also meets the individual's needs and preferences.

(34) \$969,000 of the general fund—state appropriation for fiscal year 2020, \$2,607,000 of the general fund—state appropriation for fiscal year 2021, and \$1,268,000 of the general fund—federal appropriation are provided solely to create and operate a tele-behavioral health video call center staffed by the University of Washington's department of psychiatry and behavioral sciences. The center must provide emergency department providers, primary care providers, and county and municipal correctional facility providers with on-demand access to psychiatric and substance use disorder clinical consultation. When clinically appropriate and technically feasible, the clinical consultation may also involve direct assessment of patients using tele-video technology. The center must be available from 8 a.m. to 5 p.m. in fiscal year 2020 and twenty-

four hours a day in fiscal year 2021. Of the federal amounts provided in this subsection, \$700,000 is from the substance abuse prevention and treatment federal block grant and is to support addiction medicine services through the call center.

(35) \$300,000 of the general fund—federal appropriation, from the substance abuse prevention and treatment federal block grant amount, is provided solely for medication interaction services through the Washington state poison center.

(36) Within the amounts appropriated in this section, the authority shall review the current diagnosis-related group high outlier claim policies and examine the impact of increasing the current high outlier threshold. To the extent necessary, the authority shall seek actuarial support for this work. The authority must provide a report to the appropriate committees of the legislature by December 31, 2019, that:

(a) Outlines several options for increasing the threshold;

(b) Describes the impact of these options on hospitals, the state, and medicaid managed care organizations; and

(c) Identifies any technical challenge or limitations of changes to the threshold.

(37) Within the amounts appropriated in this section, the authority 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.

(38) Sufficient amounts are appropriated in this section to increase the hourly rate by ten percent for registered nurses and licensed practical nurses providing skilled nursing services for children who require medically intensive care in a home setting. This rate increase begins on January 1, 2020.

(39) Sufficient amounts are appropriated in this section to increase the daily rate by ten percent for registered nurses and licensed practical nurses providing skilled nursing services to medically intensive children's program clients who reside in a group home setting. This rate increase begins on January 1, 2020.

(40) ~~(\$400,000)~~ \$439,000 of the general fund—state appropriation for fiscal year 2020 ~~((is))~~ and \$519,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement Engrossed Substitute Senate Bill No. 5526 (individual health insurance market). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(41) \$22,000 of the general fund—state appropriation for fiscal year 2020, \$159,000 of the general fund—state appropriation for fiscal year 2021, and \$181,000 of the general fund—federal appropriation are provided solely to implement Substitute House Bill No. 1199 (health care/disability). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(42) \$290,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$165,000)~~ \$463,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement Engrossed Second Substitute House Bill No. 1224 (Rx drug cost transparency) with up to an additional year for initial reporting due within the 2019-2021 fiscal biennium. ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(43) \$1,053,000 of the general fund—state appropriation for fiscal year 2020 and \$2,222,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement Engrossed Substitute Senate Bill No. 5741 (all payer claims database). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(44) \$2,374,000 of the general fund—state appropriation for fiscal year 2020 and \$2,374,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the kidney disease program.

(45) The authority shall work with the department of health, other state agencies, and other hepatitis C virus medication purchasers to establish a comprehensive procurement strategy. As part of this work, the authority shall estimate, by program, any savings that will result from lower medication costs. It is the intent of the legislature to evaluate reinvesting any savings to expand treatment for individuals enrolled in state covered groups and to further the public health elimination effort during the 2020 legislative session. By October 31, 2019, the authority and department shall report to the governor and relevant committees of the legislature on:

(a) The progress of the procurement;

(b) The estimated savings resulting from lower medication costs;

(c) Funding needed for public health interventions to eliminate the hepatitis C virus;

(d) The current status of treatment; and

(e) A plan to implement the elimination effort.

(46) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$533,000 for fiscal year 2021 are provided solely for implementation of Engrossed Senate Bill No. 5274 (pacific islanders dental). Open enrollment periods and special enrollment periods must be consistent with the enrollment periods for the COFA medical program, through the health benefit exchange, and program administration must be consistent with the pacific islander medical program. The first open-enrollment period for the COFA dental program must begin no later than November 1, 2020. The dental services must be consistent with the adult medicaid dental coverage, including state payment of premiums, out-of-pocket costs for covered benefits under the qualified dental plan, and costs for noncovered qualified dental plan benefits consistent with, but not to exceed, the medicaid adult dental coverage. ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(47) During the 2019-2021 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 over nineteen years of age;

(b) Are at or below two hundred and sixty 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.

(48) \$282,000 of the general fund—state appropriation for fiscal year 2020 and \$754,000 of the general fund—federal appropriation are provided solely for the implementation of Senate Bill No. 5415 (Indian health improvement). ~~((If~~

~~the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.)~~

(49) \$3,150,000 of the general fund—state appropriation for fiscal year 2020 and \$3,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to reimburse 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.

(50) Sufficient amounts are appropriated within this section for the authority to incorporate the expected outcomes and criteria to measure the performance of service coordination organizations as provided in chapter 70.320 RCW into contracts with managed care organizations that provide services to clients. The authority is directed to:

(a) Contract with an external quality improvement organization to annually analyze the performance of managed care organizations providing services to clients under this chapter based on seven performance measures. The analysis required under this subsection must:

(i) Measure managed care performance in four common measures across each managed care organization, including:

(A) At least one common measure must be weighted towards having the potential to impact managed care costs; and

(B) At least one common measure must be weighted towards population health management, as defined by the measure; and

(ii) Measure managed care performance in an additional three quality focus performance measures specific to a managed care organization. Quality focus performance measures chosen by the authority must:

(A) Be chosen from the statewide common measure set;

(B) Reflect specific measures where a managed care organization has poor performance; and

(C) Be substantive and clinically meaningful in promoting health status.

(b) By September 1, 2019, the authority shall set the four common measures to be analyzed across all managed care organizations.

(c) By September 1, 2019, the authority shall set three quality focus performance measures specific to each managed care organization. The authority must determine performance measures for each managed care organization based on the criteria established in (a)(ii) of this subsection.

(d) By September 15, 2019, and annually thereafter, the authority shall notify each managed care organization of the performance measures for the organization for the subsequent plan year.

(e) Beginning in plan year 2020, two percent of the total plan year funding appropriated to each managed care organization that provides services to clients under chapter 70.320 RCW shall be withheld. At least seventy-five percent of the withhold shall be held contingent on each managed care organization's performance on the seven performance measures identified in this section. Each managed care organization may earn back the annual withhold if the external quality improvement organization finds that the managed care organization:

(i) Made statistically significant improvement in the seven performance measures as compared to the preceding plan year; or

(ii) Scored in the top national medicaid quartile of the performance measures.

(f) The amount of withhold annually paid to each managed care organization shall be proportional to findings of statistically significant improvement or top national medicaid quartile scoring by a managed care organization.

(g) For no more than two of the four quality focus performance measures, the authority may use an alternate methodology to approximate top national medicaid quartile performance where top quartile performance data is unavailable.

(h) For the purposes of this subsection, "external quality improvement organization" means an organization that meets the competence and independence requirements under 42 C.F.R. Sec. 438.354, as it existed on the effective date of this section.

(51) \$1,805,727,000 of the general fund—state appropriation for fiscal year 2020 and \$1,876,135,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the authority to implement 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. The authority is directed to:

(a) Organize all program integrity activities into a centralized unit or under a common protocol addressing provider enrollment, fraud and abuse detection, investigations, and law enforcement referrals that is more reflective of industry standards;

(b) Ensure appropriate resources are dedicated to prevention, detection, investigation, and suspected provider fraud at both the authority and at contracted managed care organizations;

(c) Ensure all required federal regulations are being followed and are incorporated into managed care contracts;

(d) Directly audit managed care encounter data to identify fraud, waste, and abuse issues with managed care organization providers;

(e) Initiate data mining activities in order to identify fraud, waste, and abuse issues with managed care organization providers;

(f) Implement proactive data mining and routine audits of validated managed care encounter data;

(g) Assess liquidated damages to managed care organizations when fraud, waste, or abuse with managed care organization providers is identified;

(h) Require managed care organizations submit accurate reports on overpayments, including the prompt reporting of overpayments identified or recovered, specifying overpayments due to fraud, waste, or abuse;

(i) Implement processes to ensure integrity of data used for rate setting purposes;

(j) Refine payment suspension policies; and

(k) Ensure all federal database exclusion checks are performed at the appropriate intervals. The authority shall update managed care contracts as appropriate to reflect these requirements.

(52) \$96,130,000 of the general fund—state appropriation for fiscal year 2020 and \$100,476,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for fee-for-service dental services. The authority must

provide these services through fee-for-service and may not proceed with either a carved-out or carved-in managed care dental option. Any contracts that have been procured or that are in the process of being procured shall not be entered into or implemented. By November 15, 2019, the authority shall report to the governor and appropriate committees of the legislature a plan to improve access to dental services for medicaid clients. This plan should address options for carve-in, carve-out, fee-for-service, and other models that would improve access and outcomes for adults and children. The plan should also include the cost for any options provided.

(53) During the 2019-2021 fiscal biennium, the authority must revise its agreements and contracts with vendors to include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(a) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(b) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(i) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.

(ii) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(iii) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(c) The provision must allow for the termination of the contract if the authority or department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(d) The authority must implement this provision with any new contract and at the time of renewal of any existing contract.

(54) The authority is prohibited to direct any funds to safe-injection sites for the illicit use of drugs.

(55) \$1,400,000 of the general fund—state appropriation for fiscal year 2020, \$1,400,000 of the general fund—state appropriation for fiscal year 2021, and \$7,000,000 of the general 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 one hundred fifty percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2021, 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, 2013;

(b) Have had less than one hundred fifty 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.

(56) Within the amounts appropriated within this section the authority shall conduct an evaluation of purchasing arrangements and paid claims or encounter data for prescription drugs under managed care contracts for plan years 2017 and 2018 and compare these to contract purchasing agreements under the same years for the prescription drug consortium and identify any cost differences. The authority shall report its findings to the governor and appropriate committees of the legislature by November 15, 2019.

(57) The health care authority is directed to convene a work group on establishing a universal health care system in Washington. ~~(((\$500,000))~~ \$338,000 of the general fund—state appropriation for fiscal year 2020 ~~((is))~~ and \$162,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the health care authority to contract with one or more consultants to perform any actuarial and financial analyses necessary to develop options under (b)(vi) of this subsection.

(a) The work group must consist of a broad range of stakeholders with expertise in the health care financing and delivery system, including but not limited to:

(i) Consumers, patients, and the general public;

(ii) Patient advocates and community health advocates;

(iii) Large and small businesses with experience with large and small group insurance and self-insured models;

(iv) Labor, including experience with Taft-Hartley coverage;

(v) Health care providers that are self-employed and health care providers that are otherwise employed;

(vi) Health care facilities such as hospitals and clinics;

(vii) Health insurance carriers;

(viii) The Washington health benefit exchange and state agencies, including the office of financial management, the office of the insurance commissioner, the department of revenue, and the office of the state treasurer; and

(ix) Legislators from each caucus of the house of representatives and senate.

(b) The work group must study and make recommendations to the legislature on how to create, implement, maintain, and fund a universal health care system that may include publicly funded, publicly administered, and publicly and privately delivered health care that is sustainable and affordable to all Washington residents including, but not limited to:

(i) Options for increasing coverage and access for uninsured and underinsured populations;

(ii) Transparency measures across major health system actors, including carriers, hospitals, and other health care facilities, pharmaceutical companies, and provider groups that promote understanding and analyses to best manage and lower costs;

(iii) Innovations that will promote quality, evidence-based practices leading to sustainability, and affordability in a universal health care system. When studying innovations under this subsection, the work group must develop recommendations on issues related to covered benefits and quality assurance and consider expanding and supplementing the work of the Robert Bree collaborative and the health technology assessment program;

(iv) Options for ensuring a just transition to a universal health care system for all stakeholders including, but not limited to, consumers, businesses, health care providers and facilities, hospitals, health carriers, state agencies, and entities representing both management and labor for these stakeholders;

(v) Options to expand or establish health care purchasing in collaboration with neighboring states; and

(vi) Options for revenue and financing mechanisms to fund the universal health care system. The work group shall contract with one or more consultants to perform any actuarial and financial analyses necessary to develop options under this subsection.

(c) The work group must report its findings and recommendations to the appropriate committees of the legislature by November 15, 2020. Preliminary reports with findings and preliminary recommendations shall be made public and open for public comment by November 15, 2019, and May 15, 2020.

(58) \$23,000 of the general fund—state appropriation for fiscal year 2020, \$2,000 of the general fund—state appropriation for fiscal year 2021, and \$36,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(59) \$1,667,000 of the general fund—state appropriation for fiscal year 2020, \$855,000 of the general fund—state appropriation for fiscal year 2021, and \$1,867,000 of the general fund—federal appropriation are provided solely for the Washington rural health access preservation pilot program.

(60) \$612,000 of the general fund—state appropriation for fiscal year 2021 and \$1,088,000 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.

(61) \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the authority to develop 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, 2021.

(62)(a) \$1,192,000 of the general fund—state appropriation for fiscal year 2020 and \$3,970,000 of the general fund—federal appropriation are provided solely for reconciliation of payment under alternate payment methodology four (APM4) for federally qualified health centers (FOHC) for state fiscal year 2020. The authority shall use unliquidated prior accrual balances to reconcile state fiscal years 2018 and 2019.

(b) By August 1, 2020, the authority shall convene representatives from FOHCs participating in the APM4 methodology, the FOHC association, the

office of financial management, and fiscal committees of the legislature to evaluate and amend the APM4 model and memorandum of understanding.

(c) The authority in collaboration with the representatives in (b) of this subsection must develop an updated APM4 model and memorandum of understanding that:

(i) Complies with budget neutrality requirements and spending limits as required under the omnibus appropriations act;

(ii) Identifies predictable spending targets;

(iii) Clearly defines quality performance standards for participating FOHCs;

(iv) Requires progressively increasing standards of quality performance for participating FOHCs;

(v) Clearly defines financial performance expectations for participating FOHCs;

(vi) Requires progressively increasing standards of financial performance for participating FOHCs; and

(vii) Requires that reconciliation payments made under APM4 may not fall below the payment level required by the federal law for qualifying face-to-face encounters.

(d) The authority in collaboration with the office of financial management and representatives from fiscal committees of the legislature shall conduct an evaluation of the APM4 model to determine its cost effectiveness and impact on patient outcomes and report its findings and recommendations to the appropriate committees of the legislature by November 15, 2022.

(e) 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.

(f) The authority shall require all managed care organizations to provide information to the authority to account for all payments to FOHCs to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(g) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with FOHCs contracting under APM4.

(h) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with FOHCs contracting under APM4 during the fiscal year close process following generally accepted accounting practices.

(63) \$70,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to implement Engrossed House Bill No. 2755 (air ambulance cost transp.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(64) \$611,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to implement Second Substitute House Bill No. 2457 (health care cost board). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(65) \$259,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to implement Engrossed Second Substitute House Bill No.

2662 (total cost of insulin). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(66) The health care authority shall submit a state plan amendment to the centers for medicare and medicaid services to maintain children's health insurance program coverage as secondary payer for eligible child dependents of employees eligible for school employee or public employee benefit coverage. The intent of the legislature for this option is to provide children the best access to health care coverage while prioritizing efficient use of state funds. No later than October 15, 2020, the authority shall report to the fiscal committees of the legislature and the office of financial management on the status of the state plan amendment and the impact to the state. The health care authority shall implement the amendment in calendar year 2020, once approved by the centers for medicare and medicaid services.

(67) \$250,000 of the general fund—state appropriation for fiscal year 2020, \$250,000 of the general fund—state appropriation for fiscal year 2021, and \$500,000 of the general fund—federal appropriation are provided solely to increase the rates paid to provide education and clinical training for dental professionals and students in the care of persons with developmental or acquired disabilities, or both.

(68) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for mental health training for maternity support services and infant case managers across the state. The authority must use the amounts provided in this subsection for scholarships or other support for training that assists maternity support services and infant case management providers in identification, referral, and provision of culturally competent, evidence-based mental health interventions.

(69) \$510,000 of the general fund—state appropriation for fiscal year 2021 and \$76,000 of the general fund—federal appropriation are provided solely for the authority to collaborate with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital to extend the partnership access line for moms and partnership access line for kids referral assistance service programs, as described in RCW 71.24.061(3)(a), until June 30, 2021.

(70) \$66,000 of the general fund—state appropriation for fiscal year 2021 and \$66,000 of the general fund—federal appropriation are provided solely for the authority to identify, analyze, and address health equity disparities in access and outcomes for individuals in the medicaid population.

(71) \$200,000 of the general fund—state appropriation for fiscal year 2021 and \$200,000 of the general fund—federal appropriation are provided solely for contracting with the office of equity to implement Substitute House Bill No. 2905 (baby, child dentistry access). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(72) \$150,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the development of a system to address individuals with intellectual and developmental disabilities who present in an emergency in crisis. The system must include crisis plans to be available to emergency room providers; and education and training for emergency room providers in how to best serve this population to provide immediate intervention to prevent acute

care admissions and support the individual to return to their current living arrangements.

(73) \$187,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a full-time employee to coordinate client assessments and implement plans for patients who are hospitalized and likely to need post discharge services including placement in community or out of state settings. Client assessments must include information regarding the individual's specific care needs, whether medical, behavioral, or cognitive, and ability to perform activities of daily living. The coordinator must collaborate with the department of social and health services, the department of children, youth, and families, and health care organizations to promote the transition of patients to postacute care settings.

(74) \$331,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to an organization managing the Washington patient safety coalition to support the communication and resolution programs certification program to improve outcomes for patients by providing feedback to health care organizations.

(75) \$120,000 of the general fund—state appropriation for fiscal year 2021 and \$120,000 of the general fund—federal appropriation are provided solely for the authority to identify ways to maximize federal financial participation and any new opportunities to leverage federal funding. In collaboration with the department of health, the authority must explore options to leverage federal funding for foundational public health. The authority may use the amounts in this subsection for staff support and one-time contracting.

(76)(a) Within amounts provided in this section, the authority must establish a primary care collaborative. The authority shall invite representatives from at least the following to participate:

- (i) Health care consumers;
 - (ii) Behavioral health treatment providers;
 - (iii) Employers that offer self-insured health benefit plans;
 - (iv) The office of the insurance commissioner;
 - (v) Medicaid-managed care organizations;
 - (vi) Commercial health insurance carriers;
 - (vii) The University of Washington school of medicine;
 - (viii) The Elson S. Floyd college of medicine;
 - (ix) The Pacific Northwest University of Health Sciences;
 - (x) A statewide organization representing federally qualified health centers;
 - (xi) A statewide organization representing hospitals and health systems;
 - (xii) A statewide organization representing local public health districts;
 - (xiii) A statewide professional association for family physicians;
 - (xiv) A statewide professional association for pediatricians;
 - (xv) A statewide professional association for physicians;
 - (xvi) A statewide professional association for nurse practitioners; and
 - (xvii) The centers for medicare and medicaid services.
- (b) By December 1, 2020, the collaborative shall report findings and recommendations, including any recommended statutory changes, to the governor and appropriate committees of the legislature regarding statewide spending on primary care, addressing:

(i) How to define "primary care" for purposes of determining current and desired levels of primary care spending by public and private payers as a proportion of overall health care spending;

(ii) Barriers to the access and use of all the data needed to determine current and desired levels of primary care spending, and how to overcome them;

(iii) What the desired level of primary care spending is in this state, and the annual progress needed to achieve that level of spending in a reasonable period of time;

(iv) How and by whom it should annually be determined whether desired levels of primary care spending are being achieved;

(v) Methods to incentivize the achievement of desired levels of primary care spending;

(vi)(A) Specific practices and methods of reimbursement to achieve and sustain desired levels of primary care spending, including but not limited to: Supporting advanced, integrated primary care involving a multidisciplinary team of health and social service professionals; addressing social determinants of health within the primary care setting; leveraging innovative uses of efficient, interoperable health information technology; increasing the primary care workforce; and reinforcing to patients the value of primary care, and eliminating any barriers to access.

(B) As much as possible, the practices and methods specified must hold primary care providers accountable for improved health outcomes, not increase the administrative burden on primary care providers or overall health care spending in the state, allow for uniform implementation across payers, and take into account differences in urban and rural delivery settings; and

(vii) The ongoing role of the collaborative in guiding and overseeing the development and application of primary care spending targets, and the implementation and evaluation of strategies to achieve them.

(c) In developing its report, the collaborative shall be informed by existing work in this state and others regarding primary care, including but not limited to the December 2019 report by the office of financial management, the work of the Bree collaborative, the work of the AIMS center and the center for health workforce studies at the University of Washington, and the work of the health care authority to strengthen primary care within state purchased health care.

(77) No later than December 31, 2021, the health care authority, in partnership with the department of social and health services as described in section 204(33) of this act, shall submit a waiver request to the federal department of health and human services to authorize presumptive medicaid eligibility determinations for clients preparing for acute care hospital discharge who may need long-term services and supports. The department and the authority shall hold stakeholder discussions, including opportunities for public review and comment, during development of the waiver request. Upon submission of the waiver request, the department and the authority shall submit a report to the governor and the appropriate legislative committees that describes the request and identifies any statutory changes that may be necessary if the federal government approves the request.

(78) \$1,857,000 of the general fund—state appropriation for fiscal year 2021 and \$3,146,000 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 in January 2021 and must be applied to the following codes for children and adults enrolled in the medicaid program: 90832, 90833, 90834, 90837, H0004, H0036, H2015, H2021, H0023, 90836, 90838, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, 90845, 90846, 90847, 90849, 90853, 90785, and 90791. 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 Engrossed House Bill No. 2584 (behavioral health rates):

(b) Raise the state fee-for-service rates for these codes by up to fifteen 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 in calendar year 2021, 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 (79) of this section.

(79) \$9,922,000 of the general fund—state appropriation for fiscal year 2021 and \$19,072,000 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, 2021. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for 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 fifteen percent above medical assistance rates in effect on January 1, 2020;

(b) 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 twenty-one percent above medical assistance rates in effect on January 1, 2020;

(c) 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;

(d) 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, 2020; and

(e) Not duplicate rate increases provided in subsection (78) of this section.

(80) \$770,000 of the general fund—state appropriation for fiscal year 2021 and \$800,000 of the general fund—federal appropriation are provided solely to increase home health rates beginning January 1, 2021.

(81) \$100,000 of the general fund—state appropriation for fiscal year 2021 and \$100,000 of the general fund—federal appropriation are provided solely for the authority to lead, in coordination with the department of health and other agencies and purchasers, a comprehensive procurement strategy for the purchase of HIV antiviral drugs. The authority is directed to develop a strategy to cover antiviral drugs with preferred status and without any prior authorization or expedited prior authorization requirements or protocols. The authority is directed to collaborate with agencies and issue a single request for proposals for a joint, value-based purchasing agreement for HIV antiviral drugs from one or more pharmaceutical manufacturers in January 2021. This joint purchasing agreement will aim to reduce the costs of the drugs, increase the numbers of Washingtonians treated, and improve the health outcomes of people living with HIV. The authority is directed to collaborate with other state agencies, and to engage multi-state or national organizations, to develop a strategy to assess the interest and ability of extending the state's purchasing and public health strategy to not only Washington's other major purchasers of health care and commercial insurers, but also other states or purchasers. This work may include either working to partner with a multi-state collaborative or other states individually. The authority shall work with Washington's health benefit exchange and the office of the insurance commissioner to explore purchasing options for the health insurance markets.

(82)(a) Within the amounts appropriated within this section, the authority shall implement Engrossed Substitute Senate Bill No. 6534 (ambulance quality assurance fee). The authority is directed to submit a state plan amendment (SPA) pursuant to the terms of Engrossed Substitute Senate Bill No. 6534 without delay once the bill becomes effective. If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(b) The authority, in collaboration with an association representing private emergency ambulance providers and an organization representing employees of private emergency ambulance providers, shall develop reporting requirements prior to June 30, 2021, to account for how funds from the quality assurance fee program and base rate increase are spent. The reporting requirements should include, but not be limited to, the percent of the add-on fee and base rate increase used to increase wages; to which category of workers' wages these increases apply, specifically whether wage increases are being used to increase wages for emergency medical technicians whose statewide average dollars-per-hour wage was less than \$25 per hour in calendar year 2020; and, whether the add-on and base rate increase are being used to address resulting wage compression for related job classes immediately affected by wage increases to emergency medical technicians.

(83) The health care authority shall work with the department of social and health services to assess a Katie Beckett waiver and a tax equity and fiscal responsibility act (TEFRA) waiver to expand coverage for children with significant disabilities who meet federal requirements for such services. No later than October 15, 2020, the authority shall report to the fiscal committees of the legislature and the office of financial management the number of children who

would be eligible if such waivers were approved, the services for which they would be eligible, and the potential impact to the state budget.

(84) \$108,000 of the general fund—state appropriation for fiscal year 2020 and \$417,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 6088 (Rx drug affordability board). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(85) \$2,362,000 of the general fund—state appropriation for fiscal year 2021 and \$4,132,000 of the general fund—federal appropriation are provided solely to increase the rates paid to low volume, small 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 one hundred fifty percent of the hospital's fee-for-service rates beginning July 1, 2020. The authority must discontinue this rate increase after June 30, 2021, and return to the payment levels and methodology for these hospitals that were in place as of June 30, 2020. A hospital qualifying for this rate increase must:

(a) Have fewer than seventy available acute beds as reported in the hospital's 2018 department of health year-end report;

(b) Not be currently designated as a critical access hospital, and not meet the current federal eligibility requirements for designation as a critical access hospital;

(c) Not be a certified public expenditure hospital;

(d) Have combined medicare and medicaid inpatient days greater than eighty percent as reported in the hospital's 2018 cost report.

(86) \$242,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6128 (postpartum period/medicaid). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse. The funding in this subsection is provided solely for staff and information technology costs associated with system changes required in preparation for extending health care coverage for an additional ten months for postpartum persons who are eligible under pregnancy eligibility rules at the end of the sixty day postpartum period, to provide a total of twelve months postpartum coverage. The authority must coordinate system changes with the department of social and health services and the health benefit exchange.

**Sec. 211 is partially vetoed. See message at end of chapter.*

**Sec. 212. 2019 c 415 s 212 (unmodified) 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.....	(((\$35,274,000))
	\$37,604,000
TOTAL APPROPRIATION.....	(((\$35,274,000))
	\$37,604,000

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

(1) Any savings resulting from reduced claims costs or other factors identified after March 1, 2019, must be reserved for funding employee benefits in the 2021-2023 fiscal biennium. 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. The authority may, however, conduct a request for information about a diabetes disease management program.

(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 savings achieved under subsection (3) of this section or offsetting cost reductions from other benefit revisions are sufficient to fund the changes. However, the funding provided anticipates that the public employees' benefits board may increase the availability of nutritional counseling in the uniform medical plan by allowing a lifetime limit of up to twelve nutritional counseling visits, and may increase hearing aid benefits to reflect the provisions of chapter 159, Laws of 2018, for the plan year beginning January 1, 2021. Provided further, that within the amount provided, the health care authority may update the public employees benefits board benefits enrollment process. The board may also, within the amounts provided, use cost savings to enhance the basic long-term disability benefit.

(3) Except as may be provided in a health care bargaining agreement, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require or make any or all of the following: 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 twenty-five dollars per month from members who use tobacco products, and a surcharge payment of not less than fifty dollars 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 ninety-five 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) \$7,000 of the state health care authority administrative account—state appropriation in this section is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amount in this subsection shall lapse.))~~

(6) \$1,705,000 of the state health care authority administrative account—state appropriation in this section is provided solely for implementation of Engrossed Substitute Senate Bill No. 6189 (SEBB coverage eligibility). If the bill is not enacted by June 30, 2020, the amount in this subsection shall lapse.

(7) \$149,000 of the state health care authority administrative account—state appropriation is provided solely for a full-time equivalent employee dedicated to work on retiree health care. The authority will provide any

necessary information to the office of the state actuary to support an analysis of medicare eligible health care benefits. The authority will convene a stakeholder work group to discuss the plans available to medicare eligible retirees. The stakeholder work group, at a minimum, must include representatives of the office of financial management and representatives of the largest associations representing retirees receiving benefits under the public employees' benefits board. The work group shall identify priorities and preferences that should be considered if changes were made to the medicare eligible retiree plans. A summary of the work group's feedback must be provided to the office of the state actuary by September 1, 2020.

*Sec. 212 is partially vetoed. See message at end of chapter.

Sec. 213. 2019 c 415 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.....	((\$25,343,000))
	<u>\$27,766,000</u>
TOTAL APPROPRIATION.....	((\$25,343,000))
	<u>\$27,766,000</u>

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

(1) By February 5, 2020, the health care authority shall report to the appropriate committees of the legislature on the total amount by school district, educational service district, and charter school billed for January benefits and a detailed list of school districts, educational service districts, and charter schools that have not remitted payment for January coverage as of January 31, 2020.

(2) \$2,000 of the appropriation in this section is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amount in this subsection shall lapse.))~~

(3) The health care authority must study the potential cost savings and improved efficiency in providing insurance benefits to the employers and employees participating in the public employees' and school employees' benefits board systems that could be gained by consolidating the systems. The consolidation options studied must maintain separate risk pools for medicare-eligible and non-medicare eligible employees and retirees, assume a consolidation date of January 1, 2022, and incorporate the experiences gained by health care authority during the initial implementation and operation of the school employees' benefits board program. The study must be submitted to the committees of the house of representatives and the senate overseeing health care and the omnibus operating budget by November 15, 2020.

(4) \$2,002,000 of the school employees' insurance administrative account—state appropriation in this section is provided solely for implementation of Engrossed Substitute Senate Bill No. 6189 (SEBB coverage eligibility). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

*Sec. 214. 2019 c 415 s 214 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE

General Fund—State Appropriation (FY 2020)	\$6,407,000
General Fund—State Appropriation (FY 2021)	(\$5,234,000)
	<u>\$5,659,000</u>
General Fund—Federal Appropriation	(\$52,128,000)
	<u>\$50,055,000</u>
Health Benefit Exchange Account—State Appropriation	(\$57,720,000)
	<u>\$60,117,000</u>
TOTAL APPROPRIATION	(\$121,489,000)
	<u>\$122,238,000</u>

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 and January 15th of each year, the authority shall make a payment of one-half the general fund—state appropriation and one-half the health benefit exchange 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) \$50,000 of the general fund—state appropriation for fiscal year 2020, \$50,000 of the general fund—state appropriation for fiscal year 2021, and \$1,048,000 of the health benefit exchange account—state appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5526 (individual health insurance market). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(4) \$1,173,000 of the general fund—state appropriation for fiscal year 2020 is provided for the exchange to enhance Washington healthplanfinder so eligible COFA citizens can obtain dental coverage. Open enrollment periods and special enrollment periods for the COFA dental program shall be consistent with the enrollment periods for the COFA medical program. The first open-enrollment period for the COFA dental program must begin no later than November 1, 2020.

(5) \$426,000 of the health benefit exchange account—state appropriation and \$874,000 of the general fund—federal appropriation are provided solely for cloud platform costs and are subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(6) \$968,000 of the health benefit exchange account—state appropriation and \$1,978,000 of the general fund—federal appropriation are provided solely for system integrator reprocurement and are subject to the conditions, limitations, and review provided in (~~section 719 of this act~~) section 701 of this act.

(7) \$152,000 of the health benefit exchange account—state appropriation for fiscal year 2021 is provided solely to implement Substitute House Bill No. 2554 (health plan exclusions). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(8) \$172,000 of the health benefit exchange account—state appropriation for fiscal year 2021 is provided solely to implement Engrossed Second Substitute House Bill No. 2662 (total cost of insulin). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(9)(a) \$325,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for staff and information technology costs associated with system changes required in preparation for extending health care coverage for an additional ten months for postpartum persons who are eligible under pregnancy eligibility rules at the end of the sixty day postpartum period, to provide a total of twelve months postpartum coverage.

(b) The exchange must coordinate system changes with the department of social and health services and the health care authority.

(10) \$100,000 of the general fund—state appropriation for fiscal 2021 is provided solely for the exchange to contract with an independent actuarial consultant to conduct an assessment of the impact of a state requirement that individuals enroll in health coverage. The assessment shall consider the effects of this requirement on revenue, individual market enrollment, individual market premiums, and the uninsured rate. The exchange shall submit assessment findings to the chairs of the health committees of the legislature no later than December 15, 2020.

**Sec. 214 is partially vetoed. See message at end of chapter.*

***Sec. 215.** 2019 c 415 s 215 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY—COMMUNITY BEHAVIORAL HEALTH PROGRAM

General Fund—State Appropriation (FY 2020)	(\$556,003,000)
	\$579,402,000
General Fund—State Appropriation (FY 2021)	(\$604,424,000)
	\$652,344,000
General Fund—Federal Appropriation	(\$1,966,699,000)
	\$2,076,337,000
General Fund—Private/Local Appropriation	\$36,513,000
Criminal Justice Treatment Account—State Appropriation	(\$12,986,000)
	\$17,486,000
Problem Gambling Account—State Appropriation	(\$1,461,000)
	\$1,961,000
Medicaid Fraud Penalty Account—State Appropriation	\$51,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$28,490,000
Dedicated Marijuana Account—State Appropriation	

(FY 2021).....	\$28,493,000
Pension Funding Stabilization Account—State	
Appropriation.....	\$1,714,000
TOTAL APPROPRIATION	(\$3,236,834,000)
	<u>\$3,422,791,000</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 administrative services organizations in regions where the authority is purchasing medical and behavioral health services through fully integrated contracts pursuant to RCW 71.24.380, and behavioral health organizations in regions that have not yet transitioned to fully integrated managed care.

(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) \$15,605,000 of the general fund—state appropriation for fiscal year 2020, \$15,754,000 of the general fund—state appropriation for fiscal year 2021, and \$4,789,000 of the general fund—federal appropriation 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. 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, crisis diversion and supports, education and training, and workforce development.

(4) ~~(\$8,777,000)~~ \$7,657,000 of the general fund—state appropriation for fiscal year 2020, ~~(\$10,424,000)~~ \$11,544,000 of the general fund—state appropriation for fiscal year 2021, and \$20,197,000 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.

(5) From the general fund—state appropriations in this section, the authority shall assure that behavioral health entities reimburse the department of social and health services aging and long term support administration for the general fund—state cost of medicaid personal care services that enrolled behavioral health entity consumers use because of their psychiatric disability.

(6) \$3,520,000 of the general fund—federal appropriation is 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) \$81,930,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$81,930,000)~~) \$85,122,000 of the general fund—state appropriation for fiscal year 2021 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) Of the amount provided for fiscal year 2020, seventy percent must be distributed to behavioral health administrative service organizations and thirty percent to managed care organizations. The percentage of funding provided to each behavioral health administrative services organization must be proportionate to the fiscal year 2019 regional allocation of flexible nonmedicaid funds.

(b) \$3,939,000 of the fiscal year 2021 amounts must be distributed to behavioral health administrative service organizations. Of the remaining amount for fiscal year 2021, eighty percent must be distributed to behavioral health administrative service organizations and twenty percent to managed care organizations. The percentage of funding provided to each behavioral health administrative services organization must be proportionate to the fiscal year 2020 regional allocation of flexible nonmedicaid funds.

(c) The authority must include the following language in medicaid contracts with behavioral health entities unless they are provided formal notification from the center for medicaid and medicare services that the language will result in the loss of federal medicaid participation: "The contractor may voluntarily provide services that are in addition to those covered under the state plan, although the cost of these services cannot be included when determining payment rates unless including these costs are specifically allowed under federal law or an approved waiver."

(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 2020 and \$1,204,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to reimburse Pierce and Spokane counties for the cost of

conducting one hundred eighty-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 2020 and \$2,291,000 of the general fund—state appropriation for fiscal year 2021 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 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.

(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) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health organization and administrative services organization contracts and include contract language that clearly states the requirements and limitations. The authority must monitor and ensure that behavioral health organization and administrative services organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health organization or administrative services 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 organization or administrative services 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.

(14) During the 2019-2021 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 providers rather than through contracts with behavioral health organizations.

(15) 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, post-partum, 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 ten percent of the total contract amount.

(16) \$3,500,000 of the general fund—federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(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). The authority must provide a report to the office of financial management and the appropriate committees of the legislature which identifies the distribution of criminal justice treatment account funds by September 30, 2019.

(19) No more than \$27,844,000 of the general fund—federal appropriation may be expended for supported housing and employment services described in initiative 3a and 3b of the medicaid transformation demonstration waiver under healthier Washington. 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 under this initiative. 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 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.

(20) \$6,858,000 of the general fund—state appropriation for fiscal year 2020, \$6,858,000 of the general fund—state appropriation for fiscal year 2021, and \$8,046,000 of the general fund—federal appropriation are provided solely to maintain new crisis triage or stabilization centers. 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.

(21) \$1,125,000 of the general fund—federal appropriation is provided solely for the authority to develop a memorandum of understanding with the department of health for implementation of chapter 297, Laws of 2017 (opioid treatment programs). The authority must use these amounts to reimburse the department of health for costs incurred through the implementation of the bill.

(22) \$6,655,000 of the general fund—state appropriation for fiscal year 2020, \$10,015,000 of the general fund—state appropriation for fiscal year 2021, and \$12,965,000 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, beginning in calendar year 2020, 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.

(23) \$23,090,000 of the general fund—state appropriation for fiscal year 2020, \$23,090,000 of the general fund—state appropriation for fiscal year 2021, and \$92,444,000 of the general fund—federal appropriation are provided solely to maintain the enhancement of community-based behavioral health services that was funded in fiscal year 2019. Twenty percent of the general fund—state appropriation amounts for each regional service area must be contracted to the behavioral health administrative services organizations and used to increase their nonmedicaid funding and the remainder must be used to increase medicaid rates above FY 2018 levels. Effective January 2020, the medicaid funding is intended to increase rates for behavioral health services provided by licensed and certified community behavioral health agencies as defined by the department of health. This funding must be allocated to the managed care organizations proportionate to their medicaid enrollees. The authority must require the managed care organizations to provide a report on their implementation of this funding. The authority must submit a report to the legislature by December 1, 2020, summarizing how this funding was used and provide information for future

options of increasing behavioral health provider rates through directed payments. The report must identify different mechanisms for implementing directed payment for behavioral health providers including but not limited to minimum fee schedules, across the board percentage increases, and value-based payments. The report must provide a description of each of the mechanisms considered, the timeline that would be required for implementing the mechanism, and whether and how the mechanism is expected to have a differential impact on different providers. The report must also summarize the information provided by managed care organizations in implementing the funding provided under this section.

(24) \$27,917,000 of the general fund—state appropriation for fiscal year 2020, \$36,095,000 of the general fund—state appropriation for fiscal year 2021, and ~~(\$60,644,000)~~ \$46,889,000 of the general fund—federal appropriation are provided solely for the department 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.

(a) Sufficient amounts are provided in fiscal year 2020 for the authority to reimburse community hospitals serving medicaid clients in long-term inpatient care beds as defined in RCW 71.24.025 at a rate of \$1,171 per day, or the hospital's current psychiatric inpatient per diem rate, whichever is higher. ~~((The))~~ In fiscal year 2020, the rate paid to hospitals in this subsection cannot exceed one-hundred percent of the hospitals eligible costs based on their most recently completed medicare cost report. ~~((The authority in collaboration with the Washington state hospital association must convene a work group to develop a methodology for reimbursing community hospitals serving these clients. In developing this methodology, the authority must account for cost structure differences between teaching hospitals and other hospital types. The authority must provide a report to the appropriate committees of the legislature by December 1, 2019. The report must:~~

- ~~(a) Describe the methodology developed by the work group;~~
- ~~(b) Identify cost differences between teaching hospitals and other hospital types;~~
- ~~(c) Provide options for incentivizing community hospitals to offer long term inpatient care beds day beds including a rate recommendation;~~
- ~~(d) Identify the cost associated with any recommended changes in rates or rate setting methodology; and~~
- ~~(e) Outline an implementation plan.)~~

(b) Sufficient amounts are provided in fiscal year 2021 for the authority to reimburse providers serving medicaid clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows: (i) Community hospitals whose costs exceed their current rates based on their most recently filed medicare cost report at one hundred percent of the hospital's eligible costs documented in the most recently filed medicare cost report; (ii) community hospitals that do not have a filed medicare cost report on file with the authority at the statewide average rate

based on the average of provider specific long-term inpatient care rates or the provider's current per diem rate, whichever is higher; (iii) community hospitals whose costs do not exceed their current rates based on their most recently filed medicare cost report at a rate of \$940 per day; and (iv) nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025 at a rate that reflects a five percent increase from their fiscal year 2020 rate for serving medicaid clients in long-term inpatient care beds as defined in RCW 71.24.025.

(c) The authority must provide a report to the office of financial management and the appropriate committees of the legislature by December 1, 2020, on the impact of the rate increases provided in fiscal year 2021 on long-term psychiatric inpatient provider capacity and utilization. The report must also include information on short-term psychiatric inpatient provider capacity and utilization and clearly identify which providers increased overall capacity and which converted short-term to long-term beds.

(d) It is the intent of the legislature that future rate increases for long-term inpatient providers be informed by the health care growth benchmark established by the health care cost transparency board pursuant to Second Substitute House Bill No. 2457 (health care cost board). The legislature also intends to prioritize future rate increases for providers that increase their overall psychiatric inpatient capacity and utilization.

(e) The authority in collaboration with the Washington state hospital association must convene a work group to further refine the methodology for reimbursing community hospitals serving these clients. The authority must provide a report to the appropriate committees of the legislature by December 1, 2020. The report must include options for incorporating additional factors into future rate adjustments and identify where there may be overlap within the different options. The report must include the following areas and provide a description of the option and the methodology and implementation costs associated with each option:

(i) Acuity adjustments for providers serving individuals with higher levels of behavioral health or physical health care needs;

(ii) Retroactive reconciliation adjustments for providers whose total costs for serving clients under this subsection are higher or lower than payments received by the authority and any additional payers.

(25) \$1,455,000 of the general fund—state appropriation for fiscal year 2020, \$1,401,000 of the general fund—state appropriation for fiscal year 2021, 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 Second Substitute House Bill No. 1394 (behavioral health facilities).

(26) \$21,000 of the general fund—state appropriation for fiscal year 2020, \$152,000 of the general fund—state appropriation for fiscal year 2021, and \$173,000 of the general fund—federal appropriation are provided solely to implement chapter 70, Laws of 2019 (SHB 1199) (health care/disability).

(27)(a) \$12,878,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$12,878,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided 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 service provided by tribes and federally recognized American Indian organization to children and youth;

(vii) Maintaining increased residential treatment services for children and youth;

(viii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

(ix) Expenditures into the home visiting services account; and

(x) 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 2019 allocation.

(28)(a) \$1,125,000 of the general fund—state appropriation for fiscal year 2020 and \$1,125,000 of the general fund—state appropriation for fiscal year 2021 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 sixteen-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.

(29) (~~(\$24,819,000)~~) \$29,288,000 of the general fund—state appropriation for fiscal year 2020 is provided solely to assist behavioral health entities with the costs of providing services to medicaid clients receiving services in psychiatric facilities classified as institutions of mental diseases. The authority must distribute these amounts proportionate to the number of bed days for medicaid clients in institutions for mental diseases that were excluded from behavioral health (~~organization~~) entity calendar year 2019 capitation rates because they

exceeded the amounts allowed under federal regulations. The authority must also use these amounts to directly pay for costs that are ineligible for medicaid reimbursement in institutions of mental disease facilities for American Indian and Alaska Natives who opt to receive behavioral health services on a fee-for-service basis. The amounts used for these individuals must be reduced from the allocation of the behavioral health ((organization)) entity where the individual resides. If a behavioral health ((organization)) entity receives more funding through this subsection than is needed to pay for the cost of their medicaid clients in institutions for mental diseases, they must use the remainder of the amounts to provide other services not covered under the medicaid program. The authority must submit an application for a waiver to allow, by July 1, 2020, for full federal participation for medicaid clients in mental health facilities classified as institutions of mental diseases. The authority must submit a report on the status of the waiver to the office of financial management and the appropriate committees of the legislature by December 1, 2019.

(30) The authority must require all behavioral health organizations transitioning to full integration to either spend down or return all reserves in accordance with contract requirements and federal and state law. Behavioral health organization reserves may not be used to pay for services to be provided beyond the end of a behavioral health organization's contract or for startup costs in full integration regions except as provided in this subsection. The authority must ensure that any increases in expenditures in behavioral health reserve spend-down plans are required for the operation of services during the contract period and do not result in overpayment to providers. If the nonfederal share of reserves returned during fiscal year 2020 exceeds \$35,000,000, the authority shall use some of the amounts in excess of \$35,000,000 to support the final regions transitioning to full integration of physical and behavioral health care. These amounts must be distributed proportionate to the population of each regional area covered. The maximum amount allowed per region is \$3,175 per 1,000 residents. These amounts must be used to provide a reserve for nonmedicaid services in the region to stabilize the new crisis services system.

(31) \$1,850,000 of the general fund—state appropriation for fiscal year 2020, \$1,850,000 of the general fund—state appropriation for fiscal year 2021, and \$13,312,000 of the general fund—federal appropriation are provided solely for the authority to implement a medicaid state plan amendment which provides for substance use disorder peer support services to be included in behavioral health capitation rates beginning in fiscal year 2020 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.

(32) \$1,256,000 of the general fund—state appropriation for fiscal year 2021 and \$1,686,000 of the general fund—federal appropriation are provided solely for the authority to increase the number of residential beds for pregnant and parenting women. These amounts may be used for startup funds and ongoing costs associated with two new sixteen bed pregnant and parenting women residential treatment programs.

(33) Within the amounts appropriated in this section, the authority must maintain a rate increase for community hospitals that provide a minimum of 200

medicaid psychiatric inpatient days pursuant to the methodology adopted to implement section 213(5)(n), chapter 299, Laws of 2018 (ESSB 6032) (partial veto).

(34) \$1,393,000 of the general fund—state appropriation for fiscal year 2020, \$1,423,000 of the general fund—state appropriation for fiscal year 2021, and \$5,938,000 of the general fund—federal appropriation are provided solely for the authority 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.

(35) \$850,000 of the general fund—federal appropriation is provided solely to contract with a nationally recognized recovery residence organization and to create a revolving fund for loans to operators of recovery residences seeking certification in accordance with Second Substitute House Bill No. 1528 (recovery support services). ~~((If the bill is not enacted by June 30, 2019, the amount in this subsection shall lapse.))~~

(36) \$212,000 of the general fund—state appropriation for fiscal year 2020, \$212,000 of the general fund—state appropriation for fiscal year 2021, and \$124,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1874 (adolescent behavioral health). Funding is provided specifically for the authority to provide an online training to behavioral health providers related to state law and best practices in family-initiated treatment, adolescent-initiated treatment, and other services and to conduct an annual survey to measure the impacts of implementing policies resulting from the bill. ~~((If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.))~~

(37) \$500,000 of the general fund—state appropriation for fiscal year 2020, \$500,000 of the general fund—state appropriation for fiscal year 2021, and \$1,000,000 of the general fund—federal appropriation are provided solely for the authority to implement a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to Second Substitute House Bill No. 1767 (alternatives to arrest). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(38) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for provision of crisis stabilization services to individuals who are not eligible for medicaid in Whatcom county. The authority must coordinate with crisis stabilization providers, managed care organizations, and behavioral health administrative services organizations throughout the state to identify payment models that reflect the unique needs of crisis stabilization and crisis triage providers. The report must also include an analysis of the estimated gap in nonmedicaid funding for crisis stabilization and triage facilities throughout the state. The authority must provide a report to the office of financial management and the appropriate committees of the legislature on the estimated nonmedicaid funding gap and payment models by December 1, 2019.

(39) The authority must conduct an analysis to determine whether there is a gap in fiscal year 2020 behavioral health entity funding for services in institutions for mental diseases and submit a report to the office of financial

management and the appropriate committees of the legislature by November 1, 2019. The report must be developed in consultation with the office of financial management and staff from the fiscal committees of the legislature and must include the following elements: (a) The increase in the number of nonmedicaid bed days in institutions for mental diseases from fiscal year 2017 to fiscal year 2019 by facility and the estimated annual cost associated with these increased bed days in FY 2020; (b) the increase in the number of medicaid bed days in institutions for mental diseases from fiscal year 2017 to fiscal year 2019 by facility and the estimated annual cost associated with these increased bed days in FY 2020; (c) the amount of funding assumed in current behavioral health entity medicaid capitation rates for institutions for mental diseases bed days that are currently allowable under medicaid regulation or waivers; (d) the amounts provided in subsection (29) of this section to assist with costs in institutions for mental diseases not covered in medicaid capitation rates; and (e) any remaining gap in behavioral health entity funding for institutions for mental diseases for medicaid or nonmedicaid clients.

(40) \$1,968,000 of the general fund—state appropriation for fiscal year 2020, \$3,396,000 of the general fund—state appropriation for fiscal year 2021, and \$12,150,000 of the general fund—federal appropriation are provided solely for support of and to increase clubhouse facilities 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. The authority must provide a report to the office of financial management and the appropriate committees of the legislature on the status of efforts to implement clubhouse programs and receive federal approval for including these services in managed care organization contracts as an optional "in lieu of" service.

(41) \$1,000,000 of the general fund—federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to develop and disseminate model programs and curricula for inpatient and outpatient treatment for individuals with substance use disorder and co-occurring disorders. The behavioral health institute will provide individualized consultation to behavioral health agencies in order to improve the delivery of evidence-based and promising practices and overall quality of care. The behavioral health institute will provide training to staff of behavioral health agencies to enhance the quality of substance use disorder and co-occurring treatment delivered.

(42) The number of beds allocated for use by behavioral health entities at eastern state hospital shall be one hundred ninety two per day. The number of nonforensic beds allocated for use by behavioral health entities at western state hospital shall be five hundred twenty-seven per day. During fiscal year 2020, the authority must reduce the number of beds allocated for use by behavioral health entities at western state hospital by sixty beds to allow for the repurposing of two civil wards at western state hospital to provide forensic services. Contracted community beds provided under subsection (24) of this section shall be allocated to the behavioral health entities in lieu of beds at western state hospital and be incorporated in their allocation of state hospital patient days of care for the

purposes of calculating reimbursements pursuant to RCW 71.24.310. It is the intent of the legislature to continue the policy of expanding community based alternatives for long-term civil commitment services that allow for state hospital beds to be prioritized for forensic patients.

(43) \$190,000 of the general fund—state appropriation for fiscal year 2020, \$947,000 of the general fund—state appropriation for fiscal ~~((year))~~ year 2021, and \$1,023,000 of the general fund—federal appropriation are provided solely for the authority to develop a statewide plan to implement evidence-based coordinated specialty care programs that provide early identification and intervention for psychosis in behavioral health agencies in accordance with Second Substitute Senate Bill No. 5903 (children's mental health). ~~((If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.))~~

(44) \$708,000 of the general fund—state appropriation for fiscal year 2021 and \$799,000 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 beginning ~~((January))~~ July 1, 2020, in accordance with Second Substitute House Bill No. 1394 (behavioral health facilities).

(45) ~~((\$250,000))~~ \$500,000 of the general fund—state appropriation for fiscal year 2020 ~~((and \$250,000 of the general fund—state appropriation for fiscal year 2021 are))~~ is provided on a one-time basis solely for a licensed youth residential psychiatric substance abuse and mental health agency located in Clark county to invest in staff training and increasing client census. This amount must be allocated subject to a contract with the authority concerning staffing levels, critical action plans, and client services.

(46) \$509,000 of the general fund—state appropriation for fiscal year 2020, \$494,000 of the general fund—state appropriation for fiscal year 2021, and \$4,823,000 of the general fund—federal appropriation are provided solely for diversion grants to establish new law enforcement assisted diversion programs outside of King county consistent with the provisions of Substitute Senate Bill No. 5380 (opioid use disorder).

(47) The authority must compile all previous reports and collaborate with any work groups created during the 2019-2021 fiscal biennium for the purpose of establishing the implementation plan for transferring the full risk of long-term inpatient care for mental illness into the behavioral health entity contracts by January 1, 2020.

(48) \$225,000 of the general fund—state appropriation for fiscal year 2020 and \$225,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to continue funding one pilot project in Pierce county to promote increased utilization of assisted outpatient treatment programs. The authority shall provide a report to the legislature by October 15, 2020, which must include the number of individuals served, outcomes to include changes in use of inpatient treatment and hospital stays, and recommendations for further implementation based on lessons learned from the pilot project.

(49) \$18,000 of the general fund—state appropriation for fiscal year 2020, \$18,000 of the general fund—state appropriation for fiscal year 2021, and \$36,000 of the general fund—federal appropriation are provided solely for the implementation of Substitute Senate Bill No. 5181 (involuntary treatment procedures). ~~((If the bill is not enacted by June 30, 2019, the amounts in this subsection shall lapse.))~~

(50) \$814,000 of the general fund—state appropriation for fiscal year 2020, \$800,000 of the general fund—state appropriation for fiscal year 2021, and \$1,466,000 of the general fund—federal appropriation are provided solely for the authority to implement the recommendations of the state action alliance for suicide prevention, to include suicide assessments, treatment, and grant management.

(51) Within existing appropriations, the authority shall prioritize the prevention and treatment of intravenous opiate-based drug use.

(52) \$446,000 of the general fund—state appropriation for fiscal year 2020, \$446,000 of the general fund—state appropriation for fiscal year 2021, 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.

(53) \$60,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the authority to provide a one-time grant to the city of Maple Valley to support a pilot 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 mental health awareness and education and facilitate access to school-based and community resources. The grant must require a report be submitted by the city of Maple Valley to the authority and the Maple Valley city council which summarizes the services provided and the perceived value of the community resource coordinator position for the community. The authority must submit the report to the office of financial management and the appropriate committees of the legislature by June 30, 2021.

(54) \$215,000 of the general fund—state appropriation for fiscal year 2020 and \$165,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for provision of crisis stabilization services in Island county. The authority must use this amount to contract for start-up and treatment services that are not reimbursable under medicaid provided in a crisis stabilization center in Island county. The authority must continue to coordinate with crisis stabilization providers and behavioral health entities to identify funding gaps for non-Medicaid services and payment models that reflect the unique needs of these facilities.

(55) \$200,000 of the general fund—state appropriation for fiscal year 2020 is provided on a one-time basis solely for the authority to contract with a family-centered substance use disorder treatment program which provides behavioral health services to families engaged in the foster system in Spokane county. This amount must be used to provide wraparound behavioral health services to individuals enrolled in the program.

(56) \$300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for training support grants for community mental health and substance abuse providers. The authority must implement these

services in partnership with and through the regional accountable communities of health or the University of Washington behavioral health institute. The grants must provide flexible funding for training and mentoring of clinicians serving children and youth. The authority must consult with stakeholders, including but not limited to, behavioral health experts in services for children and youth, providers, and consumers, to develop guidelines for how the funding could be used, with a focus on evidence-based and promising practices, continuing education requirements, and quality-monitoring infrastructure.

(57) \$50,000 of the general fund—state appropriation for fiscal year 2021 and \$50,000 of the general fund—federal appropriation are provided solely for the authority to work with the actuaries responsible for establishing behavioral health capitation rates, the University of Washington behavioral health institute, managed care organizations, and community mental health and substance use disorder providers to develop strategies for enhancing behavioral health provider reimbursement to promote behavioral health workforce development efforts. The authority must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2020, that identifies: (a) A description of the actuarial assumptions related to clinical supervision included in the development of calendar year 2020 managed care behavioral health capitation rates and the relative dollar value of these assumptions; (b) available information on whether and to what extent managed care organizations are accounting for clinical supervision in establishing behavioral health provider reimbursement methodologies and rates; (c) identification of provider reimbursement models through managed care organizations that effectively incentivize the expansion of internships and entry level opportunities for clinicians; and (d) recommendations for accountability mechanisms to demonstrate that amounts included in behavioral health capitation rates for clinical supervision are passed on to mental health and substance abuse agencies that provide internships and entry level opportunities for clinicians.

(58) \$281,000 of the general fund—state appropriation for fiscal year 2020, \$259,000 of the general fund—state appropriation for fiscal year 2021 and \$1,285,000 of the general fund—federal appropriation are provided solely to support the administrative costs associated with the application and implementation of a federal waiver allowing for full federal participation in mental health treatment facilities identified as institutions of mental diseases.

(59) \$128,000 of the general fund—state appropriation for fiscal year 2021 and \$123,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed House Bill No. 2584 (behavioral health rates). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(60) \$139,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute House Bill No. 2737 (children's mental health work group). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(61) \$766,000 of the general fund—state appropriation for fiscal year 2021 and \$1,526,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 2642 (substance use

disorder coverage). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(62) \$31,000 of the general fund—state appropriation for fiscal year 2020, \$94,000 of the general fund—state appropriation for fiscal year 2021, and \$125,000 of the general fund—federal appropriation are provided solely to conduct an analysis on the impact of changing policy in the apple health program to match best practices for mental health assessment and diagnosis for infants and children from birth through five years of age. The analysis must include cost estimates from the authority and the actuaries responsible for establishing medicaid managed care rates on the annual impact associated with policy changes in assessment and diagnosis of infants and children from birth through age five that at a minimum: (a) Allow reimbursement for three to five sessions for intake and assessment; (b) allow reimbursement for assessments in home or community settings, including reimbursement for clinician travel; and (c) require clinician use of the diagnostic classification of mental health and developmental disorders of infancy and early childhood. The authority must submit a report to the office of financial management and the appropriate committees of the legislature summarizing the results of the analysis and cost estimates by December 1, 2020.

(63) 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.

(64) \$864,000 of the general fund—state appropriation for fiscal year 2021 and \$1,788,000 of the general fund—federal appropriation are provided solely for the implementation of Second Engrossed Second Substitute Senate Bill No. 5720 (involuntary treatment act). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(65) \$200,000 of the general fund—federal appropriation for fiscal year 2021 is provided solely for the implementation of Substitute Senate Bill No. 6191 (adverse childhood experience). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(66) Within existing resources, the authority shall implement Substitute Senate Bill No. 6259 (Indian behavioral health sys).

(67) \$1,260,000 of the general fund—state appropriation for fiscal year 2021 and \$840,000 of the general fund—federal appropriation are provided solely for the authority to increase rates to parent-child assistance program providers in an effort to stabilize the workforce and increase training and evaluation.

(68) \$2,537,000 of the general fund—state appropriation for fiscal year 2020 is provided solely to ensure a smooth transition to integrated managed care for behavioral health regions and to maintain the existing level of regional behavioral health crisis and diversion programs, and other required behavioral health administrative service organization services. These amounts must be used

to support the regions transitioning to full integration of physical and behavioral health care beginning January 1, 2020. These amounts must be distributed proportionate to the population of each regional area covered. The maximum amount allowed per region is \$2,494 per one thousand residents. These amounts must be used to provide a reserve for nonmedicaid services in the region and to stabilize the new crisis services system.

(69) \$846,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to implement a statewide pilot project to provide increased access to emergent and nonemergent transportation to secure withdrawal management and stabilization services facilities under the involuntary treatment act for individuals detained with substance use disorders. The authority shall review the implementation of the statewide pilot and provide a report to the legislature no later than December 15, 2020, to include data on costs and the increased number of trips.

(70) \$15,000 of the general fund—state appropriation for fiscal year 2021 and \$15,000 of the general fund—federal appropriation are provided solely for the authority to develop a value-based case rate payment model for comprehensive community behavioral health services. It is the intent of the legislature to strengthen the community behavioral health system in order to promote recovery and whole person care, avoid unnecessary institutionalization and ensure access to care in the least restrictive setting possible, and incentivize value-based alternative payment models. Therefore, the authority in collaboration with the Washington council for behavioral health must convene a work group to develop a case rate payment model for comprehensive community behavioral health services. The authority must submit a report to the legislature by October 31, 2020. The report must: (a) Identify a comprehensive package of services to be provided by community behavioral health agencies that are licensed and certified by the department of health as defined in RCW 71.24.025; (b) describe the methodology used to develop an actuarially sound case rate model for this comprehensive package of services, and propose a medicaid case rate or range of rates; and (c) identify key quality performance metrics focused on health and recovery as well as quality incentive payment mechanisms that reinforce value over volume.

(71) \$500,000 of the problem gambling account—state appropriation is provided solely for the authority to contract for a problem gambling adult prevalence study. The prevalence study must review both statewide and regional results about beliefs and attitudes toward gambling, gambling behavior and preferences, and awareness of treatment services. The study should also estimate the level of risk for problem gambling and examine correlations with broader behavioral and mental health measures. The health care authority shall submit results of the prevalence study to the problem gambling task force and the legislature by June 30, 2021.

(72) \$4,500,000 of the criminal justice treatment account—state appropriation for fiscal year 2021 is provided solely for the authority to provide funding for the setting up of new therapeutic courts for cities or counties or for the expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication 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.

(73) \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the authority to contract with a statewide mental health nonprofit serving consumers and families that provides free community and school-based mental health education and support programs. Funding shall be used to provide access to programs tailored to peers living with mental illness, family members of people with mental illness, and the community.

(74) 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 consider the information gained from this process and make adjustments allowable under federal law when appropriate.

(75) 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 the format of a report which addresses revenues and expenditures for the community behavioral health programs. The report shall include, but not be limited to (i) revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (ii) access to services, service denials, and utilization by state plan modality; (iii) claims denials and record of timely payment to providers; (iv) client demographics; and (v) social and recovery measures and managed care organization performance measures. The authority shall submit the report for the preceding calendar year to the governor and appropriate committees of the legislature on or before July 1st of each year.

(76) \$1,801,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the authority to implement two pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents.

(a) The effective date of the pilot sites is January 1, 2021.

(b) The two pilots must be contracted with a hospital that provides psychiatric inpatient services to children and adolescents in a city with the largest population east of the crest of the Cascade mountains and a hospital that provides psychiatric inpatient services to children and adolescents in a city with the largest population west of the crest of the Cascade mountains.

(c) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the pilot programs in contract.

(d) 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.

(f) The authority must collect data on the pilot sites and work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit a report to the office of financial management and the appropriate committees of the legislature. A preliminary report must be submitted by December 1, 2021, and a final report must be submitted by December 1, 2022. The reports must include the following information:

(i) A narrative description of the services provided at each pilot 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 pilot sites;

(iii) Recommendations for whether either or both of 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, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match; and

(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.

**Sec. 215 is partially vetoed. See message at end of chapter.*

Sec. 216. 2019 c 415 s 216 (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund—State Appropriation (FY 2020)	(\$2,510,000)
	\$2,630,000
General Fund—State Appropriation (FY 2021)	(\$2,543,000)
	\$3,007,000
General Fund—Federal Appropriation	(\$2,613,000)
	\$2,614,000
Pension Funding Stabilization Account—State Appropriation	\$190,000
TOTAL APPROPRIATION	(\$7,856,000)
	\$8,441,000

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 2020 and \$97,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5602 (reproductive health care). (If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.)

(2) \$107,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Senate Bill No. 6034 (pregnancy discrim. complaints). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

Sec. 217. 2019 c 415 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	(\$24,326,000)

	<u>\$24,437,000</u>
Medical Aid Account—State Appropriation	((\$24,327,000))
	<u>\$24,438,000</u>
TOTAL APPROPRIATION	((\$48,663,000))
	<u>\$48,885,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$114,000 of the accident account—state appropriation and \$114,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 2409 (industrial insur./employers). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

***Sec. 218.** 2019 c 415 s 218 (uncodified) is amended to read as follows:
FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—State Appropriation (FY 2020)	((\$25,649,000))
	<u>\$27,447,000</u>
General Fund—State Appropriation (FY 2021)	((\$25,697,000))
	<u>\$31,639,000</u>
General Fund—Private/Local Appropriation	((\$6,630,000))
	<u>\$7,339,000</u>
Death Investigations Account—State Appropriation	\$682,000
Municipal Criminal Justice Assistance Account—	
State Appropriation	\$460,000
Washington Auto Theft Prevention Authority Account—State Appropriation . .	
\$8,167,000	
24/7 Sobriety Account—State Appropriation	\$20,000
Pension Funding Stabilization Account—State Appropriation	\$460,000
TOTAL APPROPRIATION	((\$67,765,000))
	<u>\$76,214,000</u>

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 2020 and \$5,000,000 of the general fund—state appropriation for fiscal year 2021, 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) (~~(\$2,248,000)~~) \$2,768,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$2,269,000)~~) \$2,789,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for seventy-five percent of the costs of providing (~~nine~~) eleven additional statewide basic law enforcement trainings in each fiscal year. 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. At least (~~two~~) 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) (~~(\$429,000)~~) \$1,179,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$429,000)~~) \$1,179,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the nonappropriated Washington internet crimes against children account for the implementation of chapter 84, Laws of 2015.

(5) \$2,000,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000,000 of the general fund—state appropriation for fiscal year 2021 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 \$3,000,000 in grants to 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. 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) \$450,000 of the general fund—state appropriation for fiscal year 2020 and \$449,000 of the general fund—state appropriation for fiscal year 2021 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) \$534,000 of the death investigations account—state appropriation is provided solely for the commission to update and expand the medicolegal forensic investigation training currently provided to coroners and medical examiners from eighty hours to two-hundred forty hours to meet the recommendations of the national commission on forensic science for certification and accreditation. Funding is contingent on the death investigation account receiving three dollars of the five dollar increase in vital records fees from the passage of Engrossed Substitute Senate Bill No. 5332 (vital statistics). (~~(If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.)~~)

(8) \$10,000 of the general fund—state appropriation for fiscal year 2020, \$22,000 of the general fund—state appropriation for fiscal year 2021, and \$10,000 of the general fund—local appropriation are provided solely for an increase in vendor rates on the daily meals provided to basic law enforcement academy recruits during their training.

(9) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement Second Substitute House Bill No. 1767 (alternatives to arrest/jail). (~~(If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.)~~)

(10) (~~(\$75,000)~~) \$397,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$75,000)~~) \$397,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a vendor rate increase (~~(of seven tenths of one percent)~~) for the Washington association of sheriffs and police chiefs.

(11) \$2,000,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the Washington association of sheriffs and police chiefs to administer the sexual assault kit initiative project under RCW 36.28A.430, to assist multidisciplinary community response teams seeking resolutions to cases tied to previously unsubmitted sexual assault kits, and to provide support to survivors of sexual assault offenses. The commission must report to the governor and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations by June 30, 2021, on the number of sexual assault kits that have been tested, the number of kits remaining to be tested, the number of sexual assault cases that had hits to other crimes, the number of cases that have been reinvestigated, the number of those cases that were reinvestigated using state funding under this appropriation, and the local jurisdictions that were a recipient of a grant under the sexual assault kit initiative project.

(12) \$20,000 of the general fund—state appropriation for fiscal year 2020 and \$20,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington association of sheriffs and police chiefs to work with local law enforcement agencies and the Washington fire chiefs association to provide helmets to persons contacted by local law enforcement or an official of a local fire department for not wearing a helmet while riding a skateboard or bicycle in order to reduce traumatic brain injuries throughout the state. The Washington association of sheriffs and police chiefs shall work in conjunction with the Washington fire chiefs association in administering the helmet distribution program.

(13) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Engrossed Substitute House Bill No. 2318 (criminal investigatory practices). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(14) \$316,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for House Bill No. 2926 (critical stress management programs). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(15) \$830,000 of the general fund—state appropriation for fiscal year 2021 and \$155,000 of the general fund—local appropriation are provided solely for Second Substitute House Bill No. 2499 (correctional officer certification). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the criminal justice training commission to develop and finalize the curriculum for the de-escalation law enforcement training as required under Initiative 940, the law enforcement training and community safety act.

(17) \$300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Substitute Senate Bill No. 6570 (law enforcement officer mental health and wellness). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

**Sec. 218 is partially vetoed. See message at end of chapter.*

Sec. 219. 2019 c 415 s 219 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund—State Appropriation (FY 2020)	(((\$13,107,000))
	<u>\$14,426,000</u>
General Fund—State Appropriation (FY 2021)	(((\$11,696,000))
	<u>\$26,698,000</u>
General Fund—Federal Appropriation	\$11,876,000
Asbestos Account—State Appropriation	\$590,000
Electrical License Account—State Appropriation	(((\$58,068,000))
	<u>\$58,124,000</u>
Farm Labor Contractor Account—State Appropriation	\$28,000
Worker and Community Right to Know Fund—	
State Appropriation	\$1,039,000
Construction Registration Inspection Account—	
State Appropriation	(((\$23,888,000))
	<u>\$25,453,000</u>
Public Works Administration Account—State	
Appropriation	(((\$10,988,000))
	<u>\$11,001,000</u>
Manufactured Home Installation Training Account—	
State Appropriation	\$412,000
Pension Funding Stabilization Account—State Appropriation	\$1,434,000
Accident Account—State Appropriation	(((\$392,548,000))
	<u>\$396,164,000</u>
Accident Account—Federal Appropriation	(((\$15,674,000))
	<u>\$16,439,000</u>
Medical Aid Account—State Appropriation	(((\$397,545,000))
	<u>\$399,802,000</u>
Medical Aid Account—Federal Appropriation	(((\$3,515,000))
	<u>\$3,650,000</u>
Plumbing Certificate Account—State Appropriation	(((\$2,004,000))
	<u>\$3,401,000</u>
Pressure Systems Safety Account—State Appropriation	(((\$4,667,000))
	<u>\$4,672,000</u>
TOTAL APPROPRIATION	(((\$949,079,000))
	<u>\$975,209,000</u>

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

(1) \$40,988,000 of the accident account—state appropriation and \$40,986,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project and are subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(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 issue an initial report to the legislature, by June 30, 2020, assessing the physical capacity of workers in the context of the industry's economic environment and ascertain usable support tools for employers and workers to decrease risk of injury. After the initial report, the department must produce annual progress reports, beginning in 2021 through the year 2022 or until the tools are fully developed and deployed. The annual progress reports must be submitted to the legislature by December 1st of each year such reports are due.

(3) \$1,700,000 of the accident account—state appropriation and \$300,000 of the medical aid account—state appropriation are provided solely for a contract with a permanently registered Washington sector intermediary to provide supplemental instruction for information technology apprentices. Funds spent for this purpose must be matched by an equal amount of funding from the information technology industry members, except small and mid-sized employers. Up to \$1,000,000 may be spent to provide supplemental instruction for apprentices at small and mid-sized businesses. "Small and mid-sized businesses" means those that have fewer than one hundred employees or have less than five percent annual net profitability. The sector intermediary will collaborate with the state board for community and technical colleges to integrate and offer related supplemental instruction through one or more Washington state community or technical colleges by the 2020-21 academic year.

(4) \$1,360,000 of the accident account—state appropriation and \$240,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to establish a health care apprenticeship program.

(5) \$273,000 of the accident account—state appropriation and \$273,000 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 an initial report to the governor and appropriate legislative committees by August 30, 2020, 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.

(6) \$666,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for

implementation of Substitute Senate Bill No. 5175 (firefighter safety). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(7) \$2,257,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5035 (prevailing wage laws). Of this amount, \$464,100 is provided to incorporate information technology changes to the complaint activity tracking system, public works suite, accounts receivable collections, and the pay accounts receivable collections systems, and is subject to the conditions, limitations, and review provided in ((section 719 of this act)) section 701 of this act. (~~If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~)

(8) \$37,000 of the accident account—state appropriation and \$33,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(9) \$52,000 of the accident account—state appropriation is provided solely for the complaint activity tracking system adjustment project, which will add functionality related to conducting company-wide wage investigations. This funding is subject to the conditions, limitations, and review provided in ((section 719 of this act)) section 701 of this act.

(10) \$850,000 of the accident account—state appropriation and \$850,000 of the medical aid account—state appropriation are provided solely for issuing and managing contracts with customer-trusted groups to develop and deliver information to small businesses and their workers about workplace rights, regulations and services administered by the agency.

(11) (~~(\$4,676,000)~~) \$5,721,000 of the general fund—state appropriation for fiscal year 2020 and (((\$2,092,000)) \$504,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for increasing rates for medical and health care service providers treating persons in the crime victim compensation program. Of the amounts provided in this subsection, \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the crime victims compensation program to pay for medical exams related to victims of suspected child abuse. No later than September 30, 2020, the department shall report to the legislature the following information, for each fiscal year from fiscal year 2016 through fiscal year 2020:

(a) The type of claims received by victims of suspected child abuse;

(b) The total number of claims received by victims of suspected child abuse;

(c) The type of claims paid to victims of suspected child abuse;

(d) The total number of claims paid to victims of suspected child abuse; and

(e) The total amounts of claims paid to victims of suspected child abuse.

(12) \$744,000 of the accident account—state appropriation and \$744,000 of the medical aid account—state appropriation are provided solely for customer service staffing at field offices.

(13) \$3,432,000 of the accident account—state appropriation and \$606,000 of the medical aid account—state appropriation are provided solely for the division of occupational safety and health to add workplace safety and health consultants, inspectors, and investigators.

(14) \$788,000 of the accident account—state appropriation and \$140,000 of the medical aid account—state appropriation are provided solely for apprenticeship staffing to respond to inquiries and process registrations.

(15) \$2,608,000 of the accident account—state appropriation and \$3,541,000 of the medical aid account—state appropriation are provided solely for claims management staffing to reduce caseloads.

(16) \$1,072,000 of the public works administration account—state appropriation is provided solely for implementation of Substitute House Bill No. 1295 (public works contracting). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(17) \$695,000 of the accident account—state appropriation and \$124,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1817 (high hazard facilities). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(18) \$67,000 of the accident account—state appropriation and \$66,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1909 (industrial ins. claim records). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(19) ~~(\$313,000 of the accident account—state appropriation and \$312,000 of the medical aid account—state appropriation)~~ \$273,000 of the general fund—state appropriation for fiscal year 2020 and \$352,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). ((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))

(20) \$683,000 of the accident account—state appropriation and \$683,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 2409 (industrial insur./employers). Of the amounts provided in this subsection, \$176,000 of the accident account—state appropriation and \$176,000 medical aid account—state appropriation are subject to the conditions, limitations, and review provided in section 701 of this act. If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(21) \$1,507,000 of the construction registration inspection account—state appropriation is provided solely for additional staff to conduct and facilitate additional elevator inspections.

(22) \$320,000 of the accident account—state appropriation and \$75,000 of the medical aid account—state appropriation are provided solely for implementation of chapter 296, Laws of 2019 (SHB 1155).

(23) \$1,393,000 of the plumbing certificate account—state appropriation is provided solely for implementation of Senate Bill No. 6170 (plumbing registration and licenses). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(24) \$150,000 of the accident account—state appropriation and \$26,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Senate Bill No. 6421 (farm internship program

extension). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(25) \$625,000 of the accident account—state appropriation and \$625,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 6440 (workers' compensation medical exams). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(26) \$255,000 of the accident account—state appropriation and \$45,000 of the medical aid account—state appropriation are provided solely for two additional crane inspectors to work in King county.

(27) \$280,000 of the accident account—state appropriation and \$50,000 of the medical aid account—state appropriation are provided solely for the implementation of Engrossed Substitute Senate Bill No. 6473 (asbestos building materials). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(28) \$918,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute Senate Bill No. 6181 (crime victim compensation program). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse. The department shall report to the legislature no later than July 31, 2021, the following information for fiscal year 2021 regarding the benefits available under Second Substitute Senate Bill No. 6181:

(a) The number of claims received by month;

(b) The number of claims rejected by month;

(c) The number and amounts of claims paid by month; and

(d) The average processing time for claims.

(29) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to a nonprofit organization located in Seattle whose primary mission is to empower vulnerable workers in low-wage industries and from marginalized communities to provide peer training to similar workers in order to prevent sexual harassment and assault of workers in low-wage industries.

(30)(a) \$15,000,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(31) \$240,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to provide staff support to the aerospace workforce council created in House Bill No. 2945 (aerospace business and occupation taxes and world trade compliance) or Senate Bill No. 6690 (aerospace business and occupation taxes and world trade compliance). If neither bill is enacted by June 30, 2020, the amount provided in this subsection shall lapse.

