

SIXTY FOURTH LEGISLATURE - REGULAR SESSION

FIFTY NINTH DAY

House Chamber, Olympia, Wednesday, March 9, 2016

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nathan Blinn and Chloe Laney. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Interfaith Leader Ryan Welton, Islamic Center of Bothell, Washington.

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

MESSAGES FROM THE SENATE

March 8, 2016

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5029,
SENATE BILL NO. 5605,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5635,
SUBSTITUTE SENATE BILL NO. 5728,
SENATE BILL NO. 5879,
SUBSTITUTE SENATE BILL NO. 6120,
SUBSTITUTE SENATE BILL NO. 6165,
SUBSTITUTE SENATE BILL NO. 6179,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6203,
SUBSTITUTE SENATE BILL NO. 6314,
SUBSTITUTE SENATE BILL NO. 6338,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6427,
SUBSTITUTE SENATE BILL NO. 6430,
SUBSTITUTE SENATE BILL NO. 6445,
SENATE BILL NO. 6459,
SUBSTITUTE SENATE BILL NO. 6536,
SUBSTITUTE SENATE BILL NO. 6558,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6605,
SENATE BILL NO. 6614,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 8, 2016

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5109,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5435,
SENATE BILL NO. 5689,
SUBSTITUTE SENATE BILL NO. 5778,
FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857,
ENGROSSED SENATE BILL NO. 6091,
ENGROSSED SENATE BILL NO. 6100,
SUBSTITUTE SENATE BILL NO. 6160,
SUBSTITUTE SENATE BILL NO. 6211,

SUBSTITUTE SENATE BILL NO. 6227,
SUBSTITUTE SENATE BILL NO. 6238,
SUBSTITUTE SENATE BILL NO. 6261,
SUBSTITUTE SENATE BILL NO. 6264,
SUBSTITUTE SENATE BILL NO. 6273,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6293,
SUBSTITUTE SENATE BILL NO. 6329,
SUBSTITUTE SENATE BILL NO. 6337,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6470,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6528,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6534,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6564,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6601,
ENGROSSED SENATE BILL NO. 6620,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 2016-4681, by Representative Morris

WHEREAS, It is the policy of the Washington State House of Representatives to honor the successes and excellence of the citizens of the state of Washington in all endeavors; and

WHEREAS, The Life Sciences Discovery Fund was established in 2005 by the Legislature and Governor Christine Gregoire, and has served the state of Washington as a resource to promote life science research for companies of all sizes; and

WHEREAS, John DeRosier has exhibited leadership and diligence throughout his nine-year commitment with the organization, serving first as Director of Programs, before taking over as the Executive Director; and

WHEREAS, The dedicated and capable staff of the Life Sciences Discovery Fund also include Lee Huntsman, Alden Jones, Rich Murphy, Lisa Stewart, Mark Hertle, Kelly Moutsos, Brenda Stav, Cathy Manner, Tina Montgomery, Jill Lauson, and Jeffrey Rico; and

WHEREAS, The staff of the Life Sciences Discovery Fund developed a process of scientific review and procurement of research funding opportunities that has become the standard of excellence amongst the 50 states;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extend its gratitude for all scientific progress and excellence which

has been developed by the Life Sciences Discovery Fund and its employees.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4681.

HOUSE RESOLUTION NO. 4681 was adopted.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED HOUSE BILL NO. 1003
 SECOND SUBSTITUTE HOUSE BILL NO. 1448
 ENGROSSED HOUSE BILL NO. 1918
 SUBSTITUTE HOUSE BILL NO. 2359
 HOUSE BILL NO. 2394
 HOUSE BILL NO. 2808
 HOUSE BILL NO. 2856
 SUBSTITUTE HOUSE BILL NO. 2938
 ENGROSSED HOUSE BILL NO. 2971
 SECOND SUBSTITUTE HOUSE BILL NO. 1408
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2323
 HOUSE BILL NO. 2326
 HOUSE BILL NO. 2391
 HOUSE BILL NO. 2771
 HOUSE BILL NO. 2842
 SUBSTITUTE HOUSE BILL NO. 2876
 ENGROSSED HOUSE BILL NO. 2883
 HOUSE BILL NO. 2918
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 2061
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274
 HOUSE BILL NO. 2356
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 2375
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458
 ENGROSSED HOUSE BILL NO. 2478
 SUBSTITUTE HOUSE BILL NO. 2580
 HOUSE BILL NO. 2694
 ENGROSSED HOUSE BILL NO. 2749
 SENATE BILL NO. 5143
 SENATE BILL NO. 5270
 SUBSTITUTE SENATE BILL NO. 5597
 SUBSTITUTE SENATE BILL NO. 5670
 SUBSTITUTE SENATE BILL NO. 6117
 SENATE BILL NO. 6156
 ENGROSSED SENATE BILL NO. 6166
 SENATE BILL NO. 6171
 ENGROSSED SECOND SUBSTITUTE SENATE
 BILL NO. 6242
 SENATE BILL NO. 6245
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 6248
 SUBSTITUTE SENATE BILL NO. 6283
 SENATE BILL NO. 6325
 SUBSTITUTE SENATE BILL NO. 6358
 SENATE BILL NO. 6400
 SENATE BILL NO. 6405