Sec. 220. 2019 c 415 s 220 (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 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 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. By December 31, ~~((2019))~~ 2020, the department must: (i) Develop and implement a sustainable staffing model for the institutional services program to keep expenditures commensurate with the program revenue; and (ii) report to the legislature regarding its expenditures. 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 2020)	(\$4,088,000)
	<u>\$3,369,000</u>
General Fund—State Appropriation (FY 2021)	(\$4,119,000)
	<u>\$4,173,000</u>

Charitable, Educational, Penal, and Reformatory

Institutions Account—State Appropriation	\$10,000
Pension Funding Stabilization Account—State Appropriation	\$185,000
TOTAL APPROPRIATION	(\$8,402,000)
	<u>\$7,737,000</u>

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2020)	\$6,602,000
General Fund—State Appropriation (FY 2021)	(\$6,770,000)
	<u>\$7,029,000</u>
General Fund—Federal Appropriation	(\$4,435,000)
	<u>\$5,253,000</u>
General Fund—Private/Local Appropriation	(\$4,958,000)
	<u>\$5,324,000</u>
Veteran Estate Management Account—Private/Local	
Appropriation	\$708,000
Pension Funding Stabilization Account—State Appropriation	\$444,000
Veterans Stewardship (Nonappropriated) Account—	
State Appropriation	\$300,000
Veterans Innovation Program Account—State	
Appropriation	\$100,000
TOTAL APPROPRIATION	(\$24,317,000)
	<u>\$25,760,000</u>

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

(a) \$1,338,000 of the general fund—federal appropriation and \$120,000 of the general fund—local appropriation are provided solely for the expansion of the transitional housing program at the Washington soldiers home.

(b) \$300,000 of the general fund—state appropriation for fiscal year 2020, \$300,000 of the general fund—state appropriation for fiscal year 2021, and \$100,000 of the veterans innovation account—state appropriation are provided solely for veterans innovation program grants.

(c) \$300,000 of the veterans stewardship nonappropriated account—state appropriation is provided solely for the department's traumatic brain injury program.

(d) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement Second Substitute House Bill No. 1448 (veterans service officers). ~~(If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.)~~

(e)(i) \$140,000 of the general fund—state appropriation for fiscal year 2020 and \$142,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to develop a statewide plan to reduce suicide among service members, veterans, and their families. In developing the plan, the department shall:

(A) Collaborate with government and nongovernment agencies and organizations to establish promising best practices for suicide awareness and prevention materials, training, and outreach programs targeted to service members, veterans, and their families;

(B) Cultivate peer-led organizations serving veterans in transition and recovery;

(C) Create statewide suicide awareness and prevention training programs with content specific to service members, veterans, and their families; and

(D) Provide safer homes materials and distribute safe firearms storage devices, to the Washington national guard, the Washington state patrol, allied veteran groups, and other organizations serving or employing veterans, following the recommendations of the suicide-safer homes task force.

(ii) The department must report to the legislature regarding the development of the plan no later than December 1, 2020.

(f) \$128,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 5900 (LGBTQ coordinator/veterans). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(g) \$128,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Senate Bill No. 6626 (military spouse liaison). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(4) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2020) . . . . .	..((\$13,379,000))	
		\$13,155,000
General Fund—State Appropriation (FY 2021) . . . . .	..((\$14,565,000))	
		\$14,453,000
General Fund—Federal Appropriation . . . . .	..((\$85,479,000))	
		\$101,679,000
General Fund—Private/Local Appropriation . . . . .	..((\$28,737,000))	
		\$20,744,000
Pension Funding Stabilization Account—State Appropriation		\$1,464,000
TOTAL APPROPRIATION . . . . .	..((\$143,624,000))	\$151,495,000

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

(a) The amounts provided in this subsection include a general fund—state backfill for a revenue shortfall at the Washington soldiers home in Orting and the Walla Walla veterans home.

(b) If the department receives additional unanticipated federal resources at any point during the remainder of the 2019-2021 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.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2020)	\$100,000
General Fund—State Appropriation (FY 2021)	\$100,000
General Fund—Federal Appropriation	\$688,000

TOTAL APPROPRIATION \$888,000

*Sec. 221. 2019 c 415 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund—State Appropriation (FY 2020) ~~(\$75,208,000)~~

\$79,582,000

General Fund—State Appropriation (FY 2021) ~~(\$72,760,000)~~

\$85,728,000

General Fund—Federal Appropriation ~~(\$581,269,000)~~

\$579,457,000

General Fund—Private/Local Appropriation ~~(\$184,174,000)~~

\$192,631,000

Hospital Data Collection Account—State Appropriation \$362,000

Health Professions Account—State Appropriation ~~(\$144,746,000)~~

\$147,610,000

Aquatic Lands Enhancement Account—State Appropriation \$633,000

Emergency Medical Services and Trauma Care Systems

Trust Account—State Appropriation \$10,091,000

Safe Drinking Water Account—State Appropriation ~~(\$6,050,000)~~

\$6,057,000

Drinking Water Assistance Account—Federal

Appropriation ~~(\$16,974,000)~~

\$17,000,000

Waterworks Operator Certification Account—

State Appropriation \$1,990,000

Drinking Water Assistance Administrative Account—

State Appropriation ~~(\$1,228,000)~~

\$1,628,000

Site Closure Account—State Appropriation \$183,000

Biotoxin Account—State Appropriation ~~(\$1,693,000)~~

\$1,694,000

Model Toxics Control Operating Account—

State Appropriation ~~(\$4,465,000)~~

\$4,468,000

Medicaid Fraud Penalty Account—State Appropriation ~~(\$1,326,000)~~

\$1,374,000

Medical Test Site Licensure Account—State

Appropriation ~~(\$2,703,000)~~

\$3,233,000

Secure Drug Take-Back Program Account—State

Appropriation \$1,008,000

Youth Tobacco and Vapor Products Prevention Account—

State Appropriation ~~(\$4,373,000)~~

\$4,237,000

Dedicated Marijuana Account—State Appropriation

(FY 2020) \$10,786,000

Dedicated Marijuana Account—State Appropriation

(FY 2021) \$10,616,000

Public Health Supplemental Account—Private/Local

Appropriation ~~(\$3,668,000)~~

\$5,237,000

Pension Funding Stabilization Account—State

Appropriation	\$3,816,000
Accident Account—State Appropriation	\$362,000
Medical Aid Account—State Appropriation	\$54,000
TOTAL APPROPRIATION	(\$1,139,530,000)
	<u>\$1,169,837,000</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 2019-2021 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2020 and 2021 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 43.20B.110 and 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 70.96A.090, 71.24.035, 43.20B.110, and 43.135.055, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2020 and 2021 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, 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. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition's plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (a) The status of any information technology projects currently being developed or implemented that affect the coalition; (b) funding needs of these current and future information technology projects; and (c) next steps for the coalition's information technology projects. 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 is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(7)(a) \$285,000 of the general fund—state appropriation for fiscal year 2020 and \$15,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the governor's interagency coordinating council on health disparities to establish a task force to develop a proposal for the creation of an office of equity. The purpose of the office of equity is to promote access to equitable opportunities and resources that reduce disparities, including racial and ethnic disparities, and improve outcomes statewide across all sectors of government. The council must provide staff support and coordinate community and stakeholder outreach for the task force.

(b) The task force shall include:

(i) The chair of the interagency coordinating council on health disparities, or the chair's designee, who shall serve as the chair of the task force;

(ii) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(iii) Two members from the senate, appointed by the president of the senate;
 (iv) A representative from the office of the governor, appointed by the governor;

(v) A representative from the office of financial management's diversity, equity, and inclusion council, appointed by the governor;

(vi) A representative from the office of minority and women's business enterprises, appointed by the director of the office of minority and women's business enterprises;

(vii) A representative from each ethnic commission, appointed by the director of each respective commission;

(viii) A representative from the women's commission, appointed by the director of the commission;

(ix) A representative from the human rights commission, appointed by the director of the commission;

(x) The director of the governor's office of Indian affairs, or the director's designee;

(xi) A member of the disability community, appointed by the chair of the governor's committee on disability issues and employment; and

(xii) A member of the lesbian, gay, bisexual, transgender, and queer community, appointed by the office of the governor.

(c) The task force must submit a preliminary report to the governor and legislature by December 15, 2019. The task force must submit a final proposal to the governor and the legislature by July 1, 2020. The final proposal must include the following recommendations:

(i) A mission statement and vision statement for the office;

(ii) A definition of "equity," which must be used by the office to guide its work;

(iii) The organizational structure of the office, which must include a community liaison for the office;

(iv) A plan to engage executive level management from all agencies;

(v) Mechanisms for facilitating state policy and systems change to promote equity, promoting community outreach and engagement, and establishing standards for the collection, analysis, and reporting of disaggregated data regarding race and ethnicity;

(vi) Mechanisms for accountability to ensure that performance measures around equity are met across all agencies, including recommendations on audits of agencies and other accountability tools as deemed appropriate; and

(vii) A budget proposal including estimates for costs and staffing.

(d) Nonlegislative members of the task force must be reimbursed for expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060. Legislative members must be reimbursed for expenses incurred in accordance with RCW 44.04.120.

(8) \$400,000 of the general fund—state appropriation for fiscal year 2020 and \$400,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with a community-based nonprofit organization located in Yakima valley to develop a Spanish-language public radio media campaign aimed at preventing opioid use disorders through education outreach programs. The goal of the radio media campaign is reaching underserved populations, who may have limited literacy and who may

experience cultural and informational isolation, to address prevention, education, and treatment for opioid users or those at risk for opioid use. The nonprofit organization must coordinate with stakeholders who are engaged in promoting healthy and educated choices about drug use and abuse to host four workshops and two conferences that present the latest research and best practices. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2020. A final report must be submitted to the legislature no later than June 30, 2021. Both reports must include: (a) A description of the outreach programs and their implementation; (b) a description of the workshops and conferences held; (c) the number of individuals who participated in or received services in relation to the outreach programs; and (d) any relevant demographic data regarding those individuals.

(9)(a) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the nursing care quality assurance commission to continue the work group on nurses in long-term care settings.

(b) The work group must base its work on the assessment of long-term care workforce needs required by chapter 299, Laws of 2018, and included in the long-term care workforce development report to the governor and the legislature submitted in December 2018. The commission shall maintain existing membership of the work group, may add additional stakeholder representation, and may create such technical advisory committees as may be necessary to accomplish its purposes.

(c) Work group priorities for the 2019-2021 fiscal biennium include:

(i) Identifying data sources necessary to ensure workers are achieving timely training, testing, and certification;

(ii) Working with regional workforce development councils to project worker shortages and on-going demands;

(iii) Establishing revised nursing assistant training that aligns directly with the learning outcomes of the competency-based common curriculum, and improves access, reduces costs, increases consistency across evaluators, increases pass rates, and provides support for languages other than English;

(iv) Recommending requirements to improve skilled nursing facility staffing models and address deficiencies in resident care; and

(v) Creating a competency-based common curriculum for nursing assistant training that includes knowledge and skills relevant to current nursing assistant practices; integrated specialty training on mental health, developmental disabilities, and dementia; and removing or revising outdated content. The curriculum must not unnecessarily add additional training hours, and must meet all applicable federal and state laws. The curriculum must be designed with seamless progression from or toward any point on the educational continuum.

(d) The commission must provide an interim report on the activities of the work group and its findings and recommendations for statutory and regulatory changes to the governor and legislature by November 15, 2019, and a final report to the governor and legislature by November 15, 2020.

(10) \$172,000 of the general fund—state appropriation for fiscal year 2020 and \$172,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5425 (maternal

mortality reviews). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(11) \$399,000 of the general fund—local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5332 (vital statistics). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(12) \$52,000 of the general fund—state appropriation for fiscal year 2020, \$22,000 of the general fund—state appropriation for fiscal year 2021, \$11,000 of the general fund—local appropriation, and \$107,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5380 (opioid use disorder). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(13) \$80,000 of the general fund—state appropriation for fiscal year 2020, \$7,000 of the general fund—state appropriation for fiscal year 2021, and \$32,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(14) \$132,000 of the general fund—state appropriation for fiscal year 2020 and \$132,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5550 (pesticide application safety). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(15) \$14,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Second Substitute Senate Bill No. 5846 (international medical graduates). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(16) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(17)(a) \$62,000 of the general fund—state appropriation for fiscal year 2020 and \$63,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the King county local health jurisdiction, as part of the foundational public health services, to conduct a study on the population health impact of the SeaTac airport communities.

(b) By December 1, 2020, the King county local health jurisdiction shall submit a report to the appropriate committees of the legislature that must include:

(i) An analysis of existing data sources and an oversample of the best start for kids child health survey to produce airport community health profiles within a one mile, five mile, and ten mile radius of the airport;

(ii) A comprehensive literature review concerning the community health effects of airport operations, including a strength of evidence analysis;

(iii) The findings of the University of Washington school of public health study on ultrafine particulate matter at the airport and surrounding areas; and

(iv) Any recommendations to address health issues related to the impact of the airport on the community.

(18) \$1,000,000 of the youth tobacco and vapor products prevention account—state appropriation is provided solely, as part of foundational public health services, for the department to support local health jurisdictions to provide youth tobacco and vapor prevention programs, including the necessary outreach and education for Engrossed House Bill No. 1074 (tobacco and vapor/age).

(19) ~~(\$94,000)~~ \$126,000 of the general fund—state appropriation for fiscal year 2020 ~~(is)~~ and \$120,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(20) The department shall report to the fiscal committees of the legislature by December 1, 2019, and December 1, 2020, if it anticipates that the amounts raised by ambulatory surgical facility licensing fees will not be sufficient to defray the cost of regulating ambulatory surgical facilities. The report shall identify the amount of state general fund money necessary to compensate for the insufficiency.

(21) \$162,000 of the general fund—state appropriation for fiscal year 2020~~(;)~~ and \$61,000 of the general fund—state appropriation for fiscal year 2021~~((and \$2,007,000 of the general fund—federal appropriation))~~ are provided solely to create a statewide data system to provide early intervention services for all children appropriately screened for developmental delays, to track developmental screenings and delays identified in children, and to assist with care coordination and early intervention; and is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(22) \$420,000 of the health professions account—state appropriation is provided solely for a work group to develop policy and practice recommendations to increase access to clinical training and supervised practice for the behavioral health workforce. The work group shall include representatives from the department, the workforce training and education coordinating board, and other appropriate stakeholders. The recommendations of the work group must address the following potential barriers: (a) reimbursement and incentives for supervision of interns and trainees; (b) supervision requirements; (c) competency-based training; (d) licensing reciprocity or the feasibility of an interstate licensing compact, or both; and (e) background checks, including barriers to work related to an applicant's criminal history or substance use disorder. The board must convene and facilitate the work group, and recommendations may be presented in two phases. Recommendations presented in the first phase must be provided by December 1, 2019. Recommendations presented in the second phase must be provided by December 1, 2020.

(23) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington poison center. This funding is provided in addition to funding provided pursuant to RCW 69.50.540.

(24) \$21,000 of the general fund—state appropriation for fiscal year 2020 and \$4,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the development of a palliative care road map to provide information and guidance to providers, patients, families, and caregivers of individuals living with a serious or life-threatening illness. The department must work in consultation with appropriate stakeholders, including but not limited to, the health care authority, the department of social and health services, and hospital-based, outpatient, and community-based palliative care providers. The department must complete the document and make hard copies available for distribution no later than September 30, 2020.

(25) \$750,000 of the general fund—state appropriation for fiscal year 2020 ~~((is))~~ and \$750,000 of the general fund—state appropriation for fiscal year 2021 are provided to continue the collaboration between local public health, accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from year ~~((one))~~ two planning to align care coordination efforts across health care systems and support the accountable communities of health initiatives, including innovative, collaborative models of care. Strategies include the following, to reduce costly hospitalizations: (a) ~~((Increasing immunizations for bacterial pneumonia and influenza; (b) screening, brief intervention, and referral to treatment for alcohol, tobacco, and other drugs, and for depression; and (c) the sharing of health system wide data regarding usage and access patterns. By December 15, 2019, the collaborative shall provide a report to the legislature that illustrates the successes and challenges of the project.))~~ Analyze heart failure data to identify sub populations and risk factors and use this data to determine targeted interventions; (b) support provider and clinic implementation of screening, brief intervention, and referral to treatment through immunizations and ensure other areas of the county and state can duplicate the strategies; and (c) provide resources to achieve results and support collaboration across local health care systems and providers.

(26) \$55,000 of the health professions account—state appropriation is provided solely to implement Engrossed Substitute House Bill No. 1768 (substance use disorder professionals). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(27) \$14,000 of the health professions account—state appropriation is provided solely to implement Substitute House Bill No. 1865 (acupuncture and Eastern medicine). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(28)(a) \$257,000 of the general fund—state appropriation for fiscal year 2020 and \$304,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the suicide-safer homes task force defined in RCW 43.70.445 to:

(i) Expand support to industries, professions, and workplaces impacted by high rates of suicide, develop and provide online resources to disseminate best practices in workplace mental health and suicide prevention, and provide trainings for industries with the highest suicide rates and who are unable to pay for trainings;

(ii) Conduct a workplace suicide summit;

(iii) Deliver the task force's SAFER intervention and firearms and medication locking devices in partnership with nongovernment organizations in twelve rural communities across Washington; and

(iv) Develop and distribute a tool kit for suicide prevention and curriculum for firearms safety instructors for their inclusion in firearms safety courses.

(b) The task force shall distribute to all firearms dealers in the state suicide awareness and prevention materials tailored to firearms owners that are developed. Firearms dealers are strongly encouraged to post on the premises and make available to firearms purchasers and transferees the suicide awareness and prevention materials.

(c) The task force shall provide a report to the legislature regarding the directives of this subsection, and the report shall be included in the task force's final report to the legislature by December 1, 2020.

(29) \$16,000 of the general fund—state appropriation for fiscal year 2020 and \$8,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the pharmacy quality assurance commission to:

(a) Distribute or make available through electronic means to all licensed pharmacies suicide awareness and prevention materials developed by the suicide-safer homes task force, and each licensed pharmacy shall, when deemed appropriate through patient evaluation, make available to patients at the point of care the suicide awareness and prevention materials distributed by the commission; and

(b) Survey each pharmacist licensed under this chapter on methods to bridge the gap between practice and suicide awareness and prevention training, including identifying barriers that exist in putting the training into practice. The commission shall consult with the suicide-safer homes task force in developing the survey. The commission may distribute the survey as part of each pharmacist's license renewal. The commission shall compile and analyze the survey data and report the results to the appropriate committees of the legislature by November 15, 2020.

(30) \$1,310,000 of the health professions account—state appropriation is provided solely for the Washington medical commission for clinical health care investigators.

(31) \$3,210,000 of the health professions account—state appropriation is provided solely for the nursing care quality assurance commission to address increased complaints.

(32) 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.

(33) \$18,000,000 of the general fund—local appropriation is provided solely for the department to provide core medical services, case management, and support services for individuals living with human immunodeficiency virus.

(34) \$1,606,000 of the general fund—local appropriation is provided solely for staff, equipment, testing supplies, and materials necessary to add Pompe disease and MPS-I to the mandatory newborn screening panel. The department is authorized to increase the newborn screening fee by \$10.50.

(35) \$332,000 of the general fund—local appropriation is provided solely for testing supplies necessary to perform x-linked adrenoleukodystrophy

newborn screening panel testing. The department is authorized to increase the newborn screening fee by \$1.90.

(36) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to conduct formative research and development regarding dementia and the value and importance of early detection, diagnosis, and planning for the public, including racial and ethnic groups who are at increased risk. Qualified department staff or contracted experts must: (a) Investigate existing evidence-based messages and public awareness campaign strategies; and (b) develop, place, and evaluate messages through a short-term digital awareness campaign in at least two, but no more than four, targeted areas of the state.

(37) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with a nonprofit organization that provides support and education for adults, children, and families impacted by cancer. The nonprofit must provide programs and services that include, but are not limited to, adult support groups, camps for children impacted by cancer, education programs for teens to reduce future risk of cancer, and emotional and social support to families dealing with cancer.

(38) \$20,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the department to conduct a study on the state producing generic prescription drugs, with a priority on insulin. By December 1, 2019, the department shall submit a report of its findings and recommendations to the legislature.

(39) \$2,000,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement Substitute House Bill No. 1587 (increasing access to fruits and vegetables). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(40) The department must submit an application for an extension or renewal of its current grant pursuant to the federal food insecurity incentives program. If an extension or renewal of the current grant is not permitted, the department must apply for a new grant under the same program, which was reauthorized in December 2018.

(41) \$22,000 of the general fund—state appropriation for fiscal year 2020 and \$22,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement Engrossed House Bill No. 1638 (vaccine preventable diseases). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(42) \$207,000 of the health professions account—state appropriation is provided solely to implement chapter 69, Laws of 2019 (SHB 1198) (sexual misconduct notification).

(43) \$203,000 of the general fund—state appropriation for fiscal year 2020 and \$66,000 of the general fund—local appropriation are provided solely to implement Second Substitute House Bill No. 1394 (behavioral health facilities). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(44) \$36,000 of the health professions account—state appropriation is provided solely to implement House Bill No. 1554 (dental hygienists). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(45) \$189,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 is provided solely to implement Engrossed Substitute House Bill No. 1094 (medical marijuana renewals). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(46) \$200,000 of the general fund—local appropriation is provided solely to implement chapter 68, Laws of 2019 (HB 1177) (dental laboratory registry).

(47) \$88,000 of the general fund—state appropriation for fiscal year 2020 and \$87,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for an online tutorial and link to web-based, continuing education funded by the centers for disease control for training for the primary care health workforce regarding the protocols for perinatal monitoring, birth-dose immunization, early diagnosis, linkage to care, and treatment for persons diagnosed with chronic hepatitis B or hepatitis using the project ECHO telehealth model operated by the University of Washington. Training shall focus on increased provider proficiency and increased number of trained providers in areas with high rates of reported cases of hepatitis B or hepatitis, including regions with high incidence of drug use or upward trend of children who have not received hepatitis B virus vaccinations according to centers for disease control recommendations. All digital and hardcopy training, educational, and outreach materials for this program must be culturally relevant and linguistically diverse.

(48) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$90,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to the department of health for a task force established to recommend strategies for incorporating environmental justice principles into how state agencies discharge their responsibilities.

(a) The membership of the task force established under this section is as follows:

(i) The director of the department of commerce, or the director's designee;
(ii) The director of the department of ecology, or the director's designee;
(iii) The executive director of the Puget Sound partnership, or the executive director's designee;

(iv) The secretary of the department of transportation, or the secretary's designee;

(v) The secretary of the department of health, or the secretary's designee;

(vi) The chair of the energy facility site evaluation council, or the chair's designee;

(vii) The chair of the governor's interagency council on health disparities, or the chair's designee;

(viii) The commissioner of public lands, or the commissioner's designee;

(ix) A member from an organization representing statewide environmental justice issues, appointed by the governor;

(x) Three members from community-based organizations, appointed by the cochairs specified under (b) of this subsection, the nominations of which are based upon maintaining a balanced and diverse distribution, of representation

from census tracts that are ranked at an eight or higher on the cumulative impact analysis and of ethnic, geographic, gender, sexual orientation, age, socioeconomic status, and occupational representation, where practicable;

(xi) A tribal leader, invited by the governor;

(xii) One member from an association representing business interests, appointed by the governor;

(xiii) One member from a union or other organized labor association representing worker interests, appointed by the governor;

(xiv) The director of the department of agriculture, or the director's designee; and

(xv) One member from an organization representing statewide agricultural interests, appointed by the governor.

(b) The representative of statewide environmental justice interests, and the chair of the governor's interagency council on health disparities, or the chair's designee, must cochair the task force.

(c) The governor's interagency council on health disparities shall provide staff support to the task force. The interagency council may work with other agencies, departments, or offices as necessary to provide staff support to the task force.

(d) The task force must submit a final report of its findings and recommendations to the appropriate committees of the legislature and the governor by October 31, 2020, and in compliance with RCW 43.01.036. The goal of the final report is to provide guidance to agencies, the legislature, and the governor, and at a minimum must include the following:

(i) Guidance for state agencies regarding how to use a cumulative impact analysis tool developed by the department of health. Guidance must cover how agencies identify highly impacted communities and must be based on best practices and current demographic data;

(ii) Best practices for increasing public participation and engagement by providing meaningful opportunities for involvement for all people, taking into account barriers to participation that may arise due to race, color, ethnicity, religion, income, or education level;

(iii) Recommendations for establishing measurable goals for reducing environmental health disparities for each community in Washington state and ways in which state agencies may focus their work towards meeting those goals;

(iv) Model policies for prioritizing highly impacted communities and vulnerable populations for the purpose of reducing environmental health disparities and advancing a healthy environment for all residents.

(e) If time and resources permit, the task force may also include in its final report:

(i) Recommendations for creating and implementing equity analysis into all significant planning, programmatic and policy decision making, and investments. The equity analysis methods may include a process for describing potential risks to, benefits to, and opportunities for highly impacted communities and vulnerable populations;

(ii) Best practices and needed resources for cataloging and cross-referencing current research and data collection for programs within all state agencies relating to the health and environment of people of all races, cultures, and

income levels, including minority populations and low-income populations of the state.

(f) Members of the task force who are not state employees must be compensated in accordance with RCW 43.03.240 and are entitled to reimbursement individually for travel expenses incurred in the performance of their duties as members of the task force in accordance with RCW 43.03.050 and 43.03.060. The expenses of the task force must be paid by the governor's interagency council on health disparities.

(g) The task force must hold four regional meetings to seek input from, present their work plan and proposals to, and receive feedback from communities throughout the state. The following locations must be considered for these meetings: Northwest Washington, central Puget Sound region, south Puget Sound region, southwest Washington, central Washington, and eastern Washington.

(h) Reports submitted under this section must be available for public inspection and copying through the governor's interagency council on health disparities and must be posted on its web site.

(49) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for testing of lead in public schools. The department must determine which school districts have the highest priority and test those districts first. The department and the school districts for which tests are conducted must provide to parents, educators, school staff, and the public clear communications regarding the test results, the consequences of even low levels of exposure or ingestion, such as cognitive deficits, reduction in IQ, and neurological development, and the information that no level of lead in drinking water is safe. The communications must include a comparison of the results to the recommendation of the American academy of pediatrics (August 2017) and the national toxicology program of the national institutes of health and the center for disease control, regardless of whether the level exceeds the standard for action pursuant to the federal lead and copper rule. Communications regarding test results where levels exceed the level recommended by the American academy of pediatricians must be accompanied by examples of actions districts may take to prevent exposure, including automated flushing of water fountains and sinks, and installation of certified water filters or bottle filling stations.

(50) \$68,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 2378 (physician assistants). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(51) \$88,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2411 (suicide prevention/providers). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(52) \$724,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute House Bill No. 2426 (psychiatric patient safety). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(53) \$14,000 of the general fund—state appropriation for fiscal year 2020 and \$55,000 of the general fund—state appropriation for fiscal year 2021 are

provided solely for implementation of Engrossed Substitute House Bill No. 2731 (student head injury reports). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(54) \$16,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed House Bill No. 2755 (air ambulance cost transp.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(55) \$66,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute House Bill No. 2419 (death with dignity barriers). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(56) \$111,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to distribute a fruit and vegetable benefit of no less than thirty-two dollars per summer farmers market season to each eligible participant in the women, infant, and children farmers market nutrition program.

(57) \$1,300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for farmers market and grocery store basic food incentives for participants in the supplemental nutrition assistance program.

(58) \$52,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to collaborate, pursuant to section 501 of this act, with the office of the superintendent of public instruction in preparation of its report of findings related to statewide implementation of RCW 28A.210.383, authorizing prescriptions for, and the use of, school supplies of epinephrine autoinjectors.

(59)(a) Within amounts provided in this section, the department of health must convene a work group to collect information and establish guidelines and recommendations for how the office of the insurance commissioner can include telemedicine services in network adequacy requirements. The work group must consider the following:

(i) Changes to state statutes or rulemaking necessary for network adequacy to accommodate the use of telemedicine;

(ii) Changes to state statutes or rulemaking necessary regarding telemedicine and the scope of practice for providers;

(iii) Any other changes necessary for state statutes or rulemaking;

(iv) The best process for initial determinations of appropriate providers and services for telemedicine; and

(v) A method for updating the initial determinations as technology and practices change.

(b) The work group shall consist of the following members:

(i) State agency medical directors from the department of health, the health care authority, the department of labor and industries, the state board of health, the department of veteran affairs, the office of the insurance commissioner, and the department of corrections;

(ii) The chair of the Washington state telehealth collaborative;

(iii) The association of Washington health care plans; and

(iv) Health care providers.

(c) The work group must submit a final report with the work group recommendations to the appropriate legislative committees by January 1, 2021.

(60) Within amounts provided in this section, the department shall:

(a) **Keep a monthly record of the wait times for processing applications for certification as an emergency medical technician, starting with the time the application is received until the certification is approved or denied. The record shall include the number of applications processed and the median and average wait times per month. The department shall provide a summary of the monthly wait times to the legislature no later than December 1, 2020.**

(b) **Conduct a review of the levels of emergency medicine competency applicable to military personnel and determine the equivalency of such levels to the standards required by the department for certification as an emergency medical technician in Washington state. The department shall report its findings to the legislature by December 1, 2020.**

(61) \$1,674,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Substitute Senate Bill No. 6254 (vapor products). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse. Of this amount, \$1,164,000 is for implementation of the ingredient tracking system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(62) The appropriations in this section include sufficient funding for the implementation of:

(a) **Second Substitute Senate Bill No. 6309 (WIC fruit & veg. benefit);**

(b) **Substitute Senate Bill No. 6086 (opioid use/medications);**

(c) **Substitute Senate Bill No. 6526 (prescription drug reuse);**

(d) **Senate Bill No. 6038 (acupuncture and eastern med.); and**

(e) **Substitute Senate Bill No. 6663 (eating disorders & diabetes).**

(63) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to convene a work group of relevant stakeholders to propose funding and policy initiatives to address the spread of sexually transmitted infections in Washington. The work group should focus on the prevention of infections and expanding access to pre- and post-exposure prophylaxis treatments. The department must provide a report of the work group recommendations to the legislature by December 15, 2020.

(64) **\$19,000 of the health professions account—state appropriation is provided solely for implementation of Senate Bill No. 6143 (podiatric medical board). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.**

(65) **\$76,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6570 (law enforce. mental health). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.**

(66) **\$83,000 of the health professions account—state appropriation for fiscal year 2021 is provided solely for implementation of Senate Bill No. 6551 (international medical grads). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.**

(67) **\$20,000 of the health professions account—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute**

Senate Bill No. 6641 (sex offender treatment avail). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(68) \$492,000 of the general fund—state appropriation for fiscal year 2021 is 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 to support the costs of the development and adoption of rules, policies, and procedures, and for technical assistance, training, and other program-related costs.

(69) \$1,223,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to improve behavioral health and suicide prevention through any of the following: Implementation of the recommendations of the agricultural industry task force; providing support to tribes in developing and implementing culturally appropriate, evidence-based programs and tribal best practices to support youth and adults; developing continuing education for mental health professionals and partnering with agencies and organizations serving high-risk populations; and developing and implementing postvention aftercare programs, developing a community health worker training module, and creating a safer homes community campaign on suicide prevention.

(70) Within its existing resources, the department shall work with a stakeholder group to review current statutes, certification of practices in other states, and qualification standards regarding colon hydrotherapy and produce recommendations for implementation of a certification program for colon hydrotherapists in the state of Washington. The department must submit recommendations to the legislature no later than October 20, 2020.

(71) \$6,000 of the general fund—state appropriation for fiscal year 2020 and \$360,000 of the general fund—local appropriation is provided solely for staff, equipment, testing supplies, and materials necessary to add spinal muscular atrophy to the mandatory newborn screening panel. The department is authorized to increase the newborn screening fee by \$4.30 for this purpose. The department shall report to the fiscal committees of the legislature by December 1, 2020, if it anticipates that the amounts raised by the screening fee will not be sufficient to cover the costs of administering the program. The report shall identify the amount of any fee increase necessary to cover such costs.

(72) \$1,000,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to cover increased costs for the child profile health promotion notification system. The department shall review its processes for efficiencies and possible technological advances to reduce costs in future biennia. The department should review at least the following: (a) Use of technology; (b) frequency of communication; (c) available alternative funding sources; and (d) use of the system for other public awareness campaigns that might create new funding streams. The department shall report its findings and any recommendations to the legislature by December 15, 2020.

(73) Sufficient funding is provided in this section to implement Engrossed Substitute House Bill No. 2576 (private detention facilities).

**Sec. 221 is partially vetoed. See message at end of chapter.*

***Sec. 222.** 2019 c 415 s 222 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF CORRECTIONS

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, 2020, 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 2020 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 2020)	(\$68,636,000)
	\$68,583,000
General Fund—State Appropriation (FY 2021)	(\$69,672,000)
	\$74,332,000
General Fund—Federal Appropriation	\$400,000
Pension Funding Stabilization Account—State Appropriation	\$7,616,000
TOTAL APPROPRIATION	(\$146,324,000)
	\$150,931,000

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

~~((b))~~ (a) Within the funds appropriated in the subsection the department shall review and update the necessary business requirements for implementation of a comprehensive electronic health records system. The department will utilize its feasibility study from 2013 and the health informatics roadmap completed in 2017 to update its business requirements and complete a request for information process by May 31, 2021. The department shall submit a report to the governor and the legislature outlining the system specifications and a cost model for implementation no later than June 30, 2021. This subsection is subject to the conditions, limitations, and review requirements of ~~((section 719 of this act))~~ section 701 of this act.

~~((c))~~ (b) \$13,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1517 (domestic violence). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~

~~((d))~~ (c)(i) During the 2019-2021 fiscal biennium, the department must revise its agreements and contracts with vendors to include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(A) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(B) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(I) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.

(II) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(III) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(ii) The provision must allow for the termination of the contract if the department or department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(iii) The department must implement this provision with any new contract and at the time of renewal of any existing contract.

~~((e))~~ (d) The appropriations in this subsection include sufficient funding for the implementation of Second Substitute Senate Bill No. 5021 (DOC/interest arbitration).

(e) \$219,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Engrossed Second Substitute House Bill No. 1521 (government contracting). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2020)	(\$563,549,000)
	<u>\$564,329,000</u>
General Fund—State Appropriation (FY 2021)	(\$582,774,000)
	<u>\$599,334,000</u>
General Fund—Federal Appropriation	\$818,000
Washington Auto Theft Prevention Authority Account—	
State Appropriation	(\$4,680,000)
	<u>\$4,679,000</u>
Pension Funding Stabilization Account—State	
Appropriation	\$62,920,000
TOTAL APPROPRIATION	(\$1,214,741,000)
	<u>\$1,232,080,000</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 Yakima jail staff assigned to the unit. 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 meet 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) \$501,000 of the general fund—state appropriation for fiscal year 2020 and \$501,000 of the general fund—state appropriation for fiscal year 2021 are 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) The appropriations in this subsection include sufficient funding for the implementation of Substitute Senate Bill No. 5492 (motor vehicle felonies).

(d) \$1,861,000 of the general fund—state appropriation for fiscal year 2020 and \$1,861,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract for the costs associated with use of offender bed capacity in lieu of prison beds for a therapeutic community program in Yakima county. The department shall provide a report to the legislature by December 15, 2019, outlining the program, its outcomes, and any improvements made over the previous contracted beds.

(e) \$3,314,000 of the general fund—state appropriation for fiscal year 2020 and \$3,014,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase custody staffing in its prison facilities to provide watch staff for hospital stays, mental health needs, and suicide watches to reduce overtime hours. The department shall track and report to the legislature on the changes in working conditions and overtime usage for nursing services by November 15, 2019.

(f) (~~(\$1,774,000)~~) \$1,071,000 of the general fund—state appropriation for fiscal year 2020 and \$1,567,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement the settlement agreement in *Disability Rights Washington v. Inslee, et al.*, U.S. District Court for the Western District of Washington, cause No. 18-5071, for the portions of the agreement that require additional staff necessary to supervise individuals with greater out-of-cell time and to facilitate access to programming, treatment, and other required activities. If the settlement agreement is not fully executed and approved by the court before September 1, 2019, this appropriation shall lapse.

(g) (~~(\$764,000 of the general fund—state appropriation for fiscal year 2020 and~~) \$663,000 of the general fund—state appropriation for fiscal year 2021 ~~(are)~~ is provided solely for the department for payment of debt service associated with a certificate of participation for the equipment at the coyote ridge corrections center and its security electronics network project.

(h) \$16,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Third Substitute House Bill No. 1504 (impaired driving). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(i) \$335,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to install one additional body scanner at the Washington corrections center for women and one body scanner at the Monroe correctional complex. By November 1, 2021, the department shall submit a report to the governor and legislature on the effectiveness of the body scanners in detecting contraband in state correctional facilities. At a minimum, the report must include the following:

(i) How the increased custody and health care staff funded in state fiscal years 2020 and 2021 changed the working conditions and overtime usage relating to the implementation of the body scanner pilots at both facilities;

(ii) An overview of the effectiveness of the body scanner pilot at the male facility including but not limited to the differences in policies and practices implemented between male and female facilities;

(iii) The number of strip searches conducted at each piloted facility before and after installation of a body scanner;

(iv) The types of contraband intercepted and whether the person found in possession of the contraband was an incarcerated individual in the state correctional institution or whether the contraband was confiscated from a person other than a prisoner in the institution;

(v) The methods used for the possession or attempted delivery of contraband into or on the premises of the state correctional facility; and

(vi) The number of dry cell watches that occurred as a result of the body scanner installation, and the length of time individuals were placed on dry cell watch.

(j) \$97,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6476 (correctional services access). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2020)	(\$220,368,000)
	\$227,667,000
General Fund—State Appropriation (FY 2021)	(\$240,790,000)
	\$242,885,000
General Fund—Federal Appropriation	\$3,632,000
Pension Funding Stabilization Account—State Appropriation	\$12,800,000
TOTAL APPROPRIATION	(\$477,590,000)
	\$486,984,000

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

(a) \$1,320,000 of the general fund—state appropriation for fiscal year 2020 and \$2,560,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department of corrections to negotiate annual contract rate increases with local and tribal governments for jail capacity to house

offenders who violate the terms of their community supervision and must include increases for a regional jail serving the south King county area for providing enhanced medical services. 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.

(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))~~ (c) \$984,000 of the general fund—state appropriation for fiscal year 2020 and \$8,066,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to create two hundred work release beds in the community by the end of fiscal year 2021. The department shall create an implementation plan and provide a report to the legislature by September 1, 2019, that outlines when and where the work release facilities will be implemented.

~~((d))~~ (d) \$143,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1517 (domestic violence). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(e) Amounts provided in this subsection include additional funding for improving services to persons under community supervision. The savings from caseload reductions as a result of Substitute House Bill No. 2393 (community custody), Substitute House Bill No. 2394 (community custody), and Substitute House Bill No. 2417 (community custody terms) allow for investments as recommended by the sentencing guidelines commission and the criminal sentencing task force, in evidence-based supervision and reentry practices that support accountability and successful reintegration into the community. The department of corrections must report to the governor and the appropriate committees of the legislature on how additional funds are expended by June 30, 2021.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2020)	(\$6,448,000)
	\$6,471,000
General Fund—State Appropriation (FY 2021)	(\$6,590,000)
	\$6,580,000
Pension Funding Stabilization Account—State Appropriation	\$510,000
TOTAL APPROPRIATION	(\$13,548,000)
	\$13,561,000

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2020)	(\$46,625,000)
	\$47,835,000
General Fund—State Appropriation (FY 2021)	(\$45,238,000)
	\$49,181,000

TOTAL APPROPRIATION .....	..((\$91,863,000))
	<u>\$97,016,000</u>
 (6) OFFENDER CHANGE	
General Fund—State Appropriation (FY 2020) .....	..((\$59,538,000))
	<u>\$59,452,000</u>
General Fund—State Appropriation (FY 2021) .....	..((\$61,135,000))
	<u>\$62,460,000</u>
Pension Funding Stabilization Account—State	
Appropriation.	\$4,430,000
TOTAL APPROPRIATION .....	..((\$125,103,000))
	<u>\$126,342,000</u>

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 offender programming. The department shall develop and implement a written comprehensive plan for offender programming 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) ~~\$250,000~~ of the general fund—state appropriation for fiscal year 2020 and \$924,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for additional rental vouchers for individuals released from prison facilities or to increase the value of the rental voucher.

(c) \$9,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the implementation of Second Substitute Senate Bill No. 5433 (DOC/post secondary education). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(d)(i) \$1,156,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for costs relating to a pilot program for expanding educational programming to include postsecondary degrees and secure internet connections at up to three correctional institutions. The institutions chosen must be participating in the federal second chance Pell program. The internet connections are limited to the following purposes:

- (A) Adult basic education;
- (B) Completion of the free application for federal student aid or the Washington application for state financial aid; and

(C) Postsecondary education and training.
(ii) A report shall be submitted to the governor and the appropriate committees of the legislature by December 1, 2021, including:

(A) A description of how the secure internet connections were implemented, including any barriers or challenges;

(B) How many inmates participated in the programs that used the secure internet connections and a description of how the internet connection changed existing practices; and

(C) Data on whether the secure internet connection increased general education development or high school equivalency certificate completions; free application for federal student aid or Washington application for state financial

aid filings; access to Pell grants or other state financial aid; and postsecondary education and training credit, certificate, and degree completions.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2020)	(\$160,657,000)
	<u>\$164,516,000</u>
General Fund—State Appropriation (FY 2021)	(\$164,466,000)
	<u>\$174,549,000</u>
<u>General Fund—Federal Appropriation</u>	<u>\$1,400,000</u>
TOTAL APPROPRIATION	(\$325,123,000)
	<u>\$340,465,000</u>

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.

(b) \$895,000 of the general fund—state appropriation for fiscal year 2020 and \$895,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase on call nursing and overtime staff in order to cover required nursing posts in its prison facilities. The department shall track and report to the legislature on the changes in working conditions and overtime usage for nursing services by December 21, 2019.

(c) ~~(\$174,000)~~ \$108,000 of the general fund—state appropriation for fiscal year 2020 and \$164,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement the settlement agreement in *Disability Rights Washington v. Inslee, et. al.*, United States District Court for the Western District of Washington, Cause No. 18-5071, for the portions of the agreement that require additional staff necessary to supervise individuals with greater out-of-cell time and to facilitate access to programming, treatment and other required activities. If the settlement agreement is not fully executed and approved by the court before September 1, 2019, the amounts provided in this subsection shall lapse.

(d) \$73,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6476 (correctional services access). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

*Sec. 222 is partially vetoed. See message at end of chapter.

Sec. 223. 2019 c 415 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund—State Appropriation (FY 2020)	(\$3,653,000)
	<u>\$3,611,000</u>
General Fund—State Appropriation (FY 2021)	\$3,971,000
General Fund—Federal Appropriation	\$25,492,000
General Fund—Private/Local Appropriation	\$60,000
Pension Funding Stabilization Account—State Appropriation	\$172,000
TOTAL APPROPRIATION	(\$33,348,000)
	<u>\$33,306,000</u>

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

(1) \$275,000 of the general fund—state appropriation for fiscal year 2020 and \$275,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for vocational rehabilitation supported employment services for additional eligible clients with visual disabilities who would otherwise be placed on the federally required order of selection waiting list.

(2) \$115,000 of the general fund—state appropriation for fiscal year 2020 and \$115,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the independent living program.

Sec. 224. 2019 c 415 s 224 (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund—State Appropriation (FY 2020)	\$35,000
General Fund—State Appropriation (FY 2021)	(\$35,000)
	<u>\$910,000</u>
General Fund—Federal Appropriation	(\$224,813,000)
	<u>\$252,209,000</u>
General Fund—Private/Local Appropriation	(\$36,401,000)
	<u>\$36,421,000</u>
Unemployment Compensation Administration	
Account—Federal Appropriation	(\$299,413,000)
	<u>\$278,678,000</u>
Administrative Contingency Account—State	
Appropriation	(\$26,248,000)
	<u>\$26,256,000</u>
Employment Service Administrative Account—	
State Appropriation	(\$54,315,000)
	<u>\$66,060,000</u>
Family and Medical Leave Insurance Account—	
State Appropriation	(\$78,290,000)
	<u>\$129,563,000</u>
Long-Term Services and Supports Trust Account—	
State Appropriation	\$14,103,000
TOTAL APPROPRIATION	(\$733,653,000)
	<u>\$804,235,000</u>

The appropriations in this subsection 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) \$70,000 of the employment service administrative account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(3) \$3,516,000 of the employment service administrative account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5438 (ag & seasonal workforce srv). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(4) \$4,636,000 of the employment service administrative account—state appropriation is provided solely for the statewide reentry initiative to connect incarcerated individuals to employment resources prior to and after release.

(5) \$14,103,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1087 (long-term services and support). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(6) \$162,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute House Bill No. 1399 (paid family and medical leave). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(7) \$875,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to expand career connected learning program intermediary grants.

(8) \$50,948,000 of the family and medical leave insurance account—state appropriation is provided solely to increase staffing levels and funding for the paid family medical leave program in order to align with projected business needs. 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 office of financial management by September 1, 2020.

(9) \$491,000 of the employment service administrative account—state appropriation is provided solely for implementation of Substitute House Bill No. 2308 (job title reporting). Of the amount provided in this subsection, \$208,000 of employment service administrative account—state appropriation is subject to the conditions, limitations, and review provided in section 701 of this act. If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(10)(a) 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.

(b) Within existing resources, by December 1, 2020, the department shall submit a report to the governor and the appropriate committees of the legislature concerning the ability for the paid family and medical leave program and a statewide family resource, referral, and linkage system to provide integrated services to eligible beneficiaries. The report shall include an analysis of any statutory changes needed to allow information and data to be shared between the statewide family resource, referral, and linkage system and the paid family and medical leave program.

(11) \$11,019,000 of the employment services administrative account—state appropriation is provided solely for increased compensation and other administrative costs that federal grant dollars are insufficient to cover. The department shall report the following to the legislature and the governor by September 30, 2020:

(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 each fiscal year from fiscal year 2014 through fiscal year 2020, and the applicable rules;

(c) State funding available to the department, segregated by line of business or activity, for each fiscal year from fiscal year 2014 through fiscal year 2020;

(d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for each fiscal year from fiscal year 2014 through fiscal year 2020; and

(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.

*Sec. 225. 2019 c 415 s 225 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

(1)(a) The appropriations to the department of children, youth, and families in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2020, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2020 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 2020 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and the juvenile rehabilitation programs, the department may transfer appropriations that are provided solely for a specified purpose.

(2) CHILDREN AND FAMILIES SERVICES PROGRAM

General Fund—State Appropriation (FY 2020)	(\$399,796,000))
	\$401,235,000
General Fund—State Appropriation (FY 2021)	(((\$412,306,000))
	\$411,209,000
General Fund—Federal Appropriation	(((\$542,242,000))
	\$458,790,000
General Fund—Private/Local Appropriation	\$2,824,000
Pension Funding Stabilization Account—State Appropriation	(((\$27,892,000))
	\$24,916,000
TOTAL APPROPRIATION	(((\$1,385,060,000))
	\$1,298,974,000

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

(a) \$748,000 of the general fund—state appropriation for fiscal year 2020 and \$748,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to contract for the operation of one pediatric interim care center.

The center shall provide residential care for up to thirteen 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 management as a condition of the contract.

(b) ~~\$253,000 of the general fund—state appropriation for fiscal year 2020 and ((~~\$253,000~~))~~ \$662,000 of the general fund—state appropriation for fiscal year 2021 ~~(is)~~ are provided solely for the costs of hub home foster families that provide a foster care delivery model that includes a ((~~licensed~~)) hub home. Use of the hub home model is intended to support foster parent retention, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(i) Of the amounts provided in this subsection, \$253,000 of the general fund—state appropriation for fiscal year 2020 and \$253,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the costs of existing hub home foster family constellations.

(ii) Of the amounts provided in this subsection, \$231,000 of the general fund—state appropriation for fiscal year 2021 appropriation is provided solely to expand the number of hub home constellations and provide technical assistance for existing constellations.

(iii) Of the amounts provided in this subsection, \$178,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a contract with an organization with expertise in implementing the hub home model with fidelity to identify and train organizations serving kinship caregivers in eastern and western Washington with the goal of establishing additional hub home constellations to provide respite, training, and support to kinship caregivers. The department of children, youth, and families shall make available to the contracted organization information about the rates of placement of children with relative caregivers in order for the contracted organization to identify appropriate locations for expanding the model.

(c) \$579,000 of the general fund—state appropriation for fiscal year 2020 and \$579,000 of the general fund—state appropriation for fiscal year 2021 and \$110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(d) \$1,245,000 of the general fund—state appropriation for fiscal year 2020 and \$1,245,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for services provided through children's advocacy centers. Of the amounts provided in this subsection, \$255,000 of the general fund—state appropriation for fiscal year 2020 and \$255,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for an expansion to child advocacy center services.

(e) ~~\$1,884,000 of the general fund—state appropriation for fiscal year 2020 and ((~~\$1,884,000~~))~~ \$2,400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020. Of the amounts provided in this subsection, \$533,000 of the general fund—state

appropriation for fiscal year 2020 and ~~(((\$533,000))~~ \$1,049,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to expand performance-based contracts through network administrators.

(f) ~~(((\$3,291,000))~~ \$2,799,000 of the general fund—state appropriation for fiscal year 2020, ~~(((\$5,998,000))~~ \$1,754,000 of the general fund—state appropriation for fiscal year 2021, and ~~(((\$5,876,000))~~ \$5,444,000 of the general fund—federal appropriation are provided solely for social worker and related staff to receive, refer, and respond to screened-in reports of child abuse and neglect pursuant to chapter 208, Laws of 2018.

(g) Beginning October 1, 2019, and each calendar quarter thereafter, 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))~~ 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:

(i) Total full time equivalent employee authority, allotments and expenditures by region, office, classification and band, and job duty or program;

(ii) Vacancy rates by region, office, and classification and band; and

(iii) 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.

(h) \$94,000 of the general fund—state appropriation for fiscal year 2020 and \$94,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(i) \$3,910,000 of the general fund—state appropriation for fiscal year 2020 and \$3,910,000 of the general fund—state appropriation for fiscal year 2021 and \$2,336,000 of the general fund—federal appropriation are provided solely for the department to reduce the caseload ratios of social workers serving children in foster care, to promote decreased lengths of stay and to make progress towards achievement of the Braam settlement caseload outcomes.

(j)(A) \$539,000 of the general fund—state appropriation for fiscal year 2020 and \$540,000 of the general fund—state appropriation for fiscal year 2021, \$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, or regions where backlogs of youth that have formerly requested educational outreach services exist. 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.

(k) The department shall continue to implement policies to reduce the percentage of parents requiring supervised visitation, including clarification of the threshold for transition from supervised to unsupervised visitation prior to reunification.

(l) \$375,000 of the general fund—state appropriation for fiscal year 2020 and \$375,000 of the general fund—state appropriation for fiscal year 2021 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.

(m) 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.

(n) \$1,230,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$1,230,000)~~ \$2,230,000 of the general fund—state appropriation for fiscal year 2021 and \$156,000 of the general fund—federal appropriation are provided solely to increase the travel reimbursement for in-home service providers.

(o) The department is encouraged to control exceptional reimbursement decisions so that the child's needs are met without excessive costs.

(p) \$197,000 of the general fund—state appropriation for fiscal year 2020 and \$197,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(q) ~~(\$1,740,000)~~ \$5,040,000 of the general fund—state appropriation for fiscal year 2020 ~~(and \$1,741,000)~~ \$6,051,000 of the general fund—state appropriation for fiscal year 2021 ~~(is)~~, and \$846,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement contracts. Of the amounts provided in this subsection (2)(q), \$1,037,000 of the general fund—state appropriation for fiscal year 2021 and \$115,000 of the general fund—federal appropriation are provided solely for contracts with enhanced therapeutic services and greater staff-to-child ratios. 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.

(r) The appropriations in this section include sufficient funding for continued implementation of Chapter 80, Laws of 2018 (2SSB 6453) (kinship caregiver legal support).

(s)(i) \$10,828,000 of the general fund—state appropriation for fiscal year 2020, \$10,993,000 of the general fund—state appropriation for fiscal year 2021, and \$13,365,000 of the general fund—federal appropriation are provided solely for rate increases for behavioral rehabilitation services providers. The department shall modify the rate structure to one that is based on placement setting rather than acuity level pursuant to the rate study submitted in December 2018.

(ii) Beginning January 1, 2020, and continuing through the 2019-2021 fiscal biennium, the department must provide semi-annual 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 first six months of calendar year 2019. Beginning in state fiscal year 2021, the report shall identify beds with the behavioral rehabilitation services-plus services rate in (ii) of this subsection.

(t) Within existing resources, the department shall implement Engrossed Second Substitute Senate Bill No. 5291 (confinement alts./children).

(u) \$530,000 of the general fund—state appropriation for fiscal year 2021 and \$106,000 of the general fund—federal appropriation are provided solely to contract with a community organization with expertise in the yvlifset case management model to serve youth and young adults currently being served or exiting the foster care, juvenile justice, and mental health systems to successfully transition into self-reliant adults.

~~(\$767,000 of the general fund—state appropriation for fiscal year 2020 and \$766,000)~~ (v) \$1,533,000 of the general fund—state appropriation for fiscal year 2021 ~~(are)~~ is provided solely for implementation of ~~(Second Substitute Senate Bill No. 5718 (child welfare housing assistance). If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.)~~ chapter 328, Laws of 2019 (2SSB 5718). Of the amount provided in this subsection, \$767,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to provide short-term housing assistance to families that must not result in ongoing expenditures after June 30, 2021, consistent with the requirements of chapter 328, Laws of 2019 (2SSB 5718).

~~((+))~~ (w) \$413,000 of the general fund—state appropriation for fiscal year 2020, ~~(\$413,000)~~ \$513,000 of the general fund—state appropriation for fiscal year 2021, and \$826,000 of the general fund—federal appropriation are provided solely to increase family reconciliation services. The appropriations in this section include sufficient funding to implement Substitute House Bill No. 2873 (families in conflict).

~~((w))~~ (x) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 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.

~~((s))~~ (y) The department of children, youth, and families shall enter into interagency agreements with the office of public defense and office of civil legal aid to facilitate the use of federal Title IV-E reimbursement for parent representation and child representation services.

~~((r))~~ (z) \$146,000 of the general fund—state appropriation for fiscal year 2020 and \$147,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5955 (DCYF/statewide system). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~(z) \$7,586,000)~~ (aa) \$15,046,000 of the general fund—federal appropriation is provided solely for the department of children, youth, and families to leverage federal title IV-E funds available under the family first prevention services act for qualifying services and families.

(i) In fiscal year 2020, the department shall work with the department of social and health services to complete an evaluation of kinship navigator services that would enable establishment of a well-supported, supported, or promising practice model.

(ii) No later than December 1, 2019, the department shall report to the governor and appropriate legislative committees on the feasibility of claiming federal title IV-E reimbursement in fiscal year 2021 for home visiting services and kinship navigator services. The report shall include the estimated share of the current population receiving home visiting services whom the department would consider candidates for foster care for the purposes of title IV-E reimbursement under the family first prevention services act, and the estimated workload impacts for the department to identify and document the candidacy of populations receiving home visiting services.

~~((aa))~~ (bb) \$443,000 of the general fund—state appropriation for fiscal year 2020, \$443,000 of the general fund—state appropriation for fiscal year 2021, and \$818,000 of the general fund—federal appropriation are provided solely for ten child and family welfare services case workers.

~~((bb) \$379,000 of the general fund—state appropriation for fiscal year 2020 and \$871,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department of children, youth, and families to contract with a county-wide nonprofit organization with early childhood expertise in Pierce county for a pilot project to prevent child abuse and neglect using nationally recognized models. Of the amounts provided:~~

~~(i) \$323,000 of the general fund—state appropriation for fiscal year 2020 and \$333,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the nonprofit organization to convene stakeholders to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.~~

~~(ii) \$56,000 of the general fund—state appropriation for fiscal year 2020 and \$539,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the nonprofit organization to 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 December 1, 2019.)

(cc) \$400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a contract with a national nonprofit organization to, in partnership with private matching funds, subcontract with a community organization for specialized, enhanced adoption placement services for legally free children in state custody. The contract must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(dd) \$666,000 of the general fund—state appropriation for fiscal year 2021 and \$74,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1645 (parental improvement). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(ee) \$937,000 of the general fund—state appropriation for fiscal year 2021 and \$66,000 of the general fund—federal appropriation are provided solely to implement Engrossed Third Substitute House Bill No. 1775 (sexually exploited children). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(ff) \$499,000 of the general fund—state appropriation for fiscal year 2021 and \$155,000 of the general fund—federal appropriation are provided solely to implement Substitute House Bill No. 2525 (family connections program). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(gg) \$498,000 of the general fund—state appropriation for fiscal year 2021 and \$93,000 of the general fund—federal appropriation are provided solely to increase all fees paid to child-placing agencies by 7.5 percent, effective July 1, 2020.

(hh) \$5,159,000 of the general fund—state appropriation for fiscal year 2021 and \$1,870,000 of the general fund—federal appropriation are provided solely to increase the basic foster care maintenance rate by an average of \$110 per month per child for all age groups effective July 1, 2020.

(ii) \$3,175,000 of the general fund—state appropriation for fiscal year 2021 and \$2,117,000 of the general fund—federal appropriation are provided solely to establish behavioral rehabilitation services-plus contracts to serve dependent youth whose needs cannot be met in regular behavioral rehabilitation services, and who may be transitioning from a hospital or other inpatient treatment, emergent placement services, a hotel stay, or an out-of-state placement. Contracts for behavioral rehabilitation services-plus must offer enhanced rates that support therapeutic services, appropriate staff-to-child ratios, and placement stabilization.

(jj) \$696,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a contract with an organization or organizations with expertise in foster youth advocacy to help cover the costs of extracurricular

activities for foster youth. The uses of amounts provided in this subsection must reflect foster youth choice regarding their participation in extracurricular activities.

(kk) 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.

(ll) No later than October 1, 2020, the department shall complete the following and report its findings to the appropriate legislative committees:

(a) Develop a proposed rate for contracted parent-child visitation providers that would accommodate a supportive visitation approach. The report must include a cost estimate to implement the proposed rate, and information on potential cost savings associated with supportive visitation; and

(b) Work with a University of Washington-based research organization that is overseeing implementation of the supportive visitation model in described in section 225(1)(x) of this act to evaluate the impact of the model on outcome measures and cost savings. To facilitate this work, the department must establish data collection and evaluation methodologies to assess the impact of this model, as well as that of any other supportive visitation efforts undertaken by the department.

(mm) \$1,080,000 of the general fund—state appropriation for fiscal year 2021 and \$720,000 of the general fund—federal appropriation are provided solely for the department to engage with a behavioral rehabilitation services or behavioral rehabilitation services-plus provider or providers who previously provided behavioral rehabilitation services to the state but who do not have a contract with the department on the effective date of this section, and who can serve dependent youth whose needs require a staff-to-child ratio that is higher than one staff to three children. The funding in this subsection is provided on a one-time basis for fiscal year 2021 only.

(nn) \$139,000 of the general fund—state appropriation for fiscal year 2021 and \$26,000 of the general fund—federal appropriation are provided solely to implement Engrossed Second Substitute Senate Bill No. 5291 (confinement alts./children). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

~~((2))~~ (3) JUVENILE REHABILITATION PROGRAM

General Fund—State Appropriation (FY 2020)	(\$100,860,000)
	\$100,445,000
General Fund—State Appropriation (FY 2021)	(\$101,604,000)
	\$111,895,000
General Fund—Federal Appropriation	\$3,464,000
General Fund—Private/Local Appropriation	(\$1,985,000)
	\$1,790,000
Washington Auto Theft Prevention Authority	
Account—State Appropriation	\$196,000
Pension Funding Stabilization Account—State	
Appropriation	\$8,362,000

TOTAL APPROPRIATION((~~\$216,471,000~~))
\$226,152,000

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

(a) \$331,000 of the general fund—state appropriation for fiscal year 2020 and \$331,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(b) \$2,841,000 of the general fund—state appropriation for fiscal year 2020 and \$2,841,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grants to county juvenile courts for the juvenile justice 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." 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.

(c) \$1,537,000 of the general fund—state appropriation for fiscal year 2020 and \$1,537,000 of the general fund—state appropriation for fiscal year 2021 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.

(d)(i) \$6,198,000 of the general fund—state appropriation for fiscal year 2020 and \$6,198,000 of the general fund—state appropriation for fiscal year 2021 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.

(ii) 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 (CJS) funds, community juvenile accountability act (CJAA) grants, chemical dependency/mental health disposition alternative (CDDA), and suspended disposition alternative (SDA).

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: (A) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (B) fifteen percent for the assessment of low, moderate, and high-risk youth; (C) twenty-five percent for evidence-based program participation; (D) seventeen and one-half percent for minority populations; (E) three percent for the chemical dependency and mental health disposition alternative; and (F) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) 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.

(iii) 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 (d)(ii) 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.

(iv) 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.

(e) \$557,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$557,000)~~) \$707,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for funding of the teamchild project.

(f) \$283,000 of the general fund—state appropriation for fiscal year 2020 and \$283,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the juvenile detention alternatives initiative.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 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.

(h) 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.

(i) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 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.

(j) \$432,000 of the general fund—state appropriation for fiscal year 2020 and \$432,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(k) ~~(\$2,063,000)~~ \$4,179,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$1,606,000)~~ \$7,516,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1646 (juvenile rehabilitation confinement). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(l) \$80,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a contract with a non-governmental entity to research youth violence prevention strategies and explore new and existing resources to implement evidence-based youth prevention strategies in the city of Federal Way.

(m) \$200,000 of the general fund—state appropriation for fiscal year 2020 is provided for the department to measure the fidelity of the evidence-based interventions incorporated into the integrated treatment model. By July 1, 2020, the department must report to the governor and the appropriate fiscal and policy committees of the legislature on the results of the assessment of the integrated treatment model.

(n) \$425,000 of the general fund—state appropriation for fiscal year 2021 is 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 September 15, 2021.

(o) \$800,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of juvenile justice to establish a grant program for evidence-based services to youth who are at high risk to perpetrate gun violence and who reside in areas with high rates of gun violence.

(i) Priority shall be given to one site serving in south King county and one site in Yakima county.

(ii) Priority for funding shall be given to sites who partner with the University of Washington to deliver family integrated transition services through use of credible messenger advocates.

(p) \$25,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the juvenile rehabilitation administration to contract with a cultural-based education, rehabilitation, and positive identity formation program to host music, dance, therapeutic African drumming, and cultural awareness workshops at Naselle youth camp.

(q) \$1,059,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Second Substitute House Bill No. 2277 (youth solitary confinement). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(r) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department of children, youth, and families to fund an educational advocate for the city of Yakima. The advocate will provide intervention services to youth identified as most at risk to engage in firearm violence.

~~((3))~~ (4) EARLY LEARNING PROGRAM

General Fund—State Appropriation (FY 2020)	(\$232,310,000)
	\$206,082,000
General Fund—State Appropriation (FY 2021)	(\$246,369,000)
	\$347,513,000
General Fund—Federal Appropriation	(\$444,984,000)
	\$412,831,000
General Fund—Private/Local Appropriation	(\$100,000)
	\$1,115,000
Education Legacy Trust Account—State Appropriation	(\$28,336,000)
	\$28,156,000
Home Visiting Services Account—State Appropriation	(\$14,798,000)
	\$14,926,000
Home Visiting Services Account—Federal Appropriation	(\$27,677,000)
	\$28,523,000
Washington Opportunity Pathways Account—	
State Appropriation	\$80,000,000
Pension Funding Stabilization Account—State	
Appropriation	\$3,900,000
TOTAL APPROPRIATION	(\$1,078,474,000)
	\$1,123,046,000

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

(a)(i) (~~(\$81,236,000)~~) \$80,273,000 of the general fund—state appropriation for fiscal year 2020, (~~(\$89,410,000)~~) \$97,570,000 of the general fund—state appropriation for fiscal year 2021, (~~(\$24,250,000)~~) \$24,070,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 14,000 slots in fiscal year 2020 and 14,662 slots in fiscal year 2021. Of the 14,662 slots in fiscal year 2021, 50 slots must be reserved for foster children to receive school-year-round enrollment.

~~(ii) (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.)~~ \$6,903,000 of the general fund—state appropriation in fiscal year 2021 is for a slot rate increase of five percent beginning in fiscal year 2021.

(b) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(c) 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.

(d) (~~(\$76,453,000)~~) \$51,815,000 of the general fund—state appropriation in fiscal year 2020, (~~(\$82,736,000)~~) \$80,265,000 of the general fund—state appropriation in fiscal year 2021, and \$283,375,000 of the general fund—federal appropriation are provided solely for the working connections child care program under (~~(RCW 43.215.135)~~) RCW 43.216.135. Of the amounts provided in this subsection:

(i) \$78,101,000 of the general fund—state appropriation shall be claimed toward the state's temporary assistance for needy families federal maintenance of effort requirement. The department shall work in collaboration with the department of social and health services 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 monthly temporary assistance for needy families reimbursement.

(ii) \$44,103,000 is for the compensation components of the 2019-2021 collective bargaining agreement covering family child care providers as provided in section 943 of this act.

(iii) \$28,000 of the general fund—state appropriation for fiscal year 2020 and \$1,359,000 of the general fund—state appropriation for fiscal year 2021 are

provided solely for implementation of Second Substitute House Bill No. 1303 (child care/higher education) ~~((or Engrossed Second Substitute House Bill No. 2158 (workforce education investment). If neither bill is enacted by June 30, 2019, the amounts provided in this subsection (d)(iii) shall lapse)).~~

(iv) \$526,000 of the general fund—state appropriation for fiscal year 2020 and \$519,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1603 (economic assistance programs). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection (d)(iv) shall lapse.))~~

(v) \$1,901,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute House Bill No. 2456 (working connect. eligibility). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(vi) \$7,000 of the general fund—state appropriation for fiscal year 2020 and \$645,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute House Bill No. 2455 (high school/child care). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(vii) ~~(((\$101,414,000))~~ \$133,354,000 is for subsidy rate increases for child care center providers. Funding in this subsection is sufficient to achieve the 55th percentile of market at a level 3 standard of quality in fiscal year 2020 and the 65th percentile of market for both centers and licensed family homes at a level 2 standard of quality and providers of care for school aged children in fiscal year 2021. The state and the representative for family child care providers must enter into bargaining over the implementation of subsidy rate increases, and apply those increases consistent with the terms of this proviso and the agreement reached between the parties.

~~((~~(*)~~))~~ *(viii) \$6,000,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to reduce working connections child care monthly copayments for consumers with income that is less than two hundred twenty percent of the federal poverty guidelines to twelve percent or less of a consumer's countable income. Funding provided within this subsection shall also be used to reduce the child care subsidy cliff by expanding second tier eligibility for the program to consumers with countable income below two hundred fifty percent of the federal poverty level. The department shall report to the legislature no later than June 1, 2020, regarding the estimated number of consumers with income below two hundred twenty percent of the federal poverty level whose copayments will be relieved; the estimated number of consumers who will qualify for the expanded second tier eligibility under this subsection; and the copayment amounts that consumers who qualify for the expanded second tier eligibility under this subsection will pay in order for the department to implement these changes within the funding provided.*

(ix) In order to not exceed the appropriated amount, the department shall manage the program so that the average monthly caseload does not exceed 33,000 households and the department shall give prioritized access into the program according to the following order:

(A) Families applying for or receiving temporary assistance for needy families (TANF);

- (B) TANF families curing sanction;
- (C) Foster children;
- (D) Families that include a child with special needs;
- (E) Families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center;
- (F) Families with a child residing with a biological parent or guardian who have received child protective services, child welfare services, or a family assessment response from the department in the past six months, and have received a referral for child care as part of the family's case management;
- (G) Families that received subsidies within the last thirty days and:
 - (I) Have reapplied for subsidies; and
 - (II) Have household income of two hundred percent of the federal poverty level or below; and
- (H) All other eligible families.

~~((vii))~~ (x) The department, in collaboration with the department of social and health services, must submit a follow-up report by December 1, 2019, to the governor and the appropriate fiscal and policy committees of the legislature on quality control measures for the working connections child care program. The report must include:

(A) An updated narrative of the procurement and implementation of an improved time and attendance system, including an updated and detailed accounting of the final costs of procurement and implementation;

(B) An updated and comprehensive description of all processes, including computer algorithms and additional rule development, that the department and the department of social and health services have implemented and that are planned to be implemented to avoid overpayments. The updated report must include an itemized description of the processes implemented or planned to be implemented to address each of the following:

(I) Ensure the department's auditing efforts are informed by regular and continuous alerts of the potential for overpayments;

(II) Avoid overpayments, including the billing of more regular business days than are in a month, to the maximum extent possible and expediently recover overpayments that have occurred;

(III) Withhold payment from providers when necessary to incentivize receipt of the necessary documentation to complete an audit;

(IV) Establish methods for reducing future payments or establishing repayment plans in order to recover any overpayments;

(V) Sanction providers, including termination of eligibility, who commit intentional program violations or fail to comply with program requirements, including compliance with any established repayment plans;

(VI) Consider pursuit of prosecution in cases with fraudulent activity; and

(VII) Ensure two half-day rates totaling more than one hundred percent of the daily rate are not paid to providers; and

(C) A description of the process by which fraud is identified and how fraud investigations are prioritized and expedited.

~~((viii))~~ (xi) Beginning July 1, 2019, and annually thereafter, 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:

- (A) A summary of the number of overpayments that occurred;
- (B) The reason for each overpayment;
- (C) The total cost of overpayments;
- (D) A comparison to overpayments that occurred in the past two preceding fiscal years; and
- (E) 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.

(f) \$1,560,000 of the general fund—state appropriation for fiscal year 2020 and \$1,560,000 of the general fund—state appropriation for fiscal year 2021 and \$13,424,000 of the general fund—federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(g) \$379,000 of the general fund—state appropriation for fiscal year 2020 and \$871,000 of the general fund—state appropriation for fiscal year 2021 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 pilot project to prevent child abuse and neglect using nationally recognized models. Of the amounts provided:

(i) \$323,000 of the general fund—state appropriation for fiscal year 2020 and \$333,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the nonprofit organization to convene stakeholders to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(ii) \$56,000 of the general fund—state appropriation for fiscal year 2020 and \$539,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the nonprofit organization to 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 December 1, 2019.

(h) ((\$4,674,000)) \$4,653,000 of the general fund—state appropriation for fiscal year 2020, ((\$3,598,000)) \$3,587,000 of the general fund—state appropriation for fiscal year 2021, and \$1,076,000 of the general fund—federal 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 ensure that contracted providers pursue receipt of federal funding associated with the early support for infants and toddlers program. Priority for services shall be given to children referred from the department.

~~((h))~~ (i) \$38,622,000 of the general fund—state appropriation for fiscal year 2020, \$38,095,000 of the general fund—state appropriation for fiscal year 2021 and \$33,908,000 of the general fund—federal appropriation are provided solely to maintain the requirements set forth in chapter 7, Laws of 2015, 3rd sp. sess. 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. Of the amounts provided in this subsection:

(i) \$1,728,000 of the general fund—state appropriation for fiscal year 2020 and \$1,728,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(ii) \$17,955,000 is for quality improvement awards, of which \$1,650,000 is to provide a \$500 increase for awards for select providers rated level three to five in accordance with the 2019-2021 collective bargaining agreement covering family child care providers as set forth in section 943 of this act.

(iii) \$1,283,000 of the general fund—state appropriation for fiscal year 2020 and \$417,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1391 (early achievers program). ~~(If the bill is not enacted by June 30, 2019, the amounts provided in this subsection (h)(iii) shall lapse.~~

~~((j))~~ (v) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

~~((k))~~ (k) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

~~((l))~~ (l) 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.

~~((m))~~ (m)(i)(A) The department is required to 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.

(ii) 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.

~~((m))~~ (n) 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.

~~((m))~~ (o) \$5,157,000 of the general fund—state appropriation for fiscal year 2020 and \$4,938,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for components of the 2019-2021 collective bargaining agreement covering family child care providers as set forth in section 943 of this act. Of the amounts provided in this subsection:

(i) \$1,302,000 is for the family child care provider 501(c)(3) organization for board-approved training;

(ii) \$230,000 is for increasing training reimbursement up to \$250 per person;

(iii) \$115,000 is for training on the electronic child care time and attendance system;

(iv) \$3,000,000 is to maintain the career development fund;

(v) \$5,223,000 is for up to five days of substitute coverage per provider per year through the state-administered substitute pool.

(vi) \$226,000 is to provide an increase to monthly health care premiums.

~~((p))~~ (p) \$219,000 of the general fund—state appropriation for fiscal year 2020 and \$219,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 236, Laws of 2017 (SHB 1445) (dual language in early learning & K-12).

~~((p))~~ (q) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 202, Laws of 2017 (E2SHB 1713) (children's mental health).

~~((p))~~ (r) \$317,000 of the general fund—state appropriation for fiscal year 2020 and \$317,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to continue a four year pilot for implementation of chapter 162, Laws of 2017 (SSB 5357) (outdoor early learning programs).

~~((#))~~ (s) Within existing resources, the department shall implement Substitute Senate Bill No. 5089 (early learning access).

~~((#))~~ (t) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for additional facilitated play groups offered statewide to family, friend, and neighbor child care providers.

~~((#))~~ (u)(i) The department of children, youth, and families, in consultation with the office of the superintendent of public instruction, the office of financial management, and the caseload forecast council must develop a proposal to transfer the annual allocations appropriated in the omnibus appropriations act for early intervention services for children with disabilities from birth through two years of age, from the superintendent of public instruction to the department of children, youth, and families beginning July 1, 2020. The department must submit a model detailing how allocations for this program will be determined and identifying the necessary statutory changes to the office of financial management and the fiscal committees of the legislature no later than September 1, 2019.

(ii) Beginning July 1, 2019, there shall be an administrative limit of five percent on all state funds allocated to school districts for early intervention services for children with disabilities from birth through two years of age.

~~((#))~~ (v) \$750,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the expanded learning opportunity quality initiative pursuant to RCW 43.216.085(3)(d). No later than December 1, 2020, the department shall submit a report to the governor and the appropriate committees of the legislature regarding the outcomes of this pilot program and recommendations for future implementation that includes phasing-out the need for ongoing state support.

~~((#))~~ (w) \$3,779,000 of the home visiting services—state appropriation and \$3,779,000 of the home visiting services—federal appropriation are provided solely for the department to contract for additional home visiting slots. To maximize the use of available federal funding, to the greatest extent possible, the department shall use these additional slots to serve families where one or more children are candidates for foster care. The federal amount in this subsection is contingent on the services and children being eligible under the federal family first prevention services act, P.L. 115-123. The department may not allocate the federal funds to contractors unless the federal funding requirements are met.

~~((#))~~ (x) \$9,000 of the general fund—state appropriation for fiscal year 2020 and \$9,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1344 (child care access work group). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

~~((#))~~ (y) \$773,000 of the general fund—state appropriation for fiscal year 2020 and \$773,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5903 (children's mental health). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(z) \$231,000 of the general fund—state appropriation for fiscal year 2020 and \$144,000 of the general fund—state appropriation for fiscal year 2021 are

provided solely for the department of children, youth, and families to collaborate with the office of the superintendent of public instruction to complete a report with options and recommendations for administrative efficiencies and long-term strategies that align and integrate high-quality early learning programs administered by both agencies. The report shall address capital needs, data collection and data sharing, licensing changes, quality standards, options for community-based and school-based settings, fiscal modeling, and any statutory changes needed to achieve administrative efficiencies. The report is due to the governor and the appropriate legislative committees by September 1, 2020.

(aa) \$95,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to contract with the Walla Walla school district to repurpose an elementary school into an early learning center to serve as a regional prekindergarten facility. The early learning center must provide birth to five services such as parent education and supports, child care, and early learning programs.

(bb) \$3,523,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to provide one-time scholarships for licensed family homes, child care center providers, and interested early learning providers to meet licensing requirements or meet ECEAP staff qualifications. Scholarships must support early childhood education associate degrees offered at state community and technical colleges or the early childhood education stackable certificates. The department shall administer the scholarship program and leverage the infrastructure established with early achievers grants.

(cc) \$246,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to develop and administer the early learning dual language grant program.

(i) The program shall consist of two competitive grant processes: One for child care providers and one for early childhood education and assistance program contractors. The department shall identify criteria for awarding the grants, evaluate applicants, and award grant funds. Beginning September 1, 2020, the department must award up to:

(A) Five two-year grants to eligible child care providers interested in establishing or converting to a dual language program; and

(B) Five two-year grants to early childhood education and assistance program contractors to support new early childhood education and assistance program dual language classrooms. At least two of the five grants must be awarded to tribal early childhood education and assistance program contractors.

(ii) It is the intent of the legislature that the department shall award grants in every even-numbered year, and that grant awards must be limited to one award per contractor or provider per biennium.

(dd) \$500,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute House Bill No. 2556 (early learning provider regs). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(ee) \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of House Bill No. 2619 (early learning access). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(ff) \$91,991,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for payments to providers for the early support for infants and toddlers program to implement Substitute House Bill No. 2787 (infants and toddlers program). Beginning September 1, 2020, funding for this purpose is transferred from the office of the superintendent of public instruction. Funding and eligibility are associated with the 0-2 special education caseload prepared by the caseload forecast council.

~~((4))~~ (5) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2020)	(\$75,435,000)
	<u>\$118,341,000</u>
General Fund—State Appropriation (FY 2021)	(\$76,908,000)
	<u>\$119,408,000</u>
General Fund—Federal Appropriation	(\$55,824,000)
	<u>\$162,520,000</u>
<u>General Fund—Private/Local Appropriation</u>	<u>\$195,000</u>
<u>Education Legacy Trust Account—State Appropriation</u>	<u>\$180,000</u>
<u>Home Visiting Services Account—State Appropriation</u>	<u>\$472,000</u>
<u>Home Visiting Services Account—Federal Appropriation</u>	<u>\$354,000</u>
Pension Funding Stabilization Account—State	
Appropriation	(\$14,000)
	<u>\$2,990,000</u>
TOTAL APPROPRIATION	(\$208,181,000)
	<u>\$404,460,000</u>

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

(a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, 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. By October 31, 2019, the coalition must submit a report to the governor and the legislature that describes the coalition's plan for projects affecting the coalition organizations. The report must include any information technology projects impacting coalition organizations and, in collaboration with the office of the chief information officer, provide: (i) The status of any information technology projects currently being developed or implemented that affect the coalition; (ii) funding needs of these current and future information technology projects; and (iii) next steps for the coalition's information technology projects. 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 is subject to the conditions, limitations, and review provided in ~~(section 719 of this act)~~ section 701 of this act.

(b) \$300,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$300,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2021 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.

(c) \$5,000 of the general fund—state appropriation for fiscal year 2020, \$5,000 of the general fund—state appropriation for fiscal year 2021, and \$16,000 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 2019-2021 fiscal biennium.

(d) \$63,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(e) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 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.

(f)(i) All agreements and contracts with vendors must include a provision to require that each vendor agrees to equality among its workers by ensuring similarly employed individuals are compensated as equals as follows:

(A) Employees are similarly employed if the individuals work for the same employer, the performance of the job requires comparable skill, effort, and responsibility, and the jobs are performed under similar working conditions. Job titles alone are not determinative of whether employees are similarly employed;

(B) Vendors may allow differentials in compensation for its workers based in good faith on any of the following:

(I) A seniority system; a merit system; a system that measures earnings by quantity or quality of production; a bona fide job-related factor or factors; or a bona fide regional difference in compensation levels.

(II) A bona fide job-related factor or factors may include, but not be limited to, education, training, or experience, that is: Consistent with business necessity; not based on or derived from a gender-based differential; and accounts for the entire differential.

(III) A bona fide regional difference in compensation level must be: Consistent with business necessity; not based on or derived from a gender-based differential; and account for the entire differential.

(ii) The provision must allow for the termination of the contract if the department or department of enterprise services determines that the vendor is not in compliance with this agreement or contract term.

(iii) The department must implement this provision with any new contract and at the time of renewal of any existing contract.

(g) The department must submit an agency budget request for the 2020 supplemental budget that identifies the amount of administrative funding to be transferred from appropriations in subsections ~~((1), (2), and (3)))~~ (2), (3), and (4) of this section to this subsection ~~((4) of this section))~~ (5).

(h) \$83,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to participate in the work group established in section 922 of this act to create a family engagement framework for early learning through high school. At a minimum, the work group must review family engagement policies and practices in Washington and in other states, with a focus on identifying best practices that can be adopted throughout Washington.

(i) \$175,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to create a plan to merge servers and build infrastructure to connect the child welfare, early learning, and juvenile rehabilitation programs on a single network. The implementation plan must be completed and provided to the legislature by January 1, 2021.

(j) The department shall use funding provided in the information technology pool to develop and implement the following, subject to the conditions, limitations, and review provided in section 701 of this act:

(i) A web-based reporting portal accessible to mandated reporters for reporting child abuse and neglect as required by RCW 26.44.030; and

(ii) A call-back option for callers placed on hold to provide a phone number for the department to return a call to complete the report of child abuse and neglect.

**Sec. 225 is partially vetoed. See message at end of chapter.*

**PART III
NATURAL RESOURCES**

Sec. 301. 2019 c 415 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund—State Appropriation (FY 2020)	((\$544,000))
	<u>\$605,000</u>
General Fund—State Appropriation (FY 2021)	((\$570,000))
	<u>\$668,000</u>
General Fund—Federal Appropriation	\$32,000
General Fund—Private/Local Appropriation	((\$1,138,000))
	<u>\$1,158,000</u>
Pension Funding Stabilization Account—State Appropriation	\$46,000
TOTAL APPROPRIATION	((\$2,330,000))
	<u>\$2,509,000</u>

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

(1) \$45,000 of the general fund—state appropriation for fiscal year 2020 and \$45,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a land use planner to conduct compliance monitoring on approved development projects and develop and track measures on the commission's effectiveness in implementing the national scenic area management plan.

(2) \$45,000 of the general fund—state appropriation for fiscal year 2020 and \$94,000 of the general fund—state appropriation for fiscal year 2021 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.

*Sec. 302. 2019 c 415 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund—State Appropriation (FY 2020)	(\$30,725,000)
	<u>\$30,696,000</u>
General Fund—State Appropriation (FY 2021)	(\$29,342,000)
	<u>\$31,396,000</u>
General Fund—Federal Appropriation	(\$110,053,000)
	<u>\$110,069,000</u>
General Fund—Private/Local Appropriation	(\$23,406,000)
	<u>\$27,066,000</u>
Reclamation Account—State Appropriation	(\$4,906,000)
	<u>\$4,919,000</u>
Flood Control Assistance Account—State Appropriation	(\$4,174,000)
	<u>\$4,184,000</u>
State Emergency Water Projects Revolving Account—State Appropriation	\$40,000
Waste Reduction, Recycling, and Litter Control Account—State Appropriation	(\$24,951,000)
	<u>\$26,052,000</u>
State Drought Preparedness Account—State Appropriation	\$204,000
State and Local Improvements Revolving Account—Water Supply Facilities—State Appropriation	\$183,000
Aquatic Algae Control Account—State Appropriation	\$528,000
Water Rights Tracking System Account—State Appropriation	\$48,000
Site Closure Account—State Appropriation	\$582,000
Wood Stove Education and Enforcement Account—State Appropriation	\$577,000
Worker and Community Right to Know Fund—State Appropriation	(\$1,995,000)
	<u>\$1,996,000</u>
Water Rights Processing Account—State Appropriation	\$39,000
Model Toxics Control Operating Account—State Appropriation	(\$237,148,000)
	<u>\$257,389,000</u>
Model Toxics Control Operating Account—Local Appropriation	\$499,000
Water Quality Permit Account—State Appropriation	(\$47,872,000)
	<u>\$48,068,000</u>
Underground Storage Tank Account—State Appropriation	(\$3,963,000)
	<u>\$3,976,000</u>
Biosolids Permit Account—State Appropriation	(\$2,703,000)
	<u>\$2,709,000</u>
Hazardous Waste Assistance Account—State Appropriation	(\$7,150,000)
	<u>\$7,170,000</u>
Radioactive Mixed Waste Account—State Appropriation	(\$19,626,000)
	<u>\$21,239,000</u>
Air Pollution Control Account—State Appropriation	(\$4,452,000)
	<u>\$4,463,000</u>
Oil Spill Prevention Account—State Appropriation	(\$11,351,000)

	<u>\$9,179,000</u>
Air Operating Permit Account—State Appropriation	((\$4,679,000))
	<u>\$4,692,000</u>
Freshwater Aquatic Weeds Account—State Appropriation	\$1,497,000
Oil Spill Response Account—State Appropriation	((\$7,076,000))
	<u>\$8,576,000</u>
Dedicated Marijuana Account—State Appropriation (FY 2020).	\$465,000
Dedicated Marijuana Account—State Appropriation (FY 2021).	\$464,000
Pension Funding Stabilization Account—State	
Appropriation.	\$2,920,000
Water Pollution Control Revolving Administration	
Account—State Appropriation	((\$3,858,000))
	<u>\$4,220,000</u>
Paint Product Stewardship Account—State Appropriation	\$182,000
TOTAL APPROPRIATION	((\$587,658,000))
	<u>\$616,287,000</u>

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

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

(2) \$102,000 of the general fund—state appropriation for fiscal year 2020 and \$102,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.

(3) \$726,000 of the general fund—state appropriation for fiscal year 2020, ((~~\$1,432,000~~)) \$1,742,000 of the general fund—state appropriation for fiscal year 2021, and \$1,600,000 of the flood control assistance account—state appropriation are provided solely for the continued implementation of the streamflow restoration program provided in chapter 90.94 RCW. Funding must be used to develop watershed plans, oversee consultants, adopt rules, and develop or oversee capital grant-funded projects that will improve instream flows statewide.

(4) \$1,259,000 of the model toxics control operating account—state appropriation is provided solely for the increased costs for Washington conservation corp member living allowances, vehicles used to transport crews to worksites, and costs unsupported by static federal AmeriCorps grant reimbursement.

(5) \$3,482,000 of the model toxics control operating account—state appropriation is provided solely for the department to implement recommendations that come from chemical action plans (CAP), such as the interim recommendations addressing PFAS (per- and polyfluorinated alkyl substances) contamination in drinking water and sources of that contamination, to monitor results, and to develop new CAPs.

(6) \$592,000 of the reclamation account—state appropriation is provided solely for the department to assess and explore opportunities to resolve water rights uncertainties and disputes through adjudications in selected basins where

tribal senior water rights, unquantified claims, and similar uncertainties about the seniority, quantity, and validity of water rights exist.

(7) \$2,147,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the department to address litter prevention and recycling programs, and in response to new China-imposed restrictions on the import of recyclable materials. Activities funded from this increased appropriation include litter pickup by ecology youth crews, local governments, and other state agencies, and litter prevention public education campaigns.

(8) \$120,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$67,000)~~ \$569,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(9) ~~(\$807,000)~~ \$1,286,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5135 (toxic pollution). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

~~(11))~~ (10) \$392,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5397 (plastic packaging). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

~~(12))~~ (11) \$1,450,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1543 (concerning sustainable recycling). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

~~(13))~~ (12) \$342,000 of the air pollution control account—state appropriation and \$619,000 of the model toxics control operating account—state appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1112 (hydrofluorocarbons emissions). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

~~(14))~~ (13) \$1,374,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1578 (oil transportation safety). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

~~(15))~~ (14) \$264,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with the Walla Walla watershed management partnership board of directors to develop a thirty-year integrated water resource management strategic plan and to provide partnership staffing, reporting, and operating budget costs associated with new activities as described in Second Substitute Senate Bill No. 5352 (Walla Walla watershed pilot). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

~~(16))~~ (15) \$455,000 of the general fund—state appropriation for fiscal year 2020 and \$455,000 of the general fund—state appropriation for fiscal year 2021

are provided solely for the department to grant to the northwest straits commission to distribute equally among the seven Puget Sound marine resource committees.

~~((17))~~ (16) \$290,000 of the general fund—state appropriation for fiscal year 2020 and \$290,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for rule making to change standards to allow for a higher volume of water to be spilled over Columbia river and Snake river dams to increase total dissolved gas for the benefit of Chinook salmon and other salmonids.

~~((18))~~ (17) \$118,000 of the general fund—state appropriation for fiscal year 2020 and \$118,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the agency to convene a stakeholder work group to identify actions to decrease loading of priority pharmaceuticals into Puget Sound, contract for technical experts to provide literature review, conduct an analysis and determine best practices for addressing pharmaceutical discharges, and carry out laboratory testing and analysis.

~~((19))~~ (18) \$319,000 of the general fund—state appropriation for fiscal year 2020 and \$319,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to increase coordination in reviewing shoreline armoring proposals to better protect forage fish.

~~((20))~~ (19) \$247,000 of the general fund—state appropriation for fiscal year 2020 and \$435,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for monitoring nutrient cycling and ocean acidification parameters at twenty marine stations in Puget Sound and Hood canal.

~~((21))~~ (20) \$250,000 of the flood control assistance account—state appropriation is provided solely for the Washington conservation corps to carry out emergency activities to respond to flooding by repairing levees, preventing or mitigating an impending flood hazard, or filling and stacking sandbags. This appropriation is also for grants to local governments for emergency response needs, including the removal of structures and repair of small-scale levees and tidegates.

~~((22))~~ (21) \$500,000 of the model toxics control operating account—~~(local)~~ state appropriation is provided solely for the Spokane river regional toxics task force to address elevated levels of polychlorinated biphenyls in the Spokane river.

~~((23))~~ (22) \$244,000 of the model toxics control operating—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5579 (crude oil volatility/rail). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~

(24)) (23) \$432,000 of the model toxics control operating—state appropriation is provided solely for the implementation of Substitute House Bill No. 1290 (voluntary cleanups/has waste). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~

~~***((25) \$10,000,000))***~~ ***(24) \$17,000,000*** 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.

~~((26))~~ (25) \$100,000 of the oil spill prevention account—state appropriation is provided solely for the department to produce a synopsis of

current maritime vessel activity, navigation lanes, and anchorages in the northern Puget Sound and the strait of Juan de Fuca, including vessel transit in Canadian portions of transboundary waters. Consistent with RCW 43.372.030, the synopsis must compile key findings and baseline information on the spatial and temporal distribution of and intensity of current maritime vessel activity. The department may collect new information on vessel activity, including information on commercial and recreational fishing, where relevant to the synopsis. In producing the synopsis, the department must invite the participation of Canadian agencies and first nations, and must coordinate with federal agencies, other state agencies, federally recognized Indian tribes, commercial and recreational vessel operators and organizations representing such operators, and other stakeholders. The department must provide a draft of the synopsis to the appropriate committees of the legislature by June 30, 2021.

~~((27))~~ (26) \$500,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1114 (food waste reduction). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~

~~(28))~~ (27) \$465,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$464,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the implementation of House Bill No. 2052 (marijuana product testing). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (28) \$182,000 of the paint product stewardship account—state appropriation is provided solely for the implementation of Substitute House Bill No. 1652 (paint stewardship). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(29) \$535,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to develop a Puget Sound nutrients general permit for wastewater treatment plants in Puget Sound to reduce nutrients in wastewater discharges to Puget Sound.

(30) \$31,000 of the general fund—state appropriation for fiscal year 2020 and \$61,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to San Juan county for a study to build on the existing knowledge of the islands' water resources to gain a current understanding of the state of groundwater in the county, including hydrologic data evaluation, completing recharge estimates, and updating the water balance.

(31) \$150,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to offer a grant to Clark county for the purpose of designing the process for developing a long-term plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water, as well as designing an institutional structure to take responsibility for the plan's implementation in a financially sustainable manner. The plan will build on existing work completed by the county, state agencies, and nonprofit organizations. The department will support the work of 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, the department of fish and wildlife, other state agencies and local

governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the lake's health. The design should address timelines for plan development, roles and responsibilities of governmental and nonprofit entities, potential funding sources and options for plan implementation, including formation of a potential lake management district under chapter 36.61 RCW, and the management objectives to be included in the plan.

(32) \$150,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to support the Pierce county health department and the friends of Spanaway lake to treat and clean up elevated phosphorus and algae levels in Spanaway lake.

(33) \$80,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to work with the Guemes island planning advisory committee to follow on to a United States geologic survey study of the island's aquifer recharge areas, quantify an updated water budget, and provide an accurate water-level analysis and water-table map of the two aquifers on the island.

(34) \$75,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the department and the recycling development center, created in RCW 70.370.030, to provide financial and technical assistance to women and minority-owned businesses and small businesses which manufacture or process single-use plastic packaging products in order to help transform these businesses to processors and producers of sustainable packaging.

(35) \$283,000 of the waste reduction, recycling, and litter control account—state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5323 (plastic bags), including the education and outreach activities required under section 5, chapter . . . , Laws of 2020 (ESSB 5323). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(36) \$149,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Senate Bill No. 5811 (clean car standards & prog.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(37)(a) The appropriations in this section include sufficient funding for the department to convene a work group of affected entities to study the design and use of the state water trust, water banking, and water transfers, and present its findings, including a summary of discussions and any recommendations on policy improvements, to the appropriate committees of the house of representatives and the senate. The department of ecology shall invite representatives to serve on the work group from organizations including, but not limited to:

- (i) Federally recognized Indian tribes;
- (ii) Local governments including cities, counties, and special purpose districts;
- (iii) Environmental advocacy organizations;
- (iv) The farming industry in Washington;
- (v) Business interests; and

(vi) Entities that have been directly involved with the establishment of water banks.

(b) In addition to an invitation to participate in the work group, the department shall also consult with affected federally recognized tribal governments upon request.

(c) By December 1, 2020, the department of ecology must present its findings, including a summary of discussions and any recommendations on policy improvements, to the appropriate committees of the house of representatives and the senate and to the governor's office.

(38) \$750,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide funding to local governments to help address stormwater permit requirements and provide assistance to small businesses, as well as local source control monitoring to address toxic hotspots that impact Puget Sound.

(39) \$748,000 of the model toxics control operating account—state appropriation is provided solely for the department to add continuous freshwater monitoring at the mouth of the seven largest rivers discharging into Puget Sound.

(40) \$2,339,000 of the model toxics control operating account—state appropriation is provided solely for the department to use its authority under chapter 43.21C RCW to strengthen and standardize the consideration of climate change risks, vulnerability, and greenhouse gas emissions in environmental assessments for major projects with significant environmental impacts. To provide clarity for the public, governmental agencies and project proponents, the work conducted under this subsection must be uniform and apply to all branches of government, including state agencies, public and municipal corporations, and counties. It is the intent of the legislature that the department should carefully consider any potential overlap with other policies to reduce or regulate greenhouse gas emissions from major projects with significant environmental impacts, in order to avoid duplicative obligations.

(41) \$654,000 of the model toxics control operating account—state appropriation is provided solely for additional staff to process clean water act certifications in the event that a sixty-day processing requirement is implemented for all United States army corps of engineers permitted projects in Washington. If such a requirement is not imposed, the amount provided in this subsection shall lapse.

(42) \$70,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 2722 (minimum recycled content). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

**Sec. 302 is partially vetoed. See message at end of chapter.*

Sec. 303. 2019 c 415 s 303 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund—State Appropriation (FY 2020)	.....((\$16,013,000))
	\$16,270,000
General Fund—State Appropriation (FY 2021)	.....((\$16,501,000))
	\$20,906,000
General Fund—Federal Appropriation	.....((\$7,079,000))
	\$7,080,000

Winter Recreation Program Account—State Appropriation	\$3,310,000
ORV and Nonhighway Vehicle Account—State Appropriation	\$403,000
Snowmobile Account—State Appropriation	\$5,657,000
Aquatic Lands Enhancement Account—State Appropriation	\$367,000
Parks Renewal and Stewardship Account—State Appropriation	(\$125,438,000)
	<u>\$126,881,000</u>
Parks Renewal and Stewardship Account—Private/Local Appropriation	\$420,000
Pension Funding Stabilization Account—State Appropriation	\$1,496,000
TOTAL APPROPRIATION	(\$176,684,000)
	<u>\$182,790,000</u>

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

(1) \$129,000 of the general fund—state appropriation for fiscal year 2020 and \$129,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to pay assessments charged by local improvement districts.

(3) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Senate Bill No. 5918 (whale watching guidelines). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(4) \$916,000 of the general fund—state appropriation for fiscal year 2020, \$915,000 of the general fund—state appropriation for fiscal year 2021, and \$169,000 of the parks renewal and stewardship account—state appropriation are provided solely for the commission to replace major equipment with an emphasis on fire response equipment and law enforcement vehicles that have over fifteen years of useful life.

(5) \$252,000 of the general fund—state appropriation for fiscal year 2020, \$216,000 of the general fund—state appropriation for fiscal year 2021, and \$322,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects funded in the 2017-2019 fiscal biennium.

(6) \$154,000 of the general fund—state appropriation for fiscal year 2020 and \$146,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for hiring new park rangers and park aides.

(7) \$3,750,000 of the general fund—state appropriation for fiscal year 2020, \$3,750,000 of the general fund—state appropriation for fiscal year 2021, and \$2,500,000 of the parks renewal and stewardship account—state appropriation are provided solely for maintaining current service levels for core functions such as customer service, facility maintenance, and law enforcement.

(8) \$382,000 of the general fund—state appropriation for fiscal year 2020 and \$567,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to conduct forest health treatments on 500 acres of forestland each year, add stewardship staff capacity in the northwest region, and conduct vegetation surveys to identify rare and sensitive plants. One-time funding is also provided to replace a fire truck in the eastern region.

(9) \$750,000 of the general fund—state appropriation for fiscal year 2020 and \$750,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to hire construction and maintenance staff to address the backlog of preventive maintenance at state parks.

(10) \$428,000 of the parks renewal and stewardship account—state appropriation is provided solely for increased technology costs associated with providing field staff with access to the state government network, providing law enforcement personnel remote access to law enforcement records, and providing public wi-fi services at dry falls, pacific beach, and potholes state parks.

(11) \$204,000 of the parks renewal and stewardship account—state appropriation is provided solely for maintaining the state parks' central reservation system, the law enforcement records management system, and discover pass automated pay stations.

(12) \$1,100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the commission to carry out operation and maintenance of the state parks system.

(13) \$35,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the commission to supply each public library in the state with two Discover passes, to be made available to the public to check out through the library system, as described in Substitute Senate Bill No. 6670 (discover pass/libraries).

(14) \$60,000 of the general fund—state appropriation for fiscal year 2020 and \$65,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to collaborate with the city of Issaquah to prepare an environmental impact statement at Lake Sammamish state park to identify impacts of the next phase of park development and assist with obtaining regulatory permits.

(15) \$120,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of House Bill No. 2587 (scenic bikeway). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

*Sec. 304. 2019 c 415 s 304 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION OFFICE

General Fund—State Appropriation (FY 2020)	(\$1,193,000)
	\$1,168,000
General Fund—State Appropriation (FY 2021)	(\$1,166,000)
	\$2,003,000
General Fund—Federal Appropriation	(\$3,779,000)
	\$3,778,000
General Fund—Private/Local Appropriation	\$24,000
Aquatic Lands Enhancement Account—State Appropriation	\$333,000
Firearms Range Account—State Appropriation	\$37,000
Recreation Resources Account—State Appropriation	(\$4,143,000)

	<u>\$4,071,000</u>
NOVA Program Account—State Appropriation.	\$1,107,000
Pension Funding Stabilization Account—State Appropriation	\$80,000
TOTAL APPROPRIATION	((\$11,862,000))
	<u>\$12,601,000</u>

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

(1) \$109,000 of the aquatic lands enhancement account—state appropriation is provided solely to the recreation and conservation funding board for administration of the aquatics lands enhancement account grant program as described in RCW 79.105.150.

(2) \$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.

(3) (~~(\$4,150,000)~~) \$4,071,000 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).

(4) \$1,107,000 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.

(5) \$175,000 of the general fund—state appropriation for fiscal year 2020 and \$175,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to contract for implementation of the Nisqually watershed stewardship plan.

(6) \$275,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to continue mortality assessment work and to design solutions to mitigate steelhead mortality at the Hood Canal bridge.

(7) \$300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to develop a standardized method to measure and report stewardship needs and costs on lands purchased by the state parks and recreation commission, department of fish and wildlife, and the department of natural resources with grants from the Washington wildlife and recreation program. The office shall contract with a facilitator to work with the agencies on developing a shared method. The method will be used to identify, assess, and report both the stewardship needs and performance outcomes of the grant funded land acquisitions. Assessments should be based on both the current condition and the desired future condition of ecosystems and will be used to: Develop a multi-agency approach to assess the health of ecosystems on state lands, develop a consistent approach to prioritizing management and restoration actions, and determine the cost to achieve desired standards.

(8) \$140,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the governor's salmon recovery office to coordinate ongoing recovery efforts of southern resident orcas and monitor progress toward

implementation of recommendations from the governor's southern resident killer whale task force.

(9) \$68,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2311 (greenhouse gas emissions). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(10)(a) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the recreation and conservation office, in collaboration with the department of natural resources, the state parks and recreation commission, and the department of fish and wildlife, to convene and facilitate an advisory group that includes recreational industry, and non-profit, motorized, non-motorized and other outdoor recreation groups to:

(i) Engage affected state agencies, partners and stakeholders in the development of a bold vision and twenty-year legislative strategy to invest in, promote, and support state outdoor recreation in Washington state;

(ii) Review the investment strategies and approaches taken by other states, including but not limited to Colorado and Oregon, to invest, promote and support outdoor recreation;

(iii) Identify strategies, investment priorities, and funding mechanisms that might be useful to implement in Washington;

(iv) Solicit feedback on potential recommendations from the general public and interested outdoor recreation stakeholders; and

(v) Incorporate the review and recommendations into a strategy for the future investments in outdoor recreation.

(b) The recreation and conservation office must submit the strategy for the future investments in outdoor recreation to the appropriate committees of the legislature by November 30, 2020.

**Sec. 304 is partially vetoed. See message at end of chapter.*

Sec. 305. 2019 c 415 s 305 (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE	
General Fund—State Appropriation (FY 2020)	(\$2,533,000)
	\$2,758,000
General Fund—State Appropriation (FY 2021)	(\$2,440,000)
	\$2,641,000
Pension Funding Stabilization Account—State Appropriation	\$254,000
TOTAL APPROPRIATION	(\$5,227,000)
	\$5,653,000

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

(1) ~~(\$170,000)~~ \$140,000 of the general fund—state appropriation for fiscal year 2020 ~~(is)~~ and \$30,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of ~~(Substitute Senate Bill No. 5151)~~ chapter 452, Laws of 2019 (growth management board/indexing). ~~(If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.)~~

(2) \$4,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Substitute Senate Bill No.

6574 (GMHB & ELUHO powers, duties). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

***Sec. 306.** 2019 c 415 s 306 (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

General Fund—State Appropriation (FY 2020)	(((\$7,936,000))	<u>\$7,845,000</u>
General Fund—State Appropriation (FY 2021)	(((\$7,973,000))	<u>\$8,540,000</u>
General Fund—Federal Appropriation	(((\$2,301,000))	<u>\$2,482,000</u>
Public Works Assistance Account—State Appropriation	\$8,456,000	
Model Toxics Control Operating Account—State Appropriation	(((\$1,000,000))	<u>\$1,226,000</u>
Pension Funding Stabilization Account—State Appropriation	\$254,000	
TOTAL APPROPRIATION	(((\$27,920,000))	<u>\$28,803,000</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 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission and conservation districts to increase landowner participation in voluntary actions that protect habitat to benefit salmon and southern resident orcas.

(2) \$8,456,000 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.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the commission to continue to convene and facilitate a food policy forum and to implement recommendations identified through the previous work of the food policy forum.

(a) The commission shall coordinate implementation of the forum with the department of agriculture and the office of farmland preservation.

(b) The director of the commission and the director of the department of agriculture shall jointly appoint members of the forum, and no appointment may be made unless each director concurs in the appointment.

(c) In addition to members appointed by the directors, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants may be reimbursed for travel expenses by the senate or house of representatives as provided in RCW 44.04.120. Legislative participants must be appointed as follows:

(i) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; and

(ii) The majority leader and minority leader of the senate shall appoint one member from each of the two largest caucuses of the senate.

(d) Meetings of the forum may be scheduled by either the director of the commission or the director of the department of agriculture.

(e) Staffing for the forum must be provided by the commission working jointly with staff from the department of agriculture.

(f) The commission and the department of agriculture shall jointly develop the agenda for each forum meeting as well as a report from the food policy forum. The report must contain recommendations and a workplan to implement the recommendations and must be delivered to the appropriate committees of the legislature and the governor by June 30, 2021.

~~((5))~~ (4) \$20,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the following activities:

(a) The commission and the department of agriculture must produce a gap analysis reviewing existing conservation grant programs and completed voluntary stewardship program plans to identify what technical assistance and cost-share resources are needed to meet the requirements placed on those activities by the legislature.

(b)(i) The commission, in collaboration with the department of agriculture, must develop recommendations for legislation or additional work that may be needed to implement a sustainable farms and fields grant program that prioritizes funding based on net reduction of greenhouse gas emissions on farm, aquatic, or ranch lands, including carbon sequestration.

(ii) The recommendations must incorporate the gap analysis required by this section. The recommendations must include information about how the grant program can complement and avoid competing with existing conservation programs, and provide cost share benefits to existing and new programs designed to improve water quality, critical habitats, and soil health and soil-health research on farm, aquatic or timber lands.

(iii) The recommendations must be developed with input from stakeholder meetings with representatives from the environmental and agricultural communities.

(c) The commission and the department of agriculture must provide an update to the appropriate committees of the legislature by August 1, 2019, and final recommendations by November 1, 2019.

(5) \$332,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the commission to increase the capacity of conservation districts to assist landowners in environmental stewardship and achieving agricultural sustainability.

(6) \$59,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Substitute Senate Bill No. 6091 (WA food policy forum). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(7) \$55,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Substitute Senate Bill No. 6306 (soil health initiative). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(8) \$99,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Substitute Senate Bill No. 5947 (sustainable farms and fields). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(9) \$61,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2311 (greenhouse gas emissions). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(10) \$226,000 of the model toxics control operating account—state appropriation is provided solely for the commission to provide to the south Yakima conservation district to address nitrate concentrations in groundwater, including nutrient management plans, well water sampling and analysis, landowner education and outreach, and database maintenance.

**Sec. 306 is partially vetoed. See message at end of chapter.*

***Sec. 307.** 2019 c 415 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund—State Appropriation (FY 2020)	(\$74,521,000)
	<u>\$76,116,000</u>
General Fund—State Appropriation (FY 2021)	(\$63,849,000)
	<u>\$87,539,000</u>
General Fund—Federal Appropriation	(\$141,326,000)
	<u>\$140,234,000</u>
General Fund—Private/Local Appropriation	(\$69,360,000)
	<u>\$69,619,000</u>
ORV and Nonhighway Vehicle Account—State Appropriation	\$701,000
Aquatic Lands Enhancement Account—State Appropriation	(\$11,871,000)
	<u>\$11,873,000</u>
Recreational Fisheries Enhancement Account—State	
Appropriation	(\$3,332,000)
	<u>\$3,333,000</u>
Warm Water Game Fish Account—State Appropriation	(\$2,824,000)
	<u>\$2,825,000</u>
Eastern Washington Pheasant Enhancement Account—State	
Appropriation	\$675,000
State Wildlife Account—State Appropriation	(\$115,447,000)
	<u>\$96,018,000</u>
Special Wildlife Account—State Appropriation	\$2,904,000
Special Wildlife Account—Federal Appropriation	\$517,000
Special Wildlife Account—Private/Local Appropriation	\$3,653,000
Wildlife Rehabilitation Account—State Appropriation	\$361,000
Ballast Water and Biofouling Management Account—State	
Appropriation	\$10,000
Model Toxics Control Operating Account—State	
Appropriation	(\$2,946,000)
	<u>\$2,947,000</u>
Regional Fisheries Enhancement Salmonid Recovery	
Account—Federal Appropriation	\$5,001,000
Oil Spill Prevention Account—State Appropriation	\$1,199,000
Aquatic Invasive Species Management Account—State	
Appropriation	\$1,906,000
Pension Funding Stabilization Account—State	
Appropriation	\$5,186,000
Oyster Reserve Land Account—State Appropriation	\$524,000

TOTAL APPROPRIATION .....	..((\$508,113,000))
	<u>\$513,141,000</u>

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

(1) \$467,000 of the general fund—state appropriation for fiscal year 2020 and \$467,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(2) \$415,000 of the general fund—state appropriation for fiscal year 2020, \$415,000 of the general fund—state appropriation for fiscal year 2021, and \$440,000 of the general fund—federal appropriation are provided solely for county assessments.

(3)(a) A legislative task force is established to recommend a group or entity to review the department's budget requests in place of the hatchery scientific review group. The task force is comprised of two members from each of the two largest caucuses in the senate, appointed by the president of the senate, and two members from each of the two largest caucuses in the house of representatives, appointed by the speaker of the house. The task force shall be staffed by the office of program research and senate committee services. The task force must consult with tribes.

(b) The task force must review the purpose and activities of the hatchery scientific review group and develop recommendations for the legislature to establish a replacement group or entity that will analyze state spending and projects related to hatcheries that are proposed in state operating and capital budgets. Among other things, the task force shall recommend a process by which the replacement organization or entity, starting with the 2021-2023 fiscal biennium, contracts with the department to review the department's proposed agency biennial operating and capital budget requests related to state fish hatcheries prior to submission to the office of financial management. This review shall: (i) Examine if the proposed requests are consistent with independent scientific review standards using best available science; (ii) evaluate the components of the request based on the independent needs of each particular watershed and the return of salmonids including naturally spawning, endangered, and hatchery stocks; and (iii) evaluate whether the proposed requests are being made in the most cost-effective manner. This process must require the department to provide a copy of the review to the office of financial management and the legislature with its agency budget proposal.

(c) The task force shall report to the legislature on its findings and recommendations by December 1, 2019.

(4) \$400,000 of the general fund—state appropriation for fiscal year 2020 and \$400,000 of the general fund—state appropriation for fiscal year 2021 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.

(5) \$762,000 of the general fund—state appropriation for fiscal year 2020, \$580,000 of the general fund—state appropriation for fiscal year 2021, and \$24,000 of the state wildlife account—state appropriation are provided solely for the implementation of Second Substitute Senate Bill No. 5577 (orca

whales/vessels). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(6) \$156,000 of the general fund—state appropriation for fiscal year 2020 and \$155,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for operating budget impacts from capital budget projects funded in the 2017-2019 fiscal biennium.

(7) \$450,000 of the general fund—state appropriation for fiscal year 2020 and \$450,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to develop a pinto abalone recovery plan, expand field work, conduct genetics and disease assessments, and establish three satellite grow-out facilities. \$150,000 of the appropriation per fiscal year is for competitive grants to nonprofit organizations to assist in recovery and restoration work of native shellfish.

(8) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$350,000 of the general fund—state appropriation for fiscal year 2021, are provided solely for the department to increase the work of regional fisheries enhancement groups.

(9) \$457,000 of the general fund—state appropriation for fiscal year 2020, \$457,000 of the general fund—state appropriation for fiscal year 2021, and \$110,000 of the state wildlife account—state appropriation are provided solely for the department to pay for costs to maintain upgraded network infrastructure and pay the debt service on purchased equipment.

(10) \$165,000 of the general fund—state appropriation for fiscal year 2020, \$166,000 of the general fund—state appropriation for fiscal year 2021, and \$495,000 of the state wildlife account—state appropriation are provided solely for new service or vendor costs, including PC leases, mobile devices, a remote management system, IT issue tracking technology, and virtual private network services.

(11) \$3,500,000 of the general fund—state appropriation for fiscal year 2020 and \$3,500,000 of the general fund—state appropriation for fiscal year 2021 are appropriated for the department to increase hatchery production of salmon throughout the Puget Sound, coast, and Columbia river. Increases in hatchery production must be prioritized to increase prey abundance for southern resident orcas. The department shall work with federal partners, tribal co-managers, and other interested parties when developing annual hatchery production plans. These increases shall be done consistent with best available science, most recent hatchery standards, and endangered species act requirements, and include adaptive management provisions to ensure the conservation and enhancement of wild stocks. Of the amounts provided in this subsection, \$500,000 in fiscal year 2020 is for wells and generators at the Samish hatchery.

(12) \$2,257,000 of the general fund—state appropriation for fiscal year 2020 and \$1,785,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to grant to the northwest Indian fisheries commission to grant to tribes for hatchery operations that are prioritized to increase prey abundance for southern resident orcas. Of the amounts provided in this subsection:

(a) \$1,535,000 in each fiscal year is for additional hatchery production in the following amounts per fiscal year: \$150,000 for the Quinault Indian Nation,

\$169,000 for the Tulalip Tribes, \$268,000 for the Quileute Tribe, \$186,000 for the Puyallup Tribe, \$112,000 for the Port Gamble S'Klallam Tribe, \$23,000 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.

(b) \$472,000 in fiscal year 2020 is for improvements to hatchery facilities that support additional hatchery production in the following amounts: \$98,000 for the Tulalip Tribes, \$38,000 for the Puyallup Tribe, \$14,000 for the Port Gamble S'Klallam Tribe, \$25,000 for the Muckleshoot Indian Tribe, \$200,000 for the Squaxin Island Tribe, \$24,000 for the Skokomish Indian Tribe, and \$73,000 for the Lummi Nation.

(13) \$771,000 of the general fund—state appropriation in fiscal year 2020 and \$76,000 of the general fund—state appropriation in fiscal year 2021 are provided solely for the department to provide to tribes for hatchery operations that are prioritized to increase prey abundance for southern resident orcas. Of the amounts provided in this subsection, \$76,000 in each fiscal year is for the Yakama Nation for additional hatchery production, \$195,000 in fiscal year 2020 is for the Yakama Nation for improvements to hatchery facilities, and \$500,000 in fiscal year 2020 is for the Confederated Tribes of the Colville Reservation for improvements to hatchery facilities.

(14) (~~(\$425,000)~~) \$175,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$175,000)~~) \$425,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas and other species that are critical to the marine food web. Of the amounts provided in this subsection, \$250,000 in fiscal year (~~(2020)~~) 2021 is for Puget Sound energy for (~~(wells and generators)~~) water supply system improvements at the Baker river fish hatchery.

(15) (~~(\$1,361,000)~~) \$1,201,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$1,360,000)~~) \$1,520,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the following activities to increase the availability of salmon for southern resident orcas: Surveying forage fish populations, conducting rulemaking for fish screens, reducing salmon predation by nonnative fish, prioritizing fish barrier removal, developing a strategy to reestablish salmon runs above dams, and increasing review of shoreline armoring proposals to protect forage fish.

(16) \$710,000 of the general fund—state appropriation for fiscal year 2020 and \$253,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to migrate to the state data center and are subject to the conditions, limitations, and review provided in (~~(section 719 of this act)~~) section 701 of this act.

(17) \$278,000 of the general fund—state appropriation for fiscal year 2020 and \$278,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to provide grants to the Lummi Nation to increase salmon production at the Skookum creek hatchery and the Lummi bay hatchery.

(18) \$477,000 of the general fund—state appropriation for fiscal year 2020 and \$477,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Substitute House Bill No.

2097 (statewide wolf recovery). ((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))

(19) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department for elk management in the Skagit valley in cooperation with affected tribes and landowners. Authorized expenditures include, but are not limited to, elk fencing and replacement hay to mitigate the impacts of elk on agricultural crop production.

(20) \$49,000 of the general fund—state appropriation for fiscal year 2020, \$47,000 of the general fund—state appropriation for fiscal year 2021, and \$37,000 of the state wildlife account—state appropriation are provided solely for the implementation of Second Substitute House Bill No. 1579 (chinook abundance). ((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))

(21) \$357,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for suppression, eradication, and monitoring of northern pike in the Columbia river. The department must work with the Spokane Tribe of Indians, the Confederated Tribes of the Colville Reservation, and the Kalispel Tribe of Indians on identifying appropriate actions to reduce threats to anadromous salmon from invasive northern pike.

(22) \$573,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a voluntary buyback of Columbia river-Willapa bay and Columbia river-Grays harbor commercial gill net licenses. The department shall solicit offers from gill net license holders who wish to participate in the buyback program, and purchase gill net licenses in ranked, ascending order from lowest to the highest bid price based on their 2015-2019 average annual Columbia river landings. License holders that agree to the voluntary buyback shall have their license retired and be prohibited from future participation in the fishery with a Columbia river-Willapa bay or Columbia river-Grays harbor gill net license. By December 31, 2020, the department shall submit a report to the legislature including the number of license holders that participated in the buyback, the annual landings associated with each license, and an estimate of the funding needed to buyback any remaining voluntary buyback offers that exceeded the available funds. No more than five percent of this appropriation may be spent on administering and reporting on the voluntary buyback.

(23) \$139,000 of the general fund—state appropriation for fiscal year 2020 and \$139,000 of the general fund—state appropriation for fiscal year 2021 are provided solely as matching funds for a federal grant to purchase two law enforcement vessels and equip them with optic system equipment to conduct marine patrols including vessel enforcement patrols related to southern resident orcas.

(24) \$225,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to increase enforcement of commercial and recreational vessel regulations for the protection of southern resident orcas in central and southern Puget Sound.

(25) \$95,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a grant to the Woodland park zoo to conduct research relating to shell disease prevention in native western pond turtles.

(26) \$300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to build elk fencing, with priority given to fencing the Concrete school playfields to exclude elk and conduct other measures for solving conflicts with elk in Skagit county in cooperation with tribes and landowners.

(27) The appropriations in this section include sufficient funding for the department to convene an independent science review council to advise the comanagers on critical anadromous fish management decisions. The nine member council shall include two members chosen by the tribal community, two members chosen by the department, one member from the United States fish and wildlife service, one member from the national oceanic and atmospheric administration, and three members chosen by the Washington academy of sciences. The Washington academy of sciences shall have final review of nominees to confirm their subject matter expertise.

(28) \$800,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to create a statewide permittee assistance program as part of hydraulic project approvals, in which department staff collaborate with landowners during construction to help resolve risks for permit noncompliance.

(29) \$252,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5481 (collective bargaining/WDFW). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(30) \$500,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to conduct a master planning process, to result in a plan, to assess and prioritize hatchery improvements based on the recommendations of the southern resident killer whale task force, including prioritization given for a new Cowlitz river salmon hatchery. The plan must include prioritized capital budget projects. The plan shall be submitted to the fiscal committees of the legislature by January 15, 2021.

(31) \$462,000 of the general fund—state appropriation for fiscal year 2021 is 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. The department may only expend funds in this subsection after receiving necessary permits from the national marine fisheries service.

(32) \$112,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2311 (greenhouse gas emissions). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(33) \$1,262,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the costs for the department to maintain shellfish sanitation activities necessary to implement its memorandum of understanding with the department of health to ensure the state is compliant with its federal obligations under the model ordinance of the national shellfish sanitation program.

(34) \$142,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for work addressing fish passage barriers, including data analysis and mapping to identify streams and barriers that have the greatest

potential benefit to listed salmon populations, southern resident orca whales, and fisheries. In conducting this work, the department must consult with tribes and coordinate with the department of transportation's fish barrier work plans.

(35) \$90,000 of the general fund—state appropriation for fiscal year 2020 and \$166,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to contract with the Washington academy of sciences to complete the following activities:

(a) By December 1, 2020, and consistent with RCW 43.01.036, the department must submit a report to the legislature that assesses how to incorporate a net ecological gain standard into state land use, development, and environmental laws and rules to achieve a goal of better statewide performance on ecological health and endangered species recovery, including the recovery of salmon in order to fulfill tribal treaty obligations and achieve the delisting of threatened or endangered runs. The report must address each environmental, development, or land use law or rule where the existing standard is less protective of ecological integrity than the standard of net ecological gain, including the shoreline management act, chapter 90.58 RCW; the growth management act, chapter 36.70A RCW; and construction projects in state waters regulated under 77.55 RCW.

(b) In developing the report under this subsection, the department must consult with the appropriate local governments, state agencies, federally recognized Indian tribes, and stakeholders with subject matter expertise on environmental, land use, and development laws including, but not limited to, cities, counties, ports, the department of ecology, and the department of commerce. The department's consultation process under this subsection must include a total of at least two meetings at which local governments, state agencies, federally recognized Indian tribes, and stakeholders may provide input.

(c) The report must include:

(i) The development of a definition, goals, objectives, and measurable performance metrics for the standard of net ecological gain;

(ii) An assessment and analysis of opportunities and challenges, including legal issues and costs for state and local governments to achieve net ecological gain through both:

(A) Implementation of a standard of net ecological gain under different environmental, development, and land use laws; and

(B) An enhanced approach to implementing and monitoring no net loss in existing environmental, development, and land use laws;

(iii) Recommendations on funding, incentives, technical assistance, legal issues, monitoring, and use of scientific data, and other applicable considerations to the integration of net ecological gain into each environmental, developmental, and land use law or rule;

(iv) Assessments of how applying a standard of net ecological gain in the context of each environmental, land use, or development law is likely to achieve substantial additional environmental or social co-benefits; and

(v) Assessments of why existing standards of ecological protectiveness, such as no net loss standards, have been sufficient or insufficient to protect ecological health and achieve endangered species recovery.

(36) \$400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for developing and operating invasive species inspection stations and outreach to recreational boaters on the use of inspection stations. The department must report to the appropriate committees of the legislature by December 1, 2020, on the results of invasive species inspections and the status of invasive species threats.

**Sec. 307 is partially vetoed. See message at end of chapter.*

***Sec. 308.** 2019 c 415 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund—State Appropriation (FY 2020)	(\$74,086,000)
	\$98,897,000
General Fund—State Appropriation (FY 2021)	(\$62,093,000)
	\$67,682,000
General Fund—Federal Appropriation	(\$34,977,000)
	\$34,980,000
General Fund—Private/Local Appropriation	\$2,534,000
Forest Development Account—State Appropriation	(\$54,165,000)
	\$54,238,000
ORV and Nonhighway Vehicle Account—State Appropriation.	(\$8,166,000)
	\$8,174,000
Surveys and Maps Account—State Appropriation.	(\$2,595,000)
	\$2,598,000
Aquatic Lands Enhancement Account—State Appropriation.	(\$18,537,000)
	\$14,249,000
Resource Management Cost Account—State Appropriation.	(\$128,255,000)
	\$128,545,000
Surface Mining Reclamation Account—State Appropriation	(\$4,103,000)
	\$4,113,000
Disaster Response Account—State Appropriation	(\$23,063,000)
	\$23,068,000
Park Land Trust Revolving Account—State Appropriation	\$750,000
Forest and Fish Support Account—State Appropriation.	(\$16,354,000)
	\$16,356,000
Aquatic Land Dredged Material Disposal Site Account—State Appropriation.	\$402,000
Natural Resources Conservation Areas Stewardship Account— State Appropriation	\$39,000
Forest Fire Protection Assessment Nonappropriated Account—State Appropriation	\$5,896,000
Model Toxics Control Operating Account—State Appropriation.	(\$5,995,000)
	\$6,433,000
Forest Practices Application Account—State Appropriation.	(\$2,015,000)
	\$2,018,000

Air Pollution Control Account—State Appropriation	\$901,000
NOVA Program Account—State Appropriation.	(\$780,000)
	<u>\$781,000</u>
Pension Funding Stabilization Account—State	
Appropriation.	\$3,240,000
Derelict Vessel Removal Account—State Appropriation.	\$2,001,000
Community Forest Trust Account—State Appropriation.	\$52,000
Agricultural College Trust Management Account—State	
Appropriation.	(\$3,179,000)
	<u>\$3,183,000</u>
<u>Performance Audits of Government Account—State</u>	
<u>Appropriation.</u>	<u>\$325,000</u>
TOTAL APPROPRIATION	(\$454,178,000)
	<u>\$481,455,000</u>

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

(1) \$1,583,000 of the general fund—state appropriation for fiscal year 2020 and \$1,515,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(2) ~~(\$16,546,000)~~ \$41,514,000 of the general fund—state appropriation for fiscal year 2020, \$16,546,000 of the general fund—state appropriation for fiscal year 2021, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression and COVID-19. The appropriations provided in this subsection may not be used to fund the department's indirect and administrative expenses. The department's indirect and administrative costs shall be allocated among its remaining accounts and appropriations. The department shall provide a monthly report to 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.

(3) ~~(\$5,000,000)~~ \$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 eight million dollars per biennium. If receipts under RCW 82.04.261 are more than eight million dollars but less than eight million five hundred thousand dollars for the biennium, an amount equivalent to the difference between actual receipts and eight million five hundred thousand dollars shall lapse.

(4) \$1,857,000 of the general fund—state appropriation for fiscal year 2020 and \$1,857,000 of the general fund—state appropriation for fiscal year 2021 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. The forest practices board shall submit a report to the legislature following review, approval, and solicitation of public comment on the cooperative monitoring, evaluation, and research master project schedule, to include: Cooperative monitoring, evaluation, and research science and related adaptive management expenditure details, accomplishments, the use of cooperative monitoring, evaluation, and research science in decision-making, and funding needs for the coming biennium. The report shall be provided to the appropriate committees of the legislature by October 1, 2020.

(5) 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, 2019, and December 1, 2020, 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 web site.

(6) \$26,000 of the general fund—state appropriation for fiscal year 2020 and \$27,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(7) \$12,000 of the general fund—state appropriation for fiscal year 2020 and \$12,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5550 (pesticide application safety). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(8) The appropriations in this section include sufficient funding for the implementation of Engrossed Substitute Senate Bill No. 5330 (small forestland).

(9) \$42,000 of the general fund—state appropriation for fiscal year 2020 and \$21,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5106 (natural disaster mitigation). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(10) \$26,000 of the general fund—state appropriation for fiscal year 2020 and \$26,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5597 (aerial herbicide application). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(11) \$4,486,000 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.

(12) \$304,000 of the model toxics control operating account—state appropriation is provided solely for costs associated with the cleanup of the Fairview avenue site near Lake Union in Seattle. The aquatic site is contaminated with lead, chromium, and arsenic. This will be the department's final payment toward remediation costs.

(13) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to identify priority kelp restoration locations in central Puget Sound, based on historic locations, and monitor the role of natural kelp beds in moderating pH conditions in Puget Sound.

(14) \$188,000 of the general fund—state appropriation for fiscal year 2020 and \$187,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to coordinate with the Olympic natural resources center to study emerging ecosystem threats such as Swiss needlecast disease, conduct field trials for long-term ecosystem productivity and T3 watershed experiments, and engage stakeholders. The department must contract with the Olympic natural resources center for at least \$187,000 per fiscal year. The department may retain up to \$30,000 per fiscal year to conduct Swiss needlecast surveys and research. Administrative costs may be taken and are limited to twenty-seven percent of the amount of appropriation retained by the department.

(15) \$22,843,000 of the general fund—state appropriation for fiscal year 2020, \$11,364,000 of the general fund—state appropriation for fiscal year 2021, and \$4,000,000 of the forest fire protection assessment nonappropriated account—state appropriation are provided solely for wildfire response, to include funding full time fire engine leaders, increasing the number of correctional camp fire crews in western Washington, purchasing two helicopters, providing dedicated staff to conduct fire response training, creating a fire prevention outreach program, forest health administration, landowner technical assistance, conducting forest health treatments on federal lands and implementing the department's twenty-year forest health strategic plan, post-wildfire landslide assessments, and other measures necessary for wildfire suppression and prevention.

(16) \$186,000 of the general fund—state appropriation for fiscal year 2020 and \$185,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for compensation to the 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 one hundred dollars 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.

(17) \$110,000 of the general fund—state appropriation for fiscal year 2020 and \$110,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to conduct post wildfire landslide hazard assessments and reports.

(18) (~~(\$162,000)~~) \$59,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$163,000)~~) \$266,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for paving the road access to Leader lake in northeast Washington.

(19) The appropriations in this section include sufficient funding for the department to conduct an analysis of revenue impacts to the state forestlands taxing district beneficiaries as a result of the proposed long-term conservation strategy for the marbled murrelet. The department shall consult with state forestlands taxing district beneficiary representatives on the analysis. The department shall make the analysis available to state forestlands taxing districts and submit it to the board of natural resources by September 30, 2019.

(20) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for continued facilitation and support services for the marine resources advisory council.

(21) \$217,000 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.

~~((23))~~ (22) \$485,000 of the general fund—state appropriation for fiscal year 2020 and \$485,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Second Substitute House Bill No. 1784 (wildfire prevention). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~(24))~~ (23)(a) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the following activities:

(i) Conducting carbon inventories to build on existing efforts to understand carbon stocks, flux, trends, emissions, and sequestration across Washington's natural and working lands, including harvested wood products, wildfire emissions, land management activities, and sawmill energy use and emissions. Where feasible, the department shall use available existing data and information to conduct this inventory and analysis. For the purposes of this section, natural and working land types include forests, croplands, rangelands, wetlands, grasslands, aquatic lands, and urban green space.

(ii) Compiling and providing access to information on existing opportunities for carbon compensation services and other incentive-based carbon reducing programs to assist owners of private and other nonstate owned or managed forestland interested in voluntarily engaging in carbon markets.

(b) By December 1, 2020, the department must submit a report to the appropriate committees of the legislature summarizing the results of the inventories required under this section, and assessing actions that may improve the efficiency and effectiveness of carbon inventory activities on natural and working lands, including carbon sequestration in harvested forest products. The department must also describe any barriers, including costs, to the use of voluntary, incentive-based carbon reducing or sequestering programs. The department may also include recommendations for additional work or legislation that may be advisable resulting from the advisory group created in this subsection as part of this report.

(c) The department must form a natural and working lands carbon sequestration advisory group to help guide the activities provided in this section. The advisory group must be composed of a balance of representatives reflecting

the diverse interests and expertise involved on the subject of carbon sequestration on natural and working lands.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to increase technical assistance to small forestland owners.

(25) \$420,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct the following:

(a) Evaluate and conduct research trials of chemical and nonchemical forest vegetation management strategies, in a manner that does not disadvantage the trust beneficiaries, and collaborate with other forestland owners through coordination with leading forestry research cooperatives and universities in the Pacific Northwest.

(b) The department and the forest practices board must develop interpretive guidance in the forest practices board manual to clarify the adjacent property buffer requirements in the forest practices rules, including provisions for the board manual that explain the buffer rules for the protection of private property, including adjacent residential and agricultural properties.

(c) The department and the forest practices board must use a stakeholder process to update the forest practices board manual, as provided in WAC 222-12-090 as it existed on January 1, 2020, to include best management practices and technical guidance related to the aerial application of herbicides consistent with forest practices rules including, but not limited to, equipment, weather conditions, communicating best management practices to neighbors, signage, and as appropriate, information about alternatives to herbicides. The forest practices board manual updates must be completed by June 30, 2021.

(d) The department must improve the aerial herbicide application signage information included in the forest practices board manual and forest practices illustrated document and provide a sign template that satisfies the legal posting requirements. The department must update the guidance to reflect that emergency contact information must be included on the signage.

(e) The department must integrate evaluation of forest practices aerial applications of herbicide into the 2021-2023 biennial forest practices compliance monitoring sampling conducted pursuant to WAC 222-08-160, as it existed on the effective date of this section.

(f) The department must provide electronic access to forest practices applications to the public in the form of a readily available link on the department's web site.

(g) The department must develop a proposal to be submitted to the governor and the legislature for inclusion in the 2021-2022 omnibus operating appropriations act to replace or upgrade the existing forest practices application review system. The department must develop a proposed upgrade or replacement with an external steering group composed of users of the existing system. One outcome of an upgraded or replaced system must be an improved user interface for review of applications with aerial herbicide application as a component.

(26) \$93,000 of the aquatic lands enhancement account—state appropriation and \$93,000 of the resource management cost account—state appropriation are provided solely for the implementation of Second Substitute Senate Bill No.

6027 (floating residences). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(27) The appropriations in this section include sufficient funding for the department to report to the appropriate policy and fiscal committees of the legislature by July 2020 information on those parcels currently used for commercial or nonresource use purposes and those identified by the department as transition lands likely to be sold or redeveloped for nonresource use. By January 2021 the department shall bring to the legislature for its consideration a modernization package in the form of request legislation to update and remove performance barriers to the long-term management of state trust lands, considering both market and nonmarket values, ensuring intergenerational equity, and long term benefits for the trust beneficiaries and the public. The appropriate policy and fiscal committees of the legislature shall be kept informed of all proposed transactions, land sales, and exchanges involving trust lands prior to approval by the board, and all related financial and legal documents shall be available as public records immediately following the transaction's completion, as allowed under chapter 42.56 RCW.

(28) \$281,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Substitute Senate Bill No. 6528 (derelict vessel prevention). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(29) \$325,000 of the performance audit of state government account—state appropriation is provided solely for the department, in cooperation with the wildland fire advisory committee established under RCW 76.04.179 and the office of financial management, to conduct a zero-based budget and performance review of its resource protection program. The review shall be specifically focused on the wildfire program operating budget and activities. Throughout the review process the department shall submit monthly updates of actual and estimated fire expenditures, and obligated cost related to fire suppression to the fiscal committees of the legislature. A report of the review shall be submitted to the fiscal committees of the legislature by December 1, 2020. The report shall contain a description of findings, list of changes made, and recommendations and options for accounting structure changes. The review under this subsection shall include:

(a) A statement of the statutory basis or other basis for the creation of each subprogram within the resource protection program and the history of each subprogram that is being reviewed;

(b) A description of how each subprogram fits within the strategic plan and goals of the agency and an analysis of the quantified objectives of each subprogram within the agency;

(c) Any available performance measures indicating the effectiveness and efficiency of each subprogram program;

(d) A description with supporting cost and staffing data of each program and the populations served by each program, and the level of funding and staff required to accomplish the goals of the subprogram program if different than the actual maintenance level;

(e) An analysis of the major costs and benefits of operating each subprogram and the rationale for specific expenditure and staffing levels;

(f) An analysis estimating each subprogram's administrative and other overhead costs;

(g) An analysis of the levels of services provided;

(h) An analysis estimating the amount of funds or benefits that actually reach the intended recipients;

(i) An analysis of terminology used to describe wildfire suppression, prevention, preparedness, forest health, pre-suppression, and any other term used to describe program activities and provide definitions for each. This should include cross reference to federal definitions and federal funding;

(j) An analysis of inconsistencies and increased costs associated with the decentralized nature of organizational authority and operations, including recommendations for the creation of policy and procedures and subsequent oversight for dispersed operations;

(k) An analysis of the department's budgeting and accounting processes, including work done at the central, program, and region levels, with specific focus on efficiencies to be gained by centralized budget control; and

(l) A review of the progress and findings of the ongoing internal department fire business transformation team related to current practices in wildfire business and the development of an organizational structure governing fire business practices across the department which complies with all state and federal statutes and agreements and which meets the needs of the department as a whole.

(30) \$24,000 of the general fund—state appropriation for fiscal year 2021, \$9,000 of the forest development account—state appropriation, and \$15,000 of the resource management cost account—state appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1521 (government contracting). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(31) \$240,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2311 (greenhouse gas emissions). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(32) \$384,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Substitute House Bill No. 2768 (urban and community forestry). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

**Sec. 308 is partially vetoed. See message at end of chapter.*

**Sec. 309. 2019 c 415 s 309 (uncodified) is amended to read as follows:*

FOR THE DEPARTMENT OF AGRICULTURE

General Fund—State Appropriation (FY 2020)	(\$18,858,000)
	\$19,030,000
General Fund—State Appropriation (FY 2021)	(\$18,925,000)
	\$20,514,000
General Fund—Federal Appropriation	(\$32,078,000)
	\$32,646,000
General Fund—Private/Local Appropriation	\$193,000
Aquatic Lands Enhancement Account—State Appropriation	(\$2,527,000)
	\$2,533,000

Northeast Washington Wolf-Livestock Management

<u>Nonappropriated Account—State Appropriation</u>	<u>\$320,000</u>
Model Toxics Control Operating Account—State	
Appropriation.	(\$5,808,000)
	<u>\$6,930,000</u>
Water Quality Permit Account—State Appropriation	\$73,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$635,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$635,000
Pension Funding Stabilization Account—State	
Appropriation.	\$1,036,000
TOTAL APPROPRIATION	(\$80,768,000)
	<u>\$84,545,000</u>

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

(1) \$6,108,445 of the general fund—state appropriation for fiscal year 2020 and \$6,102,905 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementing the food assistance program as defined in RCW 43.23.290.

(2) \$58,000 of the general fund—state appropriation for fiscal year 2020 and \$59,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5550 (pesticide application safety). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(3) The appropriations in this section includes sufficient funding for the implementation of Engrossed Substitute Senate Bill No. 5959 (livestock identification).

(4) \$18,000 of the general fund—state appropriation for fiscal year 2020 and \$18,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Substitute Senate Bill No. 5597 (aerial herbicide application). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(5) The appropriations in this section include sufficient funding for the implementation of Senate Bill No. 5447 (dairy milk assessment fee).

(6) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department's regional markets program, which includes the small farm direct marketing program under RCW 15.64.050 and the farm-to-school program under RCW 15.64.060.

(7) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the northwest Washington fair youth education programs.

(8) \$197,000 of the general fund—state appropriation for fiscal year 2020 and \$202,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5552 (pollinators). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(9) \$32,000 of the general fund—state appropriation for fiscal year 2020, \$32,000 of the general fund—state appropriation for fiscal year 2021, and \$52,000 of the general fund—federal appropriation are provided solely for the

department to migrate to the state data center and are subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(10) \$24,000 of the general fund—state appropriation for fiscal year 2020 and \$24,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to continue to convene and facilitate a food policy forum and to implement recommendations identified through the previous work of the food policy forum.

(a) The department shall coordinate implementation of the forum with the conservation commission and the office of farmland preservation.

(b) The director of the department and the director of the conservation commission shall jointly appoint members of the forum, and no appointment may be made unless each director concurs in the appointment.

(c) In addition to members appointed by the directors, four legislators may serve on the food policy forum in an ex officio capacity. Legislative participants must be appointed as follows:

(i) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives; and

(ii) The majority leader and minority leader of the senate shall appoint one member from each of the two largest caucuses of the senate.

(d) Meetings of the forum may be scheduled by either the director of the department or the director of the conservation commission.

(e) Staffing for the forum must be provided by the department working jointly with staff from the conservation commission.

(f) The department and conservation commission shall jointly develop the agenda for each forum meeting as well as a report from the food policy forum. The report must contain recommendations and a workplan to implement the recommendations and must be delivered to the appropriate committees of the legislature and the governor by June 30, 2021.

(11) \$212,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5276 (hemp production). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(12) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to review and assist with agricultural economic development in southwest Washington. Funding is provided for the department to perform or contract for agricultural economic development services, including but not limited to grant application assistance, permitting assistance and coordination, and development of a food hub.

(13) \$250,000 of the aquatic lands enhancement account—state appropriation is provided solely to continue a shellfish coordinator position. The shellfish coordinator assists the industry with complying with regulatory requirements and will work with regulatory agencies to identify ways to streamline and make more transparent the permit process for establishing and maintaining shellfish operations.

(14) \$10,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the following activities:

(a) The department and the conservation commission must produce a gap analysis reviewing existing conservation grant programs and completed voluntary stewardship program plans to identify what technical assistance and cost-share resources are needed to meet the requirements placed on those activities by the legislature.

(b)(i) The department, in collaboration with the conservation commission, must develop recommendations for legislation or additional work that may be needed to implement a sustainable farms and fields grant program that prioritizes funding based on net reduction of greenhouse gas emissions on farm, aquatic, or ranch lands, including carbon sequestration.

(ii) The recommendations must incorporate the gap analysis required by this section. The recommendations must include information about how the program can complement and avoid competing with existing conservation programs, and provide cost share benefits to existing and new programs designed to improve water quality, critical habitats, and soil health and soil-health research on farm, aquatic, or timber lands.

(iii) The recommendations must be developed with input from stakeholder meetings with representatives from the environmental and agricultural communities.

(c) The department and the conservation commission must provide an update to the appropriate committees of the legislature by August 1, 2019, and final recommendations by November 1, 2019.

(15) \$650,000 of the model toxics control operating account—state appropriation is provided solely for research grants to assist with development of an integrated pest management plan to address burrowing shrimp in Willapa bay and Grays harbor and facilitate continued shellfish cultivation on tidelands. In selecting research grant recipients for this purpose, the department must incorporate the advice of the Willapa-Grays harbor working group formed from the settlement agreement with the department of ecology signed on October 15, 2019.

(16) \$58,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Substitute Senate Bill No. 6091 (WA food policy forum). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(17) \$87,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct the following:

(a) The department must work with the departments of natural resources, labor and industries, health, and ecology, as well as local health jurisdictions and the state poison center, and consult with nongovernmental stakeholders including, but not limited to, tribal and environmental representatives, to evaluate pesticide investigation rules and processes. By June 30, 2021, the work group must report back to the legislature with any recommended changes, including how complaints should be reported and ensuring that complaints are properly referred.

(b) The department in coordination with the department of natural resources, in consultation with stakeholders, shall review how the state environmental policy act is used for aerial application of herbicides and provide recommendations to the forest practices board and the appropriate committees of

the senate and house of representatives, including any recommendations for revisions to statute, rule, or guidance by October 31, 2020.

(18) \$126,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Substitute Senate Bill No. 5947 (sustainable farms and fields). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(19) \$299,000 of the model toxics control operating account—state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 6518 (pesticide, chlorpyrifos). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(20) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Substitute Senate Bill No. 6306 (soil health initiative). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(21) \$320,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department of agriculture to contract with the northeast Washington wolf cattle collaborative, a nonprofit organization, for range riders to conduct proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves on United States forest service grazing allotments and adjoining private lands in the Kettle mountains in Ferry county north of United States highway 20. The contract must provide that the organization must share all relevant information with the department of fish and wildlife in a timely manner to aid in wolf management decisions. Additionally, range riders must document their activities with geo-referenced photo points and provide written description of their efforts to the department of fish and wildlife by December 31, 2020.

(22) \$17,000 of the general fund—state appropriation for fiscal year 2020 and \$64,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of House Bill No. 2524 (ag. product negotiations). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(23) \$167,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Engrossed Substitute House Bill No. 2713 (compost procurement and use). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(24) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$450,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for infrastructure and equipment grants to food banks and meal programs for the safe storage and distribution of perishable food. Of the amounts provided in this subsection:

(a) \$10,000 in fiscal year 2020 and \$5,000 in fiscal year 2021 are for the department to administer the grants and to convene a community stakeholder group to review the grant applications described in (b)(ii) and (iii) of this subsection. The community stakeholder group must include representatives from food banks and meal programs that are not applying for grants, community advocates, and people that use food banks or meal programs.

(b) \$40,000 in fiscal year 2020 and \$445,000 in fiscal year 2021 are for grants, divided into the following three categories:

(i) Thirty-five percent is for a rebate program for smaller food pantries and meal programs to purchase equipment costing up to \$2,000. To increase efficiency, the department may pass funding for this rebate program to larger food banks to administer the rebates;

(ii) Thirty percent is for requests for proposals for larger projects costing up to \$75,000, and which require a community match of at least thirty percent; and

(iii) Thirty-five percent is for larger projects that are collaborations between organizations and have a proposed impact to improve efficiency and capacity for a regional or statewide emergency food system, and which require a community match of at least fifty percent.

(25) \$40,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to provide to the sheriff's departments of Ferry county and Stevens county to cooperate with the department and the department of fish and wildlife on wolf management activities. Of the amount provided in this subsection, \$20,000 is for the Ferry county sheriff's department and \$20,000 is for the Stevens county sheriff's department.

(26) \$38,000 of the general fund—state appropriation for fiscal year 2020 and \$63,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementing an Asian giant hornet eradication program.

(27) \$150,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to work with the United States department of agriculture to explore and negotiate a cooperative agreement to conduct state inspections of meat and poultry facilities.

(28) The appropriations in this section include sufficient funding for the department to work with representatives from Canada and other stakeholders to develop labeling standards regarding country of origin for beef and other meat products. The standards are for the purpose of clearly displaying the country of origin for beef or other meat products sold to the public. The department shall report and propose any legislation and administrative changes that may be needed to the appropriate committees of the legislature by December 31, 2020.

**Sec. 309 is partially vetoed. See message at end of chapter.*

Sec. 310. 2019 c 415 s 310 (uncodified) is amended to read as follows:

FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Pollution Liability Insurance Agency Underground Storage

Tank Revolving Account—State Appropriation ((~~\$170,000~~))
\$881,000

Pollution Liability Insurance Program Trust Account—State

Appropriation ((~~\$1,655,000~~))
\$1,749,000

TOTAL APPROPRIATION ((~~\$1,825,000~~))
\$2,630,000

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

(1) \$71,000 of the pollution liability insurance program trust account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6257 (underground storage tanks). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(2) \$144,000 of the pollution liability insurance agency underground storage tank revolving account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6256 (heating oil insurance). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

Sec. 311. 2019 c 415 s 311 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

General Fund—State Appropriation (FY 2020)	(\$4,696,000)
	\$4,717,000
General Fund—State Appropriation (FY 2021)	(\$4,758,000)
	\$4,798,000
General Fund—Federal Appropriation	(\$12,708,000)
	\$12,728,000
Aquatic Lands Enhancement Account—State Appropriation	(\$1,441,000)
	\$1,444,000
Model Toxics Control Operating Account—State Appropriation	(\$752,000)
	\$755,000
Pension Funding Stabilization Account—State Appropriation	\$276,000
TOTAL APPROPRIATION	(\$24,631,000)
	\$24,718,000

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

(1) By October 15, 2020, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2021-2023 capital and operating budget requests related to Puget Sound restoration.

(2) \$1,111,000 of the general fund—state appropriation for fiscal year 2020 and \$1,111,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the partnership to implement a competitive, peer-reviewed process for soliciting, prioritizing, and funding research projects designed to advance scientific understanding of Puget Sound recovery. Solicitations and project selection for effectiveness monitoring will be organized and overseen by the Puget Sound ecosystem monitoring program. Initial projects will focus on implementation and effectiveness of Chinook recovery efforts, effectiveness of actions to restore shellfish beds, and implementation of priority studies of the Salish Sea marine survival project. Monitoring reports must be provided in context to the overall success and progress of Puget Sound recovery efforts.

(3) \$237,000 of the general fund—state appropriation for fiscal year 2020 and \$263,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for coordinating updates to the outdated Puget Sound chinook salmon recovery plan, provide support for adaptive management of local watershed chapters, and advance regional work on salmon and ecosystem recovery through local integrating organizations.

(4) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for additional monitoring and accountability actions in response to recommendations from the joint legislative audit and review committee.

**PART IV
TRANSPORTATION**

Sec. 401. 2019 c 415 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund—State Appropriation (FY 2020)	(\$5,424,000)
	<u>\$3,805,000</u>
General Fund—State Appropriation (FY 2021)	(\$3,770,000)
	<u>\$6,109,000</u>
Architects' License Account—State Appropriation	(\$1,454,000)
	<u>\$1,641,000</u>
Real Estate Commission Account—State Appropriation	(\$13,263,000)
	<u>\$14,422,000</u>
Uniform Commercial Code Account—State Appropriation	(\$2,922,000)
	<u>\$2,979,000</u>
Real Estate Education Program Account—State Appropriation	\$276,000
Real Estate Appraiser Commission Account—State Appropriation	(\$1,743,000)
	<u>\$1,707,000</u>
Business and Professions Account—State Appropriation	(\$24,752,000)
	<u>\$26,855,000</u>
Real Estate Research Account—State Appropriation	\$415,000
Firearms Range Account—State Appropriation	\$74,000
Landscape Architects' License Account—State Appropriation	(\$58,000)
	<u>\$126,000</u>
<u>Appraisal Management Company Account—State Appropriation</u>	<u>\$442,000</u>
Concealed Pistol License Renewal Notification Account—State Appropriation	\$140,000
Geologists' Account—State Appropriation	(\$53,000)
	<u>\$114,000</u>
Pension Funding Stabilization Account—State Appropriation	\$96,000
Derelict Vessel Removal Account—State Appropriation	\$33,000
TOTAL APPROPRIATION	(\$54,473,000)
	<u>\$59,234,000</u>

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

(1) Appropriations provided for the business and technology modernization project in this section are subject to the conditions, limitations, and review provided in (~~section 719 of this act~~) section 701 of this act.

(2) \$72,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5480 (real estate appraisers). (~~If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~)

~~(4))~~ (3) \$144,000 of the business and professions account—state appropriation is provided solely for implementation of Senate Bill No. 5641 (uniform law on notarial acts). (~~If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.~~)

~~(5))~~ (4) \$95,000 of the general fund—state appropriation for fiscal year 2020 and \$99,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to mail vessel registration renewal reminders.

~~((6) \$2,716,000)~~ (5) \$1,003,000 of the general fund—state appropriation for fiscal year 2020 and ~~((1,337,000))~~ \$3,050,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the department to procure a commercial off-the-shelf solution to replace the legacy firearms system, and is subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

(6) \$72,000 of the general fund—state appropriation for fiscal year 2020 and \$601,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute House Bill No. 2555 (other firearms/background). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(7) \$22,000 of the uniform commercial code account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6074 (financial fraud/theft crimes). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(8) \$19,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the implementation of Second Substitute Senate Bill No. 6528 (derelict vessel prevention). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

Sec. 402. 2019 c 415 s 402 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

General Fund—State Appropriation (FY 2020)	(\$56,301,000)
	<u>\$57,529,000</u>
General Fund—State Appropriation (FY 2021)	(\$55,374,000)
	<u>\$58,775,000</u>
General Fund—Federal Appropriation	(\$16,699,000)
	<u>\$16,690,000</u>
General Fund—Private/Local Appropriation	\$3,091,000
Death Investigations Account—State Appropriation	(\$9,365,000)
	<u>\$9,098,000</u>
County Criminal Justice Assistance Account—State	
Appropriation	(\$4,546,000)
	<u>\$4,550,000</u>
Municipal Criminal Justice Assistance Account—State	
Appropriation	(\$1,641,000)
	<u>\$1,644,000</u>
Fire Service Trust Account—State Appropriation	\$131,000
Vehicle License Fraud Account—State Appropriation	\$119,000
Disaster Response Account—State Appropriation	\$8,000,000
Washington Internet Crimes Against Children	
Account—State Appropriation	\$1,500,000
Fire Service Training Account—State Appropriation	(\$11,764,000)
	<u>\$11,765,000</u>
Model Toxics Control Operating Account—State	
Appropriation	\$588,000

Aquatic Invasive Species Management Account—State	
Appropriation	\$54,000
Fingerprint Identification Account—State	
Appropriation	(\$16,405,000)
	<u>\$16,447,000</u>
Dedicated Marijuana Account—State Appropriation	
(FY 2020)	(\$2,723,000)
	<u>\$2,453,000</u>
Dedicated Marijuana Account—State Appropriation	
(FY 2021)	(\$2,523,000)
	<u>\$2,793,000</u>
Pension Funding Stabilization Account—State	
Appropriation	\$3,300,000
TOTAL APPROPRIATION	(\$194,124,000)
	<u>\$198,527,000</u>

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

(1) \$8,000,000 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) \$2,878,000 of the fingerprint identification account—state appropriation is provided solely for the completion of the state patrol's plan to upgrade the criminal history system, and is subject to the conditions, limitations, and review provided in (~~section 719 of this act~~) section 701 of this act.

(3) (~~(\$2,723,000)~~) \$2,453,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and (~~(\$2,523,000)~~) \$2,793,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the Washington state patrol's drug enforcement task force. The amounts in this subsection are provided solely for the following:

(a) \$2,423,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and \$2,423,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for the Washington state patrol to partner with multi-jurisdictional drug and gang task forces to detect, deter, and dismantle criminal organizations involved in criminal activity including diversion of marijuana from the legalized market and the illicit production and distribution of marijuana and marijuana-related products in Washington state.

(b) (~~(\$300,000)~~) \$30,000 of the dedicated marijuana account—state appropriation for fiscal year 2020 and (~~(\$100,000)~~) \$370,000 of the dedicated marijuana account—state appropriation for fiscal year 2021 are provided solely for a case management system to serve as a repository for all information regarding criminal cases. This system must allow state patrol investigators to enter information and to search to provide patterns, trends, and links which will allow the state patrol to identify connections on criminal investigations

including efforts to dismantle marijuana and other drug trafficking organizations by identifying their established networks, and is subject to the conditions, limitations, and review provided in (~~section 719 of this act~~) section 701 of this act.

(4) \$479,000 of the general fund—state appropriation for fiscal year 2020 and \$255,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5181 (invol. treatment procedures). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(5) \$13,000 of the general fund—state appropriation for fiscal year 2020 and \$2,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497 (immigrants in the workplace). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(6) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Senate Bill No. 5605 (marijuana misdemeanors). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(7) \$679,000 of the general fund—state appropriation for fiscal year 2020 and \$643,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for addressing a backlog of toxicology tests in the toxicology laboratory.