SUBSTITUTE SENATE BILL NO. 6449
 SENATE BILL NO. 6475
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 6513
 ENGROSSED SENATE BILL NO. 6589
 SENATE BILL NO. 6607
 SENATE JOINT MEMORIAL NO. 8019
 SENATE JOINT RESOLUTION NO. 8210
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5029
 SENATE BILL NO. 5605
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5635
 SUBSTITUTE SENATE BILL NO. 5728
 SENATE BILL NO. 5879
 SUBSTITUTE SENATE BILL NO. 6120
 SUBSTITUTE SENATE BILL NO. 6165
 SUBSTITUTE SENATE BILL NO. 6179
 ENGROSSED SUBSTITUTE SENATE BILL NO.
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 SUBSTITUTE SENATE BILL NO. 6314
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 SUBSTITUTE SENATE BILL NO. 6430
 SUBSTITUTE SENATE BILL NO. 6445
 SENATE BILL NO. 6459
 SUBSTITUTE SENATE BILL NO. 6536
 SUBSTITUTE SENATE BILL NO. 6558
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 6605
 SENATE BILL NO. 6614

The Speaker called upon Representative Moeller to preside.

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

INTRODUCTION & FIRST READING

HB 3007 by Representatives Young, Caldier, Shea, Scott, Taylor, Condotta, Buys, Rodne, Parker, Klippert, Hargrove, McCaslin, Dye, Harris, Holy, Orcutt, Dent, Hayes, Wilcox, Barkis, Wilson, Pike, Vick, Nealey, Harmsworth, Chandler, McCabe, Schmick, Kretz, Muri, Griffey, Stambaugh, DeBolt, Haler, Kochmar, Short, Kristiansen and MacEwen

AN ACT Relating to protecting the first amendment rights of school sports coaches and others; adding a new section to chapter 49.60 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 3008 by Representatives Haler and Klippert

AN ACT Relating to prohibiting purchases of land within urban growth areas by state agencies; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Capital Budget.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

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

THIRD READING

MESSAGE FROM THE SENATE

March 3, 2016

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2841, with the following amendment(s): 2841-S AMS GOS S4829.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.27.070 and 2011 1st sp.s. c 43 s 244 are each amended to read as follows:

There is hereby established in the department of enterprise services a state building code council, to be appointed by the governor.

(1) The state building code council shall consist of fifteen members:

(a) Two members must be county elected legislative body members or elected executives;

(b) Two members must be city elected legislative body members or mayors;

(c) One member must be a local government building code enforcement official;

(d) One member must be a local government fire service official;

(e) One member must be a person with a physical disability and shall represent the disability community;

(f) One member must represent the general public;
and

(g) Seven members must represent the private sector as follows:

(i) One member shall represent general construction, specializing in commercial and industrial building construction;

~~((f))~~ (ii) One member shall represent general construction, specializing in residential and multifamily building construction;

~~((g))~~ (iii) One member shall represent the architectural design profession;

~~((h))~~ (iv) One member shall represent the structural engineering profession;

~~((i))~~ (v) One member shall represent the mechanical engineering profession;

~~((j))~~ (vi) One member shall represent the construction building trades;

~~((k))~~ (vii) One member shall represent manufacturers, installers, or suppliers of building materials and components;

~~(l) One member must be a person with a physical disability and shall represent the disability community; and (m) One member shall represent the general public).~~

(2) At least six of these fifteen members shall reside east of the crest of the Cascade mountains.

(3) The council shall include: Two members of the house of representatives appointed by the speaker of the house, one from each caucus; two members of the senate appointed by the president of the senate, one from each caucus; and an employee of the electrical division of the department of labor and industries, as ex officio, nonvoting members with all other privileges and rights of membership.

(4)(a) Terms of office shall be for three years, or for so long as the member remains qualified for the appointment.

(b) The council shall elect a member to serve as chair of the council for one-year terms of office.

(c) Any member who is appointed by virtue of being an elected official or holding public employment shall be removed from the council if he or she ceases being such an elected official or holding such public employment.

(d) Any member who is appointed to represent a specific private sector industry must maintain sufficiently similar private sector employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement or unemployment is not cause for termination. However, if a councilmember appointed to represent a specific private sector industry enters into employment outside of the industry, or outside of the private sector, he or she has been appointed to represent, then he or she shall be removed from the council.

(e) Any member who no longer qualifies for appointment under this section may not vote on council actions, but may participate as an ex officio, nonvoting member until a replacement member is appointed. A member must notify the council staff and the governor's office within thirty days of the date the member no longer qualifies for appointment under this section. The governor shall appoint a qualified replacement for the member within sixty days of notice.

(5) Before making any appointments to the building code council, the governor shall seek nominations from recognized organizations which represent the entities or interests identified in this section.

(6) Members shall not be compensated but shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

~~((7) The department of enterprise services shall provide administrative and clerical assistance to the building code council.)~~

Sec. 2. RCW 19.27.074 and 1989 c 266 s 3 are each amended to read as follows:

(1) The state building code council shall:

(a) Adopt and maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes as deemed appropriate by the council;

(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply to single-family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Propose a budget for the operation of the state building code council to be submitted to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory committees which may include members of the council;

(b) ~~(Employ permanent and temporary staff and)~~ Contract for services; and

(c) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.

(3)(a) All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of statewide applicability shall be pursuant to the administrative procedure act, chapter 34.05 RCW.

(b) All council decisions relating to the codes enumerated in RCW 19.27.031 shall require approval by at least a majority of the members of the council.

(c) All decisions to adopt or amend codes of statewide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

(4) The department of enterprise services shall employ permanent and temporary staff and contract for services for the state building code council.

Sec. 3. RCW 19.27A.020 and 2015 c 11 s 3 are each amended to read as follows:

(1) The state building code council established in the department of enterprise services shall adopt rules to be known as the Washington state energy code as part of the state building code.

(2) The council shall follow the legislature's standards set forth in this section to adopt rules to be known as the Washington state energy code. The Washington state energy code shall be designed to:

(a) Construct increasingly energy efficient homes and buildings that help achieve the broader goal of building zero fossil-fuel greenhouse gas emission homes and buildings by the year 2031;

(b) Require new buildings to meet a certain level of energy efficiency, but allow flexibility in building design, construction, and heating equipment efficiencies within that framework; and

(c) Allow space heating equipment efficiency to offset or substitute for building envelope thermal performance.

(3) The Washington state energy code shall take into account regional climatic conditions. One climate zone includes: Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Skamania, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties. The other climate zone includes all other counties not listed in this subsection (3). The assignment of a county to a climate zone may not be changed by adoption of a model code or rule. Nothing in this section prohibits the council from adopting the same rules or standards for each climate zone.

(4) The Washington state energy code for residential buildings shall be the 2006 edition of the Washington state energy code, or as amended by rule by the council.

(5) The minimum state energy code for new nonresidential buildings shall be the Washington state energy code, 2006 edition, or as amended by the council by rule.

(6)(a) Except as provided in (b) of this subsection, the Washington state energy code for residential structures shall preempt the residential energy code of each city, town, and county in the state of Washington.

(b) The state energy code for residential structures does not preempt a city, town, or county's energy code for residential structures which exceeds the requirements of the state energy code and which was adopted by the city, town, or county prior to March 1, 1990. Such cities, towns, or counties may not subsequently amend their energy code for residential structures to exceed the requirements adopted prior to March 1, 1990.

(7) The state building code council shall consult with the department of enterprise services as provided in RCW 34.05.310 prior to publication of proposed rules. The director of the department of enterprise services shall recommend to the state building code council any changes necessary to conform the proposed rules to the requirements of this section.