(8) \$1,500,000 of the Washington internet crimes against children account—state appropriation is provided solely for the missing and exploited children's task force within the patrol to help prevent possible abuse to children and other vulnerable citizens from sexual abuse.

(9) \$356,000 of the general fund—state appropriation for fiscal year 2020, \$356,000 of the general fund—state appropriation for fiscal year 2021, and \$298,000 of the death investigations account—state appropriations are provided solely for increased supply and maintenance costs for the crime laboratory division and toxicology laboratory division.

(10) \$5,770,000 of the general fund—state appropriation for fiscal year 2020, \$3,243,000 of the general fund—state appropriation for fiscal year 2021, and \$1,277,000 of the death investigations account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1166 (sexual assault). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(11) \$282,000 of the general fund—state appropriation for fiscal year 2020 and \$263,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1713 (Native American women). (~~If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~)

(12) \$510,000 of the county criminal justice assistance account—state appropriation is provided solely for the Washington state patrol to support local police, sheriffs' departments, and multiagency task forces in the prosecution of criminals. However, the office of financial management must reduce the allotment of the amount provided in this subsection if allotment of the full appropriation will put the account into deficit.

(13) \$1,000,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(14) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington state patrol to develop a plan for implementation of a centralized firearm background check system. Funding is sufficient to fund a consultant to design an information technology system to conduct firearm background checks through a centralized system and a Washington state patrol project manager to design the implementation plan. The design should include recommendations to comply with the direction in RCW 9.41.139 and leverage the new firearms database system currently being procured by the department of licensing to create one streamlined system. The Washington state patrol shall convene an interagency work group to inform the centralized firearm background check system implementation plan, to include but not limited to the department of licensing, administrative office of the courts, health care authority, and office of financial management. Reports on the information technology system and the implementation plan shall be provided to the governor and appropriate committees of the legislature by December 1, 2020.

(15) \$25,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for collaboration with Washington State University to produce the report in section 604 of this act.

(16) \$34,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Engrossed Substitute House Bill No. 2318 (criminal investigatory practices). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(17) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute House Bill No. 2793 (criminal records). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

**PART V
EDUCATION**

*Sec. 501. 2019 c 415 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund—State Appropriation (FY 2020)	(\$30,861,000)
	\$31,265,000
General Fund—State Appropriation (FY 2021)	(\$27,751,000)
	\$30,350,000
General Fund—Federal Appropriation	(\$99,348,000)
	\$99,355,000
General Fund—Private/Local Appropriation	\$8,060,000
Washington Opportunity Pathways Account—State Appropriation	(\$265,000)
	\$4,265,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$522,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$530,000
Pension Funding Stabilization Account—State Appropriation	\$2,126,000

Performance Audits of Government Account—State

Appropriation.....	\$213,000
TOTAL APPROPRIATION	(\$169,676,000)
	<u>\$176,686,000</u>

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

(1) BASE OPERATIONS AND EXPENSES OF THE OFFICE

(a) (~~\$11,090,000~~) \$11,109,000 of the general fund—state appropriation for fiscal year 2020 and (~~\$11,087,000~~) \$11,883,000 of the general fund—state appropriation for fiscal year 2021 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) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(iii) 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 (~~sections 501, 515, and 522 of this act~~) section 501, chapter 415, Laws of 2019 and sections 513 and 520 of this act. 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.

(iv) The superintendent of public instruction, in consultation with the secretary of state, shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

(v) 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.

(vi) The office of the superintendent of public instruction shall provide statewide oversight and coordination to the regional nursing corps program supported through the educational service districts.

(b) \$857,000 of the general fund—state appropriation for fiscal year 2020 and (~~\$857,000~~) \$1,217,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for maintenance of the apportionment system, including technical staff and the data governance working group.

(c) \$2,300,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for activities associated with the implementation of chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education) within the amounts provided in this subsection (1)(c), up to \$300,000 is for the office of the superintendent of public instruction to review the use of local revenues for compliance with enrichment requirements, including the preballot approval of enrichment levy spending plans approved by the superintendent of public instruction, and any supplemental contracts entered into under RCW 28A.400.200.

(d) \$494,000 of the general fund—state appropriation for fiscal year 2020 and \$494,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(e)(i) ~~\$61,000~~ \$76,000 of the general fund—state appropriation for fiscal year 2020 and ~~((61,000))~~ \$76,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(ii) Within amounts provided in this subsection, the committee must review the Washington kindergarten inventory of developing skills, including professional development available to educators and other assessment materials and tools, and make recommendations to the office of the superintendent of public instruction and the education committees of the legislature on the following topics:

(A) Opportunities for reducing bias in the observational assessment process and materials; and

(B) Barriers to implementation of the inventory.

(iii) The committee shall seek feedback from relevant stakeholders, including but not limited to:

(A) The office of the superintendent of public instruction;

(B) The department of children, youth, and families;

(C) Kindergarten teachers who are representative of or who teach in schools with diverse student subgroups;

(D) A representative from a tribal school who is currently using the inventory;

(E) Principals who are currently using the inventory;

(F) Parents who are representative of student populations that have historically scored low on the inventory, and who are recommended by an organization that serves parents of color;

(G) District assessment coordinators; and

(H) Early childhood providers.

(f) \$61,000 of the general fund—state appropriation for fiscal year 2020 and \$61,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(g) \$265,000 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.

(h) Within amounts appropriated in this section, the office of the superintendent of public instruction and the state board of education shall adopt

a rule that the minimum number of students to be used for public reporting and federal accountability purposes is ten.

(i) \$123,000 of the general fund—state appropriation for fiscal year 2020 and \$123,000 of the general fund—state appropriation for fiscal year 2021 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.

(j) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(k) \$14,000 of the general fund—state appropriation for fiscal year 2020 and \$14,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 242, Laws of 2013 (state-tribal education compacts).

(l) \$131,000 of the general fund—state appropriation for fiscal year 2020, \$131,000 of the general fund—state appropriation for fiscal year 2021, and \$213,000 of the performance audits of government account—state appropriation are provided solely for the office of the superintendent of public instruction to perform on-going 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.

(m) \$117,000 of the general fund—state appropriation for fiscal year 2020 and \$117,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 3, Laws of 2015 1st sp. sess. (computer science).

(n) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators).

(o) \$235,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$235,000)~~) \$385,000 of the general fund—state appropriation for fiscal year 2021 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. Of the amounts provided in this subsection, \$150,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for professional learning and technical assistance to support the ongoing implementation of since time immemorial tribal sovereignty curriculum, tribal consultation and engagement, government to government training, and data collection and identification of American

Indian and Alaska Native students. 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. The tribal consultation training and schedule must be developed by January 1, 2022.

(p) \$175,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$175,000)~~ \$205,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

(q) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state.

(r) \$481,000 of the general fund—state appropriation for fiscal year 2020 and \$481,000 of the general fund—state appropriation for fiscal year 2021 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.

(s) The superintendent of public instruction must study and make recommendations for how Washington can make dual credit enrollment cost-free to students who are enrolled in running start, college in the high school, advanced placement, international baccalaureate, or other qualifying dual credit programs within existing basic education apportionments. While developing recommendations, the superintendent must collaborate and consult with K-12 and higher education stakeholders with expertise in dual credit instruction, transcription, and costs. The superintendent shall report the recommendations to the education policy and operating budget committees of the legislature by November 1, 2019. The recommendations must, at a minimum, consider:

(i) How to increase dual credit offerings and access for students that aligns with the student's high school and beyond plan and provides a pathway to education and training after high school, including careers, professional-technical education, apprenticeship, a college degree, or military service, among others.

(ii) How to ensure transfer of college credits earned by dual credit students to/among institutions of higher education.

(iii) How basic education funding will be used to provide for fees, books, and other direct costs charged by institutions of higher education and K-12 districts.

(iv) How K-12 and postsecondary institutions will equitably expand dual credit opportunities for students.

(v) How K-12 and postsecondary institutions will ensure coordinated advising and support services for students enrolled in, or considering enrollment in, dual credit programs.

(t) \$44,000 of the general fund—state appropriation for fiscal year 2020 and \$44,000 of the general fund—state appropriation for fiscal year 2021 are

provided solely to pay for services for space in the state data center and networking charges.

(u) \$46,000 of the general fund—state appropriation for fiscal year 2020 and \$46,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a new server and backup application due to the move to the state data center.

(v) \$55,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the consolidated technology services to host the office's web site and for web site maintenance and support services.

(w) 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 a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(x) The office shall review and update the guidelines "prohibiting discrimination in Washington public schools," which must include religious accommodations. Students' sincerely held religious beliefs and practices must be reasonably accommodated with respect to all examinations and other requirements to successfully complete coursework.

(y) In section 116(8) of this act, the office of the education ombuds is directed to develop a plan to implement a program to promote skills, knowledge, and awareness concerning issues of diversity, equity, and inclusion among families with school-age children, with a report due to the governor and the appropriate committees in the legislature by September 1, 2020. Within amounts provided in this subsection, the office of the superintendent of public instruction shall collaborate on the plan and report.

(z) In section 129(13) of this act, the office of financial management is directed to review and report on the pupil transportation funding system for K-12 education, the report is due to the governor and the appropriate committees in the legislature by August 1, 2020. Within amounts provided in this subsection, the office of the superintendent of public instruction shall collaborate on this review.

(2) DATA SYSTEMS

(a) \$1,802,000 of the general fund—state appropriation for fiscal year 2020 and \$1,802,000 of the general fund—state appropriation for fiscal year 2021 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) \$1,221,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$1,221,000)~~ \$281,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$450,000 of the general fund—state appropriation for fiscal year 2021 are provided 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 assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(3) WORK GROUPS

(a) \$335,000 of the general fund—state appropriation for fiscal year 2020 and \$335,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 206, Laws of 2018 (career and college readiness).

(b) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided 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) The office of the superintendent of public instruction, in collaboration with the department of social and health services developmental disabilities administration and division of vocational rehabilitation, shall explore the development of an implementation plan to build statewide capacity among school districts to improve transition planning for students in special education who meet criteria for services from the developmental disabilities administration, and shall provide all school districts with an opportunity to participate. The plan shall be submitted in compliance with RCW 43.01.036 by November 1, 2018, and the final report must be submitted by November 1, 2020, to the governor and appropriate legislative committees. The final report must include the following:

(i) An examination of whether a data share agreement between the department of social and health services developmental disabilities administration, division of vocational rehabilitation, and the office of the superintendent of public instruction would improve coordination among the three agencies;

(ii) Defined roles for the associated stakeholders involved with the transition of students potentially eligible for services from the developmental disabilities administration, including but not limited to:

(A) The department of social and health services developmental disabilities administration;

(B) The office of the superintendent of public instruction;

(C) The division of vocational rehabilitation at the department of social and health services;

(D) School districts across the state of Washington; and

(E) Counties coordinating employment and day services.

(iii) An examination of the feasibility of a statewide developmental disabilities transition council, including representative positions, roles and responsibilities, costs, and data collection; and

(iv) Recommendations for supporting seamless transition from school to post-school life, up to and including potential legislation and funding, regional interagency transition networks, and coordination between counties, schools, and other partners for transition supports.

(d) \$40,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the legislative youth advisory council. The council of statewide members advises legislators on issues of importance to youth.

(e) \$118,000 of the general fund—state appropriation for fiscal year 2020 and \$118,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(f) \$183,000 of the general fund—state appropriation for fiscal year 2020 and \$48,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Substitute House Bill No. 1130 (pub. school language access). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(g) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5082 (social emotional learning). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(h) \$60,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a technical advisory committee to consider and make recommendations for an apportionment system that could effectively support teacher residency program model pilots in fiscal year 2022.

(i)(i) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of the superintendent of public instruction to convene a work group to develop recommendations for integrating, in a regular and ongoing basis, African American history, examinations of racism, and the history of the civil rights movement into curriculum provided to students in grades seven through twelve. Recommendations developed in accordance with this subsection must be preceded by a work group review of pertinent curriculum that is available to school districts, and must include recommendations for the professional development needed to support educators in providing the instruction to students.

(ii) The work group must consist of one representative from each of the following: (A) The Washington state commission on African American affairs; (B) the educational opportunity gap oversight and accountability committee; and (C) a statewide organization representing teachers. The work group may also include other persons with unique and specific expertise, including but not limited to, Washington state historians and persons representing teacher preparation programs.

(iii) The office must report the findings and recommendations required by this subsection to the education committees of the legislature by November 15, 2020.

(j) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to participate in the work group established in

section 922 of this act to create a family engagement framework for early learning through high school. At a minimum, the work group must review family engagement policies and practices in Washington and in other states, with a focus on identifying best practices that can be adopted throughout Washington.

(k) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of the superintendent of public instruction to collaborate with the office of the department of children, youth, and families to complete a report with options and recommendations for administrative efficiencies and long-term strategies that align and integrate high-quality early learning programs administered by both agencies. The report shall address capital needs, data collection and sharing, licensing changes, quality standards, options for community-based and school-based settings, fiscal modeling, and any statutory changes needed to achieve administrative efficiencies. The report is due to the governor and the appropriate legislative committees by September 1, 2020.

(1)(i)(A) Within amounts provided in this section, the office of the superintendent of public instruction shall convene a work group to:

(I) Review provisions related to sexual health education in the health and physical education learning standards adopted in 2016;

(II) Review existing sexual health education curricula in use in the state for the purpose of identifying gaps or potential inconsistencies with the health and physical education learning standards;

(III) Consider revisions to sexual health education provisions in statute; and

(IV) Consider the merits and challenges associated with requiring all public schools offer comprehensive sexual health education to students in all grades by September 1, 2022. For purposes of this subsection (h), "comprehensive sexual health education" means instruction in sexual health that, at a minimum, is evidence-informed, medically and scientifically accurate, age appropriate, and inclusive for all students.

(B) In meeting the requirements of this subsection (h), the work group shall consult with a broad array of stakeholders representing diverse opinions.

(ii) The work group shall consist of the following members:

(A) The superintendent of public instruction or the superintendent's designee;

(B) Three representatives of school districts recommended by the Washington state school directors' association. To the extent possible, the school district representatives must reflect a diversity of student enrollment, geographic location, and urban, suburban, and rural locations;

(C) Three school principals recommended by an association of Washington school principals, one each representing an elementary school, a middle school, and a high school. The three principals must represent the geographic diversity of urban, suburban, and rural locations;

(D) Three public school health educators recommended by an association of Washington educators, one each representing grades kindergarten through five, grades six through eight, and grades nine through twelve. The three public school health educators must represent the geographic diversity of urban, suburban, and rural locations;

(E) Three public health officials, at least two of whom are local public health officials with expertise in developing or presenting comprehensive sexual

health education materials and resources, as recommended by the Washington state department of health. The three public health officials must represent the geographic diversity of urban, suburban, and rural locations; and

(F) Three parents recommended in accordance with this subsection (3)(h)(ii)(F), one with a child enrolled in a public school west of the crest of the Cascade mountain range, one with a child enrolled in a public school east of the crest of the Cascade mountain range, and one with a child enrolled in a public school who is also receiving special education services. The recommendation for a parent of a public school student receiving special education services must be made by an association of parents, teachers, and students that focuses on the needs of students receiving special education services. The recommendation for the other parents under this subsection must be made by an association of parents, teachers, and students.

(iii) The office of the superintendent of public instruction shall submit findings and recommendations required by this section to the state board of education, the department of health, and, in accordance with RCW 43.01.036, the education committees of the house of representatives and the senate by December 1, 2019.

(iv)(A) The office of the superintendent of public instruction and the Washington state school directors' association, shall collaborate with department of health to conduct a data survey of the availability of sexual health education in public schools and relevant health measures in those schools. All school districts shall submit to the office of the superintendent of public instruction, through the Washington school health profiles survey, or other reporting mechanisms, the curricula used in the district to teach sexual health education. The data survey must include a list of the schools within the boundaries of each school district that offer sexual health education and in which grade levels, and the curricula used to teach sexual health education, as reported according to RCW 28A.300.475(7). In addition, the data shall include, for each school district and inclusive of any charter schools that may be within the boundaries of the school district, the rate of teen pregnancy, sexually transmitted infections, suicide, depression, and adverse childhood experiences in each of the previous five years for which data is available. To the extent that the data allows, the information shall be collected by school district, inclusive of any charter schools that may be within the boundaries of the school district. To the extent allowed by existing data sources, the information must be disaggregated by age, race, ethnicity, free and reduced lunch eligibility, sexual orientation, gender identity and expression, and geography, including school district population density, and conveyed, to the maximum extent possible, in a manner that complies with WAC 392-117-060. The data survey may combine multiple years of data if necessary to comply with student privacy requirements.

(B) The office of the superintendent of public instruction shall utilize the information collected from the data survey to inform the work group established in (f) of this subsection. The office, in accordance with RCW 43.01.036, shall submit the data survey to the committees of the legislature with jurisdiction over matters related to education and health care and the governor by December 1, 2019.

(m) \$107,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to support the children and youth behavioral

health work group created in Second Substitute House Bill No. 2737 (child mental health wk. grp). If this bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.

(4) STATEWIDE PROGRAMS

(a) \$2,590,000 of the general fund—state appropriation for fiscal year 2020 and \$2,590,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$703,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$950,000 of the general fund—state appropriation for fiscal year 2021 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) \$909,000 of the general fund—state appropriation for fiscal year 2020 and \$909,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement chapter 18, Laws of 2013 2nd sp. sess. (strengthening student educational outcomes).

(e) \$10,000 of the general fund—state appropriation for fiscal year 2020 and \$10,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for chapter 102, Laws of 2014 (bilitery seal).

(f)(i) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for school bullying and harassment prevention activities.

(ii) \$15,000 of the general fund—state appropriation for fiscal year 2020 and \$15,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) \$1,268,000 of the general fund—state appropriation for fiscal year 2020 ~~(and \$1,268,000 of the general fund—state appropriation for fiscal year 2021 are)~~ is provided solely to educational service districts for implementation of Second Substitute House Bill No. 1216 (school safety and well-being). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(iv) \$570,000 of the general fund—state appropriation for fiscal year 2021 is 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). Within the amounts appropriated in this subsection (4)(f)(iv), \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to schools or school districts for planning and integrating tiered suicide prevention and behavioral health supports. Grants must be awarded first to districts

demonstrating the greatest need and readiness. Grants may be used for intensive technical assistance and training, professional development, and evidence-based suicide prevention training.

(v) \$196,000 of the general fund—state appropriation for fiscal year 2020 and \$196,000 of the general fund—state appropriation for fiscal year 2021 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)(f)(~~(iv)~~) (v), \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 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)(f)(~~(iv)~~) (v), \$96,000 of the general fund—state appropriation for fiscal year 2020 and \$96,000 of the general fund—state appropriation for fiscal year 2021 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.

(g)(i) \$162,000 of the general fund—state appropriation for fiscal year 2020 and \$162,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for youth suicide prevention activities.

(ii) \$204,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of chapter 202, Laws of 2017 (children's mental health).

(iii) \$20,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of chapter 175, Laws of 2018 (children's mental health services).

(iv) \$76,000 of the general fund—state appropriation for fiscal year 2020 and \$76,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(h)(i) \$280,000 of the general fund—state appropriation for fiscal year 2020, \$280,000 of the general fund—state appropriation for fiscal year 2021, and \$1,052,000 of the dedicated marijuana account—state appropriation 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, \$522,000 of the dedicated marijuana account—state appropriation for fiscal year 2020, and \$530,000 of the dedicated marijuana

account—state appropriation for fiscal year 2021 are provided solely for the building bridges statewide program.

(ii) \$293,000 of the general fund—state appropriation for fiscal year 2020 and \$293,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$178,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(i) 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.

(j) \$369,000 of the general fund—state appropriation for fiscal year 2020 and \$358,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Second Substitute House Bill No. 1424 (CTE course equivalencies). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(k) \$400,000 of the general fund—state appropriation for fiscal year 2020 and \$196,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1599 (high school graduation reqs.). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(l) \$60,000 of the general fund—state appropriation for fiscal year 2020, \$60,000 of the general fund—state appropriation for fiscal year 2021, and \$680,000 of the general fund—federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1139 (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 of Engrossed Second Substitute House Bill No. 1139 relating to the regional recruiters program. ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(m) \$66,000 of the general fund—state appropriation for fiscal year 2020 and \$60,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to evaluate and implement best practices and procedures for ensuring that student lunch periods include a seated lunch duration of at least twenty minutes. The office of the superintendent of public instruction shall, through an application-based process, select six public schools to serve as demonstration sites. Of the amounts provided in this subsection:

(i) \$30,000 of the general fund—state appropriation for fiscal year 2020 and \$30,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for annual grant awards of \$5,000 each provided to the six school districts selected to serve as school demonstration sites;

(ii) \$20,000 of the general fund—state appropriation for fiscal year 2020 and \$20,000 of the general fund—state appropriation for fiscal year 2021 are

provided solely for the office of the superintendent of public instruction to hire a consultant with expertise in nutrition programs to oversee the demonstration projects and provide technical support;

(iii) \$10,000 of the general fund—state appropriation for fiscal year 2020 and \$10,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to provide technical support to the demonstration sites and report its findings and recommendations to the education committees of the house of representatives and the senate by June 30, 2021; and

(iv) \$6,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the Washington state school directors' association, in consultation with the office of the superintendent of public instruction, to adopt and make publicly available by February 14, 2020, a model policy and procedure that school districts may use to ensure that student lunch periods include a seated lunch duration of at least twenty minutes. In developing the model policy and procedure, the Washington state school directors' association shall, to the extent appropriate and feasible, incorporate pertinent recommendations from the office of the state auditor.

(n) \$25,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to publish a list of schools and districts that are not complying with RCW 28A.325.010 and 28A.325.050. The office must publish the list no later than December 30, 2020. Within amounts appropriated in this subsection, the office of the superintendent of public instruction must:

(i) Collaborate with associated student body executive boards statewide regarding district policies to reduce the extracurricular opportunity gap.

(ii) Require school districts to collect and report to the associated student body executive board the 2018-19 school year data related to students in possession of associated student body cards and student participation in school-based athletic programs by January 15, 2020. School districts with more than one high school must provide each high school's associated student body executive board only the data from each associated student body executive board's respective high school.

(A) Each school district with a high school must collect and publish on its website the following school-level data from each high school for the 2018-19 school year by January 15, 2020, for the 2019-20 school year by April 15, 2020, and for the 2020-21 school year by April 15, 2021:

(I) The number of high school students who are eligible to participate in the federal free and reduced-price meals program;

(II) The purchase amount of an associated student body card for high school students;

(III) The discounted purchase amount of an associated student body card for high school students who are eligible to participate in the federal free and reduced-price meals program;

(IV) Athletic program participation fees and any discounted fees for high school students who are eligible to participate in the federal free and reduced-price meals program;

(V) The number of high school students who possess an associated student body card;

(VI) The number of high school students who are eligible to participate in the federal free and reduced-price meals program and possess an associated student body card;

(VII) The number of high school students participating in an athletic program; and

(VIII) The number of high school students participating in an athletic program who are eligible to participate in the federal free and reduced-price meals program.

(B) The data for the April 2020 and April 2021 reports must include at least two weeks of data from the beginning of spring athletics season.

(C) The office of the superintendent of public instruction must provide support to ensure that all districts comply with the data reporting requirements in this subsection.

(D) No later than January 15, 2020, the office of the superintendent of public instruction must publish a list of schools and districts that are not complying with RCW 28A.325.050.

(o) \$60,000 of the general fund—state appropriation for fiscal year 2020 and \$60,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to collect and monitor restraint and isolation data pursuant to chapter 206, Laws of 2015, and to provide training, technical assistance, and other support to schools and districts to reduce the use of restraint and isolation.

(p) \$225,000 of the general fund—state appropriation in fiscal year 2020 and \$225,000 of the general fund—state appropriation in fiscal year 2021 are provided solely for the office of the superintendent of public instruction to develop or expand a mentoring program for persons employed as educational interpreters in public schools. Funds provided under this section may only be used for recruiting, hiring, and training persons to be employed by Washington sensory disability services who must provide mentoring services in different geographic regions of the state, with the dual goals of: Providing services, beginning with the 2019-20 school year, to any requesting school district; and assisting persons in the timely and successful achievement of performance standards for educational interpreters.

(q) \$150,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the office of the superintendent of public instruction to create a series of articles, videos, and educational curriculum on the history of agriculture in Washington state, including the role and impact of indigenous and immigrant farmers. The materials must be made available for free to schools, educators, and students. The office may collaborate with other agencies or entities in order to create the educational materials.

(r) \$61,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Substitute Senate Bill No. 5023 (ethnic studies). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(s) \$63,000 of the general fund—state appropriation for fiscal year 2020 and \$7,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5497

(immigrants in the workplace). ((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))

(t) Within existing resources, the office shall consult with the Washington student achievement council to adopt rules pursuant to Senate Bill No. 5088 (computer science).

(u) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to conduct a pilot program in five school districts of a dropout early warning and intervention data system as defined in RCW 28A.175.074, to identify students beginning in grade eight who are at risk of not graduating from high school and require additional supports. The system at a minimum must measure attendance, behavior, and course performance. The office of the superintendent of public instruction must report to the appropriate committees of the legislature the progress of all participating schools by December 15, 2020.

(v) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the superintendent of public instruction to administer a pilot program in a school district with enrollment under 2,000 students in the 2019-20 school year and with at least one school identified for improvement through the Washington school improvement framework to move to a balanced school year. For the purposes of this pilot program, "balanced calendar school year" means a school schedule which distributes school vacations evenly throughout the school year while meeting minimum instructional hours and minimum days of instruction as required in law.

(w) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of the superintendent of public instruction to develop a list of curriculum and supplemental curriculum supports that align with the K-12 health education standards in order to support teaching emotional, mental, and behavioral health in schools.

(x)(i) \$76,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of the superintendent of public instruction to collaborate with the department of health to submit a report of findings related to statewide implementation of RCW 28A.210.383. In preparing the report, the office must collaborate with the department to:

(A) Analyze information about the schools that maintain a supply of epinephrine autoinjectors under RCW 28A.210.383;

(B) Examine the barriers and challenges licensed health professionals with the authority to prescribe epinephrine autoinjectors experience in prescribing this medication under a standing order;

(C) Review whether and to what extent the requirement under RCW 28A.210.320 that a student with a life-threatening allergic reaction present a medication or treatment order addressing the medical services that may be required to be performed at the school reduces the need for and use of a school supply of epinephrine autoinjectors;

(D) Determine the number of unused epinephrine autoinjectors discarded by schools, and returned to students' families, at the end of the 2019-20 school year;

(E) Complete an inventory of the number and categories of school district staff provided with training on identifying and responding to life-threatening allergies between September 1, 2017, and September 1, 2020; and

(F) Investigate any other implementation issues raised by school nurses, students who have life-threatening allergic reactions, and students' families during meetings held by the office for the purpose of soliciting feedback on these issues.

(ii) When collecting and analyzing information required under (i) of this subsection, the office and the department must collect information from multiple sources, and disaggregate information during analysis, such that information can be separated by school geography, student enrollment, school socioeconomic status, and other student demographics.

(iii) The office and the department must submit the report to the appropriate committees of the legislature by December 1, 2020.

(y) Within existing resources, the office shall implement Substitute Senate Bill No. 5324 (homeless student support).

(z) \$150,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(aa) \$474,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute House Bill No. 1182 (learning assistance program). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(bb) \$57,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2660 (school meals at no cost). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(cc) \$872,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute House Bill No. 2864 (running start summer pilot). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(dd) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to develop Spanish language arts standards, contract with an organization to conduct a bias and sensitivity review of the proposed Spanish language arts standards; and provide professional learning outreach to school districts to help educators implement the Spanish language arts standards. The office must also develop a plan for phasing in language arts standards for other languages spoken by Washington students.

(ee) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the Washington state school directors' association, in consultation with the office of the superintendent of public instruction, a state association of school nurses, and a national epilepsy organization, to adopt a model policy and procedure that school districts may use to implement individual health plans for students with epilepsy or other seizure disorders. At a minimum, the model policy and procedure must address the acquisition of

parent requests and instructions, the acquisition of medication and treatment orders from licensed health professionals, the provision for storage of medical equipment and medication provided by parents, and training of parent-designated adults. The model policy and procedure must be periodically reviewed by the Washington state school directors' association and may be revised as necessary.

(ff) \$10,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of the superintendent of public instruction, in consultation with the four-year institutions as defined in RCW 28B.76.020, the state board for community and technical colleges, and the workforce training and education coordinating board, to review and report on potential adjustments or alterations to the standardized high school transcript created under RCW 28A.230.125, including, but not limited to, granting the option of using a weighted grade point average to recognize accelerated coursework. The report shall include findings and recommendations and shall be submitted to the governor and the appropriate committees of the legislature by January 1, 2021.

(gg) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Senate Bill No. 6066 (ethnic studies materials). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(hh) \$385,000 of the general fund—state appropriation for fiscal year 2020 and \$349,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 6521 (innovative learning pilot). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse.

(ii) \$6,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Senate Bill No. 6263 (data sharing/schools, tribes). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(jj) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to develop a model civics curriculum, including resources and teacher materials designed to prepare students for lifelong civic engagement. Development of materials must include feedback from diverse communities, including those groups typically underrepresented in voter turnout. All materials must be openly licensed and posted on the superintendent of public instruction's web site.

(kk) \$4,000,000 of the Washington opportunity pathways account—state appropriation is provided solely for grants during the 2020-21 school year to school districts that have enrollments of less than six hundred fifty students. Funding provided in this subsection may be used only for enrichment activities permitted by RCW 28A.150.276(2). The superintendent of public instruction must prioritize districts with low operating fund balances or other demonstrated financial need. For the purposes of this subsection only, "school district" includes public schools receiving allocations under chapters 28A.710 and 28A.715 RCW.

*Sec. 501 is partially vetoed. See message at end of chapter.

*Sec. 502. 2019 c 415 s 503 (uncodified) is amended to read as follows:
FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD
 General Fund—State Appropriation (FY 2020) \$3,839,000

General Fund—State Appropriation (FY 2021)	(\$15,771,000)
	<u>\$30,129,000</u>
TOTAL APPROPRIATION	(\$19,610,000)
	<u>\$33,968,000</u>

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

(1) \$2,834,000 of the general fund—state appropriation for fiscal year 2020 and \$2,887,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to the professional educator standards board for the following:

(a) Within the amounts provided in this subsection (1), \$1,612,000 of the general fund—state appropriation for fiscal year 2020 and \$1,665,000 of the general fund—state appropriation for fiscal year 2021 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).

(b) Within the amounts provided in this subsection (1), \$600,000 of the general fund—state appropriation for fiscal year 2020 and \$600,000 of the general fund—state appropriation for fiscal year 2021 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.

Within the amounts provided in this subsection (1)(b), up to \$500,000 of the general fund—state appropriation for fiscal year 2020 and up to \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided 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.

(c) Within the amounts provided in this subsection (1), \$622,000 of the general fund—state appropriation for fiscal year 2020 and \$622,000 of the general fund—state appropriation for fiscal year 2021 are provided 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 (1)(c), \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(2) \$272,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1139 (educator workforce supply). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(3) \$662,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$12,663,000)~~ \$27,021,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators).

(a) Of the amount in this subsection, ~~(\$12,001,000)~~ \$26,359,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to districts to provide ~~(two days)~~ four days of training in the

~~fundamental course of study to all paraeducators. ((Funds in this subsection are provided solely for reimbursement to school districts that provide two days of training in the fundamental course of study to paraeducators during the 2019-20 school year.))~~

(b) No later than December 1, 2020, the professional educator standards board must submit a report to the legislature including the following:

(i) The total number of trainings that districts provided;

(ii) The number of paraeducators that completed the training, by district; and

(iii) The total expenditures reimbursed to school districts, by district.

*Sec. 502 is partially vetoed. See message at end of chapter.

*Sec. 503. 2019 c 415 s 504 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT

General Fund—State Appropriation (FY 2020)	(\$8,752,402,000)
	<u>\$8,449,996,000</u>
General Fund—State Appropriation (FY 2021)	(\$9,137,269,000)
	<u>\$8,942,348,000</u>
Education Legacy Trust Account—State Appropriation.	(\$1,345,730,000)
	<u>\$1,955,730,000</u>
TOTAL APPROPRIATION	(\$19,235,401,000)
	<u>\$19,348,074,000</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 2019-20 and 2020-21 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, 2019, to August 31, 2019, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 299, Laws of 2018.

(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 2019-20 and 2020-21 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 2019-20 and 2020-21 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	2019-20 School Year	2020-21 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 20.0.

(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 and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii)(A) For the twenty schools with the lowest overall school score for all students in the 2018-19 school year, as determined by the Washington school improvement framework among elementary schools, middle schools, and other schools not serving students up to twelfth grade, having enrollments greater than one hundred fifty students, 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 in the 2019-20 school year as follows:

	Elementary	Middle
Guidance counselors	0.307	0.512

To receive additional allocations under (d)(ii)(A) of this subsection, a school eligible to receive the allocation must have demonstrated actual staffing for guidance counselors for its prototypical school level that meets or exceeds the staffing for guidance counselors in (d)(i) of this subsection and this subsection ***(2)(d)(ii)(A) for its prototypical school level. School districts must distribute the additional guidance counselors allocation in this subsection to the schools that generate the allocation. The enhancement within this subsection is not part of the state's program of basic education.***

(B) For qualifying high-poverty elementary schools in the 2020-21 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

**Guidance
Counselors 0.500**

(c) 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:

	2019-20	2020-21
	School Year	School Year
Career and Technical Education	3.07	3.07

Skill Center

3.41

3.41

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2019-20 and 2020-21 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 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 2019-20 and 2020-21 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 2019-20 and 2020-21 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 ((25.47)) 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 ~~((+2.54))~~ 12.50 percent in the 2019-20 school year and ~~((+2.53))~~ 12.52 percent in the 2020-21 school year for career and technical education students, and ~~((+7.84))~~ 17.83 percent in the 2019-20 school year and ~~((+7.86))~~ 17.85 percent in the 2020-21 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 23.80 percent in the 2019-20 school year and ~~((23.80))~~ 24.03 percent in the 2020-21 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 24.33 percent in the 2019-20 school year and ~~((24.33))~~ 24.44 percent in the 2020-21 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:

(a) Until December 31, 2019 and for nonrepresented employees of educational service districts for the 2020-21 school year:

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

(ii) The number of classified staff units determined in subsections (4) and (5) of this section.

(b) Beginning January 1, 2020, and except for nonrepresented employees of educational service districts for the 2020-21 school year, 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 938 of this act))~~ section 907 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:

(i) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and

(ii) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(c) For health benefits payments to the health care authority for benefits provided to school employees in January 2020, school districts must provide payment to the health care authority within three business days of receiving the January 2020 allocation for insurance benefits. The health care authority and office of the superintendent of public instruction must coordinate with school districts to enable timely payment to the health care authority consistent with this subsection.

(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	2019-20 School Year	2020-21 School Year
Technology	\$135.91	(\$138.75) <u>\$138.08</u>
Utilities and Insurance	\$369.29	(\$377.04) <u>\$375.20</u>
Curriculum and Textbooks	\$145.92	(\$148.99) <u>\$148.26</u>
Other Supplies	\$289.00	(\$295.07) <u>\$293.62</u>
Library Materials	\$20.79	(\$21.23) <u>\$21.12</u>
Instructional Professional Development for Certificated and Classified Staff	\$22.57	(\$23.04) <u>\$22.93</u>
Facilities Maintenance	\$182.94	(\$186.79) <u>\$185.87</u>
Security and Central Office	\$126.74	(\$129.41) <u>\$128.77</u>
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$1,293.16	(\$1,320.32) <u>\$1,313.85</u>

(ii) For the 2019-20 school year and 2020-21 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) of this subsection (8)(a)(ii) exceeds (B) of this subsection (8)(a)(ii), any proposed use of this difference and how this use will improve student achievement.

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,529.98 for the 2019-20 school year and ~~(\$1,562.14)~~ \$1,554.46 for the 2020-21 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate per student FTE MSOC allocations of \$1,529.98 for the 2019-20 school year and (~~(\$1,562.44)~~) \$1,554.46 for the 2020-21 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	2019-20 School Year	2020-21 School Year
Technology	\$39.08	((\$39.90)) <u>\$39.70</u>
Curriculum and Textbooks	\$42.63	((\$43.53)) <u>\$43.32</u>
Other Supplies	\$83.04	((\$84.79)) <u>\$84.37</u>
Library Materials	\$5.78	((\$5.90)) <u>\$5.87</u>
Instructional Professional Development for Certified and Classified Staff	\$7.11	((\$7.25)) <u>\$7.22</u>
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$177.64	((\$181.37)) <u>\$180.48</u>

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2019-20 and 2020-21 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, 2019, to August 31, 2019, are adjusted to reflect provisions of chapter 299, Laws of 2018 (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

Funding in this section is sufficient to fund all day kindergarten programs in all schools in the 2019-20 school year and 2020-21 school year, pursuant to RCW 28A.150.220 and 28A.150.315.

(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 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 2020 and 2021 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2020 and \$650,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$436,000 of the general fund—state appropriation for fiscal year 2021 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.

(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 521 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, 2022. 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 521 of this act, and the amount expended from this section for those students.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 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 1.2 FTE, the office of the superintendent of public instruction 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 higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall 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.

~~((18))~~ (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.

~~((19))~~ (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.

~~((20))~~ (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 2019-2021 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

**Sec. 503 is partially vetoed. See message at end of chapter.*

Sec. 504. 2019 c 415 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))~~ section 503 of this act: For the 2019-20 school year and the 2020-21 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	2019-20 School Year	2020-21 School Year
Certificated Instructional	\$66,520	(\$67,917) <u>\$67,585</u>
Certificated Administrative	\$98,741	(\$100,815) <u>\$100,321</u>
Classified	\$47,720	(\$48,722) <u>\$48,483</u>

(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 ~~((December 10, 2018, at 8:24 hours))~~ February 24, 2020, at 2:22 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 23.16 percent for school year 2019-20 and ~~((23.16))~~ 23.39 percent for school year 2020-21 for certificated instructional and certificated administrative

staff and 20.83 percent for school year 2019-20 and ~~((20.83))~~ 20.94 percent for the 2020-21 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. 505. 2019 c 415 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 2020)	(\$379,041,000)
	<u>\$387,359,000</u>
General Fund—State Appropriation (FY 2021)	(\$726,648,000)
	<u>\$644,562,000</u>
TOTAL APPROPRIATION	(\$1,105,689,000)
	<u>\$1,031,921,000</u>

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

(1) The salary increases provided in this section are 2.0 percent for the 2019-20 school year, and ~~((2.1))~~ 1.6 percent for the 2020-21 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.

~~(2)(a) In addition to salary allocations ((specified in this subsection (1) funding)), the appropriations in this ((subsection includes two days of)) 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 two days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in school year 2019-20, and three days ((of professional learning)) of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in school year 2020-21. 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 school year 2020-21 must be used to train school district staff on racial literacy, cultural responsiveness, and stereotype threat for purposes of closing persistent opportunity gaps.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 23.16 percent for the 2019-20 school year and ~~((23.16))~~ 23.39 percent for the 2020-21 school year for certificated instructional and certificated administrative staff and 20.83 percent for the 2019-20 school year and ~~((20.83))~~ 20.94 percent for the 2020-21 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))~~ sections 503 and 504 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~~) sections 503 and 504 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 (~~section 938 of this act~~) section 907 of this act and reflect the incremental change in cost of allocating rates as follows:

(a) For the 2019-20 school year, \$973.00 per month from September 1, 2019, to December 31, 2019, \$994 per month from January 1, 2020, to June 30, 2020, and \$1,056 per month from July 1, 2020, to August 31, 2020; and

(b) For the 2020-21 school year, (~~(\$1,056)~~) \$1,000 per month.

(5) When bargaining for funding for school employees health benefits for the 2021-2023 fiscal biennium, any proposal agreed upon must assume the imposition of a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars 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 ninety-five 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.

(6) The rates specified in this section are subject to revision each year by the legislature.

(7)(a) \$1,226,000 of the general fund—state appropriation for fiscal year 2020 (~~and \$2,763,000 of the general fund—state appropriation for fiscal year 2021 are~~) is provided solely for changes to the special education cost multiplier as specified in Engrossed Second Substitute Senate Bill No. 5091 (special education funding).

(b) Within amounts appropriated in this section, funding is provided for fiscal year 2021 for changes to the special education cost multiplier as specified in chapter 387, Laws of 2019 (special education funding).

***Sec. 506.** 2019 c 415 s 507 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund—State Appropriation (FY 2020)	(\$614,906,000)
	<u>\$646,545,000</u>
General Fund—State Appropriation (FY 2021)	(\$615,788,000)
	<u>\$626,529,000</u>
<u>Education Legacy Trust Account—State</u>	
<u>Appropriation.</u>	<u>\$29,500,000</u>
TOTAL APPROPRIATION	(\$1,230,694,000)
	<u>\$1,302,574,000</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 2019-20 and 2020-21 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, 2019, to August 31, 2019, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 299, Laws of 2018.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2020 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2021 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 this fiscal year 2020 appropriation and a maximum of \$939,000 of the fiscal year 2021 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(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) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(9) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(10) \$29,500,000 of the education legacy trust account—state appropriation is provided solely for a one-time backfill funding for excess allocations to school districts in fiscal year 2019 that resulted from an erroneous methodology used by the office of superintendent of public instruction. The amount provided in this subsection must not be included in

the methodology used to calculate the 2020-21 school year pupil transportation operations allocation. The amount in this subsection must remain unexpended and in unallotted status until the report required in section 129(13) of this act is completed and the superintendent and the office of financial management agree that the methodology used to allocate the funds in this section accurately reflect the components and modeling approach in RCW 28A.160.192 and will not result in the need for additional backfill funding.

(11) The office of the superintendent of public instruction must subtract pupil transportation amounts carried over from the 2018-19 school year to the 2019-20 school year from the prior year's expenditures used to determine the student transportation allocation for the 2020-21 school year.

(12) \$21,508,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for one-time hold harmless pupil transportation payments to school districts to address lower pupil transportation payments for the 2019-2020 school year that were the result of corrections to the pupil transportation allocation methodology as implemented by the superintendent.

**Sec. 506 is partially vetoed. See message at end of chapter.*

Sec. 507. 2019 c 415 s 509 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2020)	(\$1,402,262,000)
	<u>\$1,406,767,000</u>
General Fund—State Appropriation (FY 2021)	(\$1,501,646,000)
	<u>\$1,463,248,000</u>
General Fund—Federal Appropriation	(\$499,428,000)
	<u>\$514,008,000</u>
Education Legacy Trust Account—State Appropriation	\$54,694,000
Pension Funding Stabilization Account—State Appropriation	\$20,000
TOTAL APPROPRIATION	(\$3,458,050,000)
	<u>\$3,438,737,000</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~~) sections 503 and 505 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) 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.

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

(4)(a) For the 2019-20 and 2020-21 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390 as amended by chapter 266, Laws of 2018 (basic education), except that the calculation of the base allocation also includes allocations provided under ~~((section 504 (2) and (4) of this act))~~ section 503 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2019, to August 31, 2019, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 299, Laws of 2018.

(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 13.5 percent.

(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) ~~((\$71,253,000))~~ \$63,609,000 of the general fund—state appropriation for fiscal year 2020, ~~((\$87,253,000))~~ \$91,500,000 of the general fund—state appropriation for fiscal year 2021, 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 2019-20 and 2020-21 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 \$931,000 may be expended from the general fund—state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(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) \$50,000 of the general fund—state appropriation for fiscal year 2020, \$50,000 of the general fund—state appropriation for fiscal year 2021, and \$100,000 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) \$30,746,000 of the general fund—state appropriation for fiscal year 2020 (~~and \$46,425,000 of the general fund—state appropriation for fiscal year 2021 are~~) is provided solely for changes to the special education cost multiplier as specified in Engrossed Second Substitute Senate Bill No. 5091 (special education funding).

(13) Within amounts appropriated in this section, funding is provided for fiscal year 2021 for changes to the special education cost multiplier as specified in chapter 387, Laws of 2019 (special education funding).

~~((13) \$10,000,000)~~ (14) \$5,200,000 of the general fund—state appropriation for fiscal year 2020 and ~~((15,000,000))~~ \$19,800,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to support professional development in inclusionary practices for classroom teachers. The primary form of support to public school classroom teachers must be for mentors who are experts in best practices for inclusive education, differentiated instruction, and individualized instruction. Funding for mentors must be prioritized to the public schools with the highest percentage of students with individualized education programs aged six through twenty-one who spend the least amount of time in general education classrooms.

(15) Beginning September 1, 2020, funding for payments to providers for the early support for infants and toddlers program is transferred to the department of children, youth, and families to implement Substitute House Bill No. 2787 (infants and toddlers program). The amount of the transfer and related funding requirements are included in section 225(4)(ff) of this act.

Sec. 508. 2019 c 415 s 510 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund—State Appropriation (FY 2020)	\$12,869,000
General Fund—State Appropriation (FY 2021)	(\$12,948,000)
	<u>\$18,930,000</u>
TOTAL APPROPRIATION	(\$25,817,000)
	<u>\$31,799,000</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) For fiscal year 2021, 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) For fiscal year 2021, 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.

(6) For fiscal year 2021, 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) For fiscal year 2021, 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.

(8) For fiscal year 2021, 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.

Sec. 509. 2019 c 415 s 511 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE

General Fund—State Appropriation (FY 2020)	(\$365,560,000)
	<u>\$353,213,000</u>
General Fund—State Appropriation (FY 2021)	(\$389,331,000)
	<u>\$332,158,000</u>
TOTAL APPROPRIATION	(\$754,891,000)
	<u>\$685,371,000</u>

The appropriations in this section are subject to the following conditions and limitations: ~~((\$17,010,000 of the general fund—state appropriation for fiscal year 2020 and \$44,586,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for changes to the levy and levy equalization system as specified in either Substitute House Bill No. 2140 or Engrossed Substitute Senate Bill No. 5313 (K-12 education funding). If neither bill is enacted by June 30, 2019, these amounts shall lapse. Included in these amounts are hold harmless local effort assistance payments. In calendar years 2020 and 2021, in each calendar year a school district will receive an amount equal to number A minus number B if number A is greater than number B. For purposes of this section:~~

~~(1) "Number A" is the sum of the local effort assistance and enrichment levy a district would have received under law as it existed on January 1, 2019.~~

~~(2) "Number B" is the sum of the local effort assistance and enrichment levy a district receives under Substitute House Bill No. 2140 (K-12 education funding), if the district's levy collections were the lesser of the maximum dollar amount that may be levied at twenty percent of the district's levy base or its voter approved levy amount in calendar year 2018-;)~~ \$25,170,000 of the general fund—state appropriation for fiscal year 2020 and \$20,593,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a one-time hold harmless for local effort assistance in calendar year 2020.

Sec. 510. 2019 c 415 s 512 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2020)	(\$15,886,000)
	<u>\$15,501,000</u>
General Fund—State Appropriation (FY 2021)	(\$16,461,000)
	<u>\$16,707,000</u>

TOTAL APPROPRIATION	(\$32,347,000)
	<u>\$32,208,000</u>

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 2020 and \$701,000 of the general fund—state appropriation for fiscal year 2021 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) (~~(\$1,066,000)~~) \$999,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$1,661,000)~~) \$2,113,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs. 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.

(7)(a) \$100,000 of the general fund—state appropriation in fiscal year 2020 (~~and \$100,000 of the general fund—state appropriation in fiscal year 2021 are~~) is provided solely to support one student records coordinator in the Issaquah school district to manage the transmission of academic records with the Echo Glen children's center.

(b) \$300,000 of the general fund—state appropriation in fiscal year 2021 is provided solely to support three 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, the Chehalis school district for Green

Hill academic school, and the Naselle-Grays River Valley school district for Naselle youth camp school.

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

Sec. 511. 2019 c 415 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 2020) . . . . .	..((\$30,490,000))
	<u>\$30,504,000</u>
General Fund—State Appropriation (FY 2021) . . . . .	..((\$31,551,000))
	<u>\$31,696,000</u>
TOTAL APPROPRIATION . . . . .	..((\$62,041,000))
	<u>\$62,200,000</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 2019-20 and 2020-21 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, 2019, to August 31, 2019, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 299, Laws of 2018.

Sec. 512. 2019 c 415 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 . . . . .	..((\$5,802,000))
	<u>\$6,802,000</u>
TOTAL APPROPRIATION . . . . .	..((\$5,802,000))
	<u>\$6,802,000</u>

Sec. 513. 2019 c 415 s 515 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS

General Fund—State Appropriation (FY 2020) . . . . .	..((\$134,185,000))
	<u>\$131,298,000</u>
General Fund—State Appropriation (FY 2021) . . . . .	..((\$135,807,000))
	<u>\$135,955,000</u>
General Fund—Federal Appropriation	\$96,576,000
General Fund—Private/Local Appropriation	\$1,450,000
Education Legacy Trust Account—State Appropriation	\$1,636,000
Pension Funding Stabilization Account—State Appropriation	\$765,000

TOTAL APPROPRIATION . . . . .	..((\$370,419,000))
	<u>\$367,680,000</u>

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 2020, \$26,975,000 of the general fund—state appropriation for fiscal year 2021, \$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 2020 and \$14,352,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

~~((c) Within the amounts provided in this section, the superintendent of public instruction shall obtain an existing student assessment inventory tool that is free and openly licensed and distribute the tool to every school district. Each school district shall use the student assessment inventory tool to identify all state-level and district-level assessments that are required of students. The state-required assessments should include: Reading proficiency assessments used for compliance with RCW 28A.320.202; the required statewide assessments under chapter 28A.655 RCW in grades three through eight and at the high school level in English language arts, mathematics, and science, as well as the practice and training tests used to prepare for them; and the high school end-of-course exams in mathematics under RCW 28A.655.066. District required assessments should include: The second grade reading assessment used to comply with RCW 28A.300.320; interim smarter balanced assessments, if required; the measures of academic progress assessment, if required; and other required interim, benchmark, or summative standardized assessments, including assessments used in social studies, the arts, health, and physical education in accordance with RCW 28A.230.095, and for educational technology in accordance with RCW 28A.655.075. The assessments identified should not include assessments used to determine eligibility for any categorical program including the transitional bilingual instruction program, learning assistance program, highly capable program, special education program, or any formative or diagnostic assessments used solely to inform teacher instructional practices, other than those already identified. By October 15th of each year, each district shall report to the superintendent the amount of student time in the previous school year that is spent taking each assessment identified. By December 15th of each even numbered calendar year, the superintendent shall summarize the information reported by the school districts and report to the education committees of the house of representatives and the senate.))~~

(2) EDUCATOR CONTINUUM

(a) ~~(\$72,124,000)~~ \$69,237,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$73,619,000)~~ \$73,797,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for

professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$5,505 per teacher in the 2019-20 school year and a bonus of (~~(\$5,624)~~) \$5,593 per teacher in the 2020-21 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 2019-20 and 2020-21 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 2020 and \$3,418,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$477,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$810,000 of the general fund—state appropriation for fiscal year 2021 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) \$10,500,000 of the general fund—state appropriation for fiscal year 2020 and \$10,500,000 of the general fund—state appropriation for fiscal year 2021 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.

(f) \$4,000,000 of the general fund—state appropriation for fiscal year 2020 and \$4,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

Sec. 514. 2019 c 415 s 516 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund—State Appropriation (FY 2020)	(\$201,330,000)
	<u>\$205,270,000</u>
General Fund—State Appropriation (FY 2021)	(\$210,659,000)
	<u>\$216,650,000</u>
General Fund—Federal Appropriation	\$102,242,000
Pension Funding Stabilization Account—State Appropriation	\$4,000
TOTAL APPROPRIATION	(\$514,235,000)
	<u>\$524,166,000</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 2019-20 and 2020-21 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 2019-20 and 2020-21; (ii) additional instruction of 3.0000 hours per week in school years 2019-20 and 2020-21 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, 2019, to August 31, 2019, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 299, Laws of 2018.

(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: ~~((1.97))~~ 1.93 percent for school year 2019-20 and ~~((1.95))~~ 1.89 percent for school year 2020-21.

(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 2020 and \$35,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to track current and former transitional bilingual program students.

(6) \$1,023,000 of the general fund—state appropriation in fiscal year 2020 and \$1,185,000 of the general fund—state appropriation in fiscal year 2021 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. 515. 2019 c 415 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 2020)	(\$438,940,000)
	<u>\$416,973,000</u>
General Fund—State Appropriation (FY 2021)	(\$450,681,000)
	<u>\$430,591,000</u>
General Fund—Federal Appropriation	\$533,481,000
TOTAL APPROPRIATION	(\$1,423,102,000)
	<u>\$1,381,045,000</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 2019-20 and 2020-21 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the basic education. 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 2019-20 and 2020-21 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2019-20 and 2020-21 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, 2019, to August 31, 2019, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 299, Laws of 2018.

(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 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior 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 learning assistance program.

(5) Within existing resources, during the 2019-20 and 2020-21 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. 516. 2019 c 415 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	2019-20 School Year	2020-21 School Year
General Apportionment	(\$9,173) <u>\$9,176</u>	(\$9,450) <u>\$9,398</u>

Pupil Transportation	(((\$519)) <u>\$586</u>	(((\$521)) <u>\$586</u>
Special Education Programs	(((\$9,696)) <u>\$9,611</u>	(((\$10,158)) <u>\$10,107</u>
Institutional Education Programs	(((\$18,562)) <u>\$19,186</u>	(((\$19,030)) <u>\$20,540</u>
Programs for Highly Capable Students	\$598	(((\$615)) <u>\$609</u>
Transitional Bilingual Programs	(((\$1,346)) <u>\$1,365</u>	(((\$1,380)) <u>\$1,390</u>
Learning Assistance Program	(((\$969)) <u>\$932</u>	(((\$997)) <u>\$950</u>

Sec. 517. 2019 c 415 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 allocations 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) ~~(To the maximum extent practicable, when)~~ When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall ~~((attempt to))~~ seek legislative approval through the budget request process.

(3) 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 expressly provided in subsection (4) of this section.

(4) 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, 2020, 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 2020 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; and learning assistance programs.

(5) 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.

(6) Appropriations in ~~((sections 504 and 506 of this act))~~ sections 503 and 505 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 938 of this act))~~ section 907 of this act. The superintendent may not allocate, and districts may not expend, these amounts for

any other purpose beyond those authorized in (~~section 938 of this act~~) section 907 of this act.

~~((5))~~ (7) 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.

Sec. 518. 2019 c 415 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	((99,810,000))
	<u>\$93,986,000</u>
TOTAL APPROPRIATION	((99,810,000))
	<u>\$93,986,000</u>

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

Sec. 519. 2019 c 415 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	((250,000))
	<u>\$294,000</u>
Charter Schools Oversight Account—State Appropriation	((2,210,000))
	<u>\$2,454,000</u>
TOTAL APPROPRIATION	((2,460,000))
	<u>\$2,748,000</u>

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

***Sec. 520.** 2019 c 415 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 2020)	((35,516,000))
	<u>\$35,491,000</u>
General Fund—State Appropriation (FY 2021)	((35,621,000))
	<u>\$36,704,000</u>
TOTAL APPROPRIATION	((71,137,000))
	<u>\$72,195,000</u>

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

(1) \$4,894,000 of the general fund—state appropriation for fiscal year 2020 and \$4,894,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grants for implementation of dual credit programs and subsidized advanced placement exam fees, international baccalaureate class fees, and exam and course fees for low-income students.

For expenditures related to subsidized exam fees, the superintendent of public instruction shall report: The number of students served; the demographics of the students served; and how the students perform on the exams.

(2)(a) \$2,052,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$2,052,000)~~) \$2,752,000 of the general fund—state appropriation for fiscal year 2021 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, \$1,075,000 of the 2020 appropriation and \$1,075,000 of the 2021 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection, \$100,000 of the fiscal year 2020 appropriation and (~~(\$100,000)~~) \$800,000 of the fiscal year 2021 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations. If equally matched by private donations, \$10,000 of the general fund—state appropriation for fiscal year 2021 must be used to support FIRST robotics programs in grades one through four at elementary schools where more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year and which are located within a county with a population of more than two million.

(b) \$135,000 of the general fund—state appropriation for fiscal year 2020 and \$135,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(c) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for (~~advanced~~) project lead the way courses at ten high schools. To be eligible for funding (~~in 2020~~), a high school must have offered (~~a foundational project lead the way course during the 2018-19 school year. The 2020 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 2019-20 school year. To be eligible for funding in 2021, a high school must have offered a foundational~~) at least one project lead the way course during the (~~2019-20~~) prior school year. The (~~2020~~) funding must be used for one-time start-up course costs for (~~an advanced~~) a new project lead the way course(~~, to be offered to students beginning in the 2020-21 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.

(d) \$2,127,000 of the general fund—state appropriation for fiscal year 2020 and \$2,127,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for annual startup, expansion, or maintenance of existing programs in maritime, construction, aerospace, and advanced manufacturing programs. To be eligible for funding, the skills center and high schools must agree to engage in developing local business and industry partnerships for oversight and input regarding program components. Program instructors must also agree to participate in professional development leading to student employment or certification in maritime, construction, aerospace, or advanced manufacturing industries, as determined by the superintendent of public instruction. The office of the superintendent of public instruction and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection:

(i) \$900,000 of the general fund—state appropriation for fiscal year 2020 and \$900,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for annual startup, expansion, or maintenance of existing programs in aerospace and advanced manufacturing programs.

(ii) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for annual startup, expansion, or maintenance of existing programs in construction programs.

(iii) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for annual startup, expansion, or maintenance of existing programs in maritime programs.

~~*(iv) (\$350,000 of the general fund—state appropriation for fiscal year 2020 and \$350,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit entity to expand the current employer engagement program to support schools, teachers, and students.*~~

~~*(v) \$427,000 of the general fund—state appropriation for fiscal year 2020 and \$427,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit entity to provide management, development, assessment, and outreach of the programs.)*~~ *\$777,000 of the general fund—state appropriation for fiscal year 2020 and \$777,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit entity to expand the current employer engagement program to support schools, teachers, and students and to provide management, assessment, and outreach of the manufacturing programs.*

(3)(a) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$15,000 of the

general fund—state appropriation for fiscal year 2021 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) \$384,000 of the general fund—state appropriation for fiscal year 2020 and \$373,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$10,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(c) (~~(\$55,000)~~) \$30,000 of the general fund—state appropriation for fiscal year 2020 (~~(*)~~) and \$25,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to develop civics education materials for grades K-5. The office must contract for the production of the materials with an experienced Washington state organization that produces civics education materials currently posted as an open education resource at the office of the superintendent of public instruction.

(4)(a) \$31,000 of the general fund—state appropriation for fiscal year 2020 and \$55,000 of the general fund—state appropriation for fiscal year 2021 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.

(b) 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.

(c) \$3,000,000 of the general fund—state appropriation for fiscal year 2020 and \$3,000,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(5) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 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.

(6) \$3,145,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$3,145,000)~~ \$3,395,000 of the general fund—state appropriation for fiscal year 2021 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.

(a) Of the amount provided in this subsection (6), \$446,000 of the general fund—state appropriation for fiscal year 2020 and \$446,000 of the general fund—state appropriation for fiscal year 2021 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.

(b) Of the amount provided in this subsection (6), \$1,015,000 of the general fund—state appropriation for fiscal year 2020 and \$1,015,000 of the general fund—state appropriation for fiscal year 2021 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.

(c) Of the amounts provided in this subsection (6), \$684,000 of the general fund—state appropriation for fiscal year 2020 and \$684,000 of the general fund—state appropriation for fiscal year 2021 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.

(7) ~~\$2,541,000 of the general fund—state appropriation for fiscal year 2020 and \$2,541,000 of the general fund—state appropriation for fiscal year 2021 are~~ \$2,541,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(8)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$1,000,000)~~ \$1,200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(b) \$36,000 of the general fund—state appropriation for fiscal year 2020 and \$36,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(9) \$375,000 of the general fund—state appropriation for fiscal year 2020 and \$375,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(10) \$1,425,000 of the general fund—state appropriation for fiscal year 2020 and \$1,425,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for dual language grants to grow capacity for high quality dual language learning. Of the amounts provided in this subsection:

(a) \$1,425,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of chapter 236, Laws of 2017 (SHB 1445)

(dual language/early learning & K-12). In selecting recipients of the K-12 dual language grant, the superintendent of public instruction must prioritize districts that received grants under section 501(33), chapter 299, Laws of 2018.

(b) \$400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to establish a new dual language program.

(c) \$225,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to expand an existing dual language program.

(d) \$400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to create heritage language programs for immigrant and refugee students.

(e) \$400,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to create indigenous language programs for native students.

(11)(a) \$4,940,000 of the general fund—state appropriation for fiscal year 2020 and \$4,940,000 of the general fund—state appropriation for fiscal year 2021 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. Of the amounts provided: \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the college success foundation to establish programming in new regions throughout the state. 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.

(b) \$1,454,000 of the general fund—state appropriation for fiscal year 2020 and \$1,454,000 of the general fund—state appropriation for fiscal year 2021 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.

(c) \$181,000 of the general fund—state appropriation for fiscal year 2020 and \$181,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(12)(a) \$356,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$356,000)~~ \$500,000 of the general fund—state appropriation for fiscal year 2021 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.

(b) \$3,000,000 of the general fund—state appropriation for fiscal year 2020 and \$3,000,000 of the general fund—state appropriation for fiscal year 2021 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. The office must 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. The report must include the number of students served disaggregated by gender, race, ethnicity, and free-and-reduced lunch eligibility as well as the number of industry certificates attained by type of certificate.

(c) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 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 schools.

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 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.

((Funds may be expended as grant funding only to the extent that they are equally matched by private sources for the program, including gifts, grants, or endowments.))

(e) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to contract with a ~~((nonprofit organization))~~ qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least seventeen 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.

(f) \$62,000 of the general fund—state appropriation for fiscal year 2020 and \$62,000 of the general fund—state appropriation for fiscal year 2021 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.

(g) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 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.

(13) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the centrum program at Fort Worden state park.

(14) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of the superintendent of public instruction to provide learning experiences for student-athletes in the science, technology, engineering, and math sectors. The office must contract with a nonprofit to offer student-athlete classes, programs, and scholarships to improve school performance and advancement across diverse communities.

(15) (~~(\$250,000)~~) \$600,000 of the general fund—state appropriation for fiscal year 2021 is 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 2020-21 school year to school districts by August 10, 2020 and grants for the 2021-22 school year to school districts by June 30, 2021.

(a) Grant awards must be prioritized in the following order:

(i) High schools implementing the United States department of agriculture community eligibility provision;

(ii) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price means program; and

(iii) High schools located in school districts enrolling five thousand or fewer students.

(b) The office of the superintendent of public instruction shall award grants of up to ~~(five)~~ ten thousand dollars per high school per year. The office may award additional funding if:

(i) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and

(ii) The applicant shows a demonstrated need for additional support.

(16) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for contracts with state-based nonprofit organizations that provide direct services to military-connected students exclusively through one-to-one volunteer mentoring. The goal of the mentoring is to build resiliency in military connected students and increase their ability to cope with the stress of parental deployment and frequent moves, which will help promote good decision-making by youth, help increase attachment and a positive attitude toward school, and develop positive peer relationships. An applicant requesting funding for these dollars must successfully demonstrate to the department that it currently provides direct one-to-one volunteer mentoring services to military connected elementary students in the state and has been providing military mentoring to students in the state for at least twenty-four months prior to application.

(17) \$83,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Substitute Senate Bill No. 5612 (holocaust education). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(18) \$250,000 of the general fund—state appropriation in fiscal year 2020 and \$130,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a grant to the pacific science center to continue providing science on wheels activities in schools and other community settings. Funding is provided to develop a new computer science program and outfit a van with program resources in order to expand statewide outreach.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged high school students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. The mentoring must include a focus on college readiness, career exploration and social-emotional learning. An applicant requesting funding for these dollars must successfully demonstrate to the department that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring high school youth for at least twenty years in the state prior to application.

(20) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$50,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for grants to school districts to provide school resource officer training, as required in Second Substitute House Bill No. 1216 (student mental health and well-being).

(21) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Bethel school district to expand post-secondary education opportunities at Graham-Kapowsin high school.

(22) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$350,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the south Kitsap school district to develop pathways for high school diplomas and post-secondary credentials through controls programmer apprenticeships.

(23) \$255,000 of the general fund—state appropriation for fiscal year 2020 and \$255,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a math improvement pilot program for school districts to improve math scores. Of the amounts provided in this subsection:

(a) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Spokane school district to improve math scores.

(b) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Chehalis school district to improve math scores.

(c) \$85,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Bremerton school district to improve math scores.

(24) \$150,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$150,000)~~) \$220,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office to establish the media literacy grant program.

(a) Of the amounts provided in this subsection, \$70,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for speaker costs, per diem and travel, and other expenses for five media literacy pre-conferences that coincide with the office's regional conferences in social studies, English language arts, health and technology.

(b) The office shall develop a plan for identifying and supporting a group of one hundred media literacy champions across the state that are K-12 professionals that promote, support, and provide media literacy education in their school districts and report to the legislature by December 31, 2020.

(25) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Seattle education access program to ensure students on nontraditional educational pathways have the mentorship and technical assistance needed to navigate higher education and financial aid. 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.

(26) \$250,000 of the general fund—state appropriation for fiscal year 2021 is 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, and implementation support. At least seventy-five 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 environmental science programming and resources for migrant and bilingual students.

(27) \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to support the design and planning of a public secondary education institution in Washington state that is focused on maritime education in south King county. The population of the secondary education institution must reflect the student population of south King county through an enrollment process that ensures an equitable percentage of students at the institution are students of color or students with limited access to resources. In addition, the institution must meet criteria for state career and technical education and career launch operational funding requirements. The office must collaborate with a nonprofit institution that is completing similar design work and with local public schools and the various labor groups and industry associations representing maritime workers and business leaders.

(28) \$110,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to contract with the southwest Washington career connected learning network to convene education, industry, and higher education partners to create a system of career-related learning opportunities for students in Washington state. The amount provided in this subsection shall help support career connect southwest to scale the current network as a model for other statewide networks.

(29) \$250,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(30) \$150,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office to contract with the Yakama nation for a feasibility study to determine the scope, design, planning, and budget for the construction of a new state-tribal compact school.

(31) \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for grants to school districts to create systems, policies, and practices to address racial discipline gaps consistent with RCW 28A.415.410. The office of superintendent of public instruction, in coordination with a state association representing both certificated and classified staff, an association representing principals, an association representing school superintendents, the Washington state school directors association, and an association representing parents, will guide grant recipients using existing training materials and resources. Grant recipients must develop systems that provide tiered supports for

intervention, restorative approaches to behavior, and eliminate zero-tolerance policies that contribute to racial disparities.

(32) \$300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the south Kitsap school district to co-develop a pilot strategy to increase completion rates for the free application for federal student aid (FAFSA).

(33) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to the Renton school district to expand early learning opportunities with the Somali parent's education board.

(34) \$450,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the office of the superintendent of public instruction to contract with an organization which specializes in developing tools to combine internal and external data sets and provide data analytics and visualizations and custom workflows to match existing data processes, without requiring data science or technical expertise by the end user. The organization must have demonstrated experience providing such tools to at least two state education agencies in the past five years. The contract must provide access to the developed tools to the state education agency, selected educational service districts, and up to five local education agencies.

**Sec. 520 is partially vetoed. See message at end of chapter.*

Sec. 521. 2019 c 406 s 13 (uncodified) is amended to read as follows:

The appropriations in this section are provided to the office of the superintendent of public instruction and are subject to the following conditions and limitations:

(1) \$425,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account and \$425,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account provided solely for expanding career connected learning as defined in section 57 of this act.

(2) \$158,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account and \$480,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account provided solely for increasing the funding per full-time equivalent for career launch programs as described in ~~((section 60 of this act))~~ RCW 28A.700.130. In the 2019-21 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection funding is provided in section 503 of this act.

(3) \$750,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account and \$750,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account provided solely for 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 develop a regional apprenticeship pathways pilot program. The pilot program must seek to:

(a) Establish an education-based apprenticeship preparation program recognized by the Washington state apprenticeship and training council that prepares individuals for registered apprenticeships within the building and construction trades;

(b) Provide dual credit for participants by meeting high school graduation requirements and providing opportunities for credit leading to a college credential; and

(c) Provide participants with preferred or direct entry into a state registered apprenticeship program in the building and construction trades.

PART VI HIGHER EDUCATION

***Sec. 601.** 2019 c 415 s 601 (uncodified) is amended to read as follows:

The appropriations in sections (~~605 through 611 of this act~~) 602 through 608 of this act are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections (~~605 through 611 of this act~~) 602 through 608 of this act.

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

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

(4)(a) For employees under the jurisdiction of chapter 41.56 or 41.80 RCW, salary increases will be in accordance with the applicable collective bargaining agreement. However, an increase shall not be provided to any classified employee whose salary is above the approved salary range maximum for the class to which the employee's position is allocated.

(b) For each institution of higher education receiving appropriations under sections (~~605 through 611 of this act~~) 602 through 608 of this act:

(i) The only allowable salary increases are those associated with normally occurring promotions and increases related to faculty and staff retention and as provided in Part IX of this act.

(ii) Institutions may provide salary increases from sources other than general fund appropriations and tuition revenues to instructional and research faculty, exempt professional staff, teaching and research assistants, as classified by the office of financial management, and all other nonclassified staff, but not including employees under chapter 41.80 RCW. It is the intent of the legislature that salary increases provided under this subsection (4)(b)(ii) not increase state

general fund support or impact tuition expenditures by an institution unless the legislature so determines.

(iii) Funding for salary increases provided under (b)(ii) of this subsection and RCW 41.76.035 and 28B.52.035 on or after July 1, 2019, must be excluded from the general fund and tuition salary base when calculating state funding for future general wage or other salary increases on or after July 1, 2019. In order to facilitate this funding policy, each institution shall report to the office of financial management on the details of locally authorized salary increases granted under (b)(ii) of this subsection and RCW 41.76.035 and 28B.52.035 with its 2021-2023 biennium budget submittal. At a minimum, the report must include the total cost of locally authorized increases by fiscal year, a description of the locally authorized provision, and the long-term source of funds that is anticipated to cover the cost.

(5) Within funds appropriated to institutions in sections ~~((605 through 611 of this act))~~ 602 through 608 of this act, teacher preparation programs shall meet the requirements of RCW 28B.10.710 to incorporate information on the culture, history, and government of American Indian people in this state by integrating the curriculum developed and made available free of charge by the office of the superintendent of public instruction into existing programs or courses and may modify that curriculum in order to incorporate elements that have a regionally specific focus.

(6) Each institution of higher education must include the phone number of a campus, local, state, or national suicide, crisis, or counseling hotline on the back of newly issued student and faculty identification cards starting in fall quarter 2019, or as soon as is practicable to implement.

(7)(a) The student achievement council and 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 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 state need grant and college bound recipients;
 - (ii) The number of students on the unserved waiting list of the state need grant;
 - (iii) Persistence and completion rates of state need grant recipients and college bound recipients as well as students on the state need grant unserved waiting list, disaggregated by institution of higher education;
 - (iv) State need grant recipients and students on the state need grant unserved waiting list grade point averages; and
 - (v) State need 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.

(8) A representative of the public baccalaureate institutions and the state board for community and technical colleges shall participate in the work group under ~~((section 607(22) of this act))~~ section 604(22) of this act.

(9) Institutions of higher education must provide budget, expenditure, and revenue data as described in section 129(21) of this act on an annual basis to the education research and data center. Institutions must provide data for

fiscal year 2020 by October 1, 2020. Institutions must also submit state-funded full-time equivalent student enrollment data to the education research and data center for the state-funded public higher education enrollment report by October 1st of each year.

*Sec. 601 is partially vetoed. See message at end of chapter.

*Sec. 602. 2019 c 415 s 605 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund—State Appropriation (FY 2020) . . . . .	..((\$677,935,000))	
		<u>\$678,312,000</u>
General Fund—State Appropriation (FY 2021) . . . . .	..((\$703,459,000))	
		<u>\$709,756,000</u>
Community/Technical College Capital Projects		
Account—State Appropriation		\$23,505,000
Education Legacy Trust Account—State Appropriation . . . . .	..((\$158,528,000))	
		<u>\$158,532,000</u>
Pension Funding Stabilization Account—State		
Appropriation		\$67,784,000
TOTAL APPROPRIATION . . . . .	..((\$1,631,211,000))	
		<u>\$1,637,889,000</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 2020 and \$33,261,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and at least 7,170 full-time equivalent students in fiscal year 2021.

(2) (~~(\$5,450,000)~~) \$2,443,000 of the general fund—state appropriation for fiscal year 2021 and \$5,450,000 of the education legacy trust account—state appropriation (~~is~~) 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 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 2020 and \$425,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$5,250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the student achievement initiative.

(5) \$1,610,000 of the general fund—state appropriation for fiscal year 2020, and \$1,610,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the mathematics, engineering, and science achievement program.

(6) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and \$1,500,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 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) \$19,759,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$20,174,000)~~) \$20,194,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$157,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Wenatchee Valley college wildfire prevention program.

(12) The state board for community and technical colleges shall collaborate with a permanently registered Washington sector intermediary to integrate and offer related supplemental instruction for information technology apprentices by the 2020-21 academic year.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 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.

(14) \$750,000 of the general fund—state appropriation for fiscal year 2020 and \$750,000 of the general fund—state appropriation for fiscal year 2021 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.

(15)(a) The state board must provide quality assurance reports on the ctLink project at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(b) The state board must develop a technology budget using a method similar to the state capital budget, identifying project costs, funding sources, and anticipated deliverables through each stage of the investment and across fiscal periods and biennia from project initiation to implementation. The budget must be updated at the frequency directed by the office of chief information officer for review and for posting on its information technology project dashboard.

(c) The office of the chief information officer may suspend the ctcLink project at any time if the office of the chief information officer determines that the project is not meeting or is not expected to meet anticipated performance measures, implementation timelines, or budget estimates. Once suspension or termination occurs, the state board shall not make additional expenditures on the ctcLink project without approval of the chief information officer. The ctcLink project funded through the community and technical college innovation account created in RCW 28B.50.515 is subject to the conditions, limitations, and review provided in (~~section 719 of this act~~) section 701 of this act.

(16) \$216,000 of the general fund—state appropriation for fiscal year 2020 and \$216,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the opportunity center for employment and education at North Seattle College.

(17) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 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.

(18) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$350,000 of the general fund—state appropriation for fiscal year 2021 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.

(19) \$338,000 of the general fund—state appropriation for fiscal year 2020 and \$338,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington state labor education and research center at South Seattle College.

(20) \$75,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Washington family and community and engagement trust and Everett Community College to continue and expand a civic education and leadership program for underserved adults and youth.

(21) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 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.

(22) \$750,000 of the general fund—state appropriation for fiscal year 2020 and \$750,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1893

(student assistance grants). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(23) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$348,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5800 (homeless college students). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(24) \$1,500,000 of the general fund—state appropriation for fiscal year 2020 and \$1,500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of guided pathways or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(25) \$132,000 of the general fund—state appropriation for fiscal year 2020 and \$24,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the state board to develop a plan for the maintenance and administration of opioid overdose medication in and around residence halls housing at least 100 students and for the training of designated personnel to administer opioid overdose medication to respond to symptoms of an opioid-related overdose.

(26) \$784,000 of the general fund—state appropriation for fiscal year 2020 and \$779,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for legal costs related to the *Wolf vs State Board for Community and Technical Colleges* litigation.

(27) \$100,104 of the general fund—state appropriation for fiscal year 2021 is provided solely for expansion of the interpreter training program at Spokane Falls Community College.

(28) \$500,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for staff support and contract services with a nonprofit organization with experience in advancing affordable housing projects and education centers on public or tax-exempt land to coordinate the building of student, faculty, staff, and affordable workforce housing at the following institutions:

(a) Highline College;

(b) Lake Washington Institute of Technology;

(c) North Seattle College; and

(d) Tacoma Community College.

(29)(a) \$300,000 of the general fund—state appropriation for the fiscal year 2021 is provided solely for a study to identify and evaluate compliance with the requirements for firefighter basic recruit training, apprenticeship, and the firefighter joint apprenticeship training committee. The study must include:

(i) An evaluation of the firefighter joint apprenticeship training committee for funding source appropriateness, adequacy, and authority;

(ii) Effectiveness and relationship of training programs to hiring veterans, minorities, and women within the fire service; and

(iii) Administrative and operational efficiencies and opportunities for improvement of the firefighter joint apprenticeship training committee.