(8) The state building code council shall evaluate and consider adoption of the international energy conservation code in Washington state in place of the existing state energy code.

(9) The definitions in RCW 19.27A.140 apply throughout this section.

NEW SECTION. Sec. 4. A new section is added to chapter 19.27 RCW to read as follows:

(1)(a) A legislative task force on the state building code council's administration and operations is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

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

(iii) The president of the senate and the speaker of the house of representatives shall appoint two current members of the building code council representing the private sector and two current members of the state building code council representing local government.

(iv) The director of the department of enterprise services shall appoint one member from each of the department of enterprise services and department of commerce energy program.

(v) The director of the department of enterprise services shall appoint six members who regularly work with the state building code council, of which two members must represent local government, two members must represent private sector interests, and two members must represent labor interests.

(b) The task force shall choose its chair from among its legislative membership. The legislative members of the task force shall convene the initial meeting of the task force.

(2) The task force shall review and provide recommendations regarding the following issues:

(a) The current structure, operations, and resources of the state building code council;

(b) The building code development process, including the policy and procedure, technical, and economic aspects of review and adoption of the state building code;

(c) Economic aspects, including fiscal impact on private and public sector construction;

(d) The current code cycle length;

(e) The state building code council's membership and composition, including interests and industries represented;

(f) Total resources necessary for an effective state building code development process, including staffing and needs;

(g) Options for long-term, reliable funding of the state building code council; and

(h) The powers, duties, and support services of the department of enterprise services relevant to the state building code council.

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

(4) 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.

(5) 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.

(6) The task force shall report its findings and recommendations to the appropriate committees of the legislature consistent with RCW 43.01.036 by October 1, 2017.

(7) This section expires October 1, 2017."

On page 1, line 1 of the title, after "council;" strike the remainder of the title and insert "amending RCW 19.27.070, 19.27.074, and 19.27A.020; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SHB 2841 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

March 8, 2016

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524 with the following amendment:

Strike everything after the enacting clause and insert the following:

"2015-2017 FISCAL BIENNIUM
GENERAL GOVERNMENT AGENCIES—
OPERATING

Sec. 101. 2015 1st sp.s. c 10 s 101 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY
AND HISTORIC PRESERVATION
Motor Vehicle Account—State Appropriation
(((\$476,000))

\$488,000

Sec. 102. 2015 1st sp.s. c 10 s 102 (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION
COMMISSION
Grade Crossing Protective Account—State
Appropriation (((\$504,000))

\$1,604,000

Sec. 103. 2015 1st sp.s. c 10 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT
Motor Vehicle Account—State Appropriation
(((\$2,268,000))

\$2,296,000

Puget Sound Ferry Operations Account—State
Appropriation (((\$110,000))

\$115,000

State Patrol Highway Account—State
Appropriation \$150,000

TOTAL APPROPRIATION \$2,378,000

\$2,561,000

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

((2)) (1) \$835,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to develop, implement, and report on

transportation metrics associated with transportation system policy goals outlined in RCW 47.04.280. The Washington state association of counties, in cooperation with state agencies, must: Evaluate and implement opportunities to streamline reporting of county transportation financial data; expand reporting and collection of short-span bridge and culvert data; evaluate and report on the impact of increased freight and rail traffic on county roads; and to evaluate, implement, and report on the opportunities for improved capital project management and delivery.

((3)) (2) \$100,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from funds set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to work with the department of fish and wildlife to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. A report must be presented to the legislature by December 31, 2016, on the implementation of developed voluntary programmatic agreements.

(3) \$150,000 of the state patrol highway account—state appropriation is provided solely for an organizational assessment of the Washington state patrol.

(4) The office of financial management, in conjunction with the office of the chief information officer, shall provide oversight and review of the department of transportation's development of the request for proposal for a new tolling customer service toll collection system and development of a project management plan as required in section 209(8) of this act.

Sec. 104. 2015 1st sp.s. c 10 s 105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation
(\$1,212,000)

\$1,240,000

Sec. 105. 2015 1st sp.s. c 10 s 106 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor Vehicle Account—State Appropriation
(\$563,000)

\$582,000

Sec. 106. 2015 1st sp.s. c 10 s 107 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Motor Vehicle Account—State Appropriation
\$300,000

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

(1) The department must work with the Washington state association of counties to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. Such programmatic agreements when agreed to by the department and participating counties are binding agreements for permitting, design, and mitigation of county water crossing structures.