(b) By January 31, 2021, the study must be submitted to the governor and appropriate committees of the legislature.

(30) \$197,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2327 (sexual misconduct/postsec.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(31) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to develop plans to increase the ratio of full-time tenure-track faculty to adjunct faculty, expand opportunities for adjunct faculty to participate in the college community, and achieve pay equity between full-time and adjunct faculty. Each community and technical college district must develop, in consultation with academic employee bargaining representatives at the college, a plan to achieve these goals and provide the plan to the state board for community and technical colleges by November 1, 2020. The state board must develop, in consultation with academic employee collective bargaining representatives, a plan to accomplish these goals, as well as a plan to achieve a system-wide ratio of full-time tenure-track faculty to adjunct faculty of at least sixty percent. The state board must submit the plans to the fiscal and higher education committees of the legislature no later than December 31, 2020.

(32) Within existing resources, the state board for community and technical colleges shall coordinate with the Washington student achievement council task force as described in section 609(11) of this act to provide the following running start data for fiscal year 2018, fiscal year 2019, and fiscal year 2020, for each community and technical college:

(a) The total number of running start students served by headcount and full-time equivalent.

(b) The total amount of running start revenue received through apportionment as allocated with the running start rate by the office of superintendent of public instruction through local school districts;

(c) The total amount of revenue received directly from local school districts that is not provided through the running start allocation described in (b) of this subsection;

(d) The total amount of fee revenue generated directly from running start students and families, broken out by fee name, fee type, or both;

(e) Expenditures by object, sub-object, program, and fund for all running start revenues from state apportionment and fees;

(f) Any transfers of running start revenue between funds;

(g) Course completion rates for running start students;

(h) A list of courses by two-digit classification of instructional program code and the number of running start students in each course;

(i) A list of career and technical education area courses and the number of running start students in each course;

(j) The number of students at each community or technical college receiving complete fee waivers as required by RCW 28A.600.310(3)(a);

(k) The total dollar value of fee waivers provided to running start students;

(l) A total allocation of additional funds provided to cover fee waivers; and

(m) The method used by each college to determine running start fee waiver eligibility, including any policies adopted by the college or its program.

*Sec. 602 is partially vetoed. See message at end of chapter.

***Sec. 603.** 2019 c 415 s 606 (uncodified) is amended to read as follows:
FOR THE UNIVERSITY OF WASHINGTON

~~((1))~~ ~~GENERAL APPROPRIATIONS))~~

General Fund—State Appropriation (FY 2020)	(\$341,498,000)	<u>\$340,784,000</u>
General Fund—State Appropriation (FY 2021)	(\$347,067,000)	<u>\$358,083,000</u>
Aquatic Lands Enhancement Account—State Appropriation	(\$1,590,000)	<u>\$1,606,000</u>
University of Washington Building Account—State Appropriation		\$1,546,000
Education Legacy Trust Account—State Appropriation	(\$36,530,000)	<u>\$36,731,000</u>
Economic Development Strategic Reserve Account—State Appropriation	(\$3,075,000)	<u>\$3,087,000</u>
Geoduck Aquaculture Research Account—State Appropriation	\$800,000	
Biotoxin Account—State Appropriation	(\$609,000)	<u>\$612,000</u>
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$256,000	
Dedicated Marijuana Account—State Appropriation (FY 2021)	(\$263,000)	<u>\$272,000</u>
Pension Funding Stabilization Account—State Appropriation	\$50,906,000	
Accident Account—State Appropriation	(\$7,814,000)	<u>\$7,907,000</u>
Medical Aid Account—State Appropriation	(\$7,419,000)	<u>\$7,507,000</u>
TOTAL APPROPRIATION	(\$799,373,000)	<u>\$810,097,000</u>

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

~~((a))~~ (1) \$41,010,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$41,872,000)~~ \$41,913,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

~~((b))~~ (2) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges.

~~((c))~~ (3) \$8,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain the number of residency slots available in Washington.

~~((d))~~ (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.

~~((e))~~ (5) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$251,000 of the general fund—state appropriation for fiscal year 2021 and \$1,550,000 of the aquatic lands enhancement account—state appropriation are provided solely for ocean acidification monitoring, forecasting, and research and for operation of the Washington ocean acidification center. The center must continue to make quarterly progress reports to the Washington marine resources advisory council created under RCW 43.06.338.

~~((f))~~ (6) \$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.

~~((g) \$3,000,000)~~ (7) \$1,549,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

~~((h))~~ (8) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

~~((i))~~ (9) \$7,345,000 of the general fund—state appropriation for fiscal year 2020 and \$7,345,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

~~((j))~~ (10) \$2,625,000 of the general fund—state appropriation for fiscal year 2020 and \$2,625,000 of the general fund—state appropriation for fiscal year 2021 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.

~~((k))~~ (11) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 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.

~~((l))~~ (12) \$600,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

~~((m)(i))~~ (13)(a) \$172,000 of the general fund—state appropriation for fiscal year 2020 and \$172,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a University of Washington study in the south Cascades to determine current wolf use and density, and to gather baseline data to understand the effects of wolf recolonization on predator-prey dynamics of species that currently have established populations in the area. The study objectives shall include:

~~((A))~~ (i) Determination of whether wolves have started to recolonize a 5,000 square kilometer study area in the south Cascades of Washington, and if so, an assessment of their distribution over the landscape as well as their health and pregnancy rates;

~~((B))~~ (ii) Baseline data collection, if wolves have not yet established pack territories in this portion of the state, that will allow for the assessment of how the functional densities and diets of wolves across the landscape will affect the densities and diets in the following predators and prey: Coyote, cougar, black bear, bobcat, red fox, wolverine, elk, white tailed deer, mule deer, moose, caribou, and snowshoe hare;

~~((C))~~ (iii) Examination of whether the microbiome of each species changes as wolves start to occupy suitable habitat; and

~~((D))~~ (iv) An assessment of the use of alternative wildlife monitoring tools to cost-effectively monitor size of the wolf population over the long-term.

~~((i))~~ (b) A report on the findings of the study shall be shared with the Washington department of fish and wildlife.

~~((n))~~ (14) \$5,000,000 of the general fund—state appropriation for fiscal year 2020 and \$5,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to support the operations and teaching mission of the Harborview Medical Center and the University of Washington Medical Center.

~~((o))~~ (15) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—appropriation for fiscal year 2021 are provided solely for the University of Washington's psychiatry integrated care training program.

~~((p))~~ (16) \$400,000 of the geoduck aquaculture research account—state appropriation is provided solely for the Washington sea grant program at the University of Washington to complete a three-year study to identify best management practices related to shellfish production. The University of Washington must submit an annual report detailing any findings and outline the progress of the study, consistent with RCW 43.01.036, to the office of the governor and the appropriate legislative committees by December 1st of each year.

~~((q))~~ (17) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 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.

~~((r))~~ (18) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the pre-law pipeline and social justice program at the University of Washington Tacoma.

~~((s))~~ (19) \$200,000 of the general fund—state appropriation for fiscal year 2020 and \$200,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Bothell branch to develop series of online courses for school district staff related to behavioral health. The standards for the online courses must be consistent with any knowledge, skill, and performance standards related to mental health and well-being of public school students. Among other things, the online courses must:

((+)) (a) Teach participants relevant laws, including laws around physical restraint and isolation;

((+)) (b) Provide foundational knowledge in behavioral health, mental health, and mental illness;

((+++)) (c) Describe how to assess, intervene upon, and refer behavioral health and substance use issues; and

((++)) (d) Teach approaches to promote health and positively influence student health behaviors.

((+)) (20) \$110,000 of the general fund—state appropriation for fiscal year 2020 and \$110,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for core operations at forefront to achieve its mission of reducing suicide.

((+)) (21) \$138,000 of the general fund—state appropriation for fiscal year 2020 and \$138,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university to collaborate with the northwest Parkinson's foundation and the state department of veterans affairs to study Parkinson's diagnoses treatment and specialist care across ethnic and racial groups and to develop a pilot program that helps people with Parkinson's better access specialist care and community services.

((+)) (22) \$256,000 of the general fund—state appropriation for fiscal year 2020 and \$226,000 of the general fund—state appropriation for fiscal year 2021 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 fifteen to twenty providers from smaller clinics and practices per year.

((+)) (23) \$102,000 of the general fund—state appropriation for fiscal year 2020 and \$102,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university's center for international trade in forest products.

((+)) (24) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Latino center for health.

((+)) (25) \$150,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the Latino center for health to:

((+)) (a) Estimate the number of practicing Latino physicians in Washington including age and gender distributions;

((+)) (b) Create a profile of Latino physicians that includes their geographic distribution, medical and surgical specialties, training and certifications, and language access;

((+++)) (c) Develop a set of policy recommendations to meet the growing needs of Latino communities in urban and rural communities throughout Washington. The center must provide the report to the university and the appropriate committees of the legislature by December 31, 2020.

~~((z))~~ (26) To ensure transparency and accountability, in the 2019-2021 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.

~~((aa))~~ (27) \$50,000 of the general fund—state appropriation for fiscal year 2020 and \$30,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university's school of public health to study home-sharing for privately-owned residential properties. The study must include:

~~((i))~~ (a) An analysis of home-sharing programs across the country, including population served, costs, duration of stays, and size of programs;

~~((ii))~~ (b) An analysis of similar initiatives in Washington state and potential barriers to expansion;

~~((iii))~~ (c) A review of best practices and policies; and

~~((iv))~~ (d) Recommendations for the establishment and continuation of home-sharing programs.

~~((bb))~~ (28) \$150,000 of the general fund—state appropriation for fiscal year 2020 and \$150,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university to expand the project extension for community health care outcomes (ECHO) to include training related to people with autism and developmental disabilities. Project ECHO for autism and developmental disabilities must focus on supporting existing autism centers of excellence. The project will disseminate evidence-based diagnoses and treatments to increase access to medical services for people across the state.

~~((ee))~~ (29) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the William D. Ruckelshaus center to partner with the University of Washington and the Washington State University to provide staff support and facilitation services to the task force established in part 9 of this act.

~~((dd))~~ (30) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital in consultation with the office of the superintendent of public instruction to plan for and implement a two-year pilot program of school mental health education and consultations for students at middle schools, junior high, and high schools in one school district on east side of Cascades and one school district on west side of Cascades. The pilot program must:

~~((+))~~ (a) Develop and provide behavioral health trainings for school counselors, social workers, psychologists, nurses, teachers, administrators, and classified staff by January 1, 2020; and

~~((+))~~ (b) Beginning with the 2020-21 school year:

~~((A))~~ (i) Provide school counselors access to teleconsultations with psychologists and psychiatrists at Seattle children's hospital or the University of Washington department of psychiatry to support school staff in managing children with challenging behavior; and

~~((B))~~ (ii) Provide students access to teleconsultations with psychologists and psychiatrists at Seattle children's hospital or the University of Washington department of psychiatry to provide crisis management services when assessed as clinically appropriate.

~~((ee))~~ (31) \$213,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute Senate Bill No. 5903 (children's mental health). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~((ff))~~ (32) \$50,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1517 (domestic violence). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~((gg)(i))~~ (33)(a) \$463,000 of the general fund—state appropriation for fiscal year 2020 and \$400,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the climate impacts group in the college of the environment.

~~((+))~~ (b) \$63,000 of the general fund—state appropriation for fiscal year 2020 in ~~((gg)(i))~~ (a) of this subsection is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5116 (clean energy). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection (1)(gg)(ii) shall lapse.~~

~~((hh))~~ (34) \$25,000 of the general fund—state appropriation for fiscal year 2020 and \$25,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university to develop a plan for the maintenance and administration of opioid overdose medication in and around residence halls housing at least 100 students and for the training of designated personnel to administer opioid overdose medication to respond to symptoms of an opioid-related overdose.

~~((+))~~ (35) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 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.

~~((+))~~ (36) \$100,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the Evans school of public affairs to complete the business plan for a publicly owned Washington state depository bank as directed by section 129, chapter 299, Laws of 2018.

~~((kk))~~ (37) \$350,000 of the general fund—state appropriation for fiscal year 2020 and \$139,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5330 (small forestland owners). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.~~

~~(ll)~~ \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the dental education in the care of persons with disabilities program.

~~(mm)~~ \$190,000) (38) \$95,000 of the general fund—state appropriation for fiscal year 2020 ~~((s))~~ and \$95,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the college of education to partner with school districts on a pilot program to improve the math scores of K-12 students.

~~((nn)~~ \$300,000) (39) \$100,000 of the general fund—state appropriation for fiscal year 2020 ~~((s))~~ and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for matching nonstate funding contributions for a study of the feasibility of constructing of a biorefinery in southwest Washington. No state moneys may be expended until nonstate funding contributions are received. The study must:

~~((o))~~ (a) Assess the supply of biomass, including poplar feedstock grown on low-value lands and hardwood sawmill residuals;

~~((p))~~ (b) Assess the potential for using poplar simultaneously for water treatment and as a biorefinery feedstock;

~~((q))~~ (c) Assess southwest Washington landowner interest in growing poplar feedstock;

~~((r))~~ (d) Evaluate options for locating a biorefinery in southwest Washington that considers potential for integration of future biorefineries with existing facilities such as power plants and pulp mills; and

~~((s))~~ (e) Result in a comprehensive technical and economic evaluation for southwest Washington biorefineries that will be used by biorefinery technology companies to develop their business plans and to attract potential investors.

~~((t))~~ (40) \$300,000 of the general fund—state appropriation for fiscal year 2020 and \$300,000 of the general fund—state appropriation for fiscal year 2021 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.

~~((u))~~ (41) \$400,000 of the geoduck aquaculture research account—state appropriation is provided solely for the Washington sea grant program crab team to continue work to protect against the impacts of invasive European green crab.

(42) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department of environmental and occupational health sciences to provide an air quality report. The report will study the relationship between indoor and outdoor ultrafine particle air quality at sites with vulnerable populations, such as schools or locations underneath flight paths within ten miles of Sea-Tac airport. The report recommendations must include an item addressing filtration systems at select locations with vulnerable populations. The report shall be submitted to the house environment and energy committee and the senate environment, energy and technology committee by December 15, 2020.

(43) \$135,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Washington MESA to continue the first nations MESA program in the Yakima valley.

(44)(a) \$40,000 of the general fund—state appropriation for fiscal year 2020 and \$85,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a study focusing on special purpose district elections to be completed within the division of politics, philosophy, and public affairs at the Tacoma campus. The study must include, at a minimum, an examination and comparison of:

(i) Different types of data collected based on the entity administering the election;

(ii) Voting frequency, eligibility, demographics of voters and candidates, and equity within special purpose district elections;

(iii) Individuals and entities affected outside the voting district of special purpose districts;

(iv) A review of other governance models regarding special purpose districts; and

(v) Potential statutory and constitutional issues regarding special purpose district elections.

(b) By December 1, 2020, the study must be submitted to the appropriate committees of the legislature.

(45) \$300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for:

(a) Increased training in rural areas for sexual assault nurse examiners; and

(b) Expansion of web-based services for training of sexual assault nurse examiners to include webinars, live streamed trainings, and web-based consultations.

(46)(a) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the center for cannabis research at the university to collaborate with the Washington State University collaboration on cannabis policy, research, and outreach to create frameworks for future studies. Each framework will include the length of time to complete, research licenses necessary, cost, literature review of national and international research, and a scope of work to be completed. The following frameworks shall be compiled in a report:

(i) Measuring and assessing impairment due to marijuana use; and

(ii) Correlation between age of use, dosage of use, and appearance of occurrence of cannabis induced psychosis.

(b) The report on the frameworks must be submitted to the appropriate committees of the legislature by December 1, 2020.

(47) \$135,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1521 (government contracting). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(48) \$364,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2327 (sexual misconduct/postsec.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(49) \$232,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute House Bill No. 2419 (death with dignity barriers). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(50) \$450,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to the University of Washington school of medicine for the development of simulation training devices at the Harborview medical center's paramedic training program.

(51) \$60,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6061 (telemedicine training). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(52) \$1,549,000 of the economic development strategic reserve account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6139 (aerospace tech. innovation). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(53) \$320,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6142 (higher ed common application). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(54) \$205,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(55) \$64,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(56) \$143,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(57) \$100,000 of the general fund—state appropriation for fiscal year 2021 is 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;

(b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum programs across the state; and

(c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably through the Burkemobile program.

((2) CONDITIONAL GENERAL WAGE INCREASES
General Fund—State Appropriation (FY 2020) \$2,320,000

General Fund—State Appropriation (FY 2021)	\$4,664,000
Aquatic Lands Enhancement Account—State Appropriation	\$16,000
Education Legacy Trust Account—State Appropriation	\$201,000
Economic Development Strategic Reserve Account—State Appropriation	\$12,000
Institutions of Higher Education—Grant and Contracts Account—State Appropriation	\$19,587,000
Institutions of Higher Education—Dedicated Local Account Appropriation	\$12,184,000
Institutions of Higher Education—Operating Fees Account—Local Appropriation	\$13,786,000
Biotoxin Account—State Appropriation	\$3,000
Dedicated Marijuana Account—State Appropriation (FY 2020)	\$3,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	\$6,000
University of Washington Hospital Account—Local Appropriation	\$16,375,000
Accident Account—State Appropriation	\$92,000
Medical Aid Account—State Appropriation	\$87,000
TOTAL APPROPRIATION	\$69,336,000

The appropriations in this subsection (2) are subject to the following conditions and limitations: Funding is provided solely for conditional general wage increases to all University of Washington employees of one percent on July 1, 2019, and one percent on July 1, 2020, subject to the conclusion of impacts bargaining over the application of the increases to represented employees covered by sections 921 through 925 of this act. If agreements to implement the one percent increases are not reached with the represented employees covered by sections 921 through 925 of this act by July 1, 2020, the amounts provided in this subsection (2) shall lapse. Funding for the conditional increases is provided from appropriated and nonappropriated accounts as authorized in this subsection (2-).

**Sec. 603 is partially vetoed. See message at end of chapter.*

***Sec. 604.** 2019 c 415 s 607 (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund—State Appropriation (FY 2020)	..((\$222,455,000))
	<u>\$222,642,000</u>
General Fund—State Appropriation (FY 2021)	..((\$230,453,000))
	<u>\$233,649,000</u>
Washington State University Building Account—State Appropriation	..... \$792,000
Education Legacy Trust Account—State Appropriation	..... \$33,995,000
<u>Model Toxics Control Stormwater Account—State Appropriation</u>	..... <u>\$50,000</u>
Dedicated Marijuana Account—State Appropriation (FY 2020)	..... \$138,000
Dedicated Marijuana Account—State Appropriation (FY 2021)	..... \$138,000

Pension Funding Stabilization Account—State

Appropriation	\$30,954,000
TOTAL APPROPRIATION	((\$518,925,000))
	<u>\$522,358,000</u>

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 2020 and \$90,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$7,000,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$135,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a honey bee biology research position.

(7) \$29,152,000 of the general fund—state appropriation for fiscal year 2020 and ((~~\$29,764,000~~)) \$29,793,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) \$376,000 of the general fund—state appropriation for fiscal year 2020 and \$376,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for chapter 202, Laws of 2017 (2SHB 1713) (children's mental health).

(9) \$580,000 of the general fund—state appropriation for fiscal year 2020 and \$580,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(10) Within the funds appropriated in this section, Washington State University shall:

(a) Review the scholarly literature on the short-term and long-term effects of marijuana use to assess if other states or private entities are conducting marijuana research in areas that may be useful to the state.

(b) Provide as part of its budget request for the 2019-2021 fiscal biennium:

(i) A list of intended state, federal, and privately funded marijuana research, including cost, duration, and scope;

(ii) Plans for partnerships with other universities, state agencies, or private entities, including entities outside the state, for purposes related to researching short-term and long-term effects of marijuana use.

(11) \$585,000 of the general fund—state appropriation for fiscal year 2020 and \$585,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 159, Laws of 2017 (2SSB 5474) (elk hoof disease).

(12) \$630,000 of the general fund—state appropriation for fiscal year 2020 and \$630,000 of the general fund—state appropriation for fiscal year 2021 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.

(13) \$1,370,000 of the general fund—state appropriation for fiscal year 2020 and \$1,370,000 of the general fund—state appropriation for fiscal year 2021 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.

(14) 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.

(15) \$1,119,000 of the general fund—state appropriation for fiscal year 2020 and \$1,154,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of chapter 36, Laws of 2017 3rd sp. sess. (renewable energy, tax incentives).

(16) \$500,000 of the general fund—state appropriation for fiscal year 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the joint center for deployment and research in earth abundant materials.

(17) \$20,000 of the general fund—state appropriation for fiscal year 2020 and \$20,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the office of clean technology at Washington State University to convene a sustainable aviation biofuels work group to further the development of sustainable aviation fuel as a productive industry in Washington. The work group must include members from the legislature and sectors involved in sustainable aviation biofuels research, development, production, and utilization. The work group must provide recommendations to the governor and the appropriate committees of the legislature by December 1, 2020.

(18) \$113,000 of the general fund—state appropriation for fiscal year 2020 and \$60,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1517 (domestic violence). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(19) \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$75,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the William D. Ruckelshaus center to partner with the University of Washington and the Washington State University to provide staff support and facilitation services to the task force established in section 9 of this act.

(20) \$264,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute Senate Bill No. 5903 (children's mental health). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(21) \$37,000 of the general fund—state appropriation for fiscal year 2020 and \$16,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university to develop a plan for the maintenance and administration of opioid overdose medication in and around residence halls housing at least 100 students and for the training of designated personnel to administer opioid overdose medication to respond to symptoms of an opioid-related overdose.

(22) \$85,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for the William D. Ruckelshaus center to coordinate a work group and process to develop options and recommendations to improve consistency, simplicity, transparency, and accountability in higher education data systems. The work group and process must be collaborative and include representatives from relevant agencies and stakeholders, including but not limited to: The Washington student achievement council, the workforce training and education coordinating board, the employment security department, the state board for community and technical colleges, the four-year institutions of higher education, the education data center, the office of the superintendent of public instruction, the Washington state institute for public policy, the joint legislative audit and review committee, and at least one representative from a nongovernmental organization that uses longitudinal data for research and decision making. The William D. Ruckelshaus center must facilitate meetings and discussions with stakeholders and provide a report to the appropriate committees of the legislature by December 1, 2019. The process must analyze and make recommendations on:

(a) Opportunities to increase postsecondary transparency and accountability across all institutions of higher education that receive state financial aid dollars while minimizing duplication of existing data reporting requirements;

(b) Opportunities to link labor market data with postsecondary data including degree production and postsecondary opportunities to help prospective postsecondary students navigate potential career and degree pathways;

(c) Opportunities to leverage existing data collection efforts across agencies and postsecondary sectors to minimize duplication, centralize data reporting, and create administrative efficiencies;

(d) Opportunities to develop a single, easy to navigate, postsecondary data system and dashboard to meet multiple state goals including transparency in postsecondary outcomes, clear linkages between data on postsecondary degrees and programs and labor market data, and linkages with P-20 data where appropriate. This includes a review of the efficacy, purpose, and cost of potential

options for service and management of a statewide postsecondary dashboard; and

(e) Opportunities to increase state agency, legislative, and external researcher access to P-20 data systems in service to state educational goals.

(23) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are 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.

(24) \$134,000 of the general fund—state appropriation for fiscal year 2020 and \$134,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to implement Engrossed Substitute House Bill No. 2248 (community solar projects). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(25) \$135,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the establishment of a mathematics, engineering, science achievement program on the Everett campus.

(26) \$50,000 of the model toxics control stormwater account—state appropriation is provided solely for the Washington stormwater center for the following purposes:

(a) The initial development of a plan for the implementation of a statewide don't drip and drive program; and

(b) The provision of technical assistance and education to local governments, community organizations, and businesses, that are undertaking or seek to potentially undertake behavior change strategies to prevent stormwater pollution from leaking motor vehicles.

(27)(a) \$25,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the collaboration with the Washington state patrol, to produce a report focused on recommendations to inform a longitudinal study regarding bias in traffic stops. The report shall include the following information and any additional items identified in the collaboration:

(i) Analysis of traffic stops data for evidence of biased policing in stops, levels of enforcement, and searches;

(ii) Statewide survey of Washington state residents' perception of the Washington state patrol, with a focus on communities and individuals of color; and

(iii) The driving population, Washington state patrol crash data, Washington state patrol calls for service or assistance data, and any other potential data sources and appropriate geographic-level analysis.

(b) The framework shall outline any needed policy changes necessary to perform a longitudinal study, including public engagement. The report shall be submitted to the appropriate committees of the legislature by December 31, 2020.

(28) \$130,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2327 (sexual misconduct/postsec.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(29) \$32,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No.

2645 (photovoltaic modules). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(30) \$128,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the William D. Ruckelshaus center to assess the feasibility of and barriers to expanding and integrating district energy systems in the city of Bellingham. The study must include a situation assessment by the center, and an independent technical review by the Washington state academy of sciences. The study must be submitted to the appropriate committees of the legislature by December 31, 2020.

(31) \$299,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6142 (higher ed common application). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(32) \$788,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6306 (soil health initiative). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(33) \$500,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for Washington State University's energy program to launch a least-conflict priority solar siting pilot project in the Columbia basin of eastern and central Washington. This program shall engage all relevant stakeholders to identify priority areas where there is the least amount of potential conflict in the siting of utility scale pv solar and to develop a map highlighting these areas. The program shall also compile the latest information on opportunities for dual-use and colocation of pv solar with other land values. The appropriation is the maximum amount the department may expend for this purpose.

(34) \$42,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(35) \$280,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6518 (pesticide, chlorpyrifos). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

**Sec. 604 is partially vetoed. See message at end of chapter.*

**Sec. 605. 2019 c 415 s 608 (uncodified) is amended to read as follows:*

FOR EASTERN WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2020)	(\$54,894,000))
	\$55,128,000
General Fund—State Appropriation (FY 2021)	(\$57,331,000))
	\$57,943,000
Education Legacy Trust Account—State Appropriation	\$16,794,000
TOTAL APPROPRIATION	(\$129,019,000))
	\$129,865,000

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

(1) At least \$200,000 of the general fund—state appropriation for fiscal year 2020 and at least \$200,000 of the general fund—state appropriation for fiscal year 2021 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) \$10,472,000 of the general fund—state appropriation for fiscal year 2020 and (~~(\$10,692,000)~~) \$10,702,000 of the general fund—state appropriation for fiscal year 2021 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) \$125,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for gathering and archiving time-sensitive histories and materials and planning for a Lucy Covington center.

(7) (~~(\$146,000)~~) \$73,000 of the general fund—state appropriation for fiscal year 2020 (~~(*)~~) and \$73,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for a comprehensive analysis of the deep lake watershed involving land owners, ranchers, lake owners, one or more conservation districts, the department of ecology, and the department of natural resources.

(8) \$21,000 of the general fund—state appropriation for fiscal year 2020 and \$11,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university to develop a plan for the maintenance and administration of opioid overdose medication in and around residence halls housing at least 100 students and for the training of designated personnel to administer opioid overdose medication to respond to symptoms of an opioid-related overdose.

(9) \$200,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for expansion of the American sign language program.

(10) \$73,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2327 (sexual misconduct/postsec.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(11) \$88,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6142 (higher ed common application). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(12) \$45,000 of the general fund—state appropriation for fiscal year 2021 is 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.

**Sec. 605 is partially vetoed. See message at end of chapter.*

***Sec. 606.** 2019 c 415 s 609 (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2020)	((\$54,390,000))
	<u>\$54,520,000</u>
General Fund—State Appropriation (FY 2021)	((\$56,517,000))
	<u>\$57,179,000</u>
Central Washington University Capital Projects Account—	
State Appropriation	\$76,000
Education Legacy Trust Account—State Appropriation	\$19,076,000
Pension Funding Stabilization Account—State	
Appropriation	\$3,924,000
TOTAL APPROPRIATION	((\$133,983,000))
	<u>\$134,775,000</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) \$11,803,000 of the general fund—state appropriation for fiscal year 2020 and ((~~\$12,051,000~~)) \$12,063,000 of the general fund—state appropriation for fiscal year 2021 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) \$221,000 of the general fund—state appropriation for fiscal year 2020 and \$221,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the game on! program, which provides underserved middle and high school students with training in leadership and science, technology, engineering, and math. The program is expected to serve approximately five hundred students per year.

(6) \$53,000 of the general fund—state appropriation for fiscal year 2020 and \$32,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university to develop a plan for the maintenance and administration of opioid overdose medication in and around residence halls housing at least 100 students and for the training of designated personnel to administer opioid overdose medication to respond to symptoms of an opioid-related overdose.

(7) \$135,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for development of an educational American sign language interpreter preparation program.

(8) \$155,000 of the general fund—state appropriation for fiscal year 2020 is provided solely to implement chapter 295, Laws of 2019 (educator workforce supply).

(9) \$254,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6142 (higher ed common application). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(10) \$52,000 of the general fund—state appropriation for fiscal year 2021 is 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.

(11) \$53,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2327 (sexual misconduct/postsec.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

**Sec. 606 is partially vetoed. See message at end of chapter.*

***Sec. 607.** 2019 c 415 s 610 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund—State Appropriation (FY 2020)	(\$29,766,000)
	\$30,208,000
General Fund—State Appropriation (FY 2021)	(\$30,305,000)
	\$31,303,000

The Evergreen State College Capital Projects Account—	
State Appropriation	\$80,000
Education Legacy Trust Account—State Appropriation	\$5,450,000
Pension Funding Stabilization Account—State	
Appropriation	\$2,000
TOTAL APPROPRIATION	(\$65,603,000)
	\$67,043,000

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

(1) \$3,590,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$3,665,000)~~ \$3,669,000 of the general fund—state appropriation for fiscal year 2021 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) Within the amounts appropriated in this section, The Evergreen State College must provide the funding necessary to enable employees of the Washington state institute for public policy to receive the salary increases provided in part 9 of this act.

(5) ~~(\$2,079,000)~~ \$2,437,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$2,054,000)~~ \$2,754,000 of the general fund—state appropriation for fiscal year 2021 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 (5):

(a) ~~(\$999,000)~~ of the amounts in fiscal year 2020 and ~~(\$879,000)~~ \$1,294,000 of the amounts in fiscal year 2021 are provided for administration and core operations.

(b) ~~(\$1,030,000)~~ \$1,388,000 of the amounts in fiscal year 2020 and ~~(\$1,002,000)~~ \$1,177,000 of the amounts in fiscal year 2021 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) \$50,000 of the amounts in fiscal year 2020 and \$25,000 of the amounts in fiscal year 2021 are provided solely for the Washington state institute for public policy to evaluate the outcomes of resource and assessment centers licensed under RCW 74.15.311 and contracted with the department of children, youth, and families. By December 1, 2020, and in compliance with RCW 43.01.036, the institute shall report the results of its evaluation to the appropriate legislative committees; the governor; the department of children, youth, and families; and the oversight board for children, youth, and families. For the evaluation, the institute shall collect data regarding:

(i) The type of placement children experience following placement at a resource and assessment center;

(ii) The number of placement changes that children experience following placement in a resource and assessment center compared with other foster children;

(iii) The length of stay in foster care that children experience following placement in a resource and assessment center compared with other foster children;

(iv) The likelihood that children placed in a resource and assessment center will be placed with siblings; and

(v) The length of time that licensed foster families accepting children placed in resource and assessment centers maintain their licensure compared to licensed foster families receiving children directly from child protective services.

(d) \$115,000 of the amounts in fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1391 (early achievers recommendations). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection (5)(d) shall lapse.))~~

(e) \$33,000 of the amounts in fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1646 (juvenile rehab. confinement). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection (5)(e) shall lapse.))~~

(f) \$20,000 of the amounts in fiscal year 2021 are provided solely for the Washington state institute for public policy to evaluate student participation in and outcomes of transitional kindergarten programs across the state. No later than December 1, 2023, the institute shall report the result of its evaluation to the appropriate legislative committees; the governor; the office of the superintendent of public instruction; and the department of children, youth, and families. For the evaluation, the institute shall collect data regarding:

(i) The number of districts providing transitional kindergarten programs, including the number of classrooms and students in the program per district;

(ii) The number of children participating in transitional kindergarten programs across the state, disaggregated by demographic information such as race, gender, and income level;

(iii) The number of children participating in transitional kindergarten programs that attended prekindergarten previous to transitional kindergarten;

(iv) The number of children participating in transitional kindergarten who received early learning services through the early childhood education and assistance program;

(v) The differences in classroom instruction for transitional kindergarten compared to the early childhood education and assistance program; and

(vi) The outcomes for transitional kindergarten participants on the Washington kindergarten inventory of developing skills compared to students who did not participate in transitional kindergarten.

(g) \$40,000 of the amounts in fiscal year 2021 are provided solely for the Washington state institute for public policy to conduct a literature review on mandatory arrests in domestic violence cases, including the effects of mandatory arrest on recidivism, domestic violence recidivism, domestic violence reporting, rates of domestic violence treatment, intimate partner violence, and other reported outcomes. By June 30, 2021, the institute must submit the review to the appropriate committees of the legislature.

(h) \$50,000 of the amounts in fiscal year 2021 are provided solely for the Washington state institute for public policy to study access to voting and voter registration, to determine if the policies outlined below have increased the number of registered voters and if the number of voters has increased. The study must analyze the impact of the recent policy changes including chapter 112, Laws of 2018 pertaining to same-day voter registration; chapter 110, Laws of 2018 pertaining to automatic voter registration, chapter 161, Laws of 2019 pertaining to pre-paid postage for ballots, chapter 327, Laws of 2017 pertaining to the number and locations by county of ballot boxes; and chapter 109, Laws of 2018 pertaining to the registration by individuals as a part of the future voter program. The institute must also report on absentee ballot requests by location. The institute shall submit a report on the impacts of the changes on voter registration, voter turnout, and voting method to the appropriate committees of the legislature by December 1, 2021.

(i) 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 2019-21 work plan as necessary to efficiently manage workload.

(6) \$86,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2327 (sexual misconduct/postsec.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(7) \$9,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Senate Bill No. 6313 (young voters). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(8) \$39,000 of the general fund—state appropriation for fiscal year 2021 is 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.

**Sec. 607 is partially vetoed. See message at end of chapter.*

***Sec. 608.** 2019 c 415 s 611 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2020)	(\$78,694,000)	
		<u>\$78,664,000</u>
General Fund—State Appropriation (FY 2021)	(\$81,478,000)	
		<u>\$82,923,000</u>
Western Washington University Capital Projects Account—		
State Appropriation	\$1,424,000	
Education Legacy Trust Account—State Appropriation	\$13,831,000	
TOTAL APPROPRIATION	(\$175,427,000)	
		<u>\$176,842,000</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) \$16,291,000 of the general fund—state appropriation for fiscal year 2020 and ~~(\$16,633,000)~~ \$16,649,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$700,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and \$1,306,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for Western Washington University to develop a new program in marine, coastal, and watershed sciences.

(6) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(7) \$250,000 of the general fund—state appropriation for fiscal year 2020 and \$250,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for campus connect to develop a student civic leaders initiative that will provide opportunities for students to gain work experience focused on addressing the following critical issues facing communities and campuses:

Housing and food insecurities, mental health, civic education (higher education and K-12), breaking the prison pipeline, and the opioid epidemic. Students will:

- (a) Participate in civic internships and receive wages to work on one or more of these critical issues on their campus and or in their community, or both;
- (b) Receive training on civic education, civil discourse, and learn how to analyze policies that impact community issues; and
- (c) Research issues and develop and implement strategies in teams to address them.

(8) \$45,000 of the general fund—state appropriation for fiscal year 2020 and \$25,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the university to develop a plan for the maintenance and administration of opioid overdose medication in and around residence halls housing at least 100 students and for the training of designated personnel to administer opioid overdose medication to respond to symptoms of an opioid-related overdose.

(9) \$215,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for development and expansion of American sign language education.

(10) \$87,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute House Bill No. 2327 (sexual misconduct/postsec.). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(11) \$886,000 of the general fund—state appropriation for fiscal year 2021 is 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. Tuition reductions resulting from this section must go into effect beginning in the 2020-21 academic year.

(12) \$42,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute Senate Bill No. 6142 (higher ed common application). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(13) \$48,000 of the general fund—state appropriation for fiscal year 2021 is 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.

*Sec. 608 is partially vetoed. See message at end of chapter.

*Sec. 609. 2019 c 415 s 612 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL—POLICY COORDINATION AND ADMINISTRATION

General Fund—State Appropriation (FY 2020)	(((\$6,431,000))
	<u>\$6,459,000</u>
General Fund—State Appropriation (FY 2021)	(((\$6,533,000))
	<u>\$7,704,000</u>
General Fund—Federal Appropriation	\$4,927,000
Pension Funding Stabilization Account—State	
Appropriation	\$534,000
TOTAL APPROPRIATION	(((\$18,425,000))
	<u>\$19,624,000</u>

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 2020 and \$126,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the consumer protection unit.

(2) \$104,000 of the general fund—state appropriation for fiscal year 2020 and \$174,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute Senate Bill No. 5800 (homeless college students). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(3) \$150,000 of the general fund—state appropriation is provided solely to create a career connected learning statewide program inventory as required in RCW 28C.30.040(1) (f) through (g).

(4) \$211,000 of the general fund—state appropriation is provided solely to implement the Washington college grant program as set forth in RCW 28B.92.200. Funding is sufficient for a senior budget and forecast analyst position to assist in the administration of the Washington college grant program established in RCW 28B.92.200 and other financial aid programs and to develop financial aid models to forecast costs related to the Washington college grant and college bound programs.

(5) \$33,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to implement chapter 298, Laws of 2019 (college bound scholarship - ninth grade pledge and state need grant eligibility).

(6) 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.

(7) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the student achievement council to convene a task force on student access to health care at Washington's public institutions of higher education, with members as provided in this subsection.

(a) Membership of the task force is:

(i) One staff member appointed by each of the following: The council of presidents, state board for community and technical colleges, insurance commissioner, workforce training and education coordinating board, health care authority, health benefit exchange, and department of health; and

(ii) Three members, one of which must be currently enrolled in a graduate or professional program, appointed by the Washington student association with one member attending an institution west of the crest of the cascade mountains; one member attending an institution east of the crest of the cascade mountains; and one staff member of the Washington student association.

(b) The task force shall provide recommendations on the policies, resources, and technical assistance that are needed to support the institutions in improving access to affordable health care for their students. The task force, in cooperation with the state's public institutions of higher education,

shall gather data related to affordable access to care for students at public institutions of higher education in Washington.

(c) Staff support for the task force must be provided by the council.

(d) In accordance with RCW 43.01.036 the task force shall report its preliminary findings to the governor and the appropriate committees of the legislature before the first day of the 2021 legislative session and its final findings and recommendations by November 1, 2021. The final report must include:

(i) A summary of the data reviewed by the task force, including information specific to each campus, when available;

(ii) Recommendations for the legislature and public institutions of higher education for improving student health care coverage and access including, but not limited to:

(A) A comparison of opt-in and opt-out student health insurance models, including their respective benefits, risks, impact on cost, level of coverage, and number of students enrolled;

(B) A model policy for the establishment of an opt-out insurance plan for public institutions of higher education to maximize accessibility, affordability, coverage, and ease of enrollment while minimizing accidental enrollment and other negative consequences;

(C) A review of currently available insurance plans and their feasibility in providing affordable and comprehensive coverage for Washington students enrolled in public institutions of higher education;

(D) A review of options for the state to provide greater coverage and access to care among students by allowing public institutions of higher education to provide opt-out plans, including premiums for student health insurance plans in cost of attendance considerations for state financial aid, among others; and

(E) Policy recommendations that address racial, ethnic, income-based, and geographic disparity and disproportionality in student health-based educational outcomes.

(8) \$208,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Senate Bill No. 5197 (national guard ed. grants). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(9) \$250,000 of the general fund—state appropriation for fiscal year 2021 is provided solely to implement a marketing and communications agenda as required in RCW 28C.30.040(1)(c).

(10) \$76,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the student achievement council to complete a study examining design options for a statewide child savings account program in Washington and creating an implementation plan. Child savings accounts are long-term savings or investment accounts to help children, especially low-income children and children of color, build dedicated savings for postsecondary education. The child savings account program's goals are to foster a higher education and career-readiness culture and boost college savings among Washington state residents, particularly low-income families; promote the financial security, financial literacy, and economic stability of Washington state families; and increase their ability to save for college. The

program's purpose is to establish college savings accounts at birth for every child born in Washington state.

(a) At a minimum, the study must include the following elements:

(i) Program account options and mechanisms for automatic enrollment in the child savings account program at birth unless parents opt out;

(ii) The program structure and the initial seed deposit as well as progressive incentives to help reduce inequities in account accumulation between children from lower-income families and higher-income families;

(iii) Incentive structures so that families that participate and contribute, regardless of amount, can receive bonus deposits;

(iv) Plans for how relevant state agencies and programs would conduct outreach and provide information for families and children about their child savings accounts, opportunities to interact and/or save in the account, and other resources for families to build their financial capabilities in order to save for their future;

(v) Options for potential state funding sources to create and sustain the program and the feasibility of making the program self-sustaining or partially off-setting seed deposits through administrative fees charged in the Washington college savings program established in RCW 28B.95.032 or other college savings programs;

(vi) Possible ways for the state to collaborate with the philanthropic and private sectors; and

(vii) Possible ways for the accounts of foster children and youth to grow.

(b) In developing the implementation plan, the council may consult with the following entities:

(i) The economic services administration;

(ii) The department of health;

(iii) The department of children, youth, and families;

(iv) The department of financial institutions;

(v) The office of the state treasurer;

(vi) The office of the superintendent of public instruction;

(vii) Nonprofit and community-based organizations or coalitions focused on strategies to help families build financial assets or support families with children to thrive;

(viii) Institutions of higher education or research or policy organizations with expertise in asset building and child savings accounts;

(ix) Not-for-profit foundations, organizations, or agencies in Washington who are already operating child savings account programs in their communities;

(x) Philanthropic organizations and foundations with an interest in providing philanthropic support for child savings accounts in Washington state; and

(xi) Organizations and state commissions and offices representing communities of color and economically disadvantaged communities that would be most impacted by the creation of a child savings account program.

(c) The council shall convene stakeholders to review preliminary recommendations by November 30, 2020. The council shall submit preliminary findings and recommendations to the appropriate committees of the legislature by December 30, 2020, and a final report by June 30, 2021.

(11) \$25,000 of the general fund—state appropriation for fiscal year 2020 and \$125,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the Washington student achievement council to convene and coordinate a task force by May 1, 2020 to propose strategies to eliminate financial and non-financial barriers to low-income students participating in running start, college in the high school, advanced placement, international baccalaureate, cambridge and career and technical education dual credit programs.

The task force shall submit a report to the appropriate committees of the legislature by December 1, 2020. The report shall include:

(a) Strategies to address the following financial and non-financial barriers to students:

(i) Per credit tuition fees and any other fees charged for college in the high school and career and technical education dual credit courses;

(ii) Books, fees, and any other direct costs charged to running start students when enrolling in college courses; and

(iii) Exam fees and other charges to students enrolling in exam-based dual credit courses.

(b) An analysis of efficiency and effectiveness of student use of dual credit toward higher education program, degree completion or both;

(c) Recommendations on student supports to close equity gaps in dual credit access, participation and success;

(d) Recommendations to improve and increase communication with students and families regarding the awareness, access and completion of dual credit;

(e) Expanding access to dual credit opportunities for students in career and technical education pathways; and

(f) Running start data for fiscal year 2018, fiscal year 2019, and fiscal year 2020 for each community and technical college as described in section 602(32) of this act.

**Sec. 609 is partially vetoed. See message at end of chapter.*

Sec. 610. 2019 c 415 s 613 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL—OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund—State Appropriation (FY 2020)	(\$278,418,000)
	\$273,435,000
General Fund—State Appropriation (FY 2021)	(\$281,669,000)
	\$288,093,000
General Fund—Federal Appropriation	(\$12,035,000)
	\$12,038,000
General Fund—Private/Local Appropriation	\$300,000
Education Legacy Trust Account—State Appropriation	\$93,488,000
Washington Opportunity Pathways Account—State Appropriation	\$114,229,000
Aerospace Training Student Loan Account—State Appropriation	\$216,000
Workforce Education Investment Account—State Appropriation	\$14,824,000
Pension Funding Stabilization Account—State	

Appropriation.....	\$18,000
Health Professionals Loan Repayment and Scholarship Program Account—State Appropriation	\$1,720,000
State Educational Trust Fund (Nonappropriated) Account—State Appropriation	\$6,000,000
<u>State Financial Aid Account—State Appropriation</u>	<u>\$1,500,000</u>
TOTAL APPROPRIATION	(\$788,093,000) <u>\$805,861,000</u>

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

(1) If Engrossed Second Substitute House Bill No. 2158 (workforce education) is enacted by June 30, 2019, all references made in this section to the state need grant program are deemed made to the Washington college grant program.

(2) ~~\$255,327,000~~ of the general fund—state appropriation for fiscal year 2020, ~~(\$266,528,000)~~ \$7,935,000 of the general fund—state appropriation for fiscal year 2021, ~~(\$77,639,000)~~ \$45,527,000 of the education legacy trust account—state appropriation, \$6,000,000 of the state educational trust fund nonappropriated account—state appropriation, and ~~(\$80,000,000)~~ \$38,350,000 of the Washington opportunity pathways account—state appropriation are provided solely for student financial aid payments under the state need grant and state work study programs, including up to four percent administrative allowance for the state work study program.

(3) \$258,593,000 of the general fund—state appropriation for fiscal year 2021, \$14,824,000 of the workforce education investment account—state appropriation, \$32,112,000 of the education legacy trust fund—state appropriation, and \$56,950,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(4) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2019-2021 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.

(5) Within the funds appropriated in this section, eligibility for the state need grant includes students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI. If Engrossed Second Substitute House Bill No. 2158 (workforce education) is enacted by June

30, 2019, then the eligibility and proration provisions of that bill supersede the provisions of this subsection.

(6) Of the amounts provided in subsection ~~((4))~~ (2) of this section, \$100,000 of the general fund—state appropriation for fiscal year 2020 and \$100,000 of the general fund—state appropriation for fiscal year 2021 are provided for the council to process an alternative financial aid application system pursuant to RCW 28B.92.010.

(7) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. These eligible college bound students whose family incomes are in the 0-65 percent median family income ranges must be awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students. The council shall provide directions to institutions to maximize the number of college bound scholarship students receiving the maximum state need grant for which they are eligible with a goal of 100 percent coordination. Institutions shall identify all college bound scholarship students to receive state need grant priority. If an institution is unable to identify all college bound scholarship students at the time of initial state aid packaging, the institution should reserve state need grant funding sufficient to cover the projected enrollments of college bound scholarship students.

(8) ~~(\$1,023,000)~~ \$972,000 of the general fund—state appropriation for fiscal year 2020, ~~(\$855,000)~~ \$1,165,000 of the general fund—state appropriation for fiscal year 2021, \$15,849,000 of the education legacy trust account—state appropriation, and ~~(\$34,229,000)~~ \$18,929,000 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. ~~((If Engrossed Second Substitute House Bill No. 2158 (workforce education) is enacted by June 30, 2019, then the amount that is provided solely for purposes of this subsection from the Washington opportunity pathways account is provided for the Washington college grant in the amount of \$15,300,000.))~~

(9) \$2,759,000 of the general fund—state appropriation for fiscal year 2020 and \$2,795,000 of the general fund—state appropriation for fiscal year 2021 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 2020 and 2021 for this purpose.

(10) ~~(\$7,468,000)~~ \$2,536,000 of the general fund—state appropriation for fiscal year 2020 ~~((is))~~ and \$4,432,000 of the general fund—state appropriation for fiscal year 2021 are provided solely to meet state match requirements associated with the opportunity scholarship program. The legislature will evaluate subsequent appropriations to the opportunity scholarship program based on the extent that additional private contributions are made, program spending patterns, and fund balance.

(11) \$3,800,000 of the general fund—state appropriation for fiscal year 2020 and \$3,800,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for expenditure into the health professionals loan repayment and scholarship program account. These amounts must be used to increase the number of licensed primary care health professionals to serve in licensed primary care health professional critical shortage areas. Contracts between the office and program recipients must guarantee at least three years of conditional loan repayments. The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office shall coordinate with the department of social and health services to effectively incorporate three conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies. The office may use these targeted amounts for other program participants should there be any remaining amounts after eligible psychiatrists and advanced registered nurse practitioners have been served. The office shall also work to prioritize loan repayments to professionals working at health care delivery sites that demonstrate a commitment to serving uninsured clients. It is the intent of the legislature to provide funding to maintain the current number and amount of awards for the program in the 2021-2023 fiscal biennium on the basis of these contractual obligations.

(12) \$850,000 of the general fund—state appropriation for fiscal year 2020 and \$750,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1973 (dual enrollment scholarship). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~

(13) \$1,000,000 of the general fund—state appropriation for fiscal year 2020 and \$1,000,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Second Substitute House Bill No. 1668 (Washington health corps). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this subsection shall lapse.))~~ Within amounts provided in this subsection, the student achievement council, in consultation with the department of health, shall study the need, feasibility, and potential design of a grant program to provide funding to behavioral health students completing unpaid pregraduation internships and postgraduation supervised hours for licensure.

(14) Sufficient amounts are appropriated within this section to implement Engrossed Second Substitute House Bill No. 1311 (college bound).

(15) \$1,896,000 of the general fund—state appropriation for fiscal year 2020 and \$1,673,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1139 (educator workforce supply). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~ Of the amounts appropriated in this subsection, \$1,650,000 of the general fund—state appropriation for fiscal year 2020 and \$1,650,000 of the general fund—state

appropriation for fiscal year 2021 are provided solely for funding of the student teaching grant program, the teacher endorsement and certification help program, and the educator conditional scholarship and loan repayment programs under chapter 28B.102 RCW, including the pipeline for paraeducators program, the retooling to teach conditional loan programs, the teacher shortage conditional scholarship program, the career and technical education conditional scholarship program, and the federal student loan repayment in exchange for teaching service program.

(16) \$500,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for a state match associated with the rural jobs program. The legislature will evaluate appropriations in future biennia to the rural jobs program based on the extent that additional private contributions are made.

(17) \$625,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Senate Bill No. 5197 (national guard ed. grants). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(18) \$1,500,000 of the state financial aid account—state appropriation is provided solely for passport to career program scholarship awards.

(19) \$161,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6141 (higher education access). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

(20) \$396,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Second Substitute Senate Bill No. 6561 (undocumented student support). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse.

Sec. 611. 2019 c 415 s 614 (uncodified) is amended to read as follows:

FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund—State Appropriation (FY 2020)	\$2,270,000
General Fund—State Appropriation (FY 2021)	(\$1,998,000)
	<u>\$2,300,000</u>
General Fund—Federal Appropriation	(\$55,509,000)
	<u>\$55,511,000</u>
General Fund—Private/Local Appropriation	\$211,000
Pension Funding Stabilization Account—State Appropriation	\$176,000
TOTAL APPROPRIATION	(\$60,164,000)
	<u>\$60,468,000</u>

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

(1) For the 2019-2021 fiscal biennium the board shall not designate recipients of the Washington award for vocational excellence or recognize them at award ceremonies as provided in RCW 28C.04.535.

(2) \$240,000 of the general fund—state appropriation for fiscal year 2020 and \$240,000 of the general fund—state appropriation for fiscal year 2021 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. The board shall create a recommended action plan to address behavioral health workforce shortages and to meet the increased demand for services now, and with the integration of behavioral health and primary care in 2020. The analysis and recommended action plan shall align with the recommendations of the adult behavioral health system task force and related work of the healthier Washington initiative. The board shall consider workforce data, gaps, distribution, pipeline, development, and infrastructure, including innovative high school, postsecondary, and postgraduate programs to evolve, align, and respond accordingly to our state's behavioral health and related and integrated primary care workforce needs.

(3) \$260,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of chapter 294, Laws of 2018 (future of work task force).

(4) \$28,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for implementation of Substitute Senate Bill No. 5166 (postsecondary religious acc.). ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(5) \$300,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the board to provide a one-time grant to an accredited university offering a doctorate in osteopathic medicine. The grant must be used to purchase up to twelve fully-equipped VSee telemedicine kits for student training purposes in rural and underserved communities.

Sec. 612. 2019 c 415 s 615 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

General Fund—State Appropriation (FY 2020)	(\$8,951,000))
	<u>\$9,001,000</u>
General Fund—State Appropriation (FY 2021)	(\$9,153,000))
	<u>\$9,275,000</u>
General Fund—Private/Local Appropriation	\$34,000
Pension Funding Stabilization Account—State Appropriation.	\$590,000
TOTAL APPROPRIATION	(\$18,728,000))
	<u>\$18,900,000</u>

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

(1) Funding provided in this section is sufficient for the school to offer to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus 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.

(2) \$149,000 of the general fund—state appropriation for fiscal year 2020 and \$99,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for migration to the state data center, and are subject to the conditions, limitations, and review provided in ~~((section 719 of this act))~~ section 701 of this act.

Sec. 613. 2019 c 415 s 616 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund—State Appropriation (FY 2020)	(\$14,326,000)
	<u>\$14,463,000</u>
General Fund—State Appropriation (FY 2021)	(\$14,554,000)
	<u>\$14,581,000</u>
Pension Funding Stabilization Account—State Appropriation	\$728,000
TOTAL APPROPRIATION	(\$29,608,000)
	<u>\$29,772,000</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 to students enrolled in grades nine through twelve for full-time instructional services at the Vancouver campus 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.

(2) \$12,319,000 of the general fund—state appropriation for fiscal year 2020 and \$12,319,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for operations, expenses, and direct service to students at the state school for the deaf referenced in RCW 72.40.015(2)(a).

(3) \$73,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the Washington center for deaf and hard of hearing youth to provide American sign language coaching to agency staff.

Sec. 614. 2019 c 415 s 617 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund—State Appropriation (FY 2020)	(\$2,108,000)
	<u>\$2,222,000</u>
General Fund—State Appropriation (FY 2021)	(\$2,307,000)
	<u>\$2,513,000</u>
General Fund—Federal Appropriation	\$2,160,000
General Fund—Private/Local Appropriation	\$50,000
Pension Funding Stabilization Account—State Appropriation	\$122,000
TOTAL APPROPRIATION	(\$6,747,000)
	<u>\$7,067,000</u>

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

(1) \$175,000 of the general fund—state appropriation for fiscal year 2020 and \$175,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the folk and traditional arts apprenticeship and jobs stimulation program.

(2) \$104,000 of the general fund—state appropriation for fiscal year 2020 and \$96,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for the completion and maintenance of the my public art portal project.

(4) \$172,000 of the general fund—state appropriation for fiscal year 2020 and \$324,000 of the general fund—state appropriation for fiscal year 2021 are

provided solely for an arts-integration program that encourages kindergarten readiness in partnership with educational service districts, the office of the superintendent of public instruction, and the department of children, youth, and families.

Sec. 615. 2019 c 415 s 618 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund—State Appropriation (FY 2020)	((\$3,733,000))
	<u>\$3,709,000</u>
General Fund—State Appropriation (FY 2021)	((\$3,654,000))
	<u>\$3,818,000</u>
Pension Funding Stabilization Account—State	
Appropriation.	\$230,000
TOTAL APPROPRIATION	((\$7,617,000))
	<u>\$7,757,000</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 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for general support and operations of the Washington state historical society.

(2) ((~~\$52,000~~)) \$109,000 of the general fund—state appropriation for fiscal year 2020 and ((~~\$42,000~~)) \$94,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for supporting migration ((~~to the state data center~~)) of the agency's servers to the cloud environment and is subject to the conditions, limitations, and review provided in ((~~section 719 of this act~~)) section 701 of this act.

Sec. 616. 2019 c 415 s 619 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund—State Appropriation (FY 2020)	((\$2,855,000))
	<u>\$2,751,000</u>
General Fund—State Appropriation (FY 2021)	((\$2,885,000))
	<u>\$2,841,000</u>
Pension Funding Stabilization Account—State	
Appropriation.	\$214,000
TOTAL APPROPRIATION	((\$5,954,000))
	<u>\$5,806,000</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 2020 and \$500,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for general support and operations of the eastern Washington state historical society.

(2) \$67,000 of the general fund—state appropriation for fiscal year 2020 and \$30,000 of the general fund—state appropriation for fiscal year 2021 are provided solely for supporting migration to the state data center and is subject to the conditions, limitations, and review provided in ((~~section 719 of this act~~)) section 701 of this act.

Sec. 617. 2019 c 406 s 5 (uncodified) is amended to read as follows:

The appropriations in this section are provided to the state board for community and technical colleges and are subject to the following conditions and limitations:

(1) \$6,220,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account and \$7,610,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account 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.

(2) \$6,220,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account and \$7,610,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(3)(a) \$2,000,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account and \$30,124,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account provided solely to implement guided pathways at each of the state's community and technical colleges by academic year 2020-21. Guided pathways is a research-based approach that provides clear, structured, educational experiences for students with four elements: Clarify paths to students' end goals, help students choose and enter a pathway, help students stay on path, and ensure that students are learning.

(b) Guided pathways implementation includes:

(i) Increased student support services, including advising and counseling;

(ii) Faculty teaching and planning time to redesign curriculum, develop meta-majors, and engage in interdepartmental planning on pathways;

(iii) Data analytics and student tracking technology to help advisors and students address challenges that may impede a student's progress; and

(iv) Research and evaluation to ensure reforms lead to improvements for all students.

(c) The state board for community and technical colleges shall report to the legislature on an annual basis beginning December 1, 2020, on the impacts of guided pathways on postsecondary outcomes, including credential completion, transfer pathways, credit accumulation, grade point averages, and persistence.

(4) \$20,400,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account and \$20,400,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account provided solely to increase nurse educator salaries. The fiscal year 2020 and fiscal year 2021 appropriations can also be used for nursing program equipment, including simulation lab equipment.

(5) \$20,000,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account provided solely for increasing high-demand program faculty salaries, including but not limited to nursing educators, other health-related professions, information technology, computer science, and trades, including welding. Contract negotiations relating to salary increases must consider, and to the extent practicable establish, salaries that are comparable to industry professionals, and no less than the average salary identified by the college and university professional association for human resources or a similar organization.

(6) \$1,000,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account and \$2,000,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the workforce education investment account provided solely for enrollments in new career launch programs as defined in RCW 28C.30.020.

(7) \$500,000, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2020, from the workforce education investment account provided solely for purchase of equipment for a regional training facility in Bothell to offer a simulated good manufacturing practice experience in partnership with a community college. The regional training facility must be located on the campus of a manufacturer of protein-based therapeutics. The state board for community and technical colleges must use a written agreement to ensure the equipment is used in a way that provides adequate public benefit.

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2019 c 415 s 719 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—INFORMATION TECHNOLOGY INVESTMENT POOL

General Fund—State Appropriation (FY 2020)	.....((\$7,628,000))
	<u>\$9,107,000</u>
General Fund—State Appropriation (FY 2021)	.....((\$5,191,000))
	<u>\$12,309,000</u>
General Fund—Federal Appropriation	.....((\$4,608,000))
	<u>\$7,427,000</u>
General Fund—Private/local Appropriation	.....\$213,000
Other Appropriated Funds	.....((\$56,530,000))
	<u>\$65,139,000</u>
TOTAL APPROPRIATION	.....((\$74,170,000))
	<u>\$94,195,000</u>

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

(1) The appropriations in this section are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Funds in the account are provided solely for the information technology projects shown in LEAP omnibus documents IT-2019, dated April 25, 2019, and IT-2020, dated March 9, 2020, which is 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-2019,

dated April 25, 2019, and IT-2020, dated March 9, 2020, 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. However, restricted federal funds and qualified employee benefit and pension 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 financial management and the office of the chief information officer to receive funding from the information technology investment revolving account. The office of financial management must notify the fiscal committees of the legislature of the receipt of each application and may not approve a funding request for ten business days from the date of notification.

(3) 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 state chief information officer and office of financial management. 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 state 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. For the military department enhanced 911 next generation project and the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project.

(4)(a) Each project must have a technology budget. 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.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit detailed financial information to the office of financial management and the office of the state chief information officer. The technology budget must describe the total cost of the project by fiscal month to include and identify:

- (i) Fund sources;
- (ii) Full time equivalent staffing level to include job classification assumptions;
- (iii) A discreet appropriation index and program index;
- (iv) Object and subobject codes of expenditures; and
- (v) Anticipated deliverables.

(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 an investment plan that includes:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities;

(ii) The office of the state chief information officer staff assigned to the project;

(iii) 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;

(iv) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(v) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(vi) Financial budget coding to include at least discreet program index and subobject codes.

(6) Projects with estimated costs greater than one hundred million dollars from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the state 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 and investment plan as provided in this section.

(7)(a) The office of the state chief information officer shall maintain an information technology project dashboard that provides updated information each fiscal month on projects subject to this section. This includes, at least:

(i) Project changes each fiscal month;

(ii) Noting if the project has a completed market requirements document;

(iii) Financial status of information technology projects under oversight;

((and))

(iv) Coordination with agencies;

(v) Monthly quality assurance reports, if applicable;

(vi) Monthly office of the state chief information officer status reports;

(vii) Historical project budget and expenditures through fiscal year 2019;

(viii) Budget and expenditures each fiscal month; and

(ix) Estimated annual maintenance and operations costs by fiscal year.

(b) The dashboard must retain a roll up of the entire project cost, including all subprojects, that can be displayed the subproject detail.

(8) If the project affects more than one agency:

(a) A separate technology budget and investment plan must be prepared for each agency; and

(b) The dashboard must contain a statewide project technology budget roll up that includes each affected agency at the subproject level.

(9) For any project that exceeds two million dollars in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Quality assurance for the project must report independently to the office of the chief information officer;

(b) 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;

(c) 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;

(d) 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; and

(e) 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.

(10) The office of the state chief information officer must evaluate the project at each stage and certify whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(11) The office of the state 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 state chief information officer must report on July 1 and December 1 each calendar year, beginning July 1, 2020, any suspension or termination of a project in the previous six month period to the legislative fiscal committees.

(12) The office of the state 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 state chief information officer must report on July 1 and December 1 each calendar year, beginning July 1, 2020, any additional projects to be subjected to this section that were identified in the previous six month period to the legislative fiscal committees.

(13) 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.

(14) The information technology feasibility study of the Washington state gambling commission is subject to the conditions, limitations, and review in this section.

(15) The learning management system project of the department of enterprise services is subject to the conditions, limitations, and review in this section.

(16) The gambling self-exclusion program project of the Washington state gambling commission is subject to the conditions, limitations, and review in this section.

(17) The facilities portfolio management tool project of the office of financial management is subject to the conditions, limitations, and review in this section.

(18) The logging and monitoring project of the consolidated technology services agency is subject to the conditions, limitations, and review in this section.

Sec. 702. 2019 c 415 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund—State Appropriation (FY 2020)	((\$1,191,069,000))
	<u>\$1,179,075,000</u>
General Fund—State Appropriation (FY 2021)	((\$1,268,197,000))
	<u>\$1,224,915,000</u>
State Building Construction Account—State Appropriation.	\$6,273,000
Columbia River Basin Water Supply Development Account—State Appropriation	\$30,000
Watershed Restoration and Enhancement Bond Account—State Appropriation	\$46,000
State Taxable Building Construction Account—State Appropriation.	((\$213,000))
	<u>\$277,000</u>
Debt-Limit Reimbursable Bond Retirement Account—State Appropriation.	\$566,000
TOTAL APPROPRIATION	((\$2,466,394,000))
	<u>\$2,411,182,000</u>

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. 2019 c 415 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 BOND SALE EXPENSES

General Fund—State Appropriation (FY 2020)	\$1,400,000
General Fund—State Appropriation (FY 2021)	\$1,400,000
State Building Construction Account—State Appropriation	\$1,052,000
Columbia River Basin Water Supply Development Account—State Appropriation	\$6,000
School Construction and Skill Centers Building Account—State Appropriation	((\$1,000))
	<u>\$2,000</u>
Watershed Restoration and Enhancement Bond Account—State Appropriation	\$9,000
State Taxable Building Construction Account—State Appropriation.	((\$36,000))
	<u>\$55,000</u>
TOTAL APPROPRIATION	((\$3,904,000))
	<u>\$3,924,000</u>

NEW SECTION. **Sec. 704.** A new section is added to 2019 c 415 (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 2020, 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) Gerardo Rodarte Gonzalez, claim number 99970260 \$24,385
- (2) Edward Bushnell, claim number 99970261 \$153,357
- (3) Shaun Beveridge, claim number 99970262 \$56,514
- (4) Brandon Wheeler, claim number 9991001053 \$123,464
- (5) Johnathan Paine, claim number 9991001583 \$22,246
- (6) Michael Welsh, claim number 9991001600 \$5,000
- (7) Douglas Bartlett, claim number 9991001646 \$5,500
- (8) Brian Minnicar, claim number 9991001941 \$111,956
- (9) Thomas Carey, claim number 9991001917 \$122,431

Sec. 705. 2019 c 415 s 712 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT

~~((Foundational Public Health Services Account—State~~
~~Appropriation \$6,000,000))~~
General Fund—State Appropriation (FY 2020) \$6,022,000
TOTAL APPROPRIATION (((\$6,000,000))
\$6,022,000

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 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 using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

Sec. 706. 2019 c 415 s 720 (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 2020) \$73,000,000
General Fund—State Appropriation (FY 2021) \$75,800,000
TOTAL APPROPRIATION \$148,800,000

(3) There is appropriated for contributions to the judicial retirement system:
General Fund—State Appropriation (FY 2020) \$1,545,000
Pension Funding Stabilization Account—State

Appropriation. \$13,855,000
TOTAL APPROPRIATION \$15,400,000

(4) There is appropriated for contributions to the judges' retirement system:
General Fund—State Appropriation (FY 2020) \$400,000
General Fund—State Appropriation (FY 2021) \$400,000
TOTAL APPROPRIATION \$800,000

~~((5) There is appropriated for state contributions to the volunteer firefighters' and reserve officers' relief and pension principal fund:~~

~~Volunteer Firefighters' and Reserve Officers'
Administrative Account—State Appropriation \$15,532,000
TOTAL APPROPRIATION \$15,532,000))~~

NEW SECTION. Sec. 707. A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS AND RESERVE OFFICERS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

There is appropriated for state contributions to the volunteer firefighters' and reserve officers' relief and pension principal fund:

Volunteer Firefighters' and Reserve Officers'
Administrative Account—State Appropriation \$15,532,000
TOTAL APPROPRIATION \$15,532,000

Sec. 708. 2019 c 415 s 725 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH PROFESSIONS ACCOUNT

Dedicated Marijuana Account—State Appropriation
(FY 2020). ~~(\$701,000)~~
\$1,323,000
TOTAL APPROPRIATION ~~(\$701,000)~~
\$1,323,000

The appropriation in this section is subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the health professions account to reimburse the account for costs incurred by the department of health for the development and administration of the marijuana authorization database.

Sec. 709. 2019 c 415 s 728 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—FOUNDATIONAL PUBLIC HEALTH SERVICES

General Fund—State Appropriation (FY 2020) ~~(\$5,000,000)~~
\$13,503,000
General Fund—State Appropriation (FY 2021) ~~(\$5,000,000)~~
\$13,024,000
Foundational Public Health Services Account—State
Appropriation. ~~(\$12,000,000)~~

	<u>\$1,473,000</u>
TOTAL APPROPRIATION	(\$22,000,000)
	<u>\$28,000,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for distribution as provided in section 2, chapter 14, Laws of 2019 (foundational public health services).

**Sec. 710.* 2019 c 415 s 730 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—OUTDOOR EDUCATION AND RECREATION ACCOUNT

<i>General Fund—State Appropriation (FY 2020)</i>	<i>\$750,000</i>
<i>General Fund—State Appropriation (FY 2021)</i>	<i>(\$750,000)</i>
	<u><i>\$1,250,000</i></u>
TOTAL APPROPRIATION	(\$1,500,000)
	<u>\$2,000,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the outdoor education and recreation account for the state parks and recreation commission's outdoor education and recreation program purposes identified in RCW 79A.05.351.

**Sec. 710 was vetoed. See message at end of chapter.*

NEW SECTION. **Sec. 711.** A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—DEVELOPMENTAL DISABILITIES COMMUNITY TRUST ACCOUNT

General Fund—State Appropriation (FY 2021)	\$1,000,000
TOTAL APPROPRIATION	\$1,000,000

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 developmental disabilities community trust account (Dan Thompson memorial trust account) for the purposes identified in RCW 71A.20.170.

Sec. 712. 2019 c 415 s 721 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEASE COST POOL

General Fund—State Appropriation (FY 2020)	(\$3,788,000)
	<u>\$4,405,000</u>
General Fund—State Appropriation (FY 2021)	\$4,082,000
General Fund—Federal Appropriation	\$4,488,000
Other Appropriated Funds	(\$1,740,000)
	<u>\$1,956,000</u>
TOTAL APPROPRIATION	(\$14,098,000)
	<u>\$14,931,000</u>

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

(1) The appropriations in this section are provided solely for expenditure into the state agency office relocation pool account created in RCW 43.41.455.

(2) Costs are as shown in LEAP omnibus documents LEAS-2019, dated April 25, 2019, and LEAS-2020, dated March 9, 2020, which is hereby incorporated by reference.

(3) To facilitate the transfer of moneys from other funds and accounts that are associated with office relocations contained in LEAP omnibus documents LEAS-2019, dated April 25, 2019, and LEAS-2020, dated March 9, 2020, the state treasurer is directed to transfer moneys from other funds and accounts in an amount not to exceed ~~((\$1,740,000))~~ \$1,956,000 to the lease cost pool in accordance with schedules provided by the office of financial management.

(4) Agencies may apply to the office of financial management to receive funds from the state agency office relocation pool account, in an amount not to exceed the amount identified in the LEAP omnibus documents LEAS-2019, dated April 25, 2019, and LEAS-2020, dated March 9, 2020. Prior to applying, agencies must submit to the office of financial management statewide oversight office a relocation plan that identifies estimated project costs, including how the lease aligns to the agency's six year leased facility plan. The office of financial management must copy legislative fiscal staff on the approval notice of funds from the state agency office relocation pool to the agency.

Sec. 713. 2019 c 415 s 722 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUE DISTRIBUTIONS TO CITIES FOR TEMPORARY STREAMLINED SALES TAX MITIGATION

General Fund—State Appropriation (FY 2020)	((<u>\$7,100,000</u>))
	<u>\$5,362,000</u>
((General Fund—State Appropriation (FY 2021)	(\$9,300,000))
 TOTAL APPROPRIATION	 ((<u>\$16,400,000</u>))
	<u>\$5,362,000</u>

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

(1) In order to mitigate local sales tax revenue net losses as a result of the sourcing provisions of the streamlined sales and use tax agreement under Title 82 RCW, the state treasurer, on October 1, 2019, and each calendar quarter thereafter through June 30, ~~((2021))~~ 2020, must distribute the appropriations in this section to qualified local taxing districts to mitigate actual net losses as determined under this section by the department of revenue.

(2) In determining net losses under this section, the department must use each qualified local taxing district's annual loss as most recently determined pursuant to RCW 82.14.500 prior to January 1, 2019. The department is not required to determine annual losses on a recurring basis, but may make any adjustments to annual losses as it deems proper as a result of the annual reviews. Each calendar quarter, distributions must be made by the state treasurer on the last working day of the calendar quarter, as directed by the department, to each qualified local taxing district in an amount representing one-fourth of the district's annual loss reduced by voluntary compliance revenue reported during the previous calendar quarter and marketplace facilitator/remote seller revenue reported during the previous calendar quarter.

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

(a) "Loss" or "losses" means the local sales and use tax revenue reduction to a qualified local taxing district resulting from the sourcing provisions in RCW 82.14.490 and section 502, chapter 6, Laws of 2007, as most recently determined by the department under RCW 82.14.500 prior to January 1, 2019, including any adjustments made pursuant to subsection (2) of this section.

(b) "Marketplace facilitator/remote seller revenue" means the local sales and use tax revenue gain, including taxes voluntarily remitted and taxes collected from consumers, to each qualified local taxing district from part II of chapter 28, Laws of 2017 3rd sp. sess. and from chapter 8, Laws of 2019 (Substitute Senate Bill No. 5581), as estimated by the department in RCW 82.14.500(6). "Marketplace facilitator/remote seller revenue" includes the local sales tax revenue gain reported to the department from remote sellers as defined in RCW 82.08.010 that have registered through the central registration system authorized under the streamlined sales and use tax agreement.

(c) "Net loss" or "net losses" means a loss offset by any voluntary compliance revenue and marketplace facilitator/remote seller revenue.

(d) "Qualified local taxing district" means a city:

(i) That was eligible for streamlined sales tax mitigation payments of at least fifty thousand dollars under RCW 82.14.500 in calendar year 2018, based on the calculation and analysis required under RCW 82.14.500(3)(a); and

(ii) That has a continued local sales tax revenue loss as a result of the sourcing provision of the streamlined sales and use tax agreement under Title 82 RCW, as determined by the department.

(e) "Voluntary compliance revenue" means the local sales tax revenue gain to each qualified local taxing district reported to the department from persons registering through the central registration system authorized under the agreement.

Sec. 714. 2019 c 415 s 724 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE—NORTHEAST WASHINGTON WOLF-LIVESTOCK MANAGEMENT ACCOUNT

General Fund—State Appropriation (FY 2020)	\$432,000
<u>General Fund—State Appropriation (FY 2021)</u>	<u>\$320,000</u>
TOTAL APPROPRIATION	((\$432,000)) \$752,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the northeast Washington wolf-livestock management account for the deployment of nonlethal wolf deterrence resources as provided in chapter 16.76 RCW.

****NEW SECTION. Sec. 715.*** A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—CLIMATE RESILIENCY ACCOUNT

General Fund—State Appropriation (FY 2021)	\$50,000,000
TOTAL APPROPRIATION	\$50,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the climate resiliency account created in section 924 of this act.

**Sec. 715 was vetoed. See message at end of chapter.*

NEW SECTION. **Sec. 716.** A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—LANDLORD MITIGATION PROGRAM ACCOUNT

General Fund—State Appropriation (FY 2021)	\$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 landlord mitigation program account created in RCW 43.31.615.

NEW SECTION. **Sec. 717.** A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE FIREARMS BACKGROUND CHECK SYSTEM ACCOUNT

General Fund—State Appropriation (FY 2021)	\$8,951,000
TOTAL APPROPRIATION	\$8,951,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the state firearms background check system account created in Engrossed Second Substitute Bill No. 2467 (firearm background checks). If the bill is not enacted by June 30, 2020, the amount provided in this section shall lapse.

NEW SECTION. **Sec. 718.** A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—ELECTION ACCOUNT

General Fund—State Appropriation (FY 2021)	\$1,800,000
TOTAL APPROPRIATION	\$1,800,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the election account created in RCW 29A.04.440.

NEW SECTION. **Sec. 719.** A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—HOME SECURITY FUND ACCOUNT

General Fund—State Appropriation (FY 2020)	\$60,000,000
TOTAL APPROPRIATION	\$60,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the home security fund account created in RCW 43.185C.060.

NEW SECTION. **Sec. 720.** A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON HOUSING TRUST FUND

General Fund—State Appropriation (FY 2021)	\$55,000,000
TOTAL APPROPRIATION	\$55,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington housing trust fund created in RCW 43.185.030.

NEW SECTION. Sec. 721. A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY—OIL SPILL RESPONSE ACCOUNT

Oil Spill Prevention Account—State Appropriation	\$2,200,000
TOTAL APPROPRIATION	\$2,200,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the oil spill response account. This constitutes a loan from the oil spill prevention account and must be repaid, with interest, to the oil spill prevention account by June 30, 2028.

*NEW SECTION. Sec. 722. A new section is added to 2019 c 415 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—FOREST AND FOREST PRODUCTS CARBON ACCOUNT

<i>General Fund—State Appropriation (FY 2021)</i>	<i>\$200,000</i>
<i>TOTAL APPROPRIATION</i>	<i>\$200,000</i>

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 forest and forest products account created in Engrossed Second Substitute House Bill No. 2528 (forest products/climate). If the bill is not enacted by June 30, 2020, the amount provided in this section shall lapse.

**Sec. 722 was vetoed. See message at end of chapter.*

Sec. 723. 2019 c 415 s 726 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—LONG-TERM SERVICES AND SUPPORTS ACCOUNT

General Fund—State Appropriation (FY 2020)	(\$1,231,000)
	<u>\$1,331,000</u>
General Fund—State Appropriation (FY 2021)	(\$15,309,000)
	<u>\$15,709,000</u>
TOTAL APPROPRIATION	(\$16,540,000)
	<u>\$17,040,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the long-term services and supports account pursuant to Second Substitute House Bill No. 1087 (long-term services and supports). This constitutes a loan from the general fund and must be repaid, with interest, to the general fund by June 30, 2022. If Second Substitute House Bill No. 1087 (long-term services and

supports) is not enacted by June 30, 2019, the amounts appropriated in this section shall lapse.

**PART VIII
OTHER TRANSFERS AND APPROPRIATIONS**

***Sec. 801.** 2019 c 415 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	((<u>\$10,528,000</u>))
	<u>\$10,883,000</u>
General Fund Appropriation for prosecuting attorney distributions	((<u>\$7,014,000</u>))
	<u>\$7,618,000</u>
General Fund Appropriation for boating safety and education distributions	\$4,000,000
General Fund Appropriation for public utility district excise tax distributions	((<u>\$65,216,000</u>))
	<u>\$65,249,000</u>
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies	\$3,464,000
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions	\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties	((<u>\$84,366,000</u>))
	<u>\$79,337,000</u>
County Criminal Justice Assistance Appropriation	((<u>\$106,123,000</u>))
	<u>\$103,457,000</u>
Municipal Criminal Justice Assistance Appropriation	((<u>\$42,084,000</u>))
	<u>\$40,310,000</u>
City-County Assistance Appropriation	((<u>\$33,218,000</u>))
	<u>\$35,507,000</u>
Liquor Excise Tax Account Appropriation for liquor excise tax distribution	((<u>\$64,079,000</u>))
	<u>\$67,362,000</u>
<u>Manufacturing and Warehousing Jobs Centers Account</u>	<u>\$6,727,000</u>
Streamlined Sales and Use Tax Mitigation Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes	((<u>\$2,220,000</u>))
	<u>\$1,937,000</u>
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation	((<u>\$8,379,000</u>))
	<u>\$8,364,000</u>
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians	((<u>\$5,737,000</u>))
	<u>\$5,728,000</u>
Liquor Revolving Account Appropriation for liquor	

profits distribution	\$98,876,000
General Fund Appropriation for other tax distributions	\$80,000
General Fund Appropriation for Marijuana Excise Tax distributions	\$30,000,000
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	(\$3,993,000)
	<u>\$4,040,000</u>

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. If a county
 eligible for distributions under RCW 43.79.520
 has not adopted a sales and use tax under RCW
 82.14.460 before July 1, 2019, then to prevent
 these distributions from supplanting existing
 local funding for vulnerable populations, the
 distributions are subject to the procedural
 requirements in this section. Before the county
 may receive distributions, it must provide a
 final budget for the distributions, submit the
 final budget to the department of commerce, and
 publish the final budget on its web site. To
 develop this final budget, under RCW 36.40.040
 the county must develop and hold hearings on a
 preliminary budget that is separate from other
 appropriations ordinances or resolutions, and
 it must consult stakeholders, including
 community service organizations, and must
 consider input received during this process.
 Before holding a hearing on the preliminary
 budget, the county must notify local
 governments in the county that are within the
 borders of the regional transit authority, and
 legislators whose districts are within those
 borders. The county must then adopt a final
 budget under RCW 36.40.080 for the distributions
 that is separate from other appropriations
 ordinances or resolutions. After the county
 submits its final budget for the distributions
 to the department of commerce, the department
 must notify the state treasurer, who may then
 make the distributions to the county.

	\$28,683,000
TOTAL APPROPRIATION	(\$603,954,000)
	<u>\$607,516,000</u>

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. 801 is partially vetoed. See message at end of chapter.*

Sec. 802. 2019 c 415 s 802 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driving Safety Appropriation((~~\$1,933,000~~))
\$2,141,000

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 2019-2021 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. 2019 c 415 s 803 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driving Safety Appropriation((~~\$1,289,000~~))
\$1,428,000

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 2019-2021 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.** 2019 c 415 s 805 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—TRANSFERS

Dedicated Marijuana 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 2020, (~~(\$195,000,000)~~)
\$213,000,000 and this amount for fiscal year 2021,
(~~(\$199,000,000)~~) \$213,000,000 (~~(\$394,000,000)~~)
\$426,000,000

Dedicated Marijuana 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 2020, (~~(\$136,000,000)~~) \$152,000,000
and this amount for fiscal year 2021, (~~(\$138,000,000)~~)
\$152,000,000 (~~(\$274,000,000)~~)
\$304,000,000

Aquatic Lands Enhancement Account: For transfer to
the clean up settlement account as repayment of
the loan provided in section 3022(2), chapter 2,
Laws of 2012 2nd sp. sess. (ESB 6074, 2012
supplemental capital budget), in an amount not to
exceed the actual amount of the total remaining
principal and interest of the loan, \$620,000 for
fiscal year 2020 and (~~(\$620,000)~~) \$640,000 for
fiscal year 2021 (~~(\$1,240,000)~~)
\$1,260,000

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 2020 \$90,000,000

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 2021 \$90,000,000

General Fund: For transfer to the statewide tourism
marketing account, \$1,500,000 for fiscal year
2020 and \$1,500,000 for fiscal year 2021 \$3,000,000

General Fund: For transfer to the streamlined
sales and use tax account, (~~(\$2,220,000)~~)
for fiscal year 2020 (~~(\$2,220,000)~~)
\$1,937,000

General Fund: For transfer to the manufacturing
and warehousing jobs centers account
for fiscal year 2021 \$6,727,000

Criminal Justice Treatment Account: For transfer to
the home security fund, (~~(\$4,500,000)~~) for
fiscal year 2020 (~~and \$4,500,000 for fiscal~~
~~year 2021~~). (~~(\$9,000,000)~~)
\$4,500,000

State Treasurer's Service Account: For transfer to
the state general fund, \$8,000,000
for fiscal year 2020 and
\$8,000,000 for fiscal year 2021 \$16,000,000

Disaster Response Account: For transfer to the

state general fund, ((\$28,000,000)) <u>\$13,726,000</u>	
for fiscal year 2021	.....((\$28,000,000))
	<u>\$13,726,000</u>
General Fund: For transfer to the fair fund under RCW 15.76.115, \$2,000,000 for fiscal year 2020 and \$2,000,000 for fiscal year 2021	..... \$4,000,000
Energy Freedom Account: For transfer to the general fund, \$1,000,000 or as much thereof that represents the balance in the account for fiscal year 2020	..... \$1,000,000
Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2020 and \$3,500,000 for fiscal year 2021	..... \$7,000,000
Aquatic Lands Enhancement Account: For transfer to the geoduck aquaculture research account, \$400,000 for fiscal year 2020 and \$400,000 for fiscal year 2021	.....\$800,000
Public Works Assistance Account: For transfer to the education legacy trust account, \$80,000,000 for fiscal year 2020 and \$80,000,000 for fiscal year 2021	..... \$160,000,000
Model Toxics Control Operating Account: For transfer to the clean up settlement account as repayment of the loan provided in section 3022(2), chapter 2, Laws of 2012 2nd sp. sess. (ESB 6074, 2012 supplemental capital budget), <u>in an amount not to exceed the actual amount of the total remaining principal and interest of the loan</u> , \$620,000 for fiscal year 2020 and ((\$620,000)) <u>\$640,000</u> for fiscal year 2021	.....((\$1,240,000))
	<u>\$1,260,000</u>
Marine Resources Stewardship Trust Account: For transfer to the aquatic lands enhancement account, \$160,000 for fiscal year 2020	.....\$160,000
Water Pollution Control Revolving Administration Account: For transfer to the water pollution control revolving account, \$4,500,000 for fiscal year 2020	..... \$4,500,000
Oil Spill Response Account: For transfer to the oil spill prevention account for the military department to continue assisting local emergency planning committees statewide with hazardous materials plans that meet minimum federal requirements, \$520,000 for fiscal year 2020 and \$520,000 for fiscal year 2021	..... \$1,040,000
<u>General Fund: For transfer to the sea cucumber dive fishery account, in an amount not to exceed the actual amount to correct the cash deficit</u>	

for fiscal year 2020	\$4,000
<u>General Fund: For transfer to the sea urchin diver fishery account, in an amount not to exceed the actual amount to correct the cash deficit for fiscal year 2020</u>	<u>\$1,000</u>
<u>Gambling Revolving Account: For transfer to the state general fund as repayment of the loan pursuant to Engrossed Substitute House Bill No. 2638 (sports wagering/compacts), \$6,000,000 for fiscal year 2021</u>	<u>\$6,000,000</u>
<u>General Fund: For transfer to the home security fund, \$4,500,000 for fiscal year 2021</u>	<u>\$4,500,000</u>
<u>Child Care Facility Revolving Account: For transfer to the general fund, \$1,500,000 for fiscal year 2021</u>	<u>\$1,500,000</u>
<u>General Fund: For transfer to the economic development strategic reserve account, \$1,000,000 for fiscal year 2021</u>	<u>\$1,000,000</u>
<u>General Fund: For transfer to the workforce education investment account, \$41,342,000 for fiscal year 2020</u>	<u>\$41,342,000</u>
<u>General Fund: For transfer to the community preservation and development authority account, \$1,500,000 for fiscal year 2020</u>	<u>\$1,500,000</u>

**Sec. 804 is partially vetoed. See message at end of chapter.*

**PART IX
MISCELLANEOUS**

NEW SECTION. Sec. 901. A new section is added to 2019 c 415 (uncodified) to read as follows:

COLLECTIVE BARGAINING AGREEMENTS

Sections 902 through 905 of this act represent the results of the negotiations for fiscal year 2021 collective bargaining agreement changes, permitted under chapter 41.80 RCW. Provisions of the collective bargaining agreements contained in sections 902 through 905 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in sections 502 and 503 of this act may also be funded by expenditures 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.

NEW SECTION. Sec. 902. A new section is added to 2019 c 415 (uncodified) to read as follows:

COLLECTIVE BARGAINING AGREEMENT—ASSOCIATION OF WASHINGTON ASSISTANT ATTORNEYS GENERAL/WFSE

An agreement has been reached between the governor and the association of Washington assistant attorneys general/Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2021 fiscal year.

Funding is provided to transition the represented employees into the newly established and agreed upon wage schedule, effective July 1, 2020.

NEW SECTION. Sec. 903. A new section is added to 2019 c 415 (uncodified) to read as follows:

COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON/WFSE

An agreement has been reached between the University of Washington and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2021 fiscal year. Funding is provided for a lump sum payment for all WFSE represented, permanent employees in the amount of \$700 for an FTE greater than .6 and \$125 for all WFSE represented, permanent employees holding an FTE of .6 or less, as of July 1, 2020.

NEW SECTION. Sec. 904. A new section is added to 2019 c 415 (uncodified) to read as follows:

COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—SEIU 925

An agreement has been reached between the University of Washington and the service employees international union local 925 under the provisions of chapter 41.80 RCW for the 2021 fiscal year. Funding is provided for a lump sum payment for all SEIU 925 represented, permanent employees in the amount of \$650 for an FTE greater than .6 and \$325 for all SEIU 925 represented, permanent employees holding an FTE of .6 or less, as of July 1, 2020.

NEW SECTION. Sec. 905. A new section is added to 2019 c 415 (uncodified) to read as follows:

COLLECTIVE BARGAINING AGREEMENT—UNIVERSITY OF WASHINGTON—SEIU 1199 RESEARCH/HALL HEALTH

An agreement has been reached between the University of Washington and the service employees international union local 1199 under the provisions of chapter 41.80 RCW for the 2021 fiscal year. Funding is provided for a lump sum payment for all SEIU 1199NW represented, permanent employees in the amount of \$650 for an FTE of .5 or greater and \$325 for all SEIU 1199NW represented, permanent employees holding an FTE of less than .5 as of July 1, 2020.

NEW SECTION. Sec. 906. A new section is added to 2019 c 415 (uncodified) to read as follows:

COMPENSATION—PENSION CONTRIBUTIONS

Appropriations to state agencies include funding for an increase in pension contribution rates for several state pension systems. An increase of 0.11 percent is funded for state employer contributions to the public employees' retirement system and the public safety employees' retirement systems. An increase of 0.23 percent for school employer contributions to the teachers' retirement system and an increase of 0.11 percent for employer contributions to the school employees' retirement system are funded. These increases are provided for the purpose of a one-time, ongoing pension increase for retirees in the public employees' retirement system plan 1 and teachers' retirement system plan 1, as provided in Engrossed House Bill No. 1390. If the bill is not enacted by June 30, 2020, this section shall lapse.

Sec. 907. 2019 c 415 s 938 (uncodified) is amended to read as follows:
COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS

An agreement was reached for the 2019-2021 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 2019-2021 collective bargaining agreement, and for procurement of a benefit package that is materially similar to benefits provided by the public employee benefits program as outlined in policies adopted by the school employees' benefits board, 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 \$994 per eligible employee beginning January 1, 2020. For ~~((fiscal year 2021))~~ July and August 2020, the monthly employer funding rate shall not exceed \$1,056 per eligible employee. Beginning September 1, 2020, through June 30, 2021, the monthly employer funding rate shall not exceed \$1,000 per eligible employee. Employers will contribute one hundred percent of the retiree remittance defined in section 939 of this act.

(2) For the purposes of distributing insurance benefits, certificated staff units as determined in section 504 of this act will be multiplied by 1.02 and classified staff units as determined in section 504 of this act will be multiplied by 1.43.

(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 twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars 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 ninety-five 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 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.

Sec. 908. 2019 c 415 s 946 (uncodified) is amended to read as follows:

CONDITIONAL AND GENERAL WAGE INCREASES—UNIVERSITY OF WASHINGTON

(1) Appropriations for the University of Washington in this act are sufficient to provide a general wage increase to employees who are not represented or who bargain under a statutory authority other than chapters 41.80 or 47.64 RCW or RCW 41.56.473. Funding is provided for a two percent general wage increase effective July 1, 2019, and a two percent increase July 1, 2020, for all employees described by this subsection.

(2) Appropriations for the University of Washington in this act are also sufficient to provide ~~((an additional wage increase))~~ a lump sum payment for all nonrepresented, classified employees, ((both represented and not represented, of one percent effective July 1, 2019, and one percent)) who earn less than \$54,264 in salary annually, in the amount of \$650 for an FTE greater than 0.6 and \$325 for an FTE of 0.6 or less, effective July 1, 2020. ~~((This additional wage increase, funded in section 606 of this act, is conditioned upon the University of Washington concluding changes to the bargaining agreements with represented employees, including those whose agreements are approved in sections 921, 922, 923, 924, and 925 of this act, to provide the same one percent increases to represented employees.))~~

Sec. 909. 2019 c 324 s 12 (uncodified) is amended to read as follows:

(1) The health care authority shall establish a pilot program to provide mental health drop-in center services. The mental health drop-in center services shall provide a peer-focused recovery model during daytime hours through a community-based, therapeutic, less restrictive alternative to hospitalization for acute psychiatric needs. The program shall assist clients in need of voluntary, short-term, noncrisis services that focus on recovery and wellness. Clients may refer themselves, be brought to the center by law enforcement, be brought to the center by family members, or be referred by an emergency department.

(2) The pilot program shall be conducted in the largest city in a regional service area that has at least nine counties. Funds to support the pilot program shall be distributed through the behavioral health administrative service organization that serves the pilot program.

(3) The pilot program shall begin on ~~((January))~~ July 1, 2020, and conclude July 1, 2022.

(4) By December 1, 2020, the health care authority shall submit a preliminary report to the governor and the appropriate committees of the legislature. The preliminary report shall include a survey of peer mental health programs that are operating in the state, including the location, type of services offered, and number of clients served. By December 1, 2021, the health care authority shall report to the governor and the appropriate committees of the legislature on the results of the pilot program. The report shall include information about the number of clients served, the needs of the clients, the method of referral for the clients, and recommendations on how to expand the program statewide, including any recommendations to account for different needs in urban and rural areas.

Sec. 910. RCW 28B.76.525 and 2019 c 406 s 38 are each amended to read as follows:

(1) The state financial aid account is created in the custody of the state treasurer. The primary purpose of the account is to ensure that all appropriations designated for financial aid through statewide student financial aid programs are made available to eligible students. The account shall be a nontreasury account.

(2) The office shall deposit in the account all money received for the Washington college grant program established under chapter 28B.92 RCW, the state work-study program established under chapter 28B.12 RCW, the Washington scholars program established under RCW 28A.600.110, the Washington award for vocational excellence program established under RCW

28C.04.525, and the educational opportunity grant program established under chapter 28B.101 RCW. The account shall consist of funds appropriated by the legislature for the programs listed in this subsection and private contributions to the programs. Moneys deposited in the account do not lapse at the close of the fiscal period for which they were appropriated. Both during and after the fiscal period in which moneys were deposited in the account, the office may expend moneys in the account only for the purposes for which they were appropriated, and the expenditures are subject to any other conditions or limitations placed on the appropriations.

(3) Expenditures from the account shall be used for scholarships to students eligible for the programs according to program rules and policies. For the 2019-2021 fiscal biennium, expenditures may also be used for scholarship awards in the passport to career program established under chapter 28B.117 RCW. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(4) Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW.

(5) Only the director of the office or the director's designee may authorize expenditures from the account.

Sec. 911. RCW 28B.76.526 and 2019 c 406 s 39 are each amended to read as follows:

The Washington opportunity pathways account is created in the state treasury. Expenditures from the account may be used only for programs in chapter 28A.710 RCW (charter schools), chapter 28B.12 RCW (state work-study), chapter 28B.50 RCW (opportunity grant), RCW 28B.76.660 (Washington scholars award), RCW 28B.76.670 (Washington award for vocational excellence), chapter 28B.92 RCW (Washington college grant program), chapter 28B.105 RCW (GET ready for math and science scholarship), chapter 28B.117 RCW (passport to careers), chapter 28B.118 RCW (college bound scholarship), and chapter 43.216 RCW (early childhood education and assistance program). During the 2019-21 fiscal biennium, the account may also be appropriated for public schools funded under chapters 28A.150 and 28A.715 RCW.

Sec. 912. RCW 28B.145.050 and 2014 c 208 s 5 are each amended to read as follows:

(1) The opportunity scholarship match transfer account is created in the custody of the state treasurer as a nonappropriated account to be used solely and exclusively for the opportunity scholarship program created in RCW 28B.145.040. The purpose of the account is to provide matching funds for the opportunity scholarship program.

(2) Revenues to the account shall consist of appropriations by the legislature into the account and any gifts, grants, or donations received by the executive director of the council for this purpose.

(3) No expenditures from the account may be made except upon receipt of proof, by the executive director of the council from the program administrator, of private contributions to the opportunity scholarship program. Expenditures, in the form of matching funds, may not exceed the total amount of private contributions.

(4) Only the executive director of the council or the executive director's designee may authorize expenditures from the opportunity scholarship match transfer account. Such authorization must be made as soon as practicable following receipt of proof as required under subsection (3) of this section.

(5) The council shall enter into an appropriate agreement with the program administrator to demonstrate exchange of consideration for the matching funds.

(6) During the 2019-2021 fiscal biennium, expenditures from the opportunity scholarship match transfer account may be used for payment to the program administrator for administrative duties carried out under this chapter in an amount not to exceed two hundred fifty thousand dollars per fiscal year.

Sec. 913. RCW 41.80.040 and 2002 c 354 s 305 are each amended to read as follows:

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:

(1) The functions and programs of the employer, the use of technology, and the structure of the organization;

(2) The employer's budget, which includes for purposes of any negotiations conducted during the 2019-2021 fiscal biennium any specification of the funds or accounts that must be appropriated by the legislature to fulfill the terms of an agreement, and the size of the agency workforce, including determining the financial basis for layoffs;

(3) The right to direct and supervise employees;

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

(5) Retirement plans and retirement benefits.

Sec. 914. RCW 43.31.502 and 1991 c 248 s 1 are each amended to read as follows:

(1) A child care facility revolving fund is created. Money in the fund shall be used solely for the purpose of starting or improving a child care facility pursuant to RCW 43.31.085 and 43.31.502 through 43.31.514. Only moneys from private or federal sources may be deposited into this fund.

(2) Funds provided under this section shall not be subject to reappropriation. The child care facility fund committee may use loan and grant repayments and income for the revolving fund program.

(3) During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the child care facility revolving fund to the state general fund.

Sec. 915. RCW 43.185C.060 and 2018 c 85 s 6 are each amended to read as follows:

(1) The home security fund account is created in the state treasury, subject to appropriation. The state's portion of the surcharge established in RCW 36.22.179 and 36.22.1791 must be deposited in the account. Expenditures from the account may be used only for homeless housing programs as described in this chapter.

(2) The department must distinguish allotments from the account made to carry out the activities in RCW 43.330.167, 43.330.700 through 43.330.715, 43.330.911, 43.185C.010, 43.185C.250 through 43.185C.320, and 36.22.179(1)(b).

(3) The office of financial management must secure an independent expenditure review of state funds received under RCW 36.22.179(1)(b) on a biennial basis. The purpose of the review is to assess the consistency in achieving policy priorities within the private market rental housing segment for housing persons experiencing homelessness. The independent reviewer must notify the department and the office of financial management of its findings. The first biennial expenditure review, for the 2017-2019 fiscal biennium, is due February 1, 2020. Independent reviews conducted thereafter are due February 1st of each even-numbered year.

(4) During the 2019-2021 fiscal biennium, expenditures from the account may also be used for shelter capacity grants.

Sec. 916. RCW 69.50.540 and 2019 c 415 s 978 are each amended to read as follows:

The legislature must annually appropriate moneys in the dedicated marijuana account created in RCW 69.50.530 as follows:

(1) For the purposes listed in this subsection (1), the legislature must appropriate to the respective agencies amounts sufficient to make the following expenditures on a quarterly basis or as provided in this subsection:

(a) One hundred twenty-five thousand dollars to the health care authority to design and administer the Washington state healthy youth survey, analyze the collected data, and produce reports, in collaboration with the office of the superintendent of public instruction, department of health, department of commerce, family policy council, and state liquor and cannabis board. The survey must be conducted at least every two years and include questions regarding, but not necessarily limited to, academic achievement, age at time of substance use initiation, antisocial behavior of friends, attitudes toward antisocial behavior, attitudes toward substance use, laws and community norms regarding antisocial behavior, family conflict, family management, parental attitudes toward substance use, peer rewarding of antisocial behavior, perceived risk of substance use, and rebelliousness. Funds disbursed under this subsection may be used to expand administration of the healthy youth survey to student populations attending institutions of higher education in Washington;

(b) Fifty thousand dollars to the health care authority for the purpose of contracting with the Washington state institute for public policy to conduct the cost-benefit evaluation and produce the reports described in RCW 69.50.550. This appropriation ends after production of the final report required by RCW 69.50.550;

(c) Five thousand dollars to the University of Washington alcohol and drug abuse institute for the creation, maintenance, and timely updating of web-based public education materials providing medically and scientifically accurate information about the health and safety risks posed by marijuana use;

(d)(i) An amount not less than one million two hundred fifty thousand dollars to the state liquor and cannabis board for administration of this chapter as appropriated in the omnibus appropriations act;

(ii) ~~(Two million six hundred fifty one thousand seven hundred fifty dollars for fiscal year 2018 and three hundred fifty one thousand seven hundred fifty dollars for fiscal year 2019))~~ One million three hundred twenty-three thousand dollars for fiscal year 2020 to the health professions account

established under RCW 43.70.320 for the development and administration of the marijuana authorization database by the department of health;

(iii) Two million (~~(seven)~~) four hundred (~~(twenty-three)~~) fifty-three thousand dollars for fiscal year 2020 and two million (~~(five)~~) seven hundred (~~(twenty-three)~~) ninety-three thousand dollars for fiscal year 2021 to the Washington state patrol for a drug enforcement task force. It is the intent of the legislature that this policy will be continued in the 2021-2023 fiscal biennium; and

(iv) Ninety-eight thousand dollars for fiscal year 2019 to the department of ecology for research on accreditation of marijuana product testing laboratories;

(e) Four hundred sixty-five thousand dollars for fiscal year 2020 and four hundred sixty-four thousand dollars for fiscal year 2021 to the department of ecology for implementation of accreditation of marijuana product testing laboratories;

(f) One hundred eighty-nine thousand dollars for fiscal year 2020 to the department of health for rule making regarding compassionate care renewals;

(g) Eight hundred eight thousand dollars for fiscal year 2020 and eight hundred eight thousand dollars for fiscal year 2021 to the department of health for the administration of the marijuana authorization database; (~~and~~)

(h) (~~(\$635,000 [Six hundred thirty-five thousand dollars])~~) Six hundred thirty-five thousand dollars for fiscal year 2020 and (~~(\$635,000 [six hundred thirty-five thousand dollars])~~) six hundred thirty-five thousand dollars for fiscal year 2021 to the department of agriculture for compliance-based laboratory analysis of pesticides in marijuana; and

(i) One million one hundred thousand dollars for fiscal year 2021 to the department of commerce to fund the marijuana social equity technical assistance competitive grant program under Engrossed Second Substitute House Bill No. 2870 (marijuana retail licenses).

(2) From the amounts in the dedicated marijuana account after appropriation of the amounts identified in subsection (1) of this section, the legislature must appropriate for the purposes listed in this subsection (2) as follows:

(a)(i) Up to fifteen percent to the health care authority for the development, implementation, maintenance, and evaluation of programs and practices aimed at the prevention or reduction of maladaptive substance use, substance use disorder, substance abuse or substance dependence, as these terms are defined in the Diagnostic and Statistical Manual of Mental Disorders, among middle school and high school-age students, whether as an explicit goal of a given program or practice or as a consistently corresponding effect of its implementation, mental health services for children and youth, and services for pregnant and parenting women; PROVIDED, That:

(A) Of the funds appropriated under (a)(i) of this subsection for new programs and new services, at least eighty-five percent must be directed to evidence-based or research-based programs and practices that produce objectively measurable results and, by September 1, 2020, are cost-beneficial; and

(B) Up to fifteen percent of the funds appropriated under (a)(i) of this subsection for new programs and new services may be directed to proven and tested practices, emerging best practices, or promising practices.

(ii) In deciding which programs and practices to fund, the director of the health care authority must consult, at least annually, with the University of Washington's social development research group and the University of Washington's alcohol and drug abuse institute.

(iii) For each fiscal year, the legislature must appropriate a minimum of twenty-five million five hundred thirty-six thousand dollars under this subsection (2)(a);

(b)(i) Up to ten percent to the department of health for the following, subject to (b)(ii) of this subsection (2):

(A) Creation, implementation, operation, and management of a marijuana education and public health program that contains the following:

(I) A marijuana use public health hotline that provides referrals to substance abuse treatment providers, utilizes evidence-based or research-based public health approaches to minimizing the harms associated with marijuana use, and does not solely advocate an abstinence-only approach;

(II) A grants program for local health departments or other local community agencies that supports development and implementation of coordinated intervention strategies for the prevention and reduction of marijuana use by youth; and

(III) Media-based education campaigns across television, internet, radio, print, and out-of-home advertising, separately targeting youth and adults, that provide medically and scientifically accurate information about the health and safety risks posed by marijuana use; and

(B) The Washington poison control center.

(ii) For each fiscal year, the legislature must appropriate a minimum of nine million seven hundred fifty thousand dollars under this subsection (2)(b);

(c)(i) Up to six-tenths of one percent to the University of Washington and four-tenths of one percent to Washington State University for research on the short and long-term effects of marijuana use, to include but not be limited to formal and informal methods for estimating and measuring intoxication and impairment, and for the dissemination of such research.

(ii) For each fiscal year, except for the 2017-2019 and 2019-2021 fiscal biennia, the legislature must appropriate a minimum of one million twenty-one thousand dollars to the University of Washington. For each fiscal year, except for the 2017-2019 and 2019-2021 fiscal biennia, the legislature must appropriate a minimum of six hundred eighty-one thousand dollars to Washington State University under this subsection (2)(c). It is the intent of the legislature that this policy will be continued in the 2019-2021 fiscal biennium;

(d) Fifty percent to the state basic health plan trust account to be administered by the Washington basic health plan administrator and used as provided under chapter 70.47 RCW;

(e) Five percent to the Washington state health care authority to be expended exclusively through contracts with community health centers to provide primary health and dental care services, migrant health services, and maternity health care services as provided under RCW 41.05.220;

(f)(i) Up to three-tenths of one percent to the office of the superintendent of public instruction to fund grants to building bridges programs under chapter 28A.175 RCW.

(ii) For each fiscal year, the legislature must appropriate a minimum of five hundred eleven thousand dollars to the office of the superintendent of public instruction under this subsection (2)(f); and

(g) At the end of each fiscal year, the treasurer must transfer any amounts in the dedicated marijuana account that are not appropriated pursuant to subsection (1) of this section and this subsection (2) into the general fund, except as provided in (g)(i) of this subsection (2).

(i) Beginning in fiscal year 2018, if marijuana excise tax collections deposited into the general fund in the prior fiscal year exceed twenty-five million dollars, then each fiscal year the legislature must appropriate an amount equal to thirty percent of all marijuana excise taxes deposited into the general fund the prior fiscal year to the treasurer for distribution to counties, cities, and towns as follows:

(A) Thirty percent must be distributed to counties, cities, and towns where licensed marijuana retailers are physically located. Each jurisdiction must receive a share of the revenue distribution under this subsection (2)(g)(i)(A) based on the proportional share of the total revenues generated in the individual jurisdiction from the taxes collected under RCW 69.50.535, from licensed marijuana retailers physically located in each jurisdiction. For purposes of this subsection (2)(g)(i)(A), one hundred percent of the proportional amount attributed to a retailer physically located in a city or town must be distributed to the city or town.

(B) Seventy percent must be distributed to counties, cities, and towns ratably on a per capita basis. Counties must receive sixty percent of the distribution, which must be disbursed based on each county's total proportional population. Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed marijuana producer, processor, or retailer.

(ii) Distribution amounts allocated to each county, city, and town must be distributed in four installments by the last day of each fiscal quarter.

(iii) By September 15th of each year, the state liquor and cannabis board must provide the state treasurer the annual distribution amount, if any, for each county and city as determined in (g)(i) of this subsection (2).

(iv) The total share of marijuana excise tax revenues distributed to counties and cities in (g)(i) of this subsection (2) may not exceed fifteen million dollars in fiscal years 2018, 2019, 2020, and 2021, and twenty million dollars per fiscal year thereafter. It is the intent of the legislature that the policy for the maximum distributions in the subsequent fiscal biennia will be no more than fifteen million dollars per fiscal year.

For the purposes of this section, "marijuana products" means "useable marijuana," "marijuana concentrates," and "marijuana-infused products" as those terms are defined in RCW 69.50.101.

Sec. 917. RCW 71.24.580 and 2019 c 415 s 980, 2019 c 325 s 1040, and 2019 c 314 s 27 are each reenacted and amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance use disorder treatment and treatment support services for offenders with a substance use disorder that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; (b) the provision of substance use disorder treatment services and treatment support services for

nonviolent offenders within a drug court program; and (c) the administrative and overhead costs associated with the operation of a drug court. Amounts provided in this subsection must be used for treatment and recovery support services for criminally involved offenders and authorization of these services shall not be subject to determinations of medical necessity. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the criminal justice treatment account to the state general fund. During the 2019-2021 fiscal biennium, the legislature may appropriate from the account for municipal drug courts and increased treatment options, and may direct the state treasurer to make transfers of moneys in the criminal justice treatment account to the home security fund account created in RCW 43.185C.060. ~~((It is the intent of the legislature to continue the policy of transferring moneys from the criminal justice treatment account to the home security fund account in subsequent biennia.))~~ Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance use disorder treatment program, including but not limited to the recovery support and other programmatic elements outlined in RCW 2.30.030 authorizing therapeutic courts; and

(b) "Treatment support" includes transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) For the fiscal year beginning July 1, 2005, and each subsequent fiscal year, the state treasurer shall transfer eight million two hundred fifty thousand dollars from the general fund to the criminal justice treatment account, divided into four equal quarterly payments. For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the department for the purposes of subsection (5) of this section.

(5) Moneys appropriated to the authority from the criminal justice treatment account shall be distributed as specified in this subsection. The authority may retain up to three percent of the amount appropriated under subsection (4)(b) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the authority from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The authority, in consultation with the department of corrections, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance use disorder treatment providers, and any other person deemed by the authority to be necessary, shall

establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the authority from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The authority shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, and substance use disorder treatment providers. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The submitted plan should incorporate current evidence-based practices in substance use disorder treatment. The funds shall be used solely to provide approved alcohol and substance use disorder treatment pursuant to RCW 71.24.560 and treatment support services. No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) If a region or county uses criminal justice treatment account funds to support a therapeutic court, the therapeutic court must allow the use of all medications approved by the federal food and drug administration for the treatment of opioid use disorder as deemed medically appropriate for a participant by a medical professional. If appropriate medication-assisted treatment resources are not available or accessible within the jurisdiction, the health care authority's designee for assistance must assist the court with acquiring the resource.

(10) Counties must meet the criteria established in RCW 2.30.030(3).

(11) The authority shall annually review and monitor the expenditures made by any county or group of counties that receives appropriated funds distributed under this section. Counties shall repay any funds that are not spent in accordance with the requirements of its contract with the authority.

Sec. 918. RCW 74.46.561 and 2019 c 301 s 1 are each amended to read as follows:

(1) The legislature adopts a new system for establishing nursing home payment rates beginning July 1, 2016. Any payments to nursing homes for services provided after June 30, 2016, must be based on the new system. The new system must be designed in such a manner as to decrease administrative complexity associated with the payment methodology, reward nursing homes providing care for high acuity residents, incentivize quality care for residents of nursing homes, and establish minimum staffing standards for direct care.

(2) The new system must be based primarily on industry-wide costs, and have three main components: Direct care, indirect care, and capital.

(3) The direct care component must include the direct care and therapy care components of the previous system, along with food, laundry, and dietary services. Direct care must be paid at a fixed rate, based on one hundred percent or greater of statewide case mix neutral median costs, but shall be set so that a nursing home provider's direct care rate does not exceed one hundred eighteen percent of its base year's direct care allowable costs except if the provider is below the minimum staffing standard established in RCW 74.42.360(2). Direct care must be performance-adjusted for acuity every six months, using case mix principles. Direct care must be regionally adjusted using county wide wage index information available through the United States department of labor's bureau of labor statistics. There is no minimum occupancy for direct care. The direct care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(4) The indirect care component must include the elements of administrative expenses, maintenance costs, and housekeeping services from the previous system. A minimum occupancy assumption of ninety percent must be applied to indirect care. Indirect care must be paid at a fixed rate, based on ninety percent or greater of statewide median costs. The indirect care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(5) The capital component must use a fair market rental system to set a price per bed. The capital component must be adjusted for the age of the facility, and must use a minimum occupancy assumption of ninety percent.

(a) Beginning July 1, 2016, the fair rental rate allocation for each facility must be determined by multiplying the allowable nursing home square footage in (c) of this subsection by the RSMMeans rental rate in (d) of this subsection and by the number of licensed beds yielding the gross unadjusted building value. An equipment allowance of ten percent must be added to the unadjusted building value. The sum of the unadjusted building value and equipment allowance must then be reduced by the average age of the facility as determined by (e) of this subsection using a depreciation rate of one and one-half percent. The depreciated building and equipment plus land valued at ten percent of the gross unadjusted building value before depreciation must then be multiplied by the rental rate at seven and one-half percent to yield an allowable fair rental value for the land, building, and equipment.

(b) The fair rental value determined in (a) of this subsection must be divided by the greater of the actual total facility census from the prior full calendar year

or imputed census based on the number of licensed beds at ninety percent occupancy.

(c) For the rate year beginning July 1, 2016, all facilities must be reimbursed using four hundred square feet. For the rate year beginning July 1, 2017, allowable nursing facility square footage must be determined using the total nursing facility square footage as reported on the medicaid cost reports submitted to the department in compliance with this chapter. The maximum allowable square feet per bed may not exceed four hundred fifty.

(d) Each facility must be paid at eighty-three percent or greater of the median nursing facility RSMean construction index value per square foot. The department may use updated RSMean construction index information when more recent square footage data becomes available. The statewide value per square foot must be indexed based on facility zip code by multiplying the statewide value per square foot times the appropriate zip code based index. For the purpose of implementing this section, the value per square foot effective July 1, 2016, must be set so that the weighted average fair rental value rate is not less than ten dollars and eighty cents per patient day. The capital component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(e) The average age is the actual facility age reduced for significant renovations. Significant renovations are defined as those renovations that exceed two thousand dollars per bed in a calendar year as reported on the annual cost report submitted in accordance with this chapter. For the rate beginning July 1, 2016, the department shall use renovation data back to 1994 as submitted on facility cost reports. Beginning July 1, 2016, facility ages must be reduced in future years if the value of the renovation completed in any year exceeds two thousand dollars times the number of licensed beds. The cost of the renovation must be divided by the accumulated depreciation per bed in the year of the renovation to determine the equivalent number of new replacement beds. The new age for the facility is a weighted average with the replacement bed equivalents reflecting an age of zero and the existing licensed beds, minus the new bed equivalents, reflecting their age in the year of the renovation. At no time may the depreciated age be less than zero or greater than forty-four years.

(f) A nursing facility's capital component rate allocation must be rebased annually, effective July 1, 2016, in accordance with this section and this chapter.

(g) For the purposes of this subsection (5), "RSMean" means building construction costs data as published by Gordian.

(6) A quality incentive must be offered as a rate enhancement beginning July 1, 2016.

(a) An enhancement no larger than five percent and no less than one percent of the statewide average daily rate must be paid to facilities that meet or exceed the standard established for the quality incentive. All providers must have the opportunity to earn the full quality incentive payment.

(b) The quality incentive component must be determined by calculating an overall facility quality score composed of four to six quality measures. For fiscal year 2017 there shall be four quality measures, and for fiscal year 2018 there shall be six quality measures. Initially, the quality incentive component must be based on minimum data set quality measures for the percentage of long-stay residents who self-report moderate to severe pain, the percentage of high-risk

long-stay residents with pressure ulcers, the percentage of long-stay residents experiencing one or more falls with major injury, and the percentage of long-stay residents with a urinary tract infection. Quality measures must be reviewed on an annual basis by a stakeholder work group established by the department. Upon review, quality measures may be added or changed. The department may risk adjust individual quality measures as it deems appropriate.

(c) The facility quality score must be point based, using at a minimum the facility's most recent available three-quarter average centers for medicare and medicaid services quality data. Point thresholds for each quality measure must be established using the corresponding statistical values for the quality measure point determinants of eighty quality measure points, sixty quality measure points, forty quality measure points, and twenty quality measure points, identified in the most recent available five-star quality rating system technical user's guide published by the center for medicare and medicaid services.

(d) Facilities meeting or exceeding the highest performance threshold (top level) for a quality measure receive twenty-five points. Facilities meeting the second highest performance threshold receive twenty points. Facilities meeting the third level of performance threshold receive fifteen points. Facilities in the bottom performance threshold level receive no points. Points from all quality measures must then be summed into a single aggregate quality score for each facility.

(e) Facilities receiving an aggregate quality score of eighty percent of the overall available total score or higher must be placed in the highest tier (tier V), facilities receiving an aggregate score of between seventy and seventy-nine percent of the overall available total score must be placed in the second highest tier (tier IV), facilities receiving an aggregate score of between sixty and sixty-nine percent of the overall available total score must be placed in the third highest tier (tier III), facilities receiving an aggregate score of between fifty and fifty-nine percent of the overall available total score must be placed in the fourth highest tier (tier II), and facilities receiving less than fifty percent of the overall available total score must be placed in the lowest tier (tier I).

(f) The tier system must be used to determine the amount of each facility's per patient day quality incentive component. The per patient day quality incentive component for tier IV is seventy-five percent of the per patient day quality incentive component for tier V, the per patient day quality incentive component for tier III is fifty percent of the per patient day quality incentive component for tier V, and the per patient day quality incentive component for tier II is twenty-five percent of the per patient day quality incentive component for tier V. Facilities in tier I receive no quality incentive component.

(g) Tier system payments must be set in a manner that ensures that the entire biennial appropriation for the quality incentive program is allocated.

(h) Facilities with insufficient three-quarter average centers for medicare and medicaid services quality data must be assigned to the tier corresponding to their five-star quality rating. Facilities with a five-star quality rating must be assigned to the highest tier (tier V) and facilities with a one-star quality rating must be assigned to the lowest tier (tier I). The use of a facility's five-star quality rating shall only occur in the case of insufficient centers for medicare and medicaid services minimum data set information.

(i) The quality incentive rates must be adjusted semiannually on July 1 and January 1 of each year using, at a minimum, the most recent available three-quarter average centers for medicare and medicaid services quality data.

(j) Beginning July 1, 2017, the percentage of short-stay residents who newly received an antipsychotic medication must be added as a quality measure. The department must determine the quality incentive thresholds for this quality measure in a manner consistent with those outlined in (b) through (h) of this subsection using the centers for medicare and medicaid services quality data.

(k) Beginning July 1, 2017, the percentage of direct care staff turnover must be added as a quality measure using the centers for medicare and medicaid services' payroll-based journal and nursing home facility payroll data. Turnover is defined as an employee departure. The department must determine the quality incentive thresholds for this quality measure using data from the centers for medicare and medicaid services' payroll-based journal, unless such data is not available, in which case the department shall use direct care staffing turnover data from the most recent medicaid cost report.

(7) Reimbursement of the safety net assessment imposed by chapter 74.48 RCW and paid in relation to medicaid residents must be continued.

(8)(a) The direct care and indirect care components must be rebased in even-numbered years, beginning with rates paid on July 1, 2016. Rates paid on July 1, 2016, must be based on the 2014 calendar year cost report. On a percentage basis, after rebasing, the department must confirm that the statewide average daily rate has increased at least as much as the average rate of inflation, as determined by the skilled nursing facility market basket index published by the centers for medicare and medicaid services, or a comparable index. If after rebasing, the percentage increase to the statewide average daily rate is less than the average rate of inflation for the same time period, the department is authorized to increase rates by the difference between the percentage increase after rebasing and the average rate of inflation.

(b) It is the intention of the legislature that direct and indirect care rates paid in fiscal year 2022 will be rebased using the calendar year 2019 cost reports. For fiscal year 2021, in addition to the rates generated by (a) of this subsection, an additional adjustment is provided as established in this subsection (8)(b). Beginning May 1, 2020, and through June 30, 2021, the calendar year costs must be adjusted for inflation by a twenty-four month consumer price index, based on the most recently available monthly index for all urban consumers, as published by the bureau of labor statistics. It is also the intent of the legislature that, starting in fiscal year 2022, a facility-specific rate add-on equal to the inflation adjustment that facilities received solely in fiscal year 2021, must be added to the rate.

(c) To determine the necessity of regular inflationary adjustments to the nursing facility rates, by December 1, 2020, the department shall provide the appropriate policy and fiscal committees of the legislature with a report that provides a review of rates paid in 2017, 2018, and 2019 in comparison to costs incurred by nursing facilities.

(9) The direct care component provided in subsection (3) of this section is subject to the reconciliation and settlement process provided in RCW 74.46.022(6). Beginning July 1, 2016, pursuant to rules established by the department, funds that are received through the reconciliation and settlement

process provided in RCW 74.46.022(6) must be used for technical assistance, specialized training, or an increase to the quality enhancement established in subsection (6) of this section. The legislature intends to review the utility of maintaining the reconciliation and settlement process under a price-based payment methodology, and may discontinue the reconciliation and settlement process after the 2017-2019 fiscal biennium.

(10) Compared to the rate in effect June 30, 2016, including all cost components and rate add-ons, no facility may receive a rate reduction of more than one percent on July 1, 2016, more than two percent on July 1, 2017, or more than five percent on July 1, 2018. To ensure that the appropriation for nursing homes remains cost neutral, the department is authorized to cap the rate increase for facilities in fiscal years 2017, 2018, and 2019.

Sec. 919. RCW 82.08.170 and 2015 3rd sp.s. c 4 s 976 are each amended to read as follows:

(1) Except as provided in subsections (4) and (5) of this section, during the months of January, April, July, and October of each year, the state treasurer must make the transfers required under subsections (2) and (3) of this section from the liquor excise tax fund and then the apportionment and distribution of all remaining moneys in the liquor excise tax fund to the counties, cities, and towns in the following proportions: (a) Twenty percent of the moneys in the liquor excise tax fund must be divided among and distributed to the counties of the state in accordance with the provisions of RCW 66.08.200; and (b) eighty percent of the moneys in the liquor excise tax fund must be divided among and distributed to the cities and towns of the state in accordance with the provisions of RCW 66.08.210.

(2) Each fiscal quarter and prior to making the twenty percent distribution to counties under subsection (1)(a) of this section, the treasurer shall transfer to the liquor revolving fund created in RCW 66.08.170 sufficient moneys to fund the allotments from any legislative appropriations for county research and services as provided under chapter 43.110 RCW.

(3) During the months of January, April, July, and October of each year, the state treasurer must transfer two million five hundred thousand dollars from the liquor excise tax fund to the state general fund.

(4) During calendar year 2012, the October distribution under subsection (1) of this section and the July and October transfers under subsections (2) and (3) of this section must not be made. During calendar year 2013, the January, April, and July distributions under subsection (1) of this section and transfers under subsections (2) and (3) of this section must not be made.

(5) During the 2015-2017 and 2019-2021 fiscal (~~biennium~~) biennia, the liquor excise tax fund may be appropriated for the local government fiscal note program in the department of commerce. It is the intent of the legislature to continue this policy in the (~~2017-2019~~) subsequent fiscal biennium.

Sec. 920. RCW 82.19.040 and 2019 c 415 s 989 are each amended to read as follows:

(1) To the extent applicable, all of the definitions of chapter 82.04 RCW and all of the provisions of chapter 82.32 RCW apply to the tax imposed in this chapter.

(2) Beginning June 30, 2019, taxes collected under this chapter shall be deposited in the waste reduction, recycling, and litter control account under RCW 70.93.180, except that until June 30, ~~((2021))~~ 2020, one million two hundred fifty thousand dollars ~~((per fiscal year))~~ must be deposited in equal monthly amounts in the state parks renewal and stewardship account, with the remainder deposited in the waste reduction, recycling, and litter control account. ~~((It is the intent of the legislature to continue this policy in the ensuing biennium.))~~

Sec. 921. RCW 90.56.510 and 2019 c 415 s 994 are each amended to read as follows:

(1) The oil spill prevention account is created in the state treasury. All receipts from RCW 82.23B.020(2) shall be deposited in the account. Moneys from the account may be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW. If, on the first day of any calendar month, the balance of the oil spill response account is greater than nine million dollars and the balance of the oil spill prevention account exceeds the unexpended appropriation for the current biennium, then the tax under RCW 82.23B.020(2) shall be suspended on the first day of the next calendar month until the beginning of the following biennium, provided that the tax shall not be suspended during the last six months of the biennium. If the tax imposed under RCW 82.23B.020(2) is suspended during two consecutive biennia, the department shall by November 1st after the end of the second biennium, recommend to the appropriate standing committees an adjustment in the tax rate. For the biennium ending June 30, 1999, and the biennium ending June 30, 2001, the state treasurer may transfer a total of up to one million dollars from the oil spill response account to the oil spill prevention account to support appropriations made from the oil spill prevention account in the omnibus appropriations act adopted not later than June 30, 1999.

(2) Expenditures from the oil spill prevention account shall be used exclusively for the administrative costs related to the purposes of this chapter, and chapters 90.48, 88.40, and 88.46 RCW. In addition, until June 30, 2021, expenditures from the oil spill prevention account may be used, subject to amounts appropriated specifically for this purpose, for the development and annual review of local emergency planning committee emergency response plans in RCW 38.52.040(3). Starting with the 1995-1997 biennium, the legislature shall give activities of state agencies related to prevention of oil spills priority in funding from the oil spill prevention account. Costs of prevention include the costs of:

- (a) Routine responses not covered under RCW 90.56.500;
- (b) Management and staff development activities;
- (c) Development of rules and policies and the statewide plan provided for in RCW 90.56.060;
- (d) Facility and vessel plan review and approval, drills, inspections, investigations, enforcement, and litigation;
- (e) Interagency coordination and public outreach and education;
- (f) Collection and administration of the tax provided for in chapter 82.23B RCW; and
- (g) Appropriate travel, goods and services, contracts, and equipment.

(3) Before expending moneys from the account for a response under subsection (2)(a) of this section, but without delaying response activities, the director shall make reasonable efforts to obtain funding for response costs under this section from the person responsible for the spill and from other sources, including the federal government.

(4) During the 2019-2021 fiscal biennium, the legislature may appropriate moneys from the oil spill prevention account to the oil spill response account.

NEW SECTION. Sec. 922. (1) A work group is established to create a family engagement framework for early learning through school.

(2) At a minimum, the work group must review family engagement policies and practices in Washington and in other states, with a focus on identifying best practices that can be adopted throughout Washington.

(3) The members of the work group must represent the following groups: The department of children, youth, and families; the office of the superintendent of public instruction; the state board of education; parents of children in the state early childhood education and assistance program or the federal head start program; parents of students in elementary or secondary school; parents of students who are English learners, with at least one parent with a student in preschool and at least one parent with a student in elementary or secondary school; parents of students who are in special education; parents of students in foster care; the office of the education ombuds; the educational opportunity gap oversight and accountability committee; the state commission on Asian Pacific American affairs; the state commission on Hispanic affairs; the state commission on African American affairs; the governor's office of Indian affairs; the Washington state school directors' association; a state organization of school principals; a state organization of teachers; early childhood teachers; elementary and postsecondary teachers; and a state organization representing school counselors.

(b) The members of the work group must elect cochaIRS. One of the cochaIRS must be a parent and the other cochaIR must represent a state agency.

(4) The work group must meet monthly. At each meeting of the work group, members must have the option to participate remotely. In addition, the work group must hold at least three meetings in central Washington and at least three meetings in eastern Washington.

(5) Staff support for the work group must be provided by the office of the superintendent of public instruction and the department of children, youth, and families.

(6) Members are not entitled to be reimbursed for meal or travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other members is subject to chapter 43.03 RCW.

(7) By June 30, 2021, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature with a summary of the activities of the work group and its recommendations for a family engagement framework for early learning through high school.

***NEW SECTION. Sec. 923.** A joint legislative task force is created to develop a business plan for the establishment of a publicly owned depository/state bank in Washington state.

(1) The task force membership must consist of:

(a) The president of the senate shall appoint two members from each of the two largest caucuses of the senate;

(b) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives;

(c) Two members from local government who have expressed an interest in the formation of or participation in a publicly owned depository/state bank with one member appointed by the association of Washington cities and one member appointed by the Washington association of counties; and

(d) Two citizen members with a background in finance appointed by the governor.

(2) Appointments to the task force must be made by April 15, 2020, and its first meeting must take place by May 1, 2020. The task force may have a total of four meetings and may conduct meetings by video or telephonic means. The task force shall conduct business by consensus. However, if consensus cannot be reached, action shall be taken by a majority vote of members.

(3) The purpose of the task force is to engage in a contract for services to develop a business plan for the establishment of a publicly owned depository/state bank.

(a) The business plan must include the following elements:

(i) Overall business concept;

(ii) Governance and management policies;

(iii) The business and powers of the bank;

(iv) Identification of products and services to be offered by the bank;

(v) A financial plan identifying both operating and capitalization needs;

(vi) Ethical, transparency, and reporting policies;

(vii) Draft enabling legislation and other necessary statutory changes to implement the business plan; and

(viii) An overall road map of actions and activities to establish a publicly owned depository/state bank.

(b) The task force must solicit from the public banking institute recommendations of persons and organizations to contract for developing the business plan. The task force must select the contractor from this list unless sixty percent of the task force determines that broader solicitation of potential contractors is necessary.

(c) The contract may be entered into as a sole source contract to facilitate receipt of the business plan by its due date to the legislature.

(4) The task force shall assist with scoping the content of the contract, contractor selection, and reviewing contract deliverables.

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

(6) 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. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

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

(8) The task force shall present the business plan to the appropriate committees of the legislature by December 15, 2020. The task force may extend the date for submitting the plan if the task force determines that an extension will improve the quality and content of the plan.

(9) This section expires on June 30, 2021.

**Sec. 923 was vetoed. See message at end of chapter.*

NEW SECTION. Sec. 924. A new section is added to chapter 43.79 RCW to read as follows:

The climate resiliency account is created in the state treasury. Revenues to the account shall consist of appropriations and transfers by the legislature and all other funding directed for deposit into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account are dedicated to activities that increase climate resiliency and include, but are not limited to:

- (1) Response to climate driven stressors;
- (2) Prevention of environmental and natural resources degradation;
- (3) Activities that restore or improve ecosystem resiliency and sustainability; and
- (4) Measures that anticipate, adapt, or minimize the effects climate change has on communities and the natural environment.

NEW SECTION. Sec. 925. 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. 926. 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.

Passed by the Senate March 12, 2020.

Passed by the House March 12, 2020.

Approved by the Governor April 3, 2020, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 3, 2020.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 101(2); 102(3); 113(19); 116(9); 127(28); 127(79); 127(81); 127(87); 127(97); 127(99); 127(101); 127(112); 129(15); 129(17); 129(19); 202(1)(o); 204(28); 204(34); 204(37); 204(38); 205(14); 211(60); 211(68); 211(74); 211(76); 211(78); 211(79); 211(81); 211(84); 211(86); 212(7); 214(9); 215(24)(c)(d); 215(56); 215(69); 218(17); 221(55); 221(56); 221(58); 221(59); 221(61); 221(63); 221(68); 222(2)(i); 225(2)(u); 225(2)(ff); 225(2)(gg); 225(2)(jj); 225(2)(ll); 225(4)(a)(ii); 225(4)(d)(viii); 225(4)(ce); 302(24); 302(30); 302(31); 302(32); 302(33); 302(42); 304(7); 304(10); 306(5); 306(10); 307, page 334, lines 22-23; 307(22); 307(25); 307(26); 307(27); 307(28); 307(36); 308(25); 308(28); 308(32); 309(23); 309(27); 501(3)(h); 501(3)(k); 501(4)(aa); 501(4)(dd); 501(4)(ee); 501(4)(gg); 501(4)(jj); 501(4)(kk); 501(4)(v); 501(4)(w); 501(4)(x); 502(3); 503(2)(d); 506(10); 520(2); 520(15); 520(24); 520(26); 520(27); 520(28); 520(34); 601(9); 602(27); 602(28); 602(29); 602(31); 602(32); 603(42); 603(43); 603(44); 603(46); 603(49); 603(50); 603(53); 603(54); 603(55); 603(56); 603(57); 604(24);

604(25); 604(26); 604(29); 604(30); 604(31); 604(32); 604(33); 604(34); 604(35); 605(9); 605(11); 605(12); 606(7); 606(8); 606(9); 606(10); 607(5)(f); 607(5)(g); 607(5)(h); 607(7); 607(8); 608(9); 608(12); 608(13); 609(4); 609(5); 609(7); 609(9); 609(10); 609(11); 710; 715; 722; 801, page 529, line 34; 804, page 535, lines 32-34; and 923, Engrossed Substitute Senate Bill No. 6168 entitled:

"AN ACT Relating to fiscal matters."

Section 101(2), House of Representatives, page 2; Section 102(3), Senate, page 3; and Section 923, pages 562-564, Business Plan for Establishment of Publicly Owned Depository/State Bank

These sections fund the creation of a joint legislative task force to develop a business plan for establishing a publicly owned depository/state bank in Washington. This issue has already been studied at length during the past three years. For this reason, I have vetoed Section 101(2), Section 102(3) and Section 923.

Section 113(19), page 12, Administrator for the Courts, Clark County CASA Program

This section provides an additional appropriation solely for the Clark County YWCA Court Appointed Special Advocate (CASA) program. Adding a single appropriation for one CASA program jeopardizes the current equitable allocation approach established by the Washington Association of Juvenile Court Administrators. For this reason, I have vetoed Section 113(19).

Section 127(112), page 67, Department of Commerce, Commercial Property/Clean Energy

This proviso provides funding to implement Engrossed Second Substitute House Bill 2405, which enables the Department of Commerce to implement a new statewide Commercial Property Assessed Clean Energy and Resiliency (C-PACER) program. The funding is based on an outdated fiscal estimate and is not sufficient to establish this new program. Counties will still have the ability to establish separate voluntary county-wide C-PACER programs under this bill. For these reasons, I have vetoed Section 127(112).

Section 129(15), page 79, Office of Financial Management, Fund Sources Used to Determine Financial Feasibility of Collective Bargaining Agreements

This section directs the Office of Financial Management to use the state general fund to support certain collective bargaining agreements. This would preempt policy decisions by the governor about his priorities for the use of available resources. It also presupposes the preferences of future legislatures. The governor should be able to prioritize all activities in his budget proposal, both the continuation of current activities as well as proposed new expenditures. For these reasons, I have vetoed Section 129(15).

Section 129(17), page 79, Office of Financial Management, Data Requests Submitted to Education Research and Data Center

This proviso directs the Office of Financial Management to provide data requested by the Joint Legislative Audit and Review Committee and the Washington State Institute for Public Policy within six months of the date of the initial formal request. The Education Research and Data Center (ERDC) has no authority to enforce deadlines on research requestors, ensure timely responses from data suppliers, and establish timelines for legal counsel to perform their review. I am directing the Office of Financial Management to continue its process improvement efforts and collaboration with requestors. For this reason, I have vetoed Section 129(17).

Section 202(1)(o), page 130, Department of Social and Health Services—Behavioral Health Administration, Western State Hospital Volunteer Support Group and Visitation Pilot

This proviso directs the Department of Social and Health Services, within available resources, to facilitate the development of a volunteer support group and to create a pilot program to encourage patient family visitation at Western State Hospital. I fully support the concept of facilitating family involvement at all of our facilities and know how beneficial both visitation and volunteer work can be. However, this proviso provides no additional funding. Without new funding, the hospital would need to take direct care staff away from their patient care responsibilities to implement this requirement. For this reason, I have vetoed Section 202(1)(o).

Section 204(37), page 154, Department of Social and Health Services—Aging & Long Term Services Administration, 24/7 RN Staffing Exemption

This section is duplicative of Section 3 of Engrossed Second Substitute Senate Bill 6515. As registered nurse staffing levels have been an ongoing problem for our state's nursing homes, the ongoing exemption offered by ESSB 6515 is a more practical solution than the temporary one offered in this proviso. For these reasons, I have vetoed Section 204(37).

Section 211(76), pages 192-194, Health Care Authority—Medical Assistance, Primary Care Collaborative

This proviso directs the Health Care Authority to establish a primary care collaborative, but did not provide the necessary funding to support the new collaborative. For this reason, I have vetoed Section 211(76).

Section 211(81), pages 196-197, Health Care Authority—Medical Assistance, Prior Authorization for Antiviral Drugs

The Health Care Authority, in coordination with the Department of Health, is directed to develop a strategy to deliver HIV antiviral drugs to enrollees without requiring a prior authorization for these prescriptions. This policy would jeopardize the state's ability to participate in the federal drug rebate program and would substantially increase costs to the state. For this reason, I have vetoed Section 211(81).

Section 212(7), page 200, Health Care Authority, Medicare-eligible Retiree Stakeholder Group

This section directs the Health Care Authority to convene a stakeholder group to provide feedback to the Office of the State Actuary. While the interest in this topic is welcome, work has been underway for some time. The Health Care Authority has already completed a report on this topic and provision of the first new option for Medicare-eligible retiree medical coverage begins on January 1, 2021. Further, the new workgroup overlaps the work of the Public Employees' Benefits Board, which includes retiree representatives and can solicit stakeholder feedback and provide information to the Legislature. I will ask the Board to include this topic on its agenda, invite the Office of State Actuary to the discussion on this issue, and report to the Legislature and me on stakeholder preferences and any additional recommendations. For these reasons, I have vetoed Section 212(7).

Section 215(24)(c) and Section 215(24)(d), pages 213-214, Health Care Authority—Community Behavioral Health, Long-term Psychiatric Inpatient Report

This proviso directs the Health Care Authority report to the Legislature on the impact of rate increases provided to long-term psychiatric inpatient providers on their capacity to serve clients and client utilization of this service. The agency indicates that there will be insufficient data to write a report by December 1, 2020. For this reason, I have vetoed Section 215(24)(c) and Section 215(24)(d).

Section 221(59), pages 265-266, Department of Health, Telemedicine Work Group

This section directs the Department of Health, within existing resources, to convene a work group to collect information and establish guidelines and recommendations for how the Office of the Insurance Commissioner can include telemedicine services in network adequacy requirements. The staff and stakeholders necessary to convene this work group are the same individuals working to address the COVID-19 outbreak. This work group requirement would divert critical resources from the pandemic response. For these reasons I have vetoed Section 221(59) and am directing the Department of Health to perform as much of the activity as feasible within available resources, given that this is important work in the current environment.

Section 221(61), page 266, Department of Health, Vapor Product Labeling

This section provides funding to implement Engrossed Second Substitute Senate Bill 6254. However, this bill did not pass the Legislature. For this reason, I have vetoed Section 221(61).

Section 222(2)(i), pages 273-274, Department of Corrections, Body Scanner Pilot Expansion

The proposed expansion of the body scanner program in the budget provides no funding for the necessary staff to support dry cell watches and other functions related to the scanners. The department is currently operating a single body scanner under the direction of the Legislature with insufficient funding and is repurposing staff from other crucial duties for this function. Implementing

this expansion of two additional body scanners with no funding for staffing would require the department to repurpose additional staff. For these reasons, I have vetoed Section 222(2)(i).

Section 307, page 334, lines 22-23, Department of Fish and Wildlife, State Wildlife Account Expenditure Authority

The expenditure authority for the State Wildlife Account is reduced by \$19,429,000, which is too significant to maintain current programs at the Department of Fish and Wildlife. The department projects earning enough revenue to support a higher expenditure authority. I am directing the Office of Financial Management to limit allotments in the State Wildlife Account to the level of projected revenue. To retain the higher expenditure authority, I have vetoed Section 307, page 334, lines 22-23.

Section 307(22), pages 339-340, Department of Fish and Wildlife, Columbia River Salmon Policy

This proviso directs the Department of Fish and Wildlife to implement a voluntary buyback program to purchase commercial gill net fishery licenses for Columbia River, Grays Harbor, and Willapa Bay. It is premature to move ahead with a buyback program. To be successful, any gill net fishery buyback needs to be developed in concert with license holders and the state of Oregon. I encourage the department to continue work with Oregon and commercial gill net license holders on developing a workable buyback program. For these reasons, I have vetoed Section 307(22).

Section 307(27), pages 340-341, Department of Fish and Wildlife, Independent Science Review Council

This section directs the Department of Fish and Wildlife to convene an independent science review council to advise co-managers on critical anadromous fish management decisions. The state and tribal co-managers already utilize a robust scientific process to manage salmon. This proviso adds unnecessary review and administrative burden on the co-managers. For this reason, I have vetoed Section 307(27).

Section 308(32), page 354, Department of Natural Resources, Urban and Community Forestry

Substitute House Bill 2768, relating to urban and community forestry, did not pass the Legislature, resulting in a lapse of funding. For this reason, I have vetoed Section 308(32).

Section 501(4)(aa), page 393, Office of the Superintendent of Public Instruction, Learning Assistance Program Changes

The budget included funding for implementation of Second Substitute House Bill 1182 which would have increased allowable uses of Learning Assistance Program funds by school districts. This bill did not pass the Legislature. For this reason, I have vetoed Section 501(4)(aa).

Section 601(9), page 455, Higher Education Institutions, Data Reporting Deadline

This section requires institutions of higher education to provide budget, expenditure, and revenue data for the previous fiscal year on an annual basis to the Education Research and Data Center (ERDC) by October 1. Section 129(21) directs the ERDC to update and expand its higher education finance report website. I am directing the higher education institutions to cooperate with the ERDC to provide the budget, expenditure and revenue data in a timely fashion and to provide the state-funded full-time equivalent student enrollment data as soon as it is feasible. The required fiscal year data is not audited or prepared by October 1; however, it could be available annually in March or April. For these reasons, I have vetoed Section 601(9).

Section 602(32), pages 461-462, State Board for Community and Technical Colleges, Running Start Data

This section directs but does not provide funding for the State Board for Community and Technical Colleges (SBCTC) to collect Running Start data for fiscal year 2018, fiscal year 2019, and fiscal year 2020 for the 34 community and technical colleges for a task force created in Section 609(11). The data is requested at a level of granularity that does not currently exist in college financial systems. This would require time-consuming and manual processes to create these data elements. The SBCTC is willing to provide data on dual credit student demographics and outcomes, but does not have the resources to manually create financial data. For these reasons, I have vetoed Section 602(32).

Section 603(53), page 474, University of Washington, Adoption of Common Application**Section 604(31), pages 482-483, Washington State University, Adoption of Common Application****Section 605(11), page 485, Eastern Washington University, Adoption of Common Application****Section 606(9), page 487, Central Washington University, Adoption of Common Application****Section 608(12), page 493, Western Washington University, Adoption of Common Application**

These sections provide funding solely for implementation of Substitute Senate Bill 6142. I have vetoed Substitute Senate Bill 6142; therefore, this funding is not necessary. For this reason, I have vetoed Section 603(53), Section 604(31), Section 605(11), Section 606(9), and Section 608(12).

Section 722, page 528, Special Appropriations, Forest and Forest Products Carbon Account

Engrossed Second Substitute House Bill 2528 did not create the Forest and Forest Products Carbon Account, so funds cannot be transferred into this account. For this reason, I have vetoed Section 722.

Section 801, page 529, line 34, For the State Treasurer, Manufacturing and Warehouse Jobs Centers Account

This section provides funding to implement Engrossed House Bill 1948. I have vetoed Engrossed House Bill 1948; therefore, this appropriation is not necessary. For this reason, I have vetoed Section 801.

Circumstances have changed dramatically since the 2020 supplemental operating budget was approved by the Legislature last month. The COVID-19 pandemic is having catastrophic effects on the health and welfare of Washingtonians. It will also have a major impact on the economic health of our state. My staff and I have conferred with Democratic and Republican leaders in both the House of Representatives and Senate, and we all agree that we must prepare now for the effects of the lost revenue that will result from this pandemic.

The supplemental budget includes task forces, work groups, reports, pilot programs, new programs, and program expansions that would be smart investments for the state under normal circumstances. However, under the extraordinary situation we now face, we cannot afford all of them at this time. For this reason, I have vetoed the following sections:

Section 116(9), page 20, Office of the Governor, Washington State Office of Equity

Section 127(28), pages 43-44, Department of Commerce, Report on Behavioral Health Treatment Facility Capacity

Section 127(79), pages 57-58, Department of Commerce, Adult Culinary Program Grant

Section 127(81), page 58, Department of Commerce, Growth Management Act Work Group

Section 127(87), pages 60-62, Department of Commerce, El Nuevo Camino Gang Violence Pilot Project

Section 127(97), page 65, Department of Commerce, Pacific Science Center Grant

Section 127(99), page 65, Department of Commerce, Regional Museum Funding

Section 127(101), pages 65-66, Department of Commerce, Study of Incorporated Areas

Section 129(19), page 80, Office of Financial Management, Independent Audit of Health Care Authority Administrative Costs and Expenditures

Section 204(28), page 152, Department of Social and Health Services—Aging and Long-Term Care Services Administration, Administrative Rate for Home Care Agencies

Section 204(34), page 154, Department of Social and Health Services—Aging and Long-Term Care Services Administration, Dementia Education

Section 204(38), pages 154-155, Department of Social and Health Services—Aging and Long-Term Care Services Administration, Specialized Dementia

Section 205(14), page 161, Department of Social and Health Services—Economic Services Administration, Postpartum Period Coverage

Section 211(60), page 188, Health Care Authority, Nonemergency Medical Transportation Broker Rate Increase

Section 211(68), page 191, Health Care Authority, Training on Evidence-Based Mental Health Interventions

Section 211(74), page 192, Health Care Authority, Patient Safety Coalition Grant

Section 211(78), pages 194-195, Health Care Authority, Behavioral Health Services Rate Increase

Section 211(79), pages 195-196, Health Care Authority, Primary Care Physician Rate Increase

Section 211(84), pages 197-198, Health Care Authority, Prescription Drug Affordability

Section 211(86), page 198, Health Care Authority, Postpartum Period Coverage

Section 214(9), pages 203-204, Health Care Authority, Postpartum Period Coverage

Section 215(56), page 223, Health Care Authority, Training Grants for Providers

Section 215(69), pages 226-227, Health Care Authority, Pilot Project to Increase Access for ITA Transportation

Section 218(17), pages 234-235, Criminal Justice Training Commission, Law Enforcement Officer Mental Health and Wellness

Section 221(55), pages 264-265, Department of Health, Implementation of SHB 2419 (Death With Dignity Barriers)

Section 221(56), page 265, Department of Health, Distribution of Fruit and Vegetable Benefit

Section 221(58), page 265, Department of Health, Collaboration on Report on School Supplies of Epinephrine Autoinjectors

Section 221(63), pages 266-267, Department of Health, Work Group on Sexually Transmitted Infections

Section 221(68), page 267, Department of Health, Group B Water Systems

Section 225(2)(u), page 288, Department of Children, Youth and Families, Creation of YVLifeSet Program

Section 225(2)(ff), page 291, Department of Children, Youth and Families, Implementation of SHB 2525 (Family Connections Program)

Section 225(2)(gg), page 291, Department of Children, Youth and Families, Rate Increase for Child-Placing Agencies

Section 225(2)(jj), page 291, Department of Children, Youth and Families, Extracurricular Activities for Foster Youth

Section 225(2)(ll), page 292, Department of Children, Youth and Families, Rate Study and Report on Contracted Parent-Child Visitation Services

Section 225(4)(a)(ii), page 299, Department of Children, Youth and Families, ECEAP Rate Increase

Section 225(4)(d)(viii), page 301, Department of Children, Youth and Families, Reduce Co-pays for Recipients and Report to Legislature

Section 225(4)(cc), pages 309-310, Department of Children, Youth and Families, Early Learning Dual Language Grant Program for ECEAP and WCCC

Section 302(24), page 321, Department of Ecology, Increase for Local Solid Waste Financial Assistance Program

Section 302(30), page 322, Department of Ecology, San Juan County Study on Water Resources

Section 302(31), page 322, Department of Ecology, Clark County Grant for Clean-up Plan of Vancouver Lake

Section 302(32), pages 322-323, Department of Ecology, Clean Up Phosphorus and Algae Levels in Spanaway Lake

Section 302(33), page 323, Department of Ecology, Follow-up Analysis of Guemes Island Aquifer Study

Section 302(42), page 325, Department of Ecology, Implementation of ESHB 2722 (Minimum Recycled Content Requirements)

Section 304(7), page 329, Recreation and Conservation Office, Develop Stewardship Program Measures for Washington Wildlife and Recreation Program

Section 304(10), pages 329-330, Recreation and Conservation Office, Develop Strategy and Report on Future Outdoor Recreation Investments

Section 306(5), page 333, State Conservation Commission, Additional Technical Assistance for Landowners

Section 306(10), page 333, State Conservation Commission, Funding to South Yakima Conservation District to Address Nitrate Concentrations

Section 307(25), page 340, Department of Fish and Wildlife, Research on Shell Disease Prevention in Native Western Pond Turtles

Section 307(26), page 340, Department of Fish and Wildlife, Additional Elk Fencing

Section 307(28), page 341, Department of Fish and Wildlife, Technical Assistance on Hydraulic Project Approval Permits

Section 307(36), page 343, Department of Fish and Wildlife, Increase Invasive Species Inspection Patrols on Recreational Boats

Section 308(25), pages 350-351, Department of Natural Resources, Changes in Application of Aerial Herbicides and Forestlands

Section 308(28), page 352, Department of Natural Resources, Implementation of 2SSB 6528 (Prevention of Derelict Vessels)

Section 309(23), pages 359-360, Department of Agriculture, Implementation of ESHB 2713 (Compost Procurement and Use)

Section 309(27), page 361, Department of Agriculture, Develop Cooperative Agreement to Implement State-Run Meat Inspection Program

Section 501(3)(h), page 380, Office of the Superintendent of Public Instruction, Technical Advisory Committee

Section 501(3)(k), page 381, Office of the Superintendent of Public Instruction, Early Learning Integration Plan

Section 501(4)(v), pages 391-392, Office of the Superintendent of Public Instruction, Balanced School Year Pilot

Section 501(4)(w), page 392, Office of the Superintendent of Public Instruction, Health Education Standards

Section 501(4)(x), pages 392-393, Office of the Superintendent of Public Instruction, Collaboration on Report on School Supplies of Epinephrine Autoinjectors

Section 501(4)(dd), pages 393-394, Office of the Superintendent of Public Instruction, Spanish Language Arts Standards

Section 501(4)(ee), page 394, Office of the Superintendent of Public Instruction, Individual Health Plans Model Policy

Section 501(4)(gg), page 394, Office of the Superintendent of Public Instruction, Ethnic Studies Materials

Section 501(4)(jj), page 395, Office of the Superintendent of Public Instruction, Model Civics Curriculum

Section 501(4)(kk), page 395, Office of the Superintendent of Public Instruction, Small School Grants

Section 502(3), page 397, Office of the Superintendent of Public Instruction, Enhanced Paraeducator Training

Section 503(2)(d), page 400, Office of the Superintendent of Public Instruction, Guidance Counselors

Section 506(10), pages 415-416, Office of the Superintendent of Public Instruction, Backfill of Transportation Funds

Section 520(2), pages 436-438, Office of the Superintendent of Public Instruction, Expansion of Robotics/CTE Student Leadership Program

Section 520(15), pages 445-446, Office of the Superintendent of Public Instruction, Expansion of Extracurriculars Grant Program

Section 520(24), page 448, Office of the Superintendent of Public Instruction, Expansion of Media Literacy Grant Program

Section 520(26), pages 448-449, Office of the Superintendent of Public Instruction, Develop Bilingual Environmental Education Program

Section 520(27), page 449, Office of the Superintendent of Public Instruction, Design and Planning for Maritime Education in South King County

Section 520(28), page 449, Office of the Superintendent of Public Instruction, Create System of Career-Learning Opportunities for Students

Section 520(34), page 450, Office of the Superintendent of Public Instruction, Contract for Data Analytics and Visualization

Section 602(27), page 460, State Board for Community and Technical Colleges, Expansion of Interpreter Training Program

Section 602(28), page 460, State Board for Community and Technical Colleges, Coordinate Building of Affordable Workforce Housing at Institutions

Section 602(29), pages 460-461, State Board for Community and Technical Colleges, Firefighter Basic Training Study

Section 602(31), page 461, State Board for Community and Technical Colleges, Faculty Staffing Mix Study

Section 603(42), page 472, University of Washington, Air Quality Study

Section 603(43), page 472, University of Washington, Continue Yakima Valley MESA Program

Section 603(44), pages 472-473, University of Washington, Study on Special Purpose District Elections

Section 603(46), page 473, University of Washington, Cannabis Research Study

Section 603(49), page 474, University of Washington, Implementation of SHB 2419 (Death With Dignity Barriers)

Section 603(50), page 474, University of Washington, Purchase of Paramedic Simulation Equipment

Section 603(54), page 474, University of Washington, Expand Center for Human Rights

Section 603(55), page 474, University of Washington, Mental Health Counselor Position

Section 603(56), page 475, University of Washington, State Forensic Anthropologist

Section 603(57), page 475, University of Washington, Increased Access to Burke Museum Education Programs

Section 604(24), page 481, Washington State University, Implementation of ESHB 2248 (Community Solar Projects)

Section 604(25), page 481, Washington State University, Establish MESA Program at Everett Campus

Section 604(26), page 481, Washington State University, Washington Stormwater Center Project

Section 604(29), page 482, Washington State University, Implementation of ESHB 2645 (Photovoltaic Module Stewardship and Takeback Program)

Section 604(30), page 482, Washington State University, Expanding and Integrating Energy Systems in Bellingham

Section 604(32), page 483, Washington State University, Implementation of SSB 6306 (Soil Health Initiative)

Section 604(33), page 483, Washington State University, Solar Siting Pilot Project in Columbia Basin

Section 604(34), page 483, Washington State University, Mental Health Counselor Position

Section 604(35), page 483, Washington State University, Implementation of E2SSB 6518 (Environmental Exposure to Certain Pesticides)

Section 605(9), page 485, Eastern Washington University, Expand American Sign Language Program

Section 605(12), page 485, Eastern Washington University, Mental Health Counselor Position

Section 606(7), pages 486, Central Washington University, Develop Educational American Sign Language Interpreter Preparation Program

Section 606(8), page 487, Central Washington University, Technology Purchase to Supervise Student Teachers in Rural Areas

Section 606(10), page 487, Central Washington University, Mental Health Counselor Position

Section 607(5)(f), pages 489-490, The Evergreen State College, WSIPP Study on Transitional Kindergarten Programs

Section 607(5)(g), page 490, The Evergreen State College, WSIPP Review of Mandatory Arrests in Domestic Violence Cases

Section 607(5)(h), page 490, The Evergreen State College, WSIPP Study of Access to Voting and Voter Registration

Section 607(7), page 491, The Evergreen State College, Implementation of Engrossed Senate Bill 6313 (Increasing Opportunities for Young Voters)

Section 607(8), page 491, The Evergreen State College, Mental Health Counselor Position

Section 608(9), page 493, Western Washington University, Development and Expansion of American Sign Language Education

Section 608(13), page 493, Western Washington University, Mental Health Counselor Position

Section 609(4), page 494, Washington Student Achievement Council, Administration Costs for Washington College Grant

Section 609(5), page 494, Washington Student Achievement Council, Expansion of College Bound Scholarship to Ninth Graders

Section 609(7), pages 494-495, Washington Student Achievement Council, New Task Force on Student Access to Health Care at Institutions

Section 609(9), page 496, Washington Student Achievement Council, Marketing and Communications Strategy for Career Connected Learning

Section 609(10), pages 496-498, Washington Student Achievement Council, Study on Child Savings Accounts

Section 609(11), pages 498-499, Washington Student Achievement Council, Establish Task Force to Eliminate Barriers for Low-Income Students

Section 710, page 522, Special Appropriations, Fund Transfer to Outdoor Education and Recreation Account

Section 715, page 526, Special Appropriations, Transfer to Climate Resiliency Account

Section 804, page 535, lines 32-34, Transfers and Appropriations, Transfer to Workforce Education Investment Account

In addition, Section 219(30) on page 241 provides \$15 million for grants to promote workforce development in aerospace and aerospace-related supply chain industries. The proviso is unclear and does not identify which types of non-profit, non-governmental or training entities are eligible. This funding should support our efforts to grow state registered apprenticeship and incumbent worker advancement across mechanical and professional occupations in the aerospace field. Therefore, I am directing the Department of Labor and Industries to prioritize applications with demonstrated employer-worker partnership, active worker engagement, and sustainability to meet this intent.

For these reasons I have vetoed Sections 101(2); 102(3); 113(19); 116(9); 127(28); 127(79); 127(81); 127(87); 127(97); 127(99); 127(101); 127(112); 129(15); 129(17); 129(19); 202(1)(o); 204(28); 204(34); 204(37); 204(38); 205(14); 211(60); 211(68); 211(74); 211(76); 211(78); 211(79); 211(81); 211(84); 211(86); 212(7); 214(9); 215(24)(c)(d); 215(56); 215(69); 218(17); 221(55); 221(56); 221(58); 221(59); 221(61); 221(63); 221(68); 222(2)(i); 225(2)(u); 225(2)(ff); 225(2)(gg); 225(2)(jj); 225(2)(ll); 225(4)(a)(ii); 225(4)(d)(viii); 225(4)(cc); 302(24); 302(30); 302(31); 302(32); 302(33); 302(42); 304(7); 304(10); 306(5); 306(10); 307, page 334, lines 22-23; 307(22); 307(25); 307(26); 307(27); 307(28); 307(36); 308(25); 308(28); 308(32); 309(23); 309(27); 501(3)(h); 501(3)(k); 501(4)(aa); 501(4)(dd); 501(4)(ee); 501(4)(gg); 501(4)(jj); 501(4)(kk); 501(4)(v); 501(4)(w); 501(4)(x); 502(3); 503(2)(d); 506(10); 520(2); 520(15); 520(24); 520(26); 520(27); 520(28); 520(34); 601(9); 602(27); 602(28); 602(29); 602(31); 602(32); 603(42); 603(43); 603(44); 603(46); 603(49); 603(50); 603(53); 603(54); 603(55); 603(56); 603(57); 604(24); 604(25); 604(26); 604(29); 604(30); 604(31); 604(32); 604(33); 604(34); 604(35); 605(9); 605(11); 605(12); 606(7); 606(8); 606(9); 606(10); 607(5)(f); 607(5)(g); 607(5)(h); 607(7); 607(8); 608(9); 608(12); 608(13); 609(4); 609(5); 609(7); 609(9); 609(10); 609(11); 710; 715; 722; 801, page 529, line 34; 804, page 535, lines 32-34; and 923 of Engrossed Substitute Senate Bill No. 6168.

With the exception of Sections 101(2); 102(3); 113(19); 116(9); 127(28); 127(79); 127(81); 127(87); 127(97); 127(99); 127(101); 127(112); 129(15); 129(17); 129(19); 202(1)(o); 204(28); 204(34); 204(37); 204(38); 205(14); 211(60); 211(68); 211(74); 211(76); 211(78); 211(79); 211(81); 211(84); 211(86); 212(7); 214(9); 215(24)(c)(d); 215(56); 215(69); 218(17); 221(55); 221(56); 221(58); 221(59); 221(61); 221(63); 221(68); 222(2)(i); 225(2)(u); 225(2)(ff); 225(2)(gg); 225(2)(jj); 225(2)(ll); 225(4)(a)(ii); 225(4)(d)(viii); 225(4)(cc); 302(24); 302(30); 302(31); 302(32); 302(33); 302(42); 304(7); 304(10); 306(5); 306(10); 307, page 334, lines 22-23; 307(22); 307(25); 307(26); 307(27); 307(28); 307(36); 308(25); 308(28); 308(32); 309(23); 309(27); 501(3)(h); 501(3)(k); 501(4)(aa); 501(4)(dd); 501(4)(ee); 501(4)(gg); 501(4)(jj); 501(4)(kk); 501(4)(v); 501(4)(w); 501(4)(x); 502(3); 503(2)(d); 506(10); 520(2); 520(15); 520(24); 520(26); 520(27); 520(28); 520(34); 601(9); 602(27); 602(28); 602(29); 602(31); 602(32); 603(42); 603(43); 603(44); 603(46);

603(49); 603(50); 603(53); 603(54); 603(55); 603(56); 603(57); 604(24); 604(25); 604(26); 604(29); 604(30); 604(31); 604(32); 604(33); 604(34); 604(35); 605(9); 605(11); 605(12); 606(7); 606(8); 606(9); 606(10); 607(5)(f); 607(5)(g); 607(5)(h); 607(7); 607(8); 608(9); 608(12); 608(13); 609(4); 609(5); 609(7); 609(9); 609(10); 609(11); 710; 715; 722; 801, page 529, line 34; 804, page 535, lines 32-34; and 923, Engrossed Substitute Senate Bill No. 6168 is approved."

AUTHENTICATION

I, Kathleen Buchli, Code Reviser of the State of Washington, certify that, with the exception of such corrections as I have made in accordance with the powers vested in me by RCW 44.20.060, the laws published in this volume are a true and correct reproduction of the copies of the enrolled laws of the 2020 session (66th Legislature), chapters 314 through 357, as certified and transmitted to the Statute Law Committee by the Secretary of State under RCW 44.20.020.

IN TESTIMONY WHEREOF, I have hereunto set my hand at Olympia, Washington, this 24th day of April, 2020.

A handwritten signature in black ink, appearing to read "Kathleen Buchli". The signature is written in a cursive style with a large initial "K".

Kathleen Buchli
Code Reviser

**PROPOSED CONSTITUTIONAL AMENDMENT ADOPTED AT THE
2020 REGULAR SESSION FOR SUBMISSION TO THE VOTERS AT
THE STATE GENERAL ELECTION, NOVEMBER 2020**

SENATE JOINT RESOLUTION 8212

BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

THAT, At the next general election to be held in this state the secretary of state shall submit to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article XXIX, section 1 of the Constitution of the state of Washington to read as follows:

Article XXIX, section 1. Notwithstanding the provisions of sections 5, and 7 of Article VIII and section 9 of Article XII or any other section or article of the Constitution of the state of Washington, the moneys of any public pension or retirement fund, industrial insurance trust fund, ~~((€))~~ fund held in trust for the benefit of persons with developmental disabilities, or fund to provide for long-term care services and supports may be invested as authorized by law.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of this constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.

Passed by the Senate February 19, 2020.

Passed by the House March 5, 2020.

Filed in Office of Secretary of State March 11, 2020.

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E2SSB	5291	137	SSB
ESSB	5323	138	SSB
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ESB	5402	139	SSB
ESSB	5434	189	ESSB
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ESSB	5591	239	SB
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SSB	5628	301	SB
SSB	5640	191	SSB
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SB	5792	192	ESSB
SB	5811	143	SB
ESSB	5829	144	ESSB
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SSB	5900	56	SSB
2SSB	5947	351	SSB
SSB	5976	242	SSB
ESSB	6028	57	E2SSB
SSB	6029	303	SSB
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SHB	2556	342	
ESHB	2565	121	

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Number	Chapter Number Laws of 2020		Number	Chapter Number Laws of 2020			
SHB	2567	37	ESHB	2816	235
ESHB	2571	.....	38	EHB	2819	.....	46
ESHB	2576	.....	284	HB	2826	.....	133
EHB	2584	.....	285	HB	2833	.....	47
HB	2587	.....	286	HB	2837	.....	48
ESHB	2588	.....	179	HB	2853	.....	49
SHB	2589	.....	39	HB	2858	.....	134
HB	2599	.....	122	HB	2860	.....	50
HB	2601	.....	123	2SHB	2864	.....	348
HB	2602	.....	85	SHB	2868	.....	91
SHB	2607	.....	124	E2SHB	2870	.....	236
SHB	2613	.....	86	SHB	2873	.....	51
SHB	2614	.....	125	SHB	2883	.....	185
HB	2617	.....	40	SHB	2889	.....	135
HB	2619	343	SHB	2905	293
SHB	2622	126	HB	2926	294
HB	2624	180	SHB	2950	237
SHB	2632	344	EHB	2965	7
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HB	2640	128				
HB	2641	181				
ESHB	2642	345				
ESHB	2645	287				
ESHB	2660	288				
E2SHB	2662	346				
HB	2669	129				
SHB	2673	87				
ESHB	2676	182				
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HB	2682	41				
HB	2691	289				
HB	2701	88				
SHB	2711	233				
ESHB	2713	290				
SHB	2728	291				
ESHB	2731	347				
2SHB	2737	.....	130				
HB	2739	.....	6				
EHB	2755	.....	131				
SHB	2758	.....	234				
HB	2762	.....	42				
HB	2763	.....	89				
ESHB	2783	43				
SHB	2785	44				
SHB	2787	90				
EHB	2792	45				
SHB	2794	184				
SHB	2803	132				
EHB	2811	292				

PV

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LEGEND				RCW	CH.	SEC.	
ADD	=	Add a new section		7.77.080	AMD	29	2
AMD	=	Amend existing law		7.84.070	AMD	38	5
DECD	=	Decodify existing law		7.84.100	AMD	268	1
RECD	=	Recodify existing law		7.90.010	AMD	296	3
REEN	=	Reenact existing law		7.92.020	AMD	296	4
REMD	=	Reenact and amend		7.94.090	AMD	126	2
REP	=	Repeal existing law		9.35.005	AMD	312	706
				9.38.060	AMD	57	24
				9.41	ADD	28	4
RCW		CH.	SEC.				
1	ADD	57	1-20	9.41	ADD	36	1
1.16.050	REMD	74	2	9.41	ADD	189	1
2.08.062	AMD	53	1	9.41.010	REMD	29	3
2.08.065	AMD	53	3	9.41.040	REMD	29	4
2.28	ADD	37	2-6	9.41.042	AMD	18	6
2.56	ADD	296	6	9.41.047	REMD	302	60
2.56.150	AMD	312	701	9.41.049	AMD	302	61
2.70.060	AMD	33	3	9.41.070	REMD	148	2
2.70.070	AMD	33	4	9.41.114	AMD	28	5
2.70.080	AMD	33	5	9.41.340	AMD	29	5
2.70.090	AMD	33	6	9.41.345	AMD	29	6
2.72.005	AMD	312	401	9.41.801	AMD	126	1
2.72.010	REMD	312	402	9.46	ADD	127	2,5,9
2.72.020	AMD	312	403				11
2.72.030	AMD	312	404	9.46.0209	AMD	150	1
3.02	ADD	37	7	9.46.070	AMD	127	3
3.72.005	AMD	191	1	9.46.090	AMD	127	12
3.72.010	AMD	191	2	9.46.110	AMD	70	1
3.72.020	AMD	191	3	9.46.130	AMD	127	4
3.72.040	AMD	191	4	9.46.190	AMD	127	6
4.16.190	AMD	312	702	9.46.210	AMD	127	7
4.24	ADD	149	1	9.46.220	AMD	127	8
4.24	ADD	344	3	9.46.240	AMD	127	10
4.92.100	AMD	57	21	9.94A	ADD	55	1
5.50.010	AMD	57	22	9.94A	ADD	275	2
5.50.030	AMD	57	23	9.94A.030	REMD	137	1
5.60.060	AMD	42	1	9.94A.030	REMD	252	4
5.60.060	AMD	302	113	9.94A.030	REMD	296	2
5.70	ADD	26	2,3,18	9.94A.501	AMD	275	1
5.70.010	AMD	26	1	9.94A.515	REMD	344	4
7.28.090	AMD	312	703	9.94A.533	AMD	141	1
7.36.020	AMD	312	704	9.94A.533	AMD	330	1
7.68	ADD	331	2,3,11	9.94A.589	AMD	276	1
7.68.020	AMD	274	1	9.94A.631	AMD	82	2
7.68.030	AMD	80	12	9.94A.655	AMD	137	2
7.68.060	AMD	308	1	9.94A.6551	AMD	137	3
7.68.061	AMD	308	2	9.94A.660	REMD	252	1
7.68.070	AMD	308	3	9.94A.662	AMD	252	2
7.68.801	AMD	331	7	9.94A.664	REMD	252	3
7.70.065	REMD	312	705	9.94A.716	AMD	82	3
7.77.060	AMD	29	1	9.94A.729	AMD	330	2

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RCW		CH.	SEC.	RCW		CH.	SEC.
9.94A.737	AMD	82	1	11.88.110	REP	312	904
9.94B.050	AMD	276	2	11.88.115	REP	312	904
9.96.060	REMD	29	18	11.88.120	REP	312	904
9A.08	ADD	3	1	11.88.125	REP	312	904
9A.16	ADD	3	2	11.88.127	REP	312	904
9A.36.011	AMD	76	16	11.88.130	REP	312	904
9A.36.041	AMD	29	7	11.88.140	REP	312	904
9A.42.010	AMD	18	7	11.88.150	REP	312	904
9A.44.010	AMD	312	707	11.88.160	REP	312	904
9A.44.138	AMD	167	5	11.88.170	REP	312	904
9A.44.140	AMD	249	2	11.88.900	REP	312	904
9A.60	ADD	34	2	11.90.020	AMD	312	501
9A.76	ADD	19	2	11.90.210	AMD	312	712
9A.76.170	AMD	19	1	11.90.230	AMD	312	502
9A.83.030	AMD	62	1	11.90.250	AMD	312	503
9A.84.040	AMD	344	2	11.90.400	AMD	312	504
9A.88.030	AMD	331	4	11.90.410	AMD	312	505
10.14.055	AMD	29	8	11.92.010	REP	312	904
10.21.055	AMD	330	3	11.92.035	REP	312	904
10.22.010	AMD	29	9	11.92.040	REP	312	904
10.31.100	REMD	29	10	11.92.043	REP	312	904
10.66.010	AMD	29	11	11.92.050	REP	312	904
10.77.088	REMD	18	4	11.92.053	REP	312	904
10.77.210	AMD	81	1	11.92.056	REP	312	904
10.79.080	AMD	57	25	11.92.060	REP	312	904
10.95.020	AMD	29	12	11.92.090	REP	312	904
10.97.050	AMD	184	2	11.92.096	REP	312	904
10.99.020	REMD	296	5	11.92.100	REP	312	904
11	ADD	303	1-18	11.92.110	REP	312	904
			20	11.92.115	REP	312	904
11.02.005	AMD	312	708	11.92.120	REP	312	904
11.28.120	AMD	312	405	11.92.125	REP	312	904
11.28.185	AMD	312	709	11.92.130	REP	312	904
11.76.080	AMD	312	710	11.92.140	REP	312	904
11.86.021	AMD	312	711	11.92.150	REP	312	904
11.88.005	REP	312	904	11.92.160	REP	312	904
11.88.008	REP	312	904	11.92.170	REP	312	904
11.88.010	REP	312	904	11.92.180	REP	312	904
11.88.020	REP	312	904	11.92.185	REP	312	904
11.88.030	REP	312	904	11.92.190	REP	312	904
11.88.040	REP	312	904	11.92.195	REP	312	904
11.88.045	REP	312	904	11.96A.050	AMD	312	713
11.88.080	REP	312	904	11.96A.080	AMD	312	714
11.88.090	REP	312	904	11.96A.120	AMD	312	715
11.88.093	REP	312	904	11.96A.130	AMD	312	716
11.88.095	REP	312	904	11.96A.150	AMD	312	717
11.88.097	REP	312	904	11.96A.220	AMD	312	718
11.88.100	REP	312	904	11.98A.010	REP	303	19
11.88.105	REP	312	904	11.98A.020	REP	303	19
11.88.107	REP	312	904	11.98A.030	REP	303	19

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RCW		CH.	SEC.	RCW		CH.	SEC.
11.98A.040	REP	303	19	11.130.335	AMD	312	206
11.98A.050	REP	303	19	11.130.340	AMD	312	207
11.98A.060	REP	303	19	11.130.345	AMD	312	208
11.98A.070	REP	303	19	11.130.360	AMD	312	209
11.98A.080	REP	303	19	11.130.370	AMD	312	210
11.98A.090	REP	303	19	11.130.380	AMD	312	310
11.98A.100	REP	303	19	11.130.385	AMD	312	211
11.98A.110	REP	303	19	11.130.390	AMD	312	212
11.98A.120	REP	303	19	11.130.410	AMD	312	213
11.98A.900	REP	303	19	11.130.415	AMD	312	214
11.103.030	AMD	312	719	11.130.420	AMD	312	215
11.107.060	AMD	312	720	11.130.425	AMD	312	216
11.120.140	AMD	312	721	11.130.430	AMD	312	217
11.125.080	AMD	312	320	11.130.435	AMD	312	218
11.125.400	AMD	312	722	11.130.505	AMD	312	219
11.125.410	AMD	312	723	11.130.515	AMD	312	220
11.130	ADD	312	112,122	11.130.520	AMD	312	221
			224,226	11.130.530	AMD	312	222
			321	11.130.550	AMD	312	223
			601-612	11.130.585	AMD	312	315
			801,906	11.130.600	AMD	312	316
11.130.010	AMD	312	301	11.130.605	AMD	312	311
11.130.035	AMD	312	302	11.130.610	AMD	312	318
11.130.040	AMD	312	303	11.130.615	AMD	312	319
11.130.080	AMD	312	312	11.130.625	AMD	312	317
11.130.100	AMD	312	304	11.130.670	AMD	312	225
11.130.105	AMD	312	305	11.130.915	AMD	312	902
11.130.115	AMD	312	306	12.40.105	AMD	25	1
11.130.120	AMD	312	313	13	ADD	333	1-7
11.130.140	AMD	312	307				9
11.130.185	AMD	312	101	13.04.030	REMD	41	4
11.130.190	AMD	312	102	13.04.116	AMD	333	8
11.130.195	AMD	312	103	13.04.155	AMD	167	6
11.130.205	AMD	312	104	13.06.050	AMD	262	2
11.130.210	AMD	312	105	13.32A	ADD	51	4
11.130.215	AMD	312	106	13.32A.030	AMD	51	1
11.130.220	AMD	312	107	13.32A.040	AMD	51	2
11.130.225	AMD	312	108	13.32A.150	AMD	51	3
11.130.230	AMD	312	109	13.32A.160	AMD	312	724
11.130.240	AMD	312	110	13.34.030	REMD	312	114
11.130.245	AMD	312	111	13.34.062	AMD	312	115
11.130.250	AMD	312	113	13.34.110	AMD	312	116
11.130.265	AMD	312	308	13.34.136	AMD	312	117
11.130.275	AMD	312	201	13.34.145	AMD	312	118
11.130.280	AMD	312	309	13.34.155	AMD	312	119
11.130.285	AMD	312	202	13.34.210	AMD	312	120
11.130.290	AMD	312	203	13.34.270	REP	41	5
11.130.295	AMD	312	314	13.34.270	AMD	312	725
11.130.320	AMD	312	204	13.40.0357	AMD	18	8
11.130.330	AMD	312	205	13.40.070	AMD	331	5

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RCW		CH.	SEC.	RCW		CH.	SEC.
13.40.160	AMD	18	9	18.51.230	AMD	263	2
13.40.162	AMD	249	1	18.57.003	AMD	80	14
13.40.193	AMD	18	10	18.57A.010	REP	80	59
13.40.212	AMD	262	6	18.57A.020	REP	80	59
13.40.213	AMD	331	6	18.57A.023	REP	80	59
13.40.215	AMD	167	7	18.57A.025	REP	80	59
13.40.250	REMD	191	5	18.57A.030	REP	80	59
13.40.265	AMD	18	11	18.57A.035	REP	80	59
13.50.100	AMD	312	121	18.57A.040	REP	80	59
13.50.260	AMD	184	1	18.57A.050	REP	80	59
14.08.120	AMD	96	1	18.57A.060	REP	80	59
15	ADD	314	1-7	18.57A.070	REP	80	59
15.54.270	REMD	20	1001	18.57A.080	REP	80	59
15.54.325	AMD	20	1002	18.57A.090	REP	80	59
15.54.820	AMD	20	1003	18.57A.100	REP	80	59
15.58.040	AMD	180	1	18.57A.800	REP	80	59
15.58.240	AMD	180	2	18.57A.810	REP	80	59
15.83.010	AMD	176	1	18.59.040	AMD	274	2
15.83.020	AMD	176	2	18.64	ADD	244	2
15.83.030	AMD	176	3	18.64	ADD	264	1
16.08.030	REP	158	10	18.64.550	AMD	57	27
16.08.100	AMD	158	1	18.71	ADD	325	1-3
16.52.011	AMD	158	2	18.71.051	AMD	325	4
16.52.085	AMD	158	3	18.71.095	AMD	325	5
16.52.095	AMD	158	4	18.71A	ADD	80	6
16.52.110	REP	158	10				9-11
16.52.165	REP	158	10	18.71A.010	REMD	80	2
16.52.200	AMD	158	5	18.71A.020	AMD	80	3
16.52.205	AMD	158	6	18.71A.025	AMD	80	4
16.52.207	AMD	158	7	18.71A.030	AMD	80	5
16.54.020	AMD	158	8	18.71A.035	REP	80	60
16.54.030	AMD	158	9	18.71A.040	REP	80	60
17.21.030	AMD	180	3	18.71A.050	AMD	80	7
17.21.134	AMD	180	4	18.71A.090	AMD	80	8
17.28.257	AMD	54	1	18.79.040	AMD	80	15
18	ADD	241	2-5	18.79.060	AMD	80	16
			7	18.79.240	AMD	80	17
18.06.140	AMD	80	13	18.79.260	REMD	80	18
18.20	ADD	270	5	18.79.270	AMD	80	19
18.20.020	REMD	312	726	18.83.110	AMD	302	116
18.22.013	AMD	248	1	18.89.020	REMD	80	20
18.22.014	AMD	248	2	18.92	ADD	229	2
18.27.060	AMD	153	21	18.100.050	AMD	80	21
18.27.090	AMD	153	22	18.106	ADD	153	2-5
18.27.114	AMD	57	26				28
18.35.040	AMD	76	17	18.106.010	AMD	153	1
18.43.035	AMD	47	1	18.106.020	AMD	153	6
18.43.200	AMD	47	2	18.106.030	AMD	153	7
18.51	ADD	270	6	18.106.040	AMD	153	8
18.51.091	AMD	263	1	18.106.050	AMD	153	9

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RCW		CH.	SEC.	RCW		CH.	SEC.
18.106.070	AMD	153	10	19.280	ADD	63	2
18.106.100	AMD	153	11	19.340.010	REP	240	19
18.106.110	AMD	153	12	19.340.020	AMD	240	10
18.106.125	AMD	153	13	19.340.020	RECD	240	18
18.106.150	AMD	153	14	19.340.030	REP	240	19
18.106.180	AMD	153	15	19.340.040	AMD	240	11
18.106.200	AMD	153	16	19.340.040	RECD	240	18
18.106.220	AMD	153	17	19.340.050	RECD	240	18
18.106.250	AMD	153	18	19.340.060	RECD	240	18
18.106.270	AMD	153	19	19.340.070	AMD	240	12
18.106.320	AMD	153	20	19.340.070	RECD	240	18
18.108.045	AMD	295	1	19.340.080	AMD	240	13
18.120.020	AMD	80	22	19.340.080	RECD	240	18
18.130	ADD	187	1	19.340.090	AMD	240	14
18.130.040	REMD	80	23	19.340.090	RECD	240	18
18.130.180	AMD	187	2	19.340.100	AMD	240	15
18.130.410	AMD	80	24	19.340.100	RECD	240	18
18.155	ADD	266	5	19.340.110	AMD	240	16
18.155.020	AMD	266	1	19.340.110	RECD	240	18
18.155.030	AMD	266	2	19.360.010	REP	57	90
18.155.040	AMD	266	7	19.360.020	REP	57	90
18.155.075	AMD	266	3	19.360.030	REP	57	90
18.155.080	AMD	266	4	19.360.040	REP	57	90
18.155.900	DECD	266	8	19.360.050	REP	57	90
18.155.901	DECD	266	8	19.360.060	REP	57	90
18.155.902	DECD	266	8	19.365.010	REP	240	19
18.225.105	AMD	302	115	19.400.010	REP	57	90
18.250.010	AMD	80	25	19.400.020	REP	57	90
18.360.010	REMD	80	26	19.400.030	REP	57	90
19.02.075	AMD	164	1	19.405.020	AMD	20	1004
19.02.085	AMD	139	3	20.01.330	AMD	274	3
19.09.020	REMD	57	28	21.20.705	REP	151	2
19.16.100	AMD	30	1	21.20.710	REP	151	2
19.16.260	AMD	30	2	21.20.715	REP	151	2
19.16.440	AMD	30	3	21.20.717	REP	151	2
19.16.450	AMD	30	4	21.20.720	REP	151	2
19.27	ADD	43	1	21.20.725	REP	151	2
19.27	ADD	88	1-5	21.20.727	REP	151	2
19.28	ADD	211	1	21.20.730	REP	151	2
19.28.041	AMD	153	24	21.20.732	REP	151	2
19.28.051	AMD	153	27	21.20.734	REP	151	2
19.28.091	REMD	153	23	21.20.740	REP	151	2
19.28.191	AMD	153	25	21.20.745	REP	151	2
19.28.191	AMD	153	26	21.20.750	REP	151	2
19.30.010	REMD	205	1	21.20.805	REP	151	2
19.86	ADD	34	3	21.20.810	AMD	151	1
19.122.020	REMD	162	1	21.20.815	REP	151	2
19.122.050	AMD	162	2	21.20.820	REP	151	2
19.122.130	AMD	162	3	21.20.825	REP	151	2
19.225.100	AMD	157	1	21.20.830	REP	151	2

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RCW		CH.	SEC.	RCW		CH.	SEC.
21.20.835	REP	151	2	23B.09.020	AMD	57	64
21.20.840	REP	151	2	23B.09.020	AMD	194	9
21.20.845	REP	151	2	23B.09.030	AMD	57	65
21.20.850	REP	151	2	23B.09.040	AMD	57	66
23.95.105	AMD	57	29	23B.09.060	AMD	57	67
23.95.200	AMD	57	30	23B.10.060	AMD	194	10
23.95.265	AMD	57	31	23B.11.010	AMD	194	11
23.95.420	AMD	57	32	23B.11.020	AMD	194	12
23.95.450	AMD	57	33	23B.13.030	AMD	57	68
23B.01.200	AMD	57	34	23B.13.210	AMD	57	69
23B.01.200	AMD	194	4	23B.13.260	AMD	57	70
23B.01.230	AMD	57	35	23B.13.270	AMD	57	71
23B.01.240	AMD	57	36	23B.15.090	AMD	57	72
23B.01.250	AMD	57	37	23B.16.010	AMD	57	73
23B.01.290	AMD	57	38	23B.16.020	AMD	57	74
23B.01.400	AMD	57	39	23B.16.030	REMD	57	75
23B.01.410	AMD	57	40	23B.16.200	AMD	57	76
23B.01.420	AMD	57	41	23B.25.040	AMD	57	77
23B.02.020	AMD	194	2	23B.25.070	AMD	57	78
23B.02.050	AMD	57	42	23B.30.070	AMD	57	79
23B.02.060	AMD	194	3	24.03.005	REMD	57	80
23B.06.010	AMD	194	5	25.10.011	AMD	57	81
23B.06.030	AMD	194	14	25.15.006	AMD	57	82
23B.06.200	AMD	57	43	25.15.131	AMD	312	727
23B.06.240	AMD	194	6	26	ADD	311	1-7
23B.06.250	AMD	57	44	26.09	ADD	227	4-8
23B.06.260	AMD	57	45				14
23B.06.300	AMD	57	46	26.09.015	AMD	29	13
23B.07.010	AMD	57	47	26.09.170	AMD	227	13
23B.07.020	AMD	57	48	26.09.191	AMD	311	8
23B.07.035	AMD	57	49	26.10.010	REP	312	905
23B.07.040	AMD	57	50	26.10.015	REP	312	905
23B.07.040	AMD	194	15	26.10.020	REP	312	905
23B.07.060	AMD	57	51	26.10.030	REP	312	905
23B.07.200	AMD	57	52	26.10.032	REP	312	905
23B.07.210	AMD	194	13	26.10.034	REP	312	905
23B.07.220	AMD	57	53	26.10.040	REP	312	905
23B.07.240	AMD	57	54	26.10.045	REP	312	905
23B.07.300	AMD	57	55	26.10.050	REP	312	905
23B.07.310	AMD	57	56	26.10.060	REP	312	905
23B.07.320	AMD	57	57	26.10.070	REP	312	905
23B.08	ADD	194	1	26.10.080	REP	312	905
23B.08.030	AMD	194	7	26.10.090	REP	312	905
23B.08.070	AMD	57	58	26.10.100	REP	312	905
23B.08.210	AMD	57	59	26.10.110	REP	312	905
23B.08.230	AMD	57	60	26.10.120	REP	312	905
23B.08.240	AMD	57	61	26.10.130	REP	312	905
23B.08.430	AMD	57	62	26.10.135	REP	312	905
23B.08.530	AMD	57	63	26.10.140	REP	312	905
23B.08.735	AMD	194	8	26.10.150	REP	312	905

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
26.10.160	REP	312	905	28A.300	ADD	251	2
26.10.170	REP	312	905	28A.300	ADD	292	2
26.10.180	REP	312	905	28A.300	ADD	307	5
26.10.190	REP	312	905	28A.300	ADD	353	2
26.10.200	REP	312	905	28A.300.112	AMD	59	2
26.10.210	REP	312	905	28A.300.475	AMD	188	1
26.10.220	REP	312	905	28A.300.507	AMD	61	3
26.10.910	REP	312	905	28A.300.540	AMD	61	2
26.19.011	AMD	227	1	28A.300.615	AMD	8	3
26.19.071	AMD	227	2	28A.300.8001	REP	233	4
26.23.035	AMD	349	1	28A.300.801	AMD	114	23
26.23.050	AMD	227	9	28A.300.801	RECD	114	24
26.23.060	AMD	125	15	28A.320	ADD	13	2-7
26.23.110	AMD	227	15	28A.320	ADD	167	1
26.33.350	AMD	274	4	28A.320.128	AMD	167	4
26.40.010	AMD	274	5	28A.325.010	AMD	13	9
26.40.020	AMD	274	6	28A.325.050	AMD	13	10
26.40.030	AMD	274	7	28A.335.040	AMD	40	1
26.44.015	AMD	274	8	28A.345	ADD	235	2
26.44.050	AMD	71	1	28A.400.210	AMD	18	12
26.44.060	AMD	71	2	28A.400.280	AMD	231	1
26.50.060	AMD	311	9	28A.400.303	AMD	22	1
26.52.030	AMD	57	83	28A.400.350	AMD	231	2
27.04.045	AMD	274	9	28A.405.415	AMD	288	5
27.12.222	AMD	207	1	28A.525	ADD	299	1
27.15.020	AMD	207	2	28A.545	ADD	225	2
27.34.070	AMD	48	1	28A.545.030	AMD	225	1
28A.150.260	AMD	61	4	28A.545.070	AMD	225	3
28A.150.260	AMD	288	4	28A.600	ADD	13	8
28A.150.390	AMD	90	3	28A.600	ADD	35	2
28A.155.065	AMD	90	1	28A.600	ADD	347	1
28A.155.065	RECD	90	2	28A.604	ADD	206	1
28A.160	ADD	339	2	28A.630	ADD	348	2
28A.160.010	AMD	339	3	28A.655.300	AMD	59	1
28A.175.010	AMD	61	1	28A.657.100	AMD	114	3
28A.175.075	AMD	114	2	28A.657.130	REP	114	1
28A.195	ADD	167	2	28A.710	ADD	167	3
28A.210	ADD	39	2	28A.710.050	AMD	49	1
28A.210.090	AMD	80	27	28A.710.070	AMD	49	2
28A.225.225	AMD	90	6	28A.710.160	AMD	49	4
28A.225.270	AMD	90	7	28A.710.250	AMD	49	3
28A.225.330	AMD	167	8	28A.710.900	REP	49	5
28A.230	ADD	307	4	28B	ADD	326	1-5
28A.230.090	AMD	7	11	28B.07.010	AMD	274	10
28A.230.090	AMD	307	6	28B.10	ADD	35	4
28A.230.094	AMD	208	9	28B.10	ADD	39	3
28A.230.215	AMD	307	7	28B.10	ADD	281	2
28A.235	ADD	288	3	28B.10.293	AMD	281	1
28A.235.290	AMD	288	2	28B.10.423	AMD	103	2
28A.300	ADD	233	2	28B.15.012	AMD	232	1

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
28B.15.067	AMD	114	4	35.20	ADD	37	8
28B.20.830	AMD	92	4	35.21.120	AMD	20	1005
28B.35	ADD	15	1	35.21.135	AMD	20	1006
28B.50.248	AMD	279	3	35.21.154	AMD	20	1007
28B.50.248	AMD	355	4	35.21.156	AMD	20	1008
28B.50.789	AMD	104	1	35.21.157	AMD	20	1009
28B.76.525	AMD	357	910	35.21.409	AMD	20	1010
28B.76.526	AMD	357	911	35.21.755	AMD	20	1011
28B.76.540	AMD	18	26	35.21.915	AMD	223	3
28B.76.730	AMD	259	1	35.22.625	AMD	20	1012
28B.77	ADD	307	2,3	35.23.351	AMD	20	1013
28B.95.170	REP	114	1	35.58.240	AMD	274	11
28B.103.010	AMD	297	1	35.61.150	AMD	83	1
28B.103.020	AMD	297	2	35.68.075	AMD	274	12
28B.103.030	AMD	297	3	35.86A.010	AMD	274	13
28B.112	ADD	335	2	35.86A.070	AMD	274	14
			4-6	35.90.020	AMD	139	59
28B.145.050	AMD	357	912	35.92	ADD	135	1
28B.155	ADD	306	3	35.92.020	AMD	20	1014
28C.18.200	AMD	2	1	35.92.060	AMD	274	15
29A.04.061	AMD	208	13	35.94.040	AMD	31	1
29A.04.216	AMD	337	3	35.94.050	AMD	20	1015
29A.04.410	AMD	337	1	35.95A.050	AMD	274	16
29A.04.420	AMD	337	2	35.101	ADD	215	2,4
29A.04.430	AMD	337	4	35.101.010	AMD	215	1
29A.08.110	AMD	208	14	35.101.130	AMD	215	3
29A.08.140	AMD	208	22	35.103	ADD	198	2
29A.08.170	AMD	208	15	35A.14	ADD	142	2
29A.08.172	AMD	208	16	35A.21.152	AMD	20	1016
29A.08.174	AMD	208	17	35A.21.153	AMD	20	1017
29A.08.210	AMD	208	3	35A.21.324	AMD	20	1018
29A.08.230	AMD	208	4	35A.21.360	AMD	223	4
29A.08.330	AMD	208	5	36	ADD	27	1-13
29A.08.355	AMD	208	7	36.01.290	AMD	223	2
29A.08.359	AMD	208	18	36.27	ADD	203	2
29A.08.515	AMD	312	728	36.28A	ADD	45	4
29A.08.810	AMD	208	6	36.28A.400	REP	28	9
29A.12	ADD	101	2	36.28A.405	AMD	28	7
29A.12.070	AMD	101	3	36.28A.420	AMD	28	8
29A.32.031	AMD	208	11	36.32.120	AMD	20	1019
29A.32.210	AMD	337	6	36.32.304	AMD	20	1020
29A.32.241	AMD	208	12	36.34.192	AMD	20	1021
29A.40	ADD	208	10	36.57.040	AMD	274	17
29A.40.091	AMD	12	1	36.57A.050	AMD	83	2
29A.64.081	AMD	337	5	36.57A.090	AMD	274	18
29A.80.041	AMD	208	19	36.58.040	AMD	20	1022
29A.84.140	AMD	208	20	36.58.045	AMD	20	1023
34.12.030	AMD	77	5	36.58.050	AMD	20	1024
34.12.100	AMD	77	6	36.58A.010	AMD	20	1025
35	ADD	181	1	36.70A	ADD	217	2-5

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
36.70A.030	REMD	173	4	41.05.700	AMD	92	2
36.70A.130	AMD	20	1026	41.06	ADD	305	1
36.70A.130	AMD	113	1	41.06.142	AMD	269	2
36.70A.200	AMD	20	1027	41.14.060	AMD	14	1
36.70A.200	AMD	128	1	41.14.130	AMD	14	2
36.70A.250	AMD	214	1	41.16.010	AMD	107	1
36.70A.252	AMD	214	2	41.16.020	AMD	107	2
36.70A.260	AMD	214	3	41.18.010	REMD	107	3
36.70A.270	AMD	214	4	41.18.015	AMD	107	4
36.70A.600	AMD	173	1	41.20.010	AMD	107	5
36.70A.610	AMD	173	6	41.24.030	AMD	144	1
36.70A.620	AMD	173	3	41.24.170	AMD	144	2
36.87.130	AMD	300	1	41.26.030	AMD	107	6
36.93.090	AMD	20	1028	41.26.110	REMD	107	7
36.94.010	AMD	20	1029	41.26.460	AMD	161	1
36.96	ADD	179	5	41.32.4992	AMD	329	2
36.96.010	AMD	179	2	41.32.785	AMD	161	2
36.96.030	AMD	179	3	41.32.851	AMD	161	3
36.96.070	AMD	179	4	41.34.060	AMD	160	2
36.160.020	AMD	192	1	41.34.140	AMD	160	3
36.160.100	AMD	192	2	41.35.220	AMD	161	4
36.160.110	AMD	192	3	41.37.010	AMD	108	1
38.52.105	AMD	7	6	41.37.170	AMD	161	5
38.52.430	AMD	330	4	41.40.1987	AMD	329	1
39.04.310	AMD	255	1	41.40.660	AMD	161	6
39.04.350	AMD	255	2	41.40.845	AMD	161	7
39.23.005	AMD	274	19	41.45.050	AMD	103	3
39.26	ADD	269	5	41.45.060	AMD	103	4
39.26.180	AMD	269	4	41.50	ADD	103	6
39.26.200	AMD	269	3	41.50.075	AMD	103	5
39.30.060	AMD	140	1	41.50.770	AMD	160	4
39.35D	ADD	9	5	41.50.780	AMD	160	5
39.89.020	AMD	280	1	41.56	ADD	298	2,3
39.102.020	AMD	280	2	41.56.030	AMD	289	1
39.104.020	AMD	280	3	41.56.030	AMD	298	1
41.04	ADD	6	3	41.56.510	AMD	289	2
41.04	ADD	323	1	41.80	ADD	77	2
41.04.005	AMD	178	1	41.80.005	REMD	77	3
41.04.655	AMD	6	1	41.80.010	REMD	77	4
41.04.655	AMD	29	14	41.80.040	AMD	357	913
41.04.665	AMD	6	2	41.80.200	AMD	89	1
41.05	ADD	8	4,5	42.17A	ADD	152	9-11
41.05	ADD	231	3	42.17A.005	AMD	152	2
41.05	ADD	245	2	42.17A.240	AMD	152	3
41.05	ADD	345	2	42.17A.250	AMD	152	4
41.05	ADD	346	6	42.17A.255	AMD	152	5
41.05.014	AMD	57	84	42.17A.260	AMD	152	6
41.05.095	AMD	274	20	42.17A.265	AMD	152	7
41.05.175	AMD	18	13	42.17A.305	AMD	152	8
41.05.600	AMD	228	1	42.23.030	AMD	69	1

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RCW		CH.	SEC.	RCW		CH.	SEC.
42.56	ADD	167	10	43.21M.020	RECD	20	2001
42.56	ADD	335	7	43.21M.030	RECD	20	2001
42.56.250	REMD	106	1	43.21M.040	RECD	20	2001
42.56.270	REMD	238	11	43.21M.900	RECD	20	2001
42.56.360	AMD	323	2	43.24.090	AMD	274	22
42.56.400	AMD	240	9	43.27A.190	AMD	20	1043
42.56.400	AMD	243	4	43.31.502	AMD	357	914
42.56.590	AMD	65	1	43.31.512	AMD	274	23
43	ADD	257	1-9	43.31.605	AMD	169	2
			11,12	43.31.605	AMD	315	8
43	ADD	313	2-6	43.37.010	RECD	20	2002
43	ADD	332	1-5	43.37.030	RECD	20	2002
			8,9	43.37.040	RECD	20	2002
43.06	ADD	132	1,2	43.37.050	AMD	20	1044
43.09.025	AMD	18	14	43.37.050	RECD	20	2002
43.09.230	AMD	179	1	43.37.060	RECD	20	2002
43.10.005	AMD	111	1	43.37.080	AMD	20	1045
43.15	ADD	114	24	43.37.080	RECD	20	2002
43.15.020	AMD	114	5	43.37.090	RECD	20	2002
43.15.030	AMD	114	18	43.37.100	RECD	20	2002
43.15.040	AMD	114	19	43.37.110	AMD	20	1046
43.15.060	AMD	114	20	43.37.110	RECD	20	2002
43.15.065	AMD	114	21	43.37.120	RECD	20	2002
43.15.070	AMD	114	22	43.37.130	RECD	20	2002
43.19.501	AMD	356	7005	43.37.140	AMD	20	1047
43.19A	ADD	290	2,3	43.37.140	RECD	20	2002
43.20A	ADD	201	2	43.37.150	RECD	20	2002
43.20A.635	AMD	274	21	43.37.160	RECD	20	2002
43.20A.710	AMD	270	10	43.37.170	AMD	20	1048
43.21A	ADD	221	2-4	43.37.170	RECD	20	2002
43.21A.020	AMD	20	1030	43.37.180	RECD	20	2002
43.21A.175	AMD	20	1031	43.37.190	RECD	20	2002
43.21A.702	AMD	20	1032	43.37.200	RECD	20	2002
43.21A.711	AMD	20	1033	43.37.210	RECD	20	2002
43.21A.731	AMD	17	1	43.37.215	RECD	20	2002
43.21B.005	AMD	214	5	43.37.220	AMD	20	1049
43.21B.110	REMD	20	1034	43.37.220	RECD	20	2002
43.21B.110	REMD	20	1035	43.37.910	RECD	20	2002
43.21B.110	REMD	138	10	43.41.270	AMD	20	1050
43.21B.110	REMD	138	11	43.43	ADD	28	1-3
43.21B.130	AMD	20	1036	43.43.120	AMD	97	2
43.21B.260	AMD	20	1037	43.43.271	AMD	161	8
43.21B.300	AMD	20	1038	43.43.3951	REP	330	19
43.21C.036	AMD	20	1039	43.43.545	AMD	26	6
43.21C.0381	AMD	20	1040	43.43.754	AMD	26	7
43.21C.210	AMD	20	1041	43.43.823	AMD	28	6
43.21C.229	AMD	87	1	43.43.832	AMD	270	7
43.21C.495	AMD	173	2	43.43.944	AMD	88	6
43.21F.090	AMD	20	1042	43.59	ADD	72	1
43.21M.010	RECD	20	2001	43.59.155	REP	72	2

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RCW		CH.	SEC.	RCW		CH.	SEC.
43.60A	ADD	56	2	43.101.030	AMD	44	1
43.60A	ADD	328	1	43.101.080	AMD	119	13
43.62	ADD	34	1	43.101.085	AMD	119	1
43.63A.670	AMD	274	24	43.101.220	AMD	119	14
43.63A.750	AMD	356	7008	43.101.380	AMD	119	10
43.70	ADD	102	4	43.101.400	AMD	119	12
43.70	ADD	115	4,5	43.131.394	AMD	20	1051
43.70	ADD	347	2	43.131.417	AMD	306	1
43.70.110	REMD	80	28	43.131.418	AMD	306	2
43.70.220	AMD	80	29	43.135.010	REP	218	6
43.70.442	REMD	80	30	43.135.025	AMD	218	3
43.70.442	REMD	229	1	43.135.034	AMD	218	4
43.70.470	AMD	80	31	43.135.0341	REP	218	6
43.70.495	AMD	147	1	43.135.0342	REP	218	6
43.70.700	AMD	68	2	43.135.0343	REP	218	6
43.71	ADD	283	2	43.135.0351	REP	218	6
43.71B.010	AMD	256	102	43.135.080	REP	218	6
43.71B.901	AMD	256	101	43.135.904	REP	218	6
43.79	ADD	357	924	43.145.010	RECD	20	2003
43.79.195	AMD	2	2	43.145.020	RECD	20	2003
43.79A.040	REMD	18	2	43.145.030	RECD	20	2003
43.83B	ADD	168	1,7,8	43.146.010	RECD	20	2004
43.83B.005	DECD	168	9	43.146.900	AMD	20	1052
43.83B.200	DECD	168	9	43.146.900	RECD	20	2004
43.83B.210	DECD	168	9	43.150.050	AMD	76	20
43.83B.220	REP	168	10	43.157.010	AMD	46	2
43.83B.300	DECD	168	9	43.157.020	AMD	46	3
43.83B.336	REP	168	10	43.180.070	REMD	274	25
43.83B.345	DECD	168	9	43.185C.060	AMD	357	915
43.83B.360	DECD	168	9	43.185C.210	AMD	155	1
43.83B.380	DECD	168	9	43.185C.260	AMD	331	8
43.83B.385	DECD	168	9	43.200.010	RECD	20	2005
43.83B.400	AMD	168	2	43.200.015	REMD	20	1053
43.83B.405	AMD	168	3	43.200.015	RECD	20	2005
43.83B.410	AMD	168	4	43.200.020	RECD	20	2005
43.83B.415	AMD	168	5	43.200.030	RECD	20	2005
43.83B.430	AMD	168	6	43.200.070	AMD	20	1054
43.84.092	REMD	18	3	43.200.070	RECD	20	2005
43.84.092	REMD	103	7	43.200.080	AMD	20	1055
43.84.092	REMD	148	3	43.200.080	RECD	20	2005
43.84.092	REMD	221	5	43.200.170	AMD	20	1056
43.84.092	REMD	354	11	43.200.170	RECD	20	2005
43.88.030	AMD	218	1	43.200.180	AMD	20	1057
43.88.055	AMD	218	2	43.200.180	RECD	20	2005
43.88C.010	AMD	352	1	43.200.190	RECD	20	2005
43.101	ADD	26	8	43.200.200	RECD	20	2005
43.101	ADD	119	3-9	43.200.220	AMD	20	1058
			11	43.200.220	RECD	20	2005
43.101	ADD	294	1	43.200.230	AMD	20	1059
43.101.010	AMD	119	2	43.200.230	RECD	20	2005

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RCW		CH.	SEC.	RCW		CH.	SEC.
43.200.233	AMD	20	1060	44.68.035	REP	114	1
43.200.233	RECD	20	2005	44.68.040	AMD	114	10
43.200.235	AMD	20	1061	44.68.050	AMD	114	11
43.200.235	RECD	20	2005	44.68.060	AMD	114	12
43.200.900	RECD	20	2005	44.68.065	AMD	114	13
43.200.901	RECD	20	2005	44.68.085	AMD	114	14
43.200.905	AMD	20	1062	44.68.090	AMD	114	15
43.200.905	RECD	20	2005	44.68.100	AMD	114	16
43.200.907	AMD	20	1063	44.68.105	AMD	114	17
43.200.907	RECD	20	2005	46	ADD	182	2
43.205.010	RECD	20	2006	46.04	ADD	11	2
43.205.020	RECD	20	2006	46.04	ADD	93	4
43.216	ADD	90	2	46.04	ADD	129	4
43.216	ADD	124	1	46.04	ADD	199	1
43.216	ADD	189	2,3	46.16A	ADD	118	1
43.216	ADD	279	2	46.17	ADD	1	2
43.216	ADD	339	1	46.17.120	AMD	239	1
43.216	ADD	342	2	46.17.220	REMD	93	2
43.216	ADD	355	3	46.17.220	REMD	129	1
43.216.010	AMD	270	11	46.17.323	AMD	1	5
43.216.015	AMD	90	9	46.17.350	AMD	1	3
43.216.015	AMD	262	1	46.17.355	AMD	1	4
43.216.020	AMD	90	4	46.17.365	REP	1	6
43.216.020	AMD	262	5	46.18.200	REMD	93	1
43.216.075	AMD	262	4	46.18.200	REMD	129	2
43.216.089	AMD	262	3	46.18.255	AMD	18	15
43.216.135	REMD	279	1	46.18.265	AMD	18	16
43.216.135	REMD	321	2	46.18.285	AMD	18	17
43.216.135	REMD	355	2	46.18.290	AMD	18	18
43.216.270	REMD	270	9	46.19.010	AMD	80	32
43.216.305	AMD	343	5	46.20	ADD	124	3
43.216.514	AMD	343	3	46.20.117	AMD	124	2
43.216.515	AMD	321	1	46.20.117	AMD	261	2
43.216.572	AMD	114	6	46.20.155	AMD	208	8
43.216.574	AMD	114	7	46.20.156	AMD	208	21
43.216.576	AMD	90	5	46.20.161	AMD	261	3
43.216.720	AMD	274	26	46.20.245	AMD	330	5
43.220.070	AMD	274	27	46.20.285	AMD	16	1
43.330	ADD	236	3	46.20.3101	AMD	330	6
43.330.300	AMD	60	1	46.20.311	AMD	330	7
43.371.060	AMD	131	1	46.20.355	REMD	330	8
44.04.325	AMD	114	8	46.20.385	AMD	330	9
44.55.010	REP	114	1	46.20.720	AMD	330	10
44.55.020	REP	114	1	46.20.740	AMD	330	11
44.55.030	REP	114	1	46.20.750	AMD	330	12
44.55.040	REP	114	1	46.25.060	AMD	78	2
44.55.050	REP	114	1	46.30	ADD	182	1
44.55.060	REP	114	1	46.37.190	AMD	95	1
44.68.010	AMD	114	9	46.44.030	AMD	110	1
44.68.020	REP	114	1	46.55.113	AMD	117	2

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RCW		CH.	SEC.	RCW		CH.	SEC.
46.55.113	AMD	330	13	48.30.140	AMD	197	1
46.55.350	REP	117	4	48.30.150	AMD	197	2
46.55.360	AMD	117	3	48.30.155	AMD	197	3
46.61.050	AMD	66	1	48.30.300	AMD	228	8
46.61.140	AMD	199	2	48.30.300	AMD	274	32
46.61.190	AMD	66	2	48.30.320	AMD	274	33
46.61.200	AMD	66	3	48.31B	ADD	243	3
46.61.500	AMD	330	14	48.31B.005	AMD	243	1
46.61.5055	AMD	330	15	48.31B.038	AMD	243	2
46.61.5056	AMD	330	16	48.41.140	AMD	274	34
46.61.506	AMD	80	33	48.41.220	AMD	228	4
46.61.508	AMD	80	34	48.42.100	AMD	80	35
46.61.524	AMD	330	17	48.43	ADD	4	2
46.61.526	AMD	146	1	48.43	ADD	116	1
46.61.575	AMD	163	1	48.43	ADD	240	6
46.61.755	AMD	66	4	48.43	ADD	245	1
46.63.170	AMD	224	1	48.43	ADD	247	1
46.68	ADD	224	2	48.43	ADD	283	1
46.68.041	AMD	330	18	48.43	ADD	316	1
46.68.290	AMD	219	705	48.43	ADD	345	3
46.68.310	AMD	219	702	48.43	ADD	346	5
46.68.395	AMD	219	707	48.43.005	REMD	196	1
46.68.415	REP	1	6	48.43.0128	AMD	228	9
46.68.420	REMD	93	3	48.43.016	AMD	193	2
46.68.420	REMD	129	3	48.43.094	AMD	80	36
46.68.435	AMD	148	4	48.43.115	AMD	80	37
46.72.010	AMD	274	28	48.43.735	AMD	92	1
46.96	ADD	174	1	48.43.750	AMD	4	1
47.04.170	AMD	274	29	48.44.200	AMD	274	35
47.10.873	AMD	24	1	48.44.210	AMD	274	36
47.36.110	AMD	66	5	48.44.220	AMD	274	37
47.66.110	AMD	219	704	48.44.315	AMD	245	5
47.68.250	AMD	304	3	48.44.315	AMD	346	9
48	ADD	240	1-5	48.44.323	AMD	18	21
48.02.120	AMD	240	7	48.44.341	AMD	228	5
48.02.190	AMD	195	2	48.46.272	AMD	245	6
48.02.220	AMD	240	8	48.46.272	AMD	346	10
48.14.040	AMD	195	3	48.46.274	AMD	18	22
48.18.550	AMD	29	15	48.46.291	AMD	228	6
48.20.389	AMD	18	19	48.46.320	AMD	274	38
48.20.391	AMD	245	3	48.46.370	AMD	274	39
48.20.391	AMD	346	7	49	ADD	309	1-6
48.20.420	AMD	274	30				8
48.20.580	AMD	228	2	49.12	ADD	212	1
48.21.143	AMD	245	4	49.12.110	AMD	274	40
48.21.143	AMD	346	8	49.17	ADD	100	4
48.21.150	AMD	274	31	49.44.180	AMD	76	18
48.21.223	AMD	18	20	49.46.010	REMD	212	3
48.21.241	AMD	228	3	49.48.010	AMD	84	3
48.23.525	AMD	197	4	49.48.150	AMD	84	1

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
49.48.160	AMD	84	2	50A.40.030	AMD	125	13
49.60	ADD	52	3	50A.50.010	AMD	125	14
49.60.010	AMD	52	1	50B.04	ADD	98	7
49.60.020	AMD	52	2	50B.04.010	AMD	98	1
49.60.030	AMD	52	4	50B.04.020	AMD	98	2
49.60.040	AMD	85	1	50B.04.050	AMD	98	3
49.60.120	AMD	52	5	50B.04.080	AMD	98	4
49.60.130	AMD	52	6	50B.04.090	AMD	98	5
49.60.172	AMD	76	19	50B.04.120	AMD	98	6
49.60.175	AMD	52	7	51.04	ADD	165	4
49.60.176	AMD	52	8	51.04.030	AMD	80	38
49.60.178	AMD	52	9	51.08	ADD	213	1
49.60.180	AMD	52	10	51.08.030	AMD	274	43
49.60.190	AMD	52	11	51.08.142	AMD	234	1
49.60.200	AMD	52	12	51.14	ADD	277	8
49.60.215	AMD	52	13	51.16	ADD	212	4
49.60.222	AMD	52	14	51.28.100	AMD	80	39
49.60.223	AMD	52	15	51.32.110	AMD	213	2
49.60.224	AMD	52	16	51.36	ADD	213	5
49.60.225	AMD	52	17	51.36.070	AMD	213	3
49.60.230	AMD	145	1	51.48	ADD	277	7
49.60.510	AMD	254	1	51.48.010	AMD	277	1
49.74.005	AMD	274	41	51.48.017	AMD	277	2
50.04	ADD	212	2	51.48.030	AMD	277	3
50.12.070	AMD	334	2	51.48.040	AMD	277	4
50.12.200	AMD	86	1	51.48.060	AMD	277	5
50.12.210	AMD	274	42	51.48.080	AMD	277	6
50.12.220	AMD	334	3	52.02.020	AMD	94	1
50.16	ADD	7	4	52.18.050	AMD	99	1
50.20.010	AMD	7	8	52.26.220	AMD	99	2
50.20.190	AMD	86	2	52.30	ADD	198	1
50.29	ADD	7	5	53.12.260	AMD	83	3
50.29.020	REP	86	6	53.54.010	AMD	105	1
50.29.021	AMD	86	3	53.54.020	AMD	105	2
50.50.070	AMD	86	4	53.54.030	AMD	105	3
50A.05	ADD	125	18	53.54.030	AMD	112	1
50A.05.010	AMD	125	1	54.12.080	AMD	83	4
50A.05.070	AMD	86	5	57.08.014	AMD	274	44
50A.10.010	AMD	125	2	57.12.010	AMD	83	5
50A.10.040	AMD	125	3	58.09.050	AMD	57	85
50A.15.020	AMD	125	4	58.09.110	AMD	57	86
50A.15.060	AMD	125	5	58.20	ADD	50	1,2,4,6
50A.15.080	AMD	125	6				8,12
50A.15.100	AMD	125	7	58.20.110	REP	50	13
50A.25.070	AMD	125	8	58.20.120	REP	50	13
50A.30.010	AMD	125	9	58.20.130	REP	50	13
50A.30.035	AMD	125	10	58.20.140	AMD	50	3
50A.40	ADD	125	16,17	58.20.150	REP	50	13
50A.40.010	AMD	125	11	58.20.160	AMD	50	5
50A.40.020	AMD	125	12	58.20.170	REP	50	13

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
58.20.180	AMD	50	7	68.52.220	AMD	83	6
58.20.190	REP	50	13	69.22.020	AMD	171	1
58.20.200	AMD	50	9	69.41.010	REMD	80	40
58.20.210	AMD	50	10	69.41.030	AMD	80	41
58.20.220	AMD	50	11	69.41.041	AMD	57	87
59.18	ADD	169	1	69.41.055	AMD	57	88
59.18.057	AMD	315	2	69.41.193	AMD	21	1
59.18.063	AMD	315	3	69.45.010	AMD	80	42
59.18.170	AMD	177	1	69.50	ADD	133	4
59.18.230	AMD	177	2	69.50	ADD	236	2,5
59.18.230	AMD	315	6	69.50.101	REMD	80	43
59.18.253	AMD	169	3	69.50.101	REMD	133	2
59.18.290	AMD	315	7	69.50.325	AMD	236	6
59.18.365	AMD	315	4	69.50.331	AMD	154	1
59.18.410	AMD	315	5	69.50.342	AMD	133	3
62A.9A-525	AMD	60	2	69.50.414	AMD	18	24
63.14.043	AMD	174	2	69.50.540	AMD	236	4
63.21	ADD	26	15	69.50.540	AMD	357	916
63.21.010	AMD	26	10	69.51A.010	REMD	80	44
63.21.020	AMD	26	11	69.52.030	AMD	18	25
63.21.030	AMD	26	12	69.70	ADD	264	2
63.21.050	AMD	26	13	70	ADD	102	1-3
63.21.060	AMD	26	14	70	ADD	121	1-6
63.32	ADD	26	16				8,10
63.40	ADD	26	17	70	ADD	138	1-7
64.34	ADD	9	3	70	ADD	340	1-7
64.38	ADD	9	2	70.02.010	AMD	256	401
64.50.010	AMD	18	23	70.02.010	AMD	302	112
64.70.020	AMD	20	1064	70.02.205	AMD	81	2
64.70.040	AMD	20	1065	70.02.230	REMD	256	402
64.90	ADD	9	4	70.05.070	AMD	20	1066
66.24	ADD	186	1	70.14	ADD	346	2,3
66.24	ADD	210	1	70.14.060	AMD	346	4
66.24	ADD	238	3-7	70.24	ADD	76	4,5
			12	70.24.015	AMD	76	1
66.24.140	AMD	238	1	70.24.017	AMD	76	2
66.24.145	AMD	238	2	70.24.024	AMD	76	3
66.24.240	REMD	230	1	70.24.080	AMD	76	6
66.24.244	AMD	230	2	70.24.095	REP	76	22
66.24.395	AMD	200	2	70.24.100	REP	76	22
66.24.425	REMD	274	45	70.24.107	REP	76	22
66.24.630	AMD	238	9	70.24.110	AMD	76	7
66.28.040	AMD	238	8	70.24.120	AMD	76	8
66.28.200	AMD	230	3	70.24.125	REP	76	22
66.28.210	AMD	230	4	70.24.130	AMD	76	9
66.28.220	AMD	230	5	70.24.140	REP	76	22
66.28.310	AMD	200	1	70.24.200	REP	76	22
66.28.310	AMD	238	10	70.24.210	REP	76	22
68.50.320	AMD	45	2	70.24.220	AMD	76	10
68.50.330	AMD	45	3	70.24.240	REP	76	22

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
70.24.250	REP	76	22	70.82.010	AMD	274	46
70.24.260	REP	76	22	70.82.030	AMD	274	47
70.24.270	REP	76	22	70.83C.010	AMD	29	16
70.24.280	REP	76	22	70.84.010	AMD	274	48
70.24.290	AMD	76	11	70.84.080	AMD	274	49
70.24.300	REP	76	22	70.93.010	RECD	20	2009
70.24.310	REP	76	22	70.93.020	RECD	20	2009
70.24.320	REP	76	22	70.93.030	RECD	20	2009
70.24.325	AMD	76	12	70.93.040	RECD	20	2009
70.24.340	AMD	76	13	70.93.050	RECD	20	2009
70.24.350	REP	76	22	70.93.060	RECD	20	2009
70.24.360	AMD	76	14	70.93.070	RECD	20	2009
70.24.370	AMD	76	15	70.93.080	RECD	20	2009
70.24.380	REP	76	22	70.93.090	RECD	20	2009
70.24.410	REP	76	22	70.93.093	RECD	20	2009
70.38.111	REMD	258	1	70.93.095	AMD	20	1075
70.41.210	AMD	80	45	70.93.095	RECD	20	2009
70.44.050	AMD	83	7	70.93.097	RECD	20	2009
70.47.200	AMD	228	7	70.93.110	RECD	20	2009
70.48.100	AMD	282	1	70.93.180	REMD	20	1076
70.54.400	AMD	80	46	70.93.180	RECD	20	2009
70.58A.010	AMD	312	729	70.93.200	AMD	20	1077
70.75A.005	RECD	20	2007	70.93.200	RECD	20	2009
70.75A.010	RECD	20	2007	70.93.210	RECD	20	2009
70.75A.020	RECD	20	2007	70.93.220	AMD	20	1078
70.75A.020	AMD	23	1	70.93.220	RECD	20	2009
70.75A.030	RECD	20	2007	70.93.230	RECD	20	2009
70.75A.040	AMD	20	1067	70.93.250	AMD	20	1079
70.75A.040	RECD	20	2007	70.93.250	RECD	20	2009
70.75A.050	RECD	20	2007	70.93.910	RECD	20	2009
70.75A.060	AMD	20	1068	70.94.011	RECD	20	2010
70.75A.060	RECD	20	2007	70.94.015	AMD	20	1080
70.76.005	RECD	20	2008	70.94.015	RECD	20	2010
70.76.010	RECD	20	2008	70.94.017	RECD	20	2010
70.76.020	AMD	20	1069	70.94.030	AMD	20	1081
70.76.020	RECD	20	2008	70.94.030	RECD	20	2010
70.76.030	AMD	20	1070	70.94.033	RECD	20	2010
70.76.030	RECD	20	2008	70.94.035	RECD	20	2010
70.76.040	AMD	20	1071	70.94.037	RECD	20	2010
70.76.040	RECD	20	2008	70.94.040	AMD	20	1082
70.76.050	AMD	20	1072	70.94.040	RECD	20	2010
70.76.050	RECD	20	2008	70.94.041	AMD	20	1083
70.76.060	RECD	20	2008	70.94.041	RECD	20	2010
70.76.070	RECD	20	2008	70.94.053	AMD	20	1084
70.76.080	RECD	20	2008	70.94.053	RECD	20	2010
70.76.090	AMD	20	1073	70.94.055	RECD	20	2010
70.76.090	RECD	20	2008	70.94.057	RECD	20	2010
70.76.100	AMD	20	1074	70.94.068	RECD	20	2010
70.76.100	RECD	20	2008	70.94.069	AMD	20	1085
70.76.110	RECD	20	2008	70.94.069	RECD	20	2010

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.94.070	RECD	20	2010	70.94.240	RECD	20	2010
70.94.081	RECD	20	2010	70.94.260	RECD	20	2010
70.94.085	RECD	20	2010	70.94.262	AMD	20	1101
70.94.091	RECD	20	2010	70.94.262	RECD	20	2010
70.94.092	RECD	20	2010	70.94.302	AMD	20	1102
70.94.093	RECD	20	2010	70.94.302	RECD	20	2010
70.94.094	RECD	20	2010	70.94.331	AMD	20	1103
70.94.095	RECD	20	2010	70.94.331	RECD	20	2010
70.94.096	RECD	20	2010	70.94.332	AMD	20	1104
70.94.097	RECD	20	2010	70.94.332	RECD	20	2010
70.94.100	AMD	20	1086	70.94.335	AMD	20	1105
70.94.100	RECD	20	2010	70.94.335	RECD	20	2010
70.94.110	RECD	20	2010	70.94.350	RECD	20	2010
70.94.120	RECD	20	2010	70.94.370	RECD	20	2010
70.94.130	AMD	20	1087	70.94.380	RECD	20	2010
70.94.130	RECD	20	2010	70.94.385	AMD	20	1106
70.94.141	RECD	20	2010	70.94.385	RECD	20	2010
70.94.142	AMD	20	1088	70.94.390	AMD	20	1107
70.94.142	RECD	20	2010	70.94.390	RECD	20	2010
70.94.143	AMD	20	1089	70.94.395	RECD	20	2010
70.94.143	RECD	20	2010	70.94.400	AMD	20	1108
70.94.151	AMD	20	1090	70.94.400	RECD	20	2010
70.94.151	RECD	20	2010	70.94.405	RECD	20	2010
70.94.152	REMD	20	1091	70.94.410	AMD	20	1109
70.94.152	RECD	20	2010	70.94.410	RECD	20	2010
70.94.153	AMD	20	1092	70.94.420	RECD	20	2010
70.94.153	RECD	20	2010	70.94.422	AMD	20	1110
70.94.154	AMD	20	1093	70.94.422	RECD	20	2010
70.94.154	RECD	20	2010	70.94.425	RECD	20	2010
70.94.155	RECD	20	2010	70.94.430	AMD	20	1111
70.94.157	RECD	20	2010	70.94.430	RECD	20	2010
70.94.161	AMD	20	1094	70.94.431	AMD	20	1112
70.94.161	RECD	20	2010	70.94.431	RECD	20	2010
70.94.162	AMD	20	1095	70.94.435	AMD	20	1113
70.94.162	RECD	20	2010	70.94.435	RECD	20	2010
70.94.163	AMD	20	1096	70.94.440	RECD	20	2010
70.94.163	RECD	20	2010	70.94.450	AMD	20	1114
70.94.165	AMD	20	1097	70.94.450	RECD	20	2010
70.94.165	RECD	20	2010	70.94.453	AMD	20	1115
70.94.170	RECD	20	2010	70.94.453	RECD	20	2010
70.94.181	AMD	20	1098	70.94.455	RECD	20	2010
70.94.181	RECD	20	2010	70.94.457	RECD	20	2010
70.94.200	RECD	20	2010	70.94.460	AMD	20	1116
70.94.205	RECD	20	2010	70.94.460	RECD	20	2010
70.94.211	AMD	20	1099	70.94.463	AMD	20	1117
70.94.211	RECD	20	2010	70.94.463	RECD	20	2010
70.94.221	RECD	20	2010	70.94.467	AMD	20	1118
70.94.230	RECD	20	2010	70.94.467	RECD	20	2010
70.94.231	AMD	20	1100	70.94.470	RECD	20	2010
70.94.231	RECD	20	2010	70.94.473	AMD	20	1119

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.94.473	RECD	20	2010	70.94.6524	AMD	20	1139
70.94.475	AMD	20	1120	70.94.6524	RECD	20	2010
70.94.475	RECD	20	2010	70.94.6526	RECD	20	2010
70.94.477	AMD	20	1121	70.94.6528	AMD	20	1140
70.94.477	RECD	20	2010	70.94.6528	RECD	20	2010
70.94.480	AMD	20	1122	70.94.6530	AMD	20	1141
70.94.480	RECD	20	2010	70.94.6530	RECD	20	2010
70.94.483	AMD	20	1123	70.94.6532	AMD	20	1142
70.94.483	RECD	20	2010	70.94.6532	RECD	20	2010
70.94.488	RECD	20	2010	70.94.6534	AMD	20	1143
70.94.510	RECD	20	2010	70.94.6534	RECD	20	2010
70.94.521	RECD	20	2010	70.94.6536	RECD	20	2010
70.94.524	AMD	20	1124	70.94.6538	AMD	20	1144
70.94.524	RECD	20	2010	70.94.6538	RECD	20	2010
70.94.527	AMD	20	1125	70.94.6540	AMD	20	1145
70.94.527	RECD	20	2010	70.94.6540	RECD	20	2010
70.94.528	AMD	20	1126	70.94.6542	AMD	20	1146
70.94.528	RECD	20	2010	70.94.6542	RECD	20	2010
70.94.531	AMD	20	1127	70.94.6544	RECD	20	2010
70.94.531	RECD	20	2010	70.94.6546	AMD	20	1147
70.94.534	AMD	20	1128	70.94.6546	RECD	20	2010
70.94.534	RECD	20	2010	70.94.6548	AMD	20	1148
70.94.537	RECD	20	2010	70.94.6548	RECD	20	2010
70.94.541	AMD	20	1129	70.94.6550	RECD	20	2010
70.94.541	RECD	20	2010	70.94.6552	AMD	20	1149
70.94.544	AMD	20	1130	70.94.6552	RECD	20	2010
70.94.544	RECD	20	2010	70.94.6554	AMD	20	1150
70.94.547	RECD	20	2010	70.94.6554	RECD	20	2010
70.94.551	AMD	20	1131	70.94.6556	AMD	20	1151
70.94.551	RECD	20	2010	70.94.6556	RECD	20	2010
70.94.555	RECD	20	2010	70.94.710	RECD	20	2010
70.94.600	RECD	20	2010	70.94.715	AMD	20	1152
70.94.610	RECD	20	2010	70.94.715	RECD	20	2010
70.94.620	RECD	20	2010	70.94.720	RECD	20	2010
70.94.640	AMD	20	1132	70.94.725	AMD	20	1153
70.94.640	RECD	20	2010	70.94.725	RECD	20	2010
70.94.645	RECD	20	2010	70.94.730	AMD	20	1154
70.94.6511	RECD	20	2010	70.94.730	RECD	20	2010
70.94.6512	AMD	20	1133	70.94.785	AMD	20	1155
70.94.6512	RECD	20	2010	70.94.785	RECD	20	2010
70.94.6514	AMD	20	1134	70.94.800	RECD	20	2010
70.94.6514	RECD	20	2010	70.94.805	AMD	20	1156
70.94.6516	AMD	20	1135	70.94.805	RECD	20	2010
70.94.6516	RECD	20	2010	70.94.820	RECD	20	2010
70.94.6518	AMD	20	1136	70.94.850	AMD	20	1157
70.94.6518	RECD	20	2010	70.94.850	RECD	20	2010
70.94.6520	AMD	20	1137	70.94.860	RECD	20	2010
70.94.6520	RECD	20	2010	70.94.875	RECD	20	2010
70.94.6522	AMD	20	1138	70.94.880	RECD	20	2010
70.94.6522	RECD	20	2010	70.94.892	AMD	20	1158

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.94.892	RECD	20	2010	70.95.185	RECD	20	2011
70.94.901	RECD	20	2010	70.95.190	AMD	20	1174
70.94.902	RECD	20	2010	70.95.190	RECD	20	2011
70.94.904	RECD	20	2010	70.95.200	RECD	20	2011
70.94.911	RECD	20	2010	70.95.205	AMD	20	1175
70.94.960	AMD	20	1159	70.95.205	RECD	20	2011
70.94.960	RECD	20	2010	70.95.207	AMD	20	1176
70.94.970	RECD	20	2010	70.95.207	RECD	20	2011
70.94.980	RECD	20	2010	70.95.210	RECD	20	2011
70.94.990	AMD	20	1160	70.95.212	RECD	20	2011
70.94.990	RECD	20	2010	70.95.215	RECD	20	2011
70.94.991	RECD	20	2010	70.95.217	RECD	20	2011
70.94.992	RECD	20	2010	70.95.218	AMD	20	1177
70.95.010	RECD	20	2011	70.95.218	RECD	20	2011
70.95.020	RECD	20	2011	70.95.220	RECD	20	2011
70.95.030	AMD	20	1161	70.95.230	RECD	20	2011
70.95.030	RECD	20	2011	70.95.235	RECD	20	2011
70.95.055	RECD	20	2011	70.95.240	AMD	20	1178
70.95.060	RECD	20	2011	70.95.240	RECD	20	2011
70.95.065	AMD	20	1162	70.95.250	AMD	20	1179
70.95.065	RECD	20	2011	70.95.250	RECD	20	2011
70.95.075	RECD	20	2011	70.95.255	RECD	20	2011
70.95.080	RECD	20	2011	70.95.260	RECD	20	2011
70.95.090	REMD	20	1163	70.95.263	RECD	20	2011
70.95.090	RECD	20	2011	70.95.265	RECD	20	2011
70.95.092	AMD	20	1164	70.95.267	RECD	20	2011
70.95.092	RECD	20	2011	70.95.268	RECD	20	2011
70.95.094	RECD	20	2011	70.95.270	AMD	20	1180
70.95.095	AMD	20	1165	70.95.270	RECD	20	2011
70.95.095	RECD	20	2011	70.95.280	AMD	20	1181
70.95.096	RECD	20	2011	70.95.280	RECD	20	2011
70.95.100	AMD	20	1166	70.95.285	AMD	20	1182
70.95.100	RECD	20	2011	70.95.285	RECD	20	2011
70.95.110	AMD	20	1167	70.95.290	AMD	20	1183
70.95.110	RECD	20	2011	70.95.290	RECD	20	2011
70.95.130	AMD	20	1168	70.95.295	AMD	20	1184
70.95.130	RECD	20	2011	70.95.295	RECD	20	2011
70.95.140	RECD	20	2011	70.95.300	RECD	20	2011
70.95.150	AMD	20	1169	70.95.305	RECD	20	2011
70.95.150	RECD	20	2011	70.95.306	RECD	20	2011
70.95.160	AMD	20	1170	70.95.310	RECD	20	2011
70.95.160	RECD	20	2011	70.95.315	AMD	20	1185
70.95.163	RECD	20	2011	70.95.315	RECD	20	2011
70.95.165	RECD	20	2011	70.95.320	RECD	20	2011
70.95.167	AMD	20	1171	70.95.330	AMD	20	1186
70.95.167	RECD	20	2011	70.95.330	RECD	20	2011
70.95.170	AMD	20	1172	70.95.400	AMD	20	1187
70.95.170	RECD	20	2011	70.95.400	RECD	20	2011
70.95.180	RECD	20	2011	70.95.410	RECD	20	2011
70.95.185	AMD	20	1173	70.95.420	AMD	20	1188

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.95.420	RECD	20	2011	70.95.903	RECD	20	2011
70.95.430	AMD	20	1189	70.95.904	RECD	20	2011
70.95.430	RECD	20	2011	70.95A.010	RECD	20	2012
70.95.440	RECD	20	2011	70.95A.020	RECD	20	2012
70.95.500	RECD	20	2011	70.95A.030	RECD	20	2012
70.95.510	AMD	20	1190	70.95A.035	RECD	20	2012
70.95.510	RECD	20	2011	70.95A.040	RECD	20	2012
70.95.515	RECD	20	2011	70.95A.045	RECD	20	2012
70.95.521	RECD	20	2011	70.95A.050	RECD	20	2012
70.95.530	AMD	20	1191	70.95A.060	RECD	20	2012
70.95.530	RECD	20	2011	70.95A.070	AMD	20	1205
70.95.532	AMD	20	1192	70.95A.070	RECD	20	2012
70.95.532	RECD	20	2011	70.95A.080	RECD	20	2012
70.95.535	AMD	20	1193	70.95A.090	RECD	20	2012
70.95.535	RECD	20	2011	70.95A.100	AMD	20	1206
70.95.540	RECD	20	2011	70.95A.100	RECD	20	2012
70.95.550	AMD	20	1194	70.95A.910	RECD	20	2012
70.95.550	RECD	20	2011	70.95A.912	RECD	20	2012
70.95.555	AMD	20	1195	70.95A.930	RECD	20	2012
70.95.555	RECD	20	2011	70.95B.010	RECD	20	2013
70.95.560	AMD	20	1196	70.95B.020	RECD	20	2013
70.95.560	RECD	20	2011	70.95B.030	RECD	20	2013
70.95.565	RECD	20	2011	70.95B.040	RECD	20	2013
70.95.570	RECD	20	2011	70.95B.050	RECD	20	2013
70.95.600	RECD	20	2011	70.95B.060	AMD	20	1207
70.95.610	AMD	20	1197	70.95B.060	RECD	20	2013
70.95.610	RECD	20	2011	70.95B.071	RECD	20	2013
70.95.620	RECD	20	2011	70.95B.080	RECD	20	2013
70.95.630	AMD	20	1198	70.95B.090	AMD	20	1208
70.95.630	RECD	20	2011	70.95B.090	RECD	20	2013
70.95.640	RECD	20	2011	70.95B.095	AMD	20	1209
70.95.650	AMD	20	1199	70.95B.095	RECD	20	2013
70.95.650	RECD	20	2011	70.95B.100	RECD	20	2013
70.95.660	AMD	20	1200	70.95B.110	RECD	20	2013
70.95.660	RECD	20	2011	70.95B.115	RECD	20	2013
70.95.670	AMD	20	1201	70.95B.120	AMD	20	1210
70.95.670	RECD	20	2011	70.95B.120	RECD	20	2013
70.95.700	RECD	20	2011	70.95B.130	RECD	20	2013
70.95.710	RECD	20	2011	70.95B.140	RECD	20	2013
70.95.715	AMD	20	1202	70.95B.151	AMD	20	1211
70.95.715	RECD	20	2011	70.95B.151	RECD	20	2013
70.95.720	RECD	20	2011	70.95B.900	RECD	20	2013
70.95.725	RECD	20	2011	70.95C.010	AMD	20	1212
70.95.805	RECD	20	2011	70.95C.010	RECD	20	2014
70.95.807	AMD	20	1203	70.95C.020	AMD	20	1213
70.95.807	RECD	20	2011	70.95C.020	RECD	20	2014
70.95.810	RECD	20	2011	70.95C.030	AMD	20	1214
70.95.815	AMD	20	1204	70.95C.030	RECD	20	2014
70.95.815	RECD	20	2011	70.95C.040	AMD	20	1215
70.95.900	RECD	20	2011	70.95C.040	RECD	20	2014

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.95C.050	RECD	20	2014	70.95G.020	RECD	20	2018
70.95C.060	RECD	20	2014	70.95G.030	AMD	20	1230
70.95C.070	AMD	20	1216	70.95G.030	RECD	20	2018
70.95C.070	RECD	20	2014	70.95G.040	AMD	20	1231
70.95C.080	RECD	20	2014	70.95G.040	RECD	20	2018
70.95C.110	RECD	20	2014	70.95G.050	RECD	20	2018
70.95C.120	RECD	20	2014	70.95G.060	AMD	20	1232
70.95C.200	RECD	20	2014	70.95G.060	RECD	20	2018
70.95C.210	AMD	20	1217	70.95G.070	RECD	20	2018
70.95C.210	RECD	20	2014	70.95I.005	RECD	20	2019
70.95C.220	AMD	20	1218	70.95I.010	AMD	20	1233
70.95C.220	RECD	20	2014	70.95I.010	RECD	20	2019
70.95C.230	AMD	20	1219	70.95I.020	AMD	20	1234
70.95C.230	RECD	20	2014	70.95I.020	RECD	20	2019
70.95C.240	RECD	20	2014	70.95I.030	AMD	20	1235
70.95C.250	RECD	20	2014	70.95I.030	RECD	20	2019
70.95D.010	AMD	20	1220	70.95I.040	AMD	20	1236
70.95D.010	RECD	20	2015	70.95I.040	RECD	20	2019
70.95D.020	RECD	20	2015	70.95I.050	RECD	20	2019
70.95D.030	RECD	20	2015	70.95I.060	AMD	20	1237
70.95D.040	RECD	20	2015	70.95I.060	RECD	20	2019
70.95D.051	RECD	20	2015	70.95I.070	AMD	20	1238
70.95D.060	RECD	20	2015	70.95I.070	RECD	20	2019
70.95D.070	RECD	20	2015	70.95I.080	RECD	20	2019
70.95D.080	RECD	20	2015	70.95I.901	RECD	20	2019
70.95D.090	RECD	20	2015	70.95J.005	RECD	20	2020
70.95D.100	RECD	20	2015	70.95J.007	RECD	20	2020
70.95D.110	RECD	20	2015	70.95J.010	AMD	20	1239
70.95E.010	AMD	20	1221	70.95J.010	RECD	20	2020
70.95E.010	RECD	20	2016	70.95J.020	RECD	20	2020
70.95E.020	AMD	20	1222	70.95J.025	RECD	20	2020
70.95E.020	RECD	20	2016	70.95J.030	RECD	20	2020
70.95E.030	AMD	20	1223	70.95J.040	RECD	20	2020
70.95E.030	RECD	20	2016	70.95J.050	RECD	20	2020
70.95E.040	AMD	20	1224	70.95J.060	RECD	20	2020
70.95E.040	RECD	20	2016	70.95J.070	RECD	20	2020
70.95E.050	AMD	20	1225	70.95J.080	RECD	20	2020
70.95E.050	RECD	20	2016	70.95J.090	AMD	20	1240
70.95E.080	AMD	20	1226	70.95J.090	RECD	20	2020
70.95E.080	RECD	20	2016	70.95K.005	RECD	20	2021
70.95E.090	AMD	20	1227	70.95K.010	AMD	20	1241
70.95E.090	RECD	20	2016	70.95K.010	RECD	20	2021
70.95E.100	RECD	20	2016	70.95K.011	AMD	20	1242
70.95F.010	RECD	20	2017	70.95K.011	RECD	20	2021
70.95F.020	AMD	20	1228	70.95K.020	RECD	20	2021
70.95F.020	RECD	20	2017	70.95K.030	RECD	20	2021
70.95F.030	AMD	20	1229	70.95K.040	RECD	20	2021
70.95F.030	RECD	20	2017	70.95K.900	RECD	20	2021
70.95G.005	RECD	20	2018	70.95K.920	RECD	20	2021
70.95G.010	RECD	20	2018	70.95L.005	RECD	20	2022

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.95L.010	AMD	20	1243	70.95N.190	AMD	20	1256
70.95L.010	RECD	20	2022	70.95N.190	RECD	20	2024
70.95L.020	RECD	20	2022	70.95N.200	AMD	20	1257
70.95L.030	RECD	20	2022	70.95N.200	RECD	20	2024
70.95L.040	AMD	20	1244	70.95N.210	RECD	20	2024
70.95L.040	RECD	20	2022	70.95N.220	RECD	20	2024
70.95M.010	RECD	20	2023	70.95N.230	AMD	20	1258
70.95M.020	RECD	20	2023	70.95N.230	RECD	20	2024
70.95M.030	RECD	20	2023	70.95N.240	RECD	20	2024
70.95M.040	RECD	20	2023	70.95N.250	RECD	20	2024
70.95M.050	RECD	20	2023	70.95N.260	AMD	20	1259
70.95M.060	RECD	20	2023	70.95N.260	RECD	20	2024
70.95M.070	RECD	20	2023	70.95N.280	AMD	20	1260
70.95M.080	AMD	20	1245	70.95N.280	RECD	20	2024
70.95M.080	RECD	20	2023	70.95N.290	RECD	20	2024
70.95M.090	RECD	20	2023	70.95N.300	AMD	20	1261
70.95M.100	RECD	20	2023	70.95N.300	RECD	20	2024
70.95M.110	AMD	20	1246	70.95N.310	AMD	20	1262
70.95M.110	RECD	20	2023	70.95N.310	RECD	20	2024
70.95M.115	RECD	20	2023	70.95N.320	RECD	20	2024
70.95M.120	RECD	20	2023	70.95N.330	RECD	20	2024
70.95M.130	RECD	20	2023	70.95N.340	RECD	20	2024
70.95M.140	RECD	20	2023	70.95N.350	RECD	20	2024
70.95N.010	RECD	20	2024	70.95N.900	RECD	20	2024
70.95N.020	REMD	20	1247	70.95N.902	RECD	20	2024
70.95N.020	RECD	20	2024	70.97.010	REMD	278	1
70.95N.030	RECD	20	2024	70.97.030	AMD	278	2
70.95N.040	AMD	20	1248	70.97.040	AMD	278	3
70.95N.040	RECD	20	2024	70.97.040	AMD	312	730
70.95N.050	RECD	20	2024	70.97.050	AMD	278	4
70.95N.060	AMD	20	1249	70.97.060	AMD	278	5
70.95N.060	RECD	20	2024	70.97.070	AMD	278	6
70.95N.070	AMD	20	1250	70.97.080	AMD	278	7
70.95N.070	RECD	20	2024	70.97.100	AMD	278	8
70.95N.080	AMD	20	1251	70.97.160	AMD	278	9
70.95N.080	RECD	20	2024	70.97.200	AMD	278	10
70.95N.090	RECD	20	2024	70.97.220	AMD	278	11
70.95N.100	RECD	20	2024	70.98.010	RECD	20	2025
70.95N.110	RECD	20	2024	70.98.020	AMD	20	1263
70.95N.120	RECD	20	2024	70.98.020	RECD	20	2025
70.95N.130	AMD	20	1252	70.98.030	RECD	20	2025
70.95N.130	RECD	20	2024	70.98.050	RECD	20	2025
70.95N.140	REMD	20	1253	70.98.080	RECD	20	2025
70.95N.140	RECD	20	2024	70.98.085	AMD	20	1264
70.95N.150	RECD	20	2024	70.98.085	RECD	20	2025
70.95N.160	RECD	20	2024	70.98.090	RECD	20	2025
70.95N.170	AMD	20	1254	70.98.095	AMD	20	1265
70.95N.170	RECD	20	2024	70.98.095	RECD	20	2025
70.95N.180	AMD	20	1255	70.98.098	AMD	20	1266
70.95N.180	RECD	20	2024	70.98.098	RECD	20	2025

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.98.100	RECD	20	2025	70.105.020	AMD	20	1279
70.98.110	RECD	20	2025	70.105.020	RECD	20	2029
70.98.120	RECD	20	2025	70.105.025	RECD	20	2029
70.98.122	AMD	20	1267	70.105.030	RECD	20	2029
70.98.122	RECD	20	2025	70.105.035	AMD	20	1280
70.98.125	RECD	20	2025	70.105.035	RECD	20	2029
70.98.130	RECD	20	2025	70.105.040	RECD	20	2029
70.98.140	RECD	20	2025	70.105.050	AMD	20	1281
70.98.150	RECD	20	2025	70.105.050	RECD	20	2029
70.98.160	RECD	20	2025	70.105.070	RECD	20	2029
70.98.170	RECD	20	2025	70.105.080	RECD	20	2029
70.98.180	RECD	20	2025	70.105.085	RECD	20	2029
70.98.190	RECD	20	2025	70.105.090	AMD	20	1282
70.98.200	RECD	20	2025	70.105.090	RECD	20	2029
70.98.220	AMD	20	1268	70.105.095	RECD	20	2029
70.98.220	RECD	20	2025	70.105.097	RECD	20	2029
70.98.910	AMD	20	1269	70.105.100	RECD	20	2029
70.98.910	RECD	20	2025	70.105.105	AMD	20	1283
70.98.920	RECD	20	2025	70.105.105	RECD	20	2029
70.99.010	RECD	20	2026	70.105.109	RECD	20	2029
70.99.020	RECD	20	2026	70.105.110	AMD	20	1284
70.99.030	RECD	20	2026	70.105.110	RECD	20	2029
70.99.040	RECD	20	2026	70.105.111	AMD	20	1285
70.99.050	AMD	20	1270	70.105.111	RECD	20	2029
70.99.050	RECD	20	2026	70.105.112	AMD	20	1286
70.99.060	RECD	20	2026	70.105.112	RECD	20	2029
70.99.900	RECD	20	2026	70.105.116	AMD	20	1287
70.99.910	RECD	20	2026	70.105.116	RECD	20	2029
70.102.010	RECD	20	2027	70.105.120	RECD	20	2029
70.102.020	AMD	20	1271	70.105.130	RECD	20	2029
70.102.020	RECD	20	2027	70.105.135	AMD	20	1288
70.103.010	RECD	20	2028	70.105.135	RECD	20	2029
70.103.020	RECD	20	2028	70.105.140	AMD	20	1289
70.103.030	AMD	20	1272	70.105.140	RECD	20	2029
70.103.030	RECD	20	2028	70.105.145	AMD	20	1290
70.103.040	AMD	20	1273	70.105.145	RECD	20	2029
70.103.040	RECD	20	2028	70.105.150	RECD	20	2029
70.103.050	AMD	20	1274	70.105.160	AMD	20	1291
70.103.050	RECD	20	2028	70.105.160	RECD	20	2029
70.103.060	AMD	20	1275	70.105.165	AMD	20	1292
70.103.060	RECD	20	2028	70.105.165	RECD	20	2029
70.103.070	AMD	20	1276	70.105.170	AMD	20	1293
70.103.070	RECD	20	2028	70.105.170	RECD	20	2029
70.103.080	RECD	20	2028	70.105.180	AMD	20	1294
70.103.090	RECD	20	2028	70.105.180	RECD	20	2029
70.105.005	AMD	20	1277	70.105.200	AMD	20	1295
70.105.005	RECD	20	2029	70.105.200	RECD	20	2029
70.105.007	RECD	20	2029	70.105.210	AMD	20	1296
70.105.010	AMD	20	1278	70.105.210	RECD	20	2029
70.105.010	RECD	20	2029	70.105.215	RECD	20	2029

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.105.217	RECD	20	2029	70.105D.140	RECD	20	2030
70.105.220	AMD	20	1297	70.105D.150	RECD	20	2030
70.105.220	RECD	20	2029	70.105D.160	AMD	20	1317
70.105.221	AMD	20	1298	70.105D.160	RECD	20	2030
70.105.221	RECD	20	2029	70.105D.180	AMD	20	1318
70.105.225	AMD	20	1299	70.105D.180	RECD	20	2030
70.105.225	RECD	20	2029	70.105D.190	AMD	20	1319
70.105.230	RECD	20	2029	70.105D.190	RECD	20	2030
70.105.235	AMD	20	1300	70.105D.200	AMD	20	1320
70.105.235	RECD	20	2029	70.105D.200	RECD	20	2030
70.105.240	AMD	20	1301	70.105D.210	AMD	20	1321
70.105.240	RECD	20	2029	70.105D.210	RECD	20	2030
70.105.245	RECD	20	2029	70.105D.900	RECD	20	2030
70.105.250	AMD	20	1302	70.105D.905	RECD	20	2030
70.105.250	RECD	20	2029	70.105D.910	RECD	20	2030
70.105.255	RECD	20	2029	70.105D.915	RECD	20	2030
70.105.260	RECD	20	2029	70.105D.920	RECD	20	2030
70.105.270	AMD	20	1303	70.105E.010	REP	20	3001
70.105.270	RECD	20	2029	70.105E.020	REP	20	3001
70.105.280	AMD	20	1304	70.105E.030	REP	20	3001
70.105.280	RECD	20	2029	70.105E.040	REP	20	3001
70.105.300	RECD	20	2029	70.105E.050	REP	20	3001
70.105.310	AMD	20	1305	70.105E.060	REP	20	3001
70.105.310	RECD	20	2029	70.105E.080	REP	20	3001
70.105.900	RECD	20	2029	70.105E.100	REP	20	3001
70.105D.010	RECD	20	2030	70.105E.900	REP	20	3001
70.105D.020	REMD	20	1306	70.105E.901	REP	20	3001
70.105D.020	RECD	20	2030	70.106.010	RECD	20	2031
70.105D.030	REMD	18	5	70.106.020	RECD	20	2031
70.105D.030	REMD	20	1307	70.106.030	AMD	20	1322
70.105D.030	RECD	20	2030	70.106.030	RECD	20	2031
70.105D.040	AMD	20	1308	70.106.040	RECD	20	2031
70.105D.040	RECD	20	2030	70.106.050	RECD	20	2031
70.105D.050	AMD	20	1309	70.106.060	RECD	20	2031
70.105D.050	RECD	20	2030	70.106.070	AMD	20	1323
70.105D.055	AMD	20	1310	70.106.070	RECD	20	2031
70.105D.055	RECD	20	2030	70.106.080	RECD	20	2031
70.105D.060	AMD	20	1311	70.106.090	RECD	20	2031
70.105D.060	RECD	20	2030	70.106.100	AMD	20	1324
70.105D.080	AMD	20	1312	70.106.100	RECD	20	2031
70.105D.080	RECD	20	2030	70.106.110	AMD	20	1325
70.105D.090	AMD	20	1313	70.106.110	RECD	20	2031
70.105D.090	RECD	20	2030	70.106.120	RECD	20	2031
70.105D.100	RECD	20	2030	70.106.140	RECD	20	2031
70.105D.110	AMD	20	1314	70.106.150	RECD	20	2031
70.105D.110	RECD	20	2030	70.106.905	RECD	20	2031
70.105D.120	RECD	20	2030	70.106.910	RECD	20	2031
70.105D.130	AMD	20	1315	70.107.010	RECD	20	2032
70.105D.130	RECD	20	2030	70.107.020	RECD	20	2032
70.105D.140	AMD	20	1316	70.107.030	RECD	20	2032

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.107.040	RECD	20	2032	70.118A.070	AMD	20	1337
70.107.050	RECD	20	2032	70.118A.070	RECD	20	2035
70.107.060	RECD	20	2032	70.118A.080	AMD	20	1338
70.107.070	AMD	20	1326	70.118A.080	RECD	20	2035
70.107.070	RECD	20	2032	70.118A.090	AMD	20	1339
70.107.080	RECD	20	2032	70.118A.090	RECD	20	2035
70.107.900	RECD	20	2032	70.118A.100	RECD	20	2035
70.107.910	RECD	20	2032	70.118B.005	AMD	20	1340
70.116.010	RECD	20	2033	70.118B.005	RECD	20	2036
70.116.020	RECD	20	2033	70.118B.010	RECD	20	2036
70.116.030	RECD	20	2033	70.118B.020	AMD	20	1341
70.116.040	RECD	20	2033	70.118B.020	RECD	20	2036
70.116.050	AMD	20	1327	70.118B.030	AMD	20	1342
70.116.050	RECD	20	2033	70.118B.030	RECD	20	2036
70.116.060	AMD	20	1328	70.118B.040	RECD	20	2036
70.116.060	RECD	20	2033	70.118B.050	RECD	20	2036
70.116.070	AMD	20	1329	70.118B.060	RECD	20	2036
70.116.070	RECD	20	2033	70.118B.070	RECD	20	2036
70.116.080	RECD	20	2033	70.119.010	RECD	20	2037
70.116.090	RECD	20	2033	70.119.020	RECD	20	2037
70.116.100	RECD	20	2033	70.119.030	AMD	20	1343
70.116.110	RECD	20	2033	70.119.030	RECD	20	2037
70.116.120	RECD	20	2033	70.119.040	RECD	20	2037
70.116.134	RECD	20	2033	70.119.050	AMD	20	1344
70.116.140	RECD	20	2033	70.119.050	RECD	20	2037
70.118.010	RECD	20	2034	70.119.060	AMD	20	1345
70.118.020	RECD	20	2034	70.119.060	RECD	20	2037
70.118.030	RECD	20	2034	70.119.070	AMD	20	1346
70.118.040	RECD	20	2034	70.119.070	RECD	20	2037
70.118.050	RECD	20	2034	70.119.081	RECD	20	2037
70.118.060	AMD	20	1330	70.119.090	AMD	20	1347
70.118.060	RECD	20	2034	70.119.090	RECD	20	2037
70.118.070	AMD	20	1331	70.119.100	AMD	20	1348
70.118.070	RECD	20	2034	70.119.100	RECD	20	2037
70.118.080	AMD	20	1332	70.119.110	RECD	20	2037
70.118.080	RECD	20	2034	70.119.120	AMD	20	1349
70.118.090	RECD	20	2034	70.119.120	RECD	20	2037
70.118.110	RECD	20	2034	70.119.130	AMD	20	1350
70.118.120	RECD	20	2034	70.119.130	RECD	20	2037
70.118.130	AMD	20	1333	70.119.140	RECD	20	2037
70.118.130	RECD	20	2034	70.119.150	AMD	20	1351
70.118A.010	RECD	20	2035	70.119.150	RECD	20	2037
70.118A.020	AMD	20	1334	70.119.160	RECD	20	2037
70.118A.020	RECD	20	2035	70.119.170	AMD	20	1352
70.118A.030	RECD	20	2035	70.119.170	RECD	20	2037
70.118A.040	AMD	20	1335	70.119.180	RECD	20	2037
70.118A.040	RECD	20	2035	70.119.900	RECD	20	2037
70.118A.050	AMD	20	1336	70.119A.020	REMD	20	1353
70.118A.050	RECD	20	2035	70.119A.020	RECD	20	2038
70.118A.060	RECD	20	2035	70.119A.025	RECD	20	2038

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.119A.030	AMD	20	1354	70.120A.020	REP	143	3
70.119A.030	RECD	20	2038	70.120A.030	RECD	20	2040
70.119A.040	RECD	20	2038	70.120A.050	RECD	20	2040
70.119A.050	AMD	20	1355	70.120A.050	AMD	143	2
70.119A.050	RECD	20	2038	70.121.010	RECD	20	2041
70.119A.060	AMD	20	1356	70.121.020	AMD	20	1368
70.119A.060	RECD	20	2038	70.121.020	RECD	20	2041
70.119A.070	RECD	20	2038	70.121.030	RECD	20	2041
70.119A.080	RECD	20	2038	70.121.040	RECD	20	2041
70.119A.100	RECD	20	2038	70.121.050	AMD	20	1369
70.119A.110	AMD	20	1357	70.121.050	RECD	20	2041
70.119A.110	RECD	20	2038	70.121.060	AMD	20	1370
70.119A.115	RECD	20	2038	70.121.060	RECD	20	2041
70.119A.120	AMD	20	1358	70.121.070	AMD	20	1371
70.119A.120	RECD	20	2038	70.121.070	RECD	20	2041
70.119A.130	RECD	20	2038	70.121.080	AMD	20	1372
70.119A.140	RECD	20	2038	70.121.080	RECD	20	2041
70.119A.150	RECD	20	2038	70.121.090	RECD	20	2041
70.119A.170	RECD	20	2038	70.121.100	RECD	20	2041
70.119A.180	RECD	20	2038	70.121.110	AMD	20	1373
70.119A.190	AMD	20	1359	70.121.110	RECD	20	2041
70.119A.190	RECD	20	2038	70.121.120	RECD	20	2041
70.119A.200	RECD	20	2038	70.121.130	RECD	20	2041
70.119A.210	RECD	20	2038	70.121.140	RECD	20	2041
70.119A.900	RECD	20	2038	70.121.150	RECD	20	2041
70.120.010	AMD	20	1360	70.121.900	RECD	20	2041
70.120.010	RECD	20	2039	70.121.905	RECD	20	2041
70.120.020	RECD	20	2039	70.125.090	AMD	26	4
70.120.070	AMD	20	1361	70.125.090	RECD	26	18
70.120.070	RECD	20	2039	70.125.100	AMD	26	5
70.120.080	AMD	20	1362	70.125.100	RECD	26	18
70.120.080	RECD	20	2039	70.127.040	AMD	258	2
70.120.100	RECD	20	2039	70.128	ADD	220	2
70.120.120	AMD	20	1363	70.128.010	REMD	220	1
70.120.120	RECD	20	2039	70.128.060	AMD	220	3
70.120.130	AMD	20	1364	70.128.120	AMD	80	47
70.120.130	RECD	20	2039	70.129.005	AMD	278	12
70.120.150	RECD	20	2039	70.129.010	AMD	278	13
70.120.160	RECD	20	2039	70.129.160	AMD	278	14
70.120.170	RECD	20	2039	70.132.010	RECD	20	2042
70.120.190	AMD	20	1365	70.132.020	RECD	20	2042
70.120.190	RECD	20	2039	70.132.030	RECD	20	2042
70.120.210	RECD	20	2039	70.132.040	RECD	20	2042
70.120.230	RECD	20	2039	70.132.050	RECD	20	2042
70.120.902	RECD	20	2039	70.132.900	RECD	20	2042
70.120A.010	AMD	20	1366	70.138.010	AMD	20	1374
70.120A.010	RECD	20	2040	70.138.010	RECD	20	2043
70.120A.010	AMD	143	1	70.138.020	AMD	20	1375
70.120A.020	AMD	20	1367	70.138.020	RECD	20	2043
70.120A.020	RECD	20	2040	70.138.030	AMD	20	1376

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.138.030	RECD	20	2043	70.148.050	RECD	20	2047
70.138.040	RECD	20	2043	70.148.050	AMD	156	2
70.138.050	RECD	20	2043	70.148.060	RECD	20	2047
70.138.060	RECD	20	2043	70.148.070	AMD	20	1385
70.138.070	RECD	20	2043	70.148.070	RECD	20	2047
70.138.900	RECD	20	2043	70.148.080	RECD	20	2047
70.138.901	RECD	20	2043	70.148.090	RECD	20	2047
70.140.010	RECD	20	2044	70.148.090	AMD	156	5
70.140.020	RECD	20	2044	70.148.110	RECD	20	2047
70.140.030	RECD	20	2044	70.148.900	RECD	20	2047
70.140.040	RECD	20	2044	70.149	ADD	310	3
70.140.050	RECD	20	2044	70.149.010	RECD	20	2048
70.140.060	RECD	20	2044	70.149.010	AMD	310	1
70.140.070	RECD	20	2044	70.149.020	RECD	20	2048
70.140.080	RECD	20	2044	70.149.030	AMD	20	1386
70.142.010	RECD	20	2045	70.149.030	RECD	20	2048
70.142.020	RECD	20	2045	70.149.040	AMD	20	1387
70.142.030	RECD	20	2045	70.149.040	RECD	20	2048
70.142.040	RECD	20	2045	70.149.040	AMD	310	2
70.142.050	AMD	20	1377	70.149.050	RECD	20	2048
70.142.050	RECD	20	2045	70.149.050	REP	310	11
70.146.010	RECD	20	2046	70.149.060	RECD	20	2048
70.146.020	RECD	20	2046	70.149.070	AMD	20	1388
70.146.030	AMD	20	1378	70.149.070	RECD	20	2048
70.146.030	RECD	20	2046	70.149.080	RECD	20	2048
70.146.040	RECD	20	2046	70.149.090	RECD	20	2048
70.146.050	RECD	20	2046	70.149.100	RECD	20	2048
70.146.060	AMD	20	1379	70.149.120	AMD	20	1389
70.146.060	RECD	20	2046	70.149.120	RECD	20	2048
70.146.070	AMD	20	1380	70.149.800	RECD	20	2048
70.146.070	RECD	20	2046	70.149.801	RECD	20	2048
70.146.075	RECD	20	2046	70.149.900	RECD	20	2048
70.146.090	RECD	20	2046	70.150.010	RECD	20	2049
70.146.100	AMD	20	1381	70.150.020	RECD	20	2049
70.146.100	RECD	20	2046	70.150.030	AMD	20	1390
70.146.110	AMD	20	1382	70.150.030	RECD	20	2049
70.146.110	RECD	20	2046	70.150.040	RECD	20	2049
70.146.120	RECD	20	2046	70.150.050	RECD	20	2049
70.148	ADD	156	3	70.150.060	RECD	20	2049
70.148.005	RECD	20	2047	70.150.070	AMD	20	1391
70.148.005	AMD	156	1	70.150.070	RECD	20	2049
70.148.010	RECD	20	2047	70.150.080	RECD	20	2049
70.148.020	AMD	20	1383	70.150.900	RECD	20	2049
70.148.020	RECD	20	2047	70.164.010	RECD	20	2050
70.148.020	AMD	156	4	70.164.020	AMD	20	1392
70.148.025	AMD	20	1384	70.164.020	RECD	20	2050
70.148.025	RECD	20	2047	70.164.030	AMD	20	1393
70.148.030	RECD	20	2047	70.164.030	RECD	20	2050
70.148.035	RECD	20	2047	70.164.040	RECD	20	2050
70.148.040	RECD	20	2047	70.164.050	RECD	20	2050

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.164.060	RECD	20	2050	70.240.060	RECD	20	2053
70.164.070	RECD	20	2050	70.260.010	AMD	20	1410
70.180.030	REMD	80	48	70.260.010	RECD	20	2054
70.185.090	AMD	80	49	70.260.020	RECD	20	2054
70.220.010	RECD	20	2051	70.260.030	RECD	20	2054
70.220.020	AMD	20	1394	70.270.010	RECD	20	2055
70.220.020	RECD	20	2051	70.270.020	RECD	20	2055
70.220.030	AMD	20	1395	70.270.030	AMD	20	1411
70.220.030	RECD	20	2051	70.270.030	RECD	20	2055
70.220.040	RECD	20	2051	70.270.040	AMD	20	1412
70.220.050	AMD	20	1396	70.270.040	RECD	20	2055
70.220.050	RECD	20	2051	70.270.050	AMD	20	1413
70.225.040	AMD	80	50	70.270.050	RECD	20	2055
70.235	ADD	79	4	70.270.060	RECD	20	2055
70.235	ADD	120	3	70.275.010	RECD	20	2056
70.235.005	AMD	20	1397	70.275.020	REMD	20	1414
70.235.005	RECD	20	2052	70.275.020	RECD	20	2056
70.235.005	AMD	120	2	70.275.030	AMD	20	1415
70.235.010	RECD	20	2052	70.275.030	RECD	20	2056
70.235.010	REMD	79	5	70.275.040	AMD	20	1416
70.235.020	AMD	20	1398	70.275.040	RECD	20	2056
70.235.020	RECD	20	2052	70.275.050	AMD	20	1417
70.235.020	AMD	32	4	70.275.050	RECD	20	2056
70.235.020	AMD	79	2	70.275.060	RECD	20	2056
70.235.030	AMD	20	1399	70.275.070	RECD	20	2056
70.235.030	RECD	20	2052	70.275.080	RECD	20	2056
70.235.040	AMD	20	1400	70.275.090	RECD	20	2056
70.235.040	RECD	20	2052	70.275.100	RECD	20	2056
70.235.050	AMD	20	1401	70.275.110	RECD	20	2056
70.235.050	RECD	20	2052	70.275.130	RECD	20	2056
70.235.050	AMD	79	3	70.275.140	RECD	20	2056
70.235.060	AMD	20	1402	70.275.150	RECD	20	2056
70.235.060	RECD	20	2052	70.275.160	AMD	20	1418
70.235.070	AMD	20	1403	70.275.160	RECD	20	2056
70.235.070	RECD	20	2052	70.275.170	RECD	20	2056
70.235.080	AMD	20	1404	70.275.900	RECD	20	2056
70.235.080	RECD	20	2052	70.275.901	RECD	20	2056
70.235.900	RECD	20	2052	70.280.010	RECD	20	2057
70.240.010	REMD	20	1405	70.280.020	RECD	20	2057
70.240.010	RECD	20	2053	70.280.030	RECD	20	2057
70.240.020	RECD	20	2053	70.280.040	AMD	20	1419
70.240.025	AMD	20	1406	70.280.040	RECD	20	2057
70.240.025	RECD	20	2053	70.280.050	AMD	20	1420
70.240.030	RECD	20	2053	70.280.050	RECD	20	2057
70.240.035	AMD	20	1407	70.280.060	RECD	20	2057
70.240.035	RECD	20	2053	70.285.010	RECD	20	2058
70.240.040	AMD	20	1408	70.285.020	AMD	20	1421
70.240.040	RECD	20	2053	70.285.020	RECD	20	2058
70.240.050	AMD	20	1409	70.285.030	RECD	20	2058
70.240.050	RECD	20	2053	70.285.040	AMD	20	1422

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RCW		CH.	SEC.	RCW		CH.	SEC.
70.285.040	RECD	20	2058	70.325.050	AMD	20	1434
70.285.050	AMD	20	1423	70.325.050	RECD	20	2063
70.285.050	RECD	20	2058	70.340.010	RECD	20	2064
70.285.060	RECD	20	2058	70.340.010	AMD	310	4
70.285.070	RECD	20	2058	70.340.020	AMD	20	1435
70.285.080	RECD	20	2058	70.340.020	RECD	20	2064
70.285.090	AMD	20	1424	70.340.020	AMD	310	5
70.285.090	RECD	20	2058	70.340.030	AMD	20	1436
70.285.100	RECD	20	2058	70.340.030	RECD	20	2064
70.290.060	AMD	291	8	70.340.030	AMD	310	6
70.295.010	RECD	20	2059	70.340.040	AMD	20	1437
70.295.020	RECD	20	2059	70.340.040	RECD	20	2064
70.300	ADD	67	2,3	70.340.050	AMD	20	1438
70.300.005	RECD	20	2060	70.340.050	RECD	20	2064
70.300.010	RECD	20	2060	70.340.050	AMD	310	7
70.300.020	RECD	20	2060	70.340.060	AMD	20	1439
70.300.020	AMD	67	1	70.340.060	RECD	20	2064
70.300.030	RECD	20	2060	70.340.060	AMD	310	8
70.300.040	AMD	20	1425	70.340.070	RECD	20	2064
70.300.040	RECD	20	2060	70.340.080	AMD	20	1440
70.300.050	RECD	20	2060	70.340.080	RECD	20	2064
70.300.060	RECD	20	2060	70.340.090	AMD	20	1441
70.310	ADD	100	1,3	70.340.090	RECD	20	2064
70.310.010	RECD	20	2061	70.340.090	AMD	310	9
70.310.020	RECD	20	2061	70.340.100	AMD	20	1442
70.310.020	AMD	100	2	70.340.100	RECD	20	2064
70.310.030	AMD	20	1426	70.340.110	RECD	20	2064
70.310.030	RECD	20	2061	70.340.120	AMD	20	1443
70.310.040	AMD	20	1427	70.340.120	RECD	20	2064
70.310.040	RECD	20	2061	70.340.130	AMD	20	1444
70.310.050	AMD	20	1428	70.340.130	RECD	20	2064
70.310.050	RECD	20	2061	70.340.130	AMD	310	10
70.315.010	AMD	20	1429	70.340.900	AMD	20	1445
70.315.010	RECD	20	2062	70.340.900	RECD	20	2064
70.315.020	AMD	20	1430	70.355.010	RECD	20	2065
70.315.020	RECD	20	2062	70.355.010	AMD	287	1
70.315.030	RECD	20	2062	70.360.010	RECD	20	2066
70.315.040	RECD	20	2062	70.360.020	RECD	20	2066
70.315.050	AMD	20	1431	70.360.030	RECD	20	2066
70.315.050	RECD	20	2062	70.360.040	RECD	20	2066
70.315.060	RECD	20	2062	70.360.050	RECD	20	2066
70.315.900	RECD	20	2062	70.360.060	AMD	20	1446
70.315.901	RECD	20	2062	70.360.060	RECD	20	2066
70.315.902	RECD	20	2062	70.360.070	AMD	20	1447
70.325.010	RECD	20	2063	70.360.070	RECD	20	2066
70.325.020	AMD	20	1432	70.360.080	RECD	20	2066
70.325.020	RECD	20	2063	70.360.090	AMD	20	1448
70.325.030	RECD	20	2063	70.360.090	RECD	20	2066
70.325.040	AMD	20	1433	70.360.100	AMD	20	1449
70.325.040	RECD	20	2063	70.360.100	RECD	20	2066

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
70.360.110	AMD	20	1450	71.05.012	AMD	302	2
70.360.110	RECD	20	2066	71.05.020	REMD	5	1
70.360.900	RECD	20	2066	71.05.020	REMD	80	51
70.365.010	REMD	20	1451	71.05.020	REMD	256	301
70.365.010	RECD	20	2067	71.05.020	REMD	302	3
70.365.020	AMD	20	1452	71.05.020	REMD	302	4
70.365.020	RECD	20	2067	71.05.025	AMD	302	5
70.365.030	AMD	20	1453	71.05.026	AMD	302	6
70.365.030	RECD	20	2067	71.05.030	AMD	302	7
70.365.040	AMD	20	1454	71.05.040	AMD	302	8
70.365.040	RECD	20	2067	71.05.050	AMD	302	9
70.365.050	AMD	20	1455	71.05.100	AMD	302	10
70.365.050	RECD	20	2067	71.05.120	AMD	302	11
70.365.060	RECD	20	2067	71.05.150	AMD	5	2
70.365.070	AMD	20	1456	71.05.150	AMD	5	3
70.365.070	RECD	20	2067	71.05.150	AMD	256	302
70.365.080	AMD	20	1457	71.05.150	AMD	256	303
70.365.080	RECD	20	2067	71.05.150	AMD	302	12
70.365.900	RECD	20	2067	71.05.150	AMD	302	13
70.370.010	RECD	20	2068	71.05.150	AMD	302	14
70.370.020	RECD	20	2068	71.05.153	AMD	5	4
70.370.030	RECD	20	2068	71.05.153	AMD	5	5
70.370.040	RECD	20	2068	71.05.153	AMD	302	15
70.375.010	RECD	20	2069	71.05.153	AMD	302	16
70.375.020	AMD	20	1458	71.05.153	AMD	302	17
70.375.020	RECD	20	2069	71.05.160	AMD	302	18
70.375.030	RECD	20	2069	71.05.170	AMD	302	19
70.375.040	AMD	20	1459	71.05.180	AMD	302	20
70.375.040	RECD	20	2069	71.05.182	AMD	302	21
70.375.050	AMD	20	1460	71.05.190	AMD	302	22
70.375.050	RECD	20	2069	71.05.195	AMD	302	23
70.375.060	AMD	20	1461	71.05.201	AMD	256	304
70.375.060	RECD	20	2069	71.05.201	AMD	302	24
70.375.070	RECD	20	2069	71.05.210	AMD	302	25
70.375.080	AMD	20	1462	71.05.210	AMD	302	26
70.375.080	RECD	20	2069	71.05.210	AMD	302	27
70.375.090	AMD	20	1463	71.05.212	AMD	256	305
70.375.090	RECD	20	2069	71.05.212	AMD	302	28
70.375.100	RECD	20	2069	71.05.214	AMD	302	29
70.375.110	RECD	20	2069	71.05.215	AMD	302	30
70.375.120	RECD	20	2069	71.05.217	AMD	302	31
70.375.130	RECD	20	2069	71.05.217	AMD	302	32
70.380.010	RECD	20	2070	71.05.230	AMD	302	33
70.380.020	AMD	20	1464	71.05.230	AMD	302	34
70.380.020	RECD	20	2070	71.05.235	AMD	302	35
70.380.030	RECD	20	2070	71.05.235	AMD	302	36
70.380.900	RECD	20	2070	71.05.240	AMD	302	38
71.05	ADD	302	37,101	71.05.240	AMD	302	39
			103	71.05.240	AMD	302	40
71.05.010	AMD	302	1	71.05.280	AMD	302	41

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
71.05.290	AMD	302	42	71.34.020	REMD	185	2
71.05.300	AMD	302	43	71.34.020	REMD	274	50
71.05.310	AMD	302	44	71.34.020	REMD	302	63
71.05.320	AMD	302	45	71.34.020	REMD	302	64
71.05.320	AMD	302	46	71.34.305	AMD	302	65
71.05.360	REP	302	104	71.34.310	AMD	302	66
71.05.360	AMD	312	731	71.34.355	AMD	302	68
71.05.380	AMD	302	47	71.34.365	AMD	302	70
71.05.435	AMD	256	306	71.34.370	REP	302	104
71.05.445	AMD	302	48	71.34.410	AMD	302	71
71.05.455	AMD	302	49	71.34.420	AMD	302	72
71.05.457	AMD	302	50	71.34.500	AMD	302	74
71.05.525	AMD	302	51	71.34.600	REMD	302	75
71.05.525	RECD	302	105	71.34.600	REMD	302	76
71.05.530	AMD	302	52	71.34.610	AMD	185	3
71.05.585	AMD	302	53	71.34.630	AMD	185	4
71.05.590	AMD	302	54	71.34.650	AMD	302	77
71.05.590	AMD	302	55	71.34.700	REMD	302	78
71.05.590	AMD	302	56	71.34.700	REMD	302	79
71.05.720	AMD	302	57	71.34.710	REMD	302	82
71.05.740	AMD	302	58	71.34.710	REMD	302	83
71.05.750	AMD	302	59	71.34.710	REMD	302	84
71.09	ADD	266	6	71.34.720	REMD	302	85
71.12	ADD	115	2,3,8	71.34.720	REMD	302	86
71.12.455	REMD	115	6	71.34.720	REMD	302	87
71.12.480	AMD	115	7	71.34.730	AMD	185	5
71.12.570	AMD	302	114	71.34.730	AMD	302	88
71.24	ADD	256	307	71.34.730	AMD	302	89
71.24	ADD	285	1	71.34.740	AMD	302	91
71.24	ADD	291	2-7	71.34.740	AMD	302	92
71.24	ADD	345	4	71.34.740	AMD	302	93
71.24.025	REMD	80	52	71.34.750	REMD	185	6
71.24.025	REMD	256	201	71.34.750	REMD	185	7
71.24.035	AMD	256	202	71.34.750	REMD	302	94
71.24.061	AMD	291	1	71.34.750	REMD	302	95
71.24.155	AMD	256	203	71.34.780	AMD	302	97
71.24.580	REMD	357	917	71.34.780	AMD	302	98
71.32.020	AMD	80	53	71A.10.040	AMD	274	51
71.32.020	AMD	312	732	71A.12.010	AMD	274	52
71.34	ADD	185	8	71A.12.020	AMD	274	53
71.34	ADD	302	67,69	71A.16.030	AMD	312	733
			73	71A.20.170	AMD	250	1
			80,81	71A	ADD	41	2,3
			90,96	71A	ADD	271	1-5
			99,100	72.05.010	AMD	274	54
			102	72.05.130	AMD	274	55
			105	72.09	ADD	82	4
71.34.010	AMD	185	1	72.09	ADD	319	3,4
71.34.010	AMD	302	62	72.09.015	AMD	319	2
71.34.020	REMD	80	54	72.09.050	REMD	318	5

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
72.09.730	AMD	167	9	74.18.045	AMD	274	65
72.10	ADD	58	1	74.20A.055	AMD	227	10
72.10.020	AMD	58	2	74.20A.056	REMD	227	11
72.60.235	AMD	274	56	74.20A.059	AMD	227	12
72.64.150	AMD	274	57	74.26.010	REP	122	1
72.68	ADD	318	2	74.26.010	AMD	274	66
72.68.001	AMD	318	6	74.26.020	REP	122	1
72.68.010	AMD	318	4	74.26.030	REP	122	1
72.68.012	REP	318	7	74.26.040	REP	122	1
72.68.040	AMD	318	3	74.26.050	REP	122	1
72.70.010	AMD	274	58	74.26.060	REP	122	1
73.36.050	AMD	312	734	74.34.020	AMD	312	735
74	ADD	354	1-10	74.34.067	AMD	312	736
			13	74.34.135	AMD	312	737
74.04	ADD	136	3	74.34.145	AMD	29	17
74.04.005	AMD	136	1	74.34.163	AMD	312	738
74.04.515	AMD	274	59	74.39.005	AMD	76	21
74.04.805	AMD	322	1	74.39A.056	AMD	270	8
74.08.055	AMD	57	89	74.39A.310	AMD	336	1
74.08.580	AMD	64	1	74.39A.325	REP	336	2
74.08A	ADD	320	2	74.42.010	REMD	80	56
74.08A.010	AMD	320	1	74.42.230	AMD	80	57
74.08A.120	AMD	136	2	74.42.360	AMD	263	3
74.08A.260	REMD	338	1	74.42.430	AMD	312	739
74.09	ADD	4	3	74.46.561	AMD	357	918
74.09	ADD	293	2	77.12.170	AMD	148	5
74.09.010	AMD	80	55	77.12.177	AMD	148	6
74.09.035	AMD	136	4	77.12.184	AMD	148	7
74.09.325	AMD	92	3	77.12.190	AMD	148	8
74.09.390	AMD	242	1	77.12.210	AMD	148	9
74.09.4951	AMD	130	1	77.12.230	AMD	148	10
74.09.522	AMD	260	1	77.12.240	AMD	148	11
74.09A.020	AMD	183	1	77.12.323	AMD	148	12
74.12.290	AMD	274	60	77.12.380	AMD	148	13
74.13	ADD	33	2	77.12.390	AMD	148	14
74.13	ADD	270	1,2	77.12.670	AMD	148	15
74.13.020	AMD	270	4	77.12.690	AMD	148	16
74.13.031	REMD	274	61	77.15.075	AMD	38	1
74.13.1051	AMD	233	3	77.15.100	AMD	38	2
74.13.310	AMD	274	62	77.15.160	REMD	38	3
74.13.350	AMD	41	1	77.15.700	AMD	38	4
74.13.350	RECD	41	6	77.32.050	AMD	148	17
74.13.700	AMD	270	3	77.32.430	AMD	148	18
74.13.802	AMD	33	7	77.32.460	AMD	148	19
74.13A.020	REMD	274	63	77.32.470	AMD	148	20
74.13A.085	AMD	274	64	77.32.530	AMD	148	21
74.14B.070	AMD	331	9	77.32.560	AMD	148	22
74.15.020	AMD	265	1	77.36.070	AMD	148	23
74.15.020	AMD	331	10	77.36.170	AMD	148	24
74.15.100	AMD	73	2	77.44.050	AMD	148	25

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
77.55.011	REMD	10	3	82.08.020	AMD	1	7
77.55.021	AMD	10	4	82.08.0201	AMD	139	10
77.55.061	AMD	20	1465	82.08.0208	AMD	139	11
77.55.181	AMD	166	1	82.08.02081	REP	139	64
77.70.500	AMD	172	1	82.08.02082	REP	139	64
77.125.030	AMD	216	1	82.08.02087	REP	139	64
79.100.150	AMD	324	3	82.08.02088	REP	139	64
79.100.160	AMD	324	2	82.08.025651	AMD	139	12
79.100.170	AMD	324	4	82.08.02807	AMD	139	13
79.105.210	AMD	274	67	82.08.0287	AMD	20	1472
79A.05	ADD	286	1	82.08.036	AMD	20	1475
79A.05.025	AMD	123	1	82.08.155	AMD	139	14
79A.05.030	AMD	123	2	82.08.170	AMD	357	919
79A.55.090	AMD	148	26	82.08.195	AMD	139	15
79A.80	ADD	75	2	82.08.215	AMD	304	1
79A.80.090	AMD	148	27	82.08.806	AMD	139	16
80.28	ADD	32	2	82.08.810	AMD	20	1473
81.40	ADD	170	2-5	82.08.811	AMD	20	1474
81.40.010	REP	170	6	82.08.9651	AMD	139	17
81.40.035	REP	170	6	82.08.996	AMD	341	1
81.77.010	AMD	20	1466	82.08.998	AMD	20	1476
81.77.030	AMD	20	1467	82.12	ADD	350	4
81.77.040	AMD	20	1468	82.12.0208	AMD	139	18
81.88	ADD	32	3	82.12.02081	REP	139	64
81.104.140	AMD	1	10	82.12.02082	REP	139	64
81.104.160	REP	1	11	82.12.02084	REP	139	64
81.104.160	AMD	1	13	82.12.02085	REP	139	64
81.112	ADD	1	12	82.12.02086	REP	139	64
82	ADD	301	2-5	82.12.02087	REP	139	64
82.04	ADD	138	8	82.12.02749	AMD	139	19
82.04	ADD	165	2	82.12.0282	AMD	20	1477
82.04.050	AMD	80	58	82.12.038	AMD	20	1478
82.04.051	AMD	109	2	82.12.045	AMD	11	1
82.04.192	AMD	139	4	82.12.215	AMD	304	2
82.04.260	REMD	165	3	82.12.225	AMD	159	1
82.04.290	AMD	2	3	82.12.810	AMD	20	1479
82.04.299	AMD	2	4	82.12.811	AMD	20	1480
82.04.385	REMD	274	68	82.12.930	AMD	139	20
82.04.4266	AMD	139	5	82.12.9651	AMD	139	22
82.04.4268	AMD	139	6	82.12.996	AMD	341	2
82.04.4269	AMD	139	7	82.12.998	AMD	20	1481
82.04.4322	REP	139	64	82.14.049	AMD	139	23
82.04.4324	REP	139	64	82.14.400	AMD	139	24
82.04.4326	REP	139	64	82.14.457	AMD	139	25
82.04.4327	AMD	139	8	82.14.530	AMD	222	1
82.04.4328	AMD	139	9	82.16.0497	AMD	139	26
82.04.660	AMD	20	1469	82.16.055	AMD	139	27
82.04.755	AMD	20	1470	82.19.040	AMD	20	1482
82.04.765	AMD	20	1471	82.19.040	AMD	357	920
82.08	ADD	350	3	82.21.030	AMD	20	1483

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW		CH.	SEC.
82.23A.010	AMD	139	28	82.80.130	REP	1	6
82.23A.020	AMD	20	1484	82.80.140	REP	1	6
82.23A.902	AMD	20	1485	82.82.010	AMD	139	46
82.24.010	AMD	139	29	82.85.030	AMD	139	47
82.24.551	AMD	139	30	82.85.080	AMD	139	48
82.26.010	REMD	139	31	84.14.020	AMD	237	2
82.26.121	AMD	139	32	84.26.050	AMD	91	2
82.26.130	AMD	139	33	84.26.070	AMD	91	1
82.26.190	AMD	139	34	84.36	ADD	301	1
82.26.200	AMD	139	35	84.36.010	AMD	272	1
82.27.070	AMD	148	28	84.36.350	AMD	274	70
82.29A.055	AMD	272	2	84.36.383	AMD	209	3
82.29A.060	AMD	139	36	84.36.385	AMD	209	2
82.29A.120	AMD	139	37	84.36.387	AMD	209	1
82.32.050	AMD	139	60	84.36.400	AMD	204	1
82.32.060	AMD	139	61	84.36.560	AMD	273	1
82.32.062	AMD	139	38	84.36.815	AMD	273	2
82.32.145	AMD	301	6	84.36.840	AMD	139	49
82.32.300	AMD	139	39	84.37.040	AMD	139	50
82.32.385	AMD	219	703	84.38.040	AMD	139	51
82.32.755	REP	139	64	84.38.050	AMD	139	52
82.32.760	REP	139	64	84.38.110	AMD	139	53
82.32.780	AMD	139	40	84.39.020	AMD	139	54
82.32.805	AMD	139	57	84.39.030	AMD	139	55
82.32.808	AMD	139	58	84.40.320	AMD	134	1
82.33.060	AMD	218	5	84.52.043	AMD	253	3
82.34.030	AMD	20	1486	84.52.105	AMD	253	2
82.34.100	AMD	20	1487	84.55	ADD	179	6
82.44	ADD	1	8	84.56.070	AMD	175	1
82.44.015	AMD	20	1488	84.56.150	AMD	139	56
82.44.035	REP	1	11	85.05.410	AMD	83	8
82.44.065	AMD	1	9	85.06.380	AMD	83	9
82.44.135	AMD	219	706	85.08.320	AMD	83	10
82.48.100	REMD	304	4	85.24.080	AMD	83	11
82.48.100	AMD	304	5	85.38.075	AMD	83	12
82.58.005	DECD	139	65	86.09.283	AMD	83	13
82.58.901	DECD	139	65	86.15.055	AMD	83	14
82.58.902	DECD	139	65	87.03.460	AMD	83	15
82.60.025	AMD	139	41	88.02.380	AMD	324	5
82.60.063	AMD	139	42	88.40.011	REMD	20	1489
82.63.010	AMD	139	43	88.46.010	AMD	20	1490
82.66.010	REP	139	64	89	ADD	246	1,2
82.66.020	REP	139	64	89.08	ADD	351	2-7
82.66.040	REP	139	64	90.03.383	AMD	20	1491
82.66.050	REP	139	64	90.03.386	AMD	20	1492
82.66.060	REP	139	64	90.03.570	AMD	20	1493
82.66.901	REP	139	64	90.03.590	AMD	20	1494
82.74.010	AMD	139	44	90.46.005	AMD	20	1495
82.75.010	AMD	139	45	90.46.010	AMD	20	1496
82.80.030	AMD	274	69	90.46.120	AMD	20	1497

RCW SECTIONS AFFECTED BY 2020 STATUTES

RCW		CH.	SEC.	RCW	CH.	SEC.
90.48	ADD	10	2			
90.48.039	AMD	20	1498			
90.48.110	AMD	20	1499			
90.48.162	AMD	20	1500			
90.48.285	AMD	20	1501			
90.48.530	AMD	20	1502			
90.48.531	AMD	20	1503			
90.52.030	AMD	20	1504			
90.56.010	REMD	20	1505			
90.56.510	AMD	357	921			
90.58.080	AMD	113	2			
90.58.355	AMD	20	1506			
90.71.270	AMD	20	1507			
90.71.340	AMD	20	1508			
90.71.370	AMD	20	1509			
90.76.005	RECD	20	2071			
90.76.010	RECD	20	2071			
90.76.020	RECD	20	2071			
90.76.040	AMD	20	1510			
90.76.040	RECD	20	2071			
90.76.050	AMD	20	1511			
90.76.050	RECD	20	2071			
90.76.060	RECD	20	2071			
90.76.070	AMD	20	1512			
90.76.070	RECD	20	2071			
90.76.080	RECD	20	2071			
90.76.090	AMD	20	1513			
90.76.090	RECD	20	2071			
90.76.100	AMD	20	1514			
90.76.100	RECD	20	2071			
90.76.110	AMD	20	1515			
90.76.110	RECD	20	2071			
90.76.900	RECD	20	2071			
90.76.901	RECD	20	2071			
90.76.902	AMD	20	1516			
90.76.902	RECD	20	2071			

UNCODIFIED SESSION LAW SECTIONS AFFECTED BY 2020 STATUTES

<u>LAWS 1993</u>			<u>LAWS 2020</u>						
<u>Ch.</u>	<u>Sec.</u>	<u>Action</u>	<u>Ch.</u>	<u>Sec.</u>					
337	1	AMD	253	1	406	5	AMD	357	617
					406	13	AMD	357	521
					413		ADD	356	1009
					413		ADD	356	1013
					413		ADD	356	1019
					413		ADD	356	1021
					413		ADD	356	1022
					413		ADD	356	1025
					413		ADD	356	2002
					413		ADD	356	2005
					413		ADD	356	2006
					413		ADD	356	2012
					413		ADD	356	2014
					413		ADD	356	2015
					413		ADD	356	2016
					413		ADD	356	2018
					413		ADD	356	2025
					413		ADD	356	2026
					413		ADD	356	3021
					413		ADD	356	3022
					413		ADD	356	3026
					413		ADD	356	3047
					413		ADD	356	3050
					413		ADD	356	3053
					413		ADD	356	3061
					413		ADD	356	3062
					413		ADD	356	3067
					413		ADD	356	3068
					413		ADD	356	3069
					413		ADD	356	3070
					413		ADD	356	4002
					413		ADD	356	5006
					413		ADD	356	5012
					413		ADD	356	5013
					413		ADD	356	5016
					413		ADD	356	5018
					413		ADD	356	5022
					413		ADD	356	5028
					413		ADD	356	7007
					413	1005	REP	356	1030
					413	1009	AMD	356	1001
					413	1024	AMD	356	6002
					413	1026	AMD	356	1002
					413	1028	AMD	356	1007
					413	1029	AMD	356	1003
					413	1030	AMD	356	1004
					413	1031	AMD	356	1020
					413	1033	AMD	356	1008
					413	1035	AMD	356	1005
					413	1037	AMD	356	1006
					413	1039	AMD	356	1023
					413	1041	AMD	356	1010

UNCODIFIED SESSION LAW SECTIONS AFFECTED BY 2020 STATUTES

413	1042	AMD	356	1011	413	3099	REP	356	3071
413	1043	AMD	356	1012	413	3115	AMD	356	3027
413	1051	AMD	356	1014	413	3119	AMD	356	3028
413	1052	AMD	356	1017	413	3120	AMD	356	3029
413	1054	AMD	356	1018	413	3123	AMD	356	3030
413	1059	AMD	356	1015	413	3129	AMD	356	3031
413	1059	REP	356	1030	413	3131	AMD	356	3032
413	1065	AMD	356	1016	413	3132	AMD	356	3033
413	1071	AMD	356	1024	413	3135	AMD	356	3034
413	1073	AMD	356	1026	413	3137	AMD	356	3035
413	1090	AMD	356	1027	413	3141	AMD	356	3036
413	1092	AMD	356	1028	413	3143	AMD	356	3037
413	1093	AMD	356	1029	413	3144	AMD	356	3038
413	2001	AMD	356	2001	413	3145	AMD	356	3039
413	2002	AMD	356	2003	413	3149	AMD	356	3040
413	2010	AMD	356	2004	413	3150	AMD	356	3041
413	2037	AMD	356	2007	413	3151	AMD	356	3042
413	2038	AMD	356	2008	413	3152	AMD	356	3043
413	2039	AMD	356	2009	413	3153	AMD	356	3044
413	2072	AMD	356	2010	413	3156	AMD	356	3045
413	2075	AMD	356	2011	413	3160	AMD	356	3046
413	2080	AMD	356	2013	413	3204	AMD	356	3048
413	2084	AMD	356	2017	413	3218	AMD	356	3049
413	2086	AMD	356	2019	413	3223	AMD	356	3051
413	2091	AMD	356	2020	413	3232	AMD	356	3052
413	2093	AMD	356	2021	413	3234	AMD	356	3063
413	2094	AMD	356	2022	413	3236	AMD	356	3054
413	2096	AMD	356	2023	413	3242	AMD	356	3055
413	2098	AMD	356	2024	413	3247	AMD	356	3056
413	3008	AMD	356	3001	413	3252	AMD	356	3057
413	3009	AMD	356	3002	413	3253	AMD	356	3058
413	3011	AMD	356	3003	413	3254	AMD	356	3059
413	3016	AMD	356	3004	413	3255	AMD	356	3060
413	3022	AMD	356	3005	413	3274	AMD	356	3064
413	3023	AMD	356	3006	413	3275	AMD	356	3065
413	3026	AMD	356	3007	413	3294	AMD	356	3066
413	3028	AMD	356	3008	413	3296	REP	356	3071
413	3030	AMD	356	3009	413	4001	AMD	356	4001
413	3031	AMD	356	3010	413	5001	AMD	356	5001
413	3032	AMD	356	3011	413	5012	AMD	356	5002
413	3034	AMD	356	3012	413	5025	AMD	356	5004
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413	3038	AMD	356	3014	413	5030	AMD	356	5005
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413	3069	AMD	356	3019	413	5044	AMD	356	5011
413	3081	AMD	356	3020	413	5060	AMD	356	5014
413	3093	AMD	356	3023	413	5072	AMD	356	5015
413	3096	AMD	356	3024	413	5079	AMD	356	5017
413	3097	AMD	356	3025	413	5093	AMD	356	5019

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413	5098	AMD	356	5021	415	127	AMD	357	125
413	5101	AMD	356	5023	415	128	AMD	357	126
413	5103	AMD	356	5026	415	129	AMD	357	127
413	5109	AMD	356	5024	415	130	AMD	357	128
413	5122	AMD	356	5025	415	131	AMD	357	129
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413	7038	AMD	356	7009	415	139	AMD	357	137
415		ADD	357	704	415	140	AMD	357	138
415		ADD	357	707	415	141	AMD	357	151
415		ADD	357	711	415	142	AMD	357	139
415		ADD	357	716	415	143	AMD	357	140
415		ADD	357	717	415	144	AMD	357	141
415		ADD	357	718	415	145	AMD	357	142
415		ADD	357	719	415	146	AMD	357	143
415		ADD	357	720	415	147	AMD	357	145
415		ADD	357	721	415	148	AMD	357	144
415		ADD	357	901	415	149	AMD	357	146
415		ADD	357	902	415	150	AMD	357	147
415		ADD	357	903	415	151	AMD	357	148
415		ADD	357	904	415	152	AMD	357	149
415		ADD	357	905	415	153	AMD	357	150
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415	301	AMD	357	301	415	719	AMD	357	701
415	302	AMD	357	302	415	720	AMD	357	706
415	303	AMD	357	303	415	721	AMD	357	712
415	304	AMD	357	304	415	722	AMD	357	713
415	305	AMD	357	305	415	724	AMD	357	714
415	306	AMD	357	306	415	725	AMD	357	708
415	307	AMD	357	307	415	726	AMD	357	723
415	308	AMD	357	308	415	728	AMD	357	709
415	309	AMD	357	309	415	801	AMD	357	801
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415	618	AMD	357	615	416	301	AMD	219	301
415	619	AMD	357	616	416	303	AMD	219	302
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415	703	AMD	357	703	416	305	AMD	219	304

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416	310	AMD	219	309
416	311	AMD	219	310
416	313	AMD	219	311
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416	402	AMD	219	402
416	403	AMD	219	403
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INITIATIVES TO THE PEOPLE

For information on Initiatives to the People, see <http://secstate.wa.gov/elections/initiatives/statistics.aspx>. For additional information, call the Office of the Secretary of State at (360) 902-4180.

INITIATIVES TO THE LEGISLATURE

For information on Initiatives to the Legislature, see <http://secstate.wa.gov/elections/initiatives/statistics.aspx>. For additional information, call the Office of the Secretary of State at (360) 902-4180.

REFERENDUM MEASURES

For information on Referendum Measures, see <http://secstate.wa.gov/elections/initiatives/statistics.aspx>. For additional information, call the Office of the Secretary of State at (360) 902-4180.

REFERENDUM BILLS

For information on Referendum Bills, see <http://secstate.wa.gov/elections/initiatives/statistics.aspx>. For additional information, call the Office of the Secretary of State at (360) 902-4180.

HISTORY OF CONSTITUTIONAL AMENDMENTS ADOPTED SINCE STATEHOOD

- No. 1. Section 5, Article XVI. Re: **Permanent School Fund.** Adopted November, 1894.
- No. 2. Section 1, Article VI. Re: **Qualification of Electors.** Adopted November, 1896.
- No. 3. Section 2, Article VII. Re: **Uniform Rates of Taxation.** Adopted November, 1900.
- No. 4. Section 11, Article I. Re: **Religious Freedom.** Adopted November, 1904.
- No. 5. Section 1, Article VI. Re: **Equal Suffrage.** Adopted November, 1910.
- No. 6. Section 10, Article III. Re: **Succession in Office of Governor.** Adopted November, 1910.
- No. 7. Section 1, Article II. Re: **Initiative and Referendum.** Adopted November, 1912.
- No. 8. Adding Sections 33 and 34, Article I. Re: **Recall.** Adopted November, 1912.
- No. 9. Section 16, Article I. Re: **Taking of Private Property.** Adopted November, 1922.
- No. 10. Section 22, Article I. Re: **Right of Appeal.** Adopted November, 1922.
- No. 11. Section 4, Article VIII. Re: **Appropriation.** Adopted November, 1922.
- No. 12. Section 5, Article XI. Re: **Consolidation of County Offices.** Adopted November, 1924.
- No. 13. Section 15, Article II. Re: **Vacancies in the Legislature.** Adopted November, 1930.
- No. 14. Article VII. Re: **Revenue and Taxation.** Adopted November, 1930.
- No. 15. Section 1, Article XV. Re: **Harbors and Harbor Areas.** Adopted November, 1932.
- No. 16. Section 11, Article XII. Re: **Double Liability of Stockholders.** Adopted November, 1940.
- No. 17. Section 2, Article VII. Re: **40-Mill Tax Limit.** Adopted November, 1944.
- No. 18. Adding Section 40, Article II. Re: **Restriction of motor vehicle license fees and excise taxes on motor fuels to highway purposes only.** Adopted November, 1944.
- No. 19. Adding Section 3, Article VII. Re: **State to tax the United States and its instrumentalities to the extent that the laws of the United States will allow.** Adopted November, 1946.
- No. 20. Adding Section 1, Article XXVIII. Re: **Legislature to fix the salaries of state elective officials.** Adopted November, 1948.
- No. 21. Section 4, Article XI. Re: **Permit counties to adopt "Home Rule" charters.** Adopted November, 1948.
- No. 22. Repealing Section 7 of Article XI. Re: **County elective officials.** (These officials can now hold same office more than two terms in succession.) Adopted November, 1948.
- No. 23. Adding Section 16, Article XI. Re: **Permitting the formation, under a charter, of combined city and county municipal corporations having a population of 300,000 or more.** Adopted November, 1948.
- No. 24. Article II, Section 33. Re: **Permitting ownership of land by Canadians who are citizens of provinces wherein citizens of the State of Washington may own land.** (All provinces of Canada authorize such ownership.) Adopted November, 1950.

HISTORY OF ADOPTED CONSTITUTIONAL AMDTS.

- No. 25. Adding Section 3(a), Article IV. Re: **Establishing Retirement Age for Judges of Supreme and Superior Courts.** Adopted November, 1952.
- No. 26. Adding Section 41, Article II. Re: **Permitting the Legislature to Amend Initiative Measures.** Adopted November, 1952.
- No. 27. Section 6, Article VIII. Re: **Extending Bonding Powers of School Districts.** Adopted November, 1952.
- No. 28. Sections 6 and 10, Article IV. Re: **Increasing Monetary Jurisdiction of Justice Courts.** Adopted November, 1952.
- No. 29. Article II, Section 33. Re: **Redefining "Alien," thereby permitting the Legislature to determine the policy of the state respecting the ownership of land by corporations having alien shareholders.** Adopted November, 1954.
- No. 30. Adding Section 1A, Article II. Re: **Increasing the number of signatures necessary to certify a state initiative or referendum measure.** Adopted November, 1956.
- No. 31. Section 25, Article III. Re: **Removing the restriction prohibiting the state treasurer from being elected for more than one successive term.** Adopted November, 1956.
- No. 32. Section 2, Article XV. Re: **Filling vacancies in the state legislature.** Adopted November, 1956.
- No. 33. Section 1, Article XXIV. Re: **Modification of state boundaries by compact.** Adopted November, 1958.
- No. 34. Section 11, Article I. Re: **Employment of chaplains at state institutions.** Adopted November, 1958.
- No. 35. Section 25, Article II. Re: **Pensions and Employees' Extra Compensation.** Adopted November, 1958.
- No. 36. Section 1, Article II by adding a new subsection (e). Re: **Publication and Distribution of Voters' Pamphlet.** Adopted November, 1962.
- No. 37. Section 1, Article XXIII. Re: **Publication of Proposed Constitutional Amendments.** Adopted November, 1962.
- No. 38. Adding Section 2(c), Article IV. Re: **Temporary Performance of Judicial Duties.** Adopted November, 1962.
- No. 39. Adding Section 42, Article II. Re: **Governmental Continuity During Emergency Periods.** Adopted November, 1962.
- No. 40. Section 10, Article XI. Re: **Lowering minimum population for first class cities from 20,000 to 10,000. Also changing newspaper publication requirements for proposed charters.** Adopted November, 1964.
- No. 41. Section 29, Article IV. Re: **Election of Superior Court Judges.** Adopted November, 1966.
- No. 42. Repealing Section 33, Article II and Amendments 24 and 29. Re: **Alien Ownership of Lands.** Adopted November, 1966.
- No. 43. Section 3, Article IX. Re: **Funds for Support of the Common Schools.** Adopted November, 1966.

HISTORY OF ADOPTED CONSTITUTIONAL AMDTS.

- No. 44. Section 5, Article XVI. Re: **Investment of Permanent Common School Fund.** Adopted November, 1966.
- No. 45. Adding Section 8, Article VIII. Re: **Port Expenditures—Industrial Development—Promotion.** Adopted November, 1966.
- No. 46. Adding Section 1A, Article VI. Re: **Voter Qualifications for Presidential Elections.** Adopted November, 1966.
- No. 47. Adding Section 10, Article VII. Re: **Retired Persons Property Tax Exemption.** Adopted November, 1966.
- No. 48. Section 3, Article VIII. Re: **Public Special Indebtedness, How Authorized.** Adopted November, 1966.
- No. 49. Adding Section 1, Article XXIX. Re: **Investments of Public Pension and Retirement Funds.** Adopted November, 1968.
- No. 50. Adding Section 30, Article IV. Re: **Court of Appeals.** Adopted November, 1968.
- No. 51. Adding Section 9, Article VIII. Re: **State Building Authority.** Adopted November, 1968.
- No. 52. Section 15, Article II. Re: **Vacancies in Legislature and in Partisan County Elective Office.** Also amending Section 6, Article XI. Re: **Vacancies in Township, Precinct or Road District Office.** Adopted November, 1968.
- No. 53. Adding Section 11, Article VII. Re: **Taxation Based on Actual Use.** Adopted November, 1968.
- No. 54. Adding Section 1, Article XXX. Re: **Authorizing Compensation Increase During Term.** Adopted November, 1968.
- No. 55. Section 2, Article VII. Re: **Limitation on Levies.** Adopted November, 1972.
- No. 56. Section 24, Article II. Re: **Lotteries and Divorce.** Adopted November, 1972.
- No. 57. Section 5, Article XI. Re: **County Government.** Adopted November, 1972.
- No. 58. Section 16, Article XI. Re: **Combined City-County.** Adopted November, 1972.
- No. 59. Section 2, Article VII. Re: **Limitation on Levies.** Adopted November, 1972.
- No. 60. Section 1, Article VIII. Re: **State Debt.** Also amending Section 3, Article VIII. Re: **Special Indebtedness, How Authorized.** Approved November, 1972.
- No. 61. Adding new Article XXXI. Re: **Sex Equality, Rights and Responsibilities.** Adopted November, 1972.
- No. 62. Section 12, Article III. Re: **Veto Power.** Adopted November, 1974.
- No. 63. Section 1, Article VI. Re: **Qualifications of Electors.** Adopted November, 1974.
- No. 64. Section 2, Article VII. Re: **Limitation on Levies.** Adopted November, 1976.
- No. 65. Section 6, Article IV. Re: **Jurisdiction of Superior Courts.** Also amending Section 10, Article IV. Re: **Justices of the Peace.** Adopted November, 1976.
- No. 66. Section 18, Article XII. Re: **Rates for Transportation.** Adopted November, 1977.
- No. 67. Repealing Section 14, Article XII. Re: **Prohibition Against Combinations by Carriers.** Adopted November, 1977.

HISTORY OF ADOPTED CONSTITUTIONAL AMDTS.

- No. 68. Section 12, Article II. Re: **Legislative Sessions, When—Duration.** Adopted November, 1979.
- No. 69. Section 13, Article II. Re: **Limitation on Members Holding Office in the State.** Adopted November, 1979.
- No. 70. Adding Section 10, Article VIII. Re: **Residential Energy Conservation.** Adopted November, 1979.
- No. 71. Adding Section 31, Article IV. Re: **Judicial Qualifications Commission—Removal, Censure, Suspension, or Retirement of Judges or Justices.** Adopted November, 1980.
- No. 72. Sections 1 and 1(a), Article II. Re: **Legislative Powers, Where Vested and Initiative and Referendum, Signatures Required.** Adopted November, 1981.
- No. 73. Adding Section 1, Article XXXII. Re: **Special Revenue Financing.** Adopted November, 1981.
- No. 74. Adding Section 43, Article II. Re: **Redistricting.** Adopted November, 1983.
- No. 75. Section 1, Article XXIX. Re: **May be Invested as Authorized by Law.** Adopted November, 1985.
- No. 76. Adding Section 11, Article VIII. Re: **Agricultural Commodity Assessments—Development, Promotion, and Hosting.** Adopted November, 1985.
- No. 77. Section 31, Article IV. Re: **Commission on Judicial Conduct—Removal, Censure, Suspension, or Retirement of Judges or Justices—Proceedings.** Adopted November, 1986.
- No. 78. Section 1, Article XXVIII. Re: **Salaries for Legislators, Elected State Officials, and Judges—Independent Commission—Referendum.** Adopted November, 1986.
- No. 79. Section 2, Article VII. Re: **Limitation on Levies.** Adopted November, 1986.
- No. 80. Section 7, Article IV. Re: **Exchange of judges—Judge Pro Tempore.** Adopted November, 1987.
- No. 81. Section 1, Article VII. Re: **Taxation.** Adopted November, 1988.
- No. 82. Section 10, Article VIII. Re: **Residential Energy Conservation.** Adopted November, 1988.
- No. 83. Section 3, Article VI. Re: **Who disqualified.** Also amending Section 1, Article XIII. Re: **Educational, reformatory and penal institutions.** Adopted November, 1988.
- No. 84. Adding Section 35, Article I. Re: **Victims of Crimes—Rights.** Adopted November, 1989.
- No. 85. Section 31, Article IV. Re: **Commission on Judicial Conduct.** Adopted November, 1989.
- No. 86. Section 10, Article VIII. Re: **Energy and Water Conservation Assistance.** Adopted November, 1989.
- No. 87. Section 6, Article IV. Re: **Jurisdiction of Superior Courts.** Adopted November, 1993.
- No. 88. Section 11, Article I. Re: **Religious Freedom.** Adopted November, 1993.
- No. 89. Section 3, Article 4. Re: **Election and Terms of Supreme Court Judges.** Adopted November, 1995.
- No. 90. Section 2, Article VII. Re: **Limitation on levies.** Adopted November, 1997.

HISTORY OF ADOPTED CONSTITUTIONAL AMDTS.

- No. 91. Section 10, Article VIII. Re: **Energy, water, or stormwater or sewer services conservation assistance.** Adopted November, 1997.
- No. 92. Section 1, Article VIII. Re: **State debt.** Adopted November, 1999.
- No. 93. Section 1, Article XXIX. Re: **May be invested as authorized by law.** Adopted November, 2000.
- No. 94. Section 7, Article IV. Re: **Exchange of judges - Judge pro tempore.** Adopted November, 2001.
- No. 95. Section 2, Article VII. Re: **Limitation on levies.** Adopted November, 2002.
- No. 96. Section 15, Article II. Re: **Vacancies in legislative and in partisan county elective office.** Adopted November 2003.
- No. 97. Section 31, Article IV. Re: **Commission on judicial conduct.** Adopted November, 2005.
- No. 98. Section 1, Article VII. Re: **Taxation.** Adopted November 2006.
- No. 99. Section 12, Article VII. Re: **Budget stabilization account.** Adopted November 2007.
- No. 100. Section 29, Article II. Re: **Convict labor.** Adopted November 2007.
- No. 101. Section 2, Article VII. Re: **Limitation of levies.** Adopted November 2007.
- No. 102. Section 6, Article XVI. Re: **Investment of higher education permanent funds.** Adopted November 2007.
- No. 103. Section 1, Article VIII. Re: **State debt.** Adopted November 2010.
- No. 104. Section 20, Article I. Re: **Bail, when authorized.** Adopted November 2010.
- No. 105. Section 1A, Article VI. Re: **Voter qualifications for presidential elections.** Adopted November 2011.
- No. 106. Section 12, Article VII. Re: **Budget stabilization account.** Adopted November 2011.
- No. 107. Section 1, Article VIII. Re: **State debt.** Adopted November 2012.
- No. 108. Section 43, Article II. Re: **Redistricting.** Adopted November 2016.
- No. 109. Section 42, Article II. Re: **Governmental continuity during emergency periods.** Adopted November 2019.