(2) \$300,000 of the motor vehicle account—state appropriation is provided solely for the department to implement activities of the fish passage barrier removal

board created in RCW 77.95.160. The department must coordinate with cities and counties to inventory and undertake predesign and scoping activities associated with fish passage barrier corrections on city streets and county roads. The department must work with the department of ecology to provide a combined report to the transportation committees of the legislature on the board's activities and accomplishments and the activities funded in section 108 of this act by June 30, 2017. \$170,000 is provided from the cities' statewide fuel tax distributions under RCW 46.68.110(2) and \$130,000 is provided from the counties' statewide fuel tax distributions under RCW 46.68.120(3).

NEW SECTION. Sec. 107. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows: FOR THE DEPARTMENT OF ENTERPRISE SERVICES

The department must provide a detailed accounting of the revenues and expenditures of the self-insurance fund and a copy of the most recent annual actuarial review to the transportation committees of the legislature on December 31st and June 30th of each year.

NEW SECTION. Sec. 108. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows: FOR THE DEPARTMENT OF ECOLOGY

Motor Vehicle Account—State Appropriation
\$131,000

The appropriation in this section is subject to the following conditions and limitations: \$131,000 of the motor vehicle account—state appropriation from cities' statewide fuel tax distributions under RCW 46.68.110(2) is provided solely for the department to develop a framework with the department of transportation and the department of fish and wildlife for correcting fish passage barriers on city streets as compensatory mitigation for environmental impacts of transportation projects, as required in RCW 77.95.185(2)(a). In addition, the department must develop and implement an umbrella statewide in lieu fee program or other formal means to provide a streamlined mechanism to undertake priority local fish passage barrier corrections, as required in RCW 77.95.185(2)(c). The department must work with the department of fish and wildlife to provide a combined report to the transportation committees of the legislature on the implementation of the program, the mechanism implemented to prioritize fish passage barrier corrections, and the activities funded in section 106(2) of this act by June 30, 2017.

NEW SECTION. Sec. 109. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows: FOR THE EVERGREEN STATE COLLEGE

Motor Vehicle Account—State Appropriation
\$100,000

The appropriation in this section is subject to the following conditions and limitations: \$100,000 of the motor vehicle account—state appropriation is provided solely to the Washington state institute for public policy for a cost-benefit analysis of the state's ferry vessel procurement practices as required in chapter 14, Laws of 2015 3rd sp. sess.

TRANSPORTATION AGENCIES—OPERATING

Sec. 201. 2015 1st sp.s. c 10 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State	Appropriation		
(((\$3,154,000))			
	\$3,183,000		
Highway Safety Account—Federal	Appropriation		
(((\$27,383,000))			
	\$21,644,000		
Highway Safety Account—Private/Local	Appropriation		
\$118,000			
School Zone Safety Account—State	Appropriation		
\$850,000			
TOTAL APPROPRIATION	\$31,505,000		
	\$25,795,000		

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

(1) The commission may continue to oversee pilot projects implementing the use of automated traffic safety cameras to detect speed violations within cities west of the Cascade mountains that have a population of more than one hundred ninety-five thousand and that are located in a county with a population of fewer than one million five hundred thousand. For the purposes of pilot projects in this subsection, no more than one automated traffic safety camera may be used to detect speed violations within any one jurisdiction.

(a) The commission shall comply with RCW 46.63.170 in administering the pilot projects.

(b) By January 1, 2017, any local authority that is operating an automated traffic safety camera to detect speed violations must provide a summary to the transportation committees of the legislature concerning the use of the cameras and data regarding infractions, revenues, and costs.

(2) \$99,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter (. . . (Substitute Senate Bill No. 5957))) 243, Laws of 2015 (pedestrian safety reviews). (If chapter . . . (Substitute Senate Bill No. 5957), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.)

(3) \$6,500,000 of the highway safety account—federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2015-2017 fiscal biennium.

(4) Within current resources, the commission must examine the declining revenue going to the school zone safety account with the goal of identifying factors contributing to the decline. By December 31, 2015, the commission must provide a report to the transportation committees of the legislature that summarizes its findings and provides recommendations designed to ensure that the account is receiving all amounts that should be deposited into the account.

Sec. 202. 2015 1st sp.s. c 10 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State	Appropriation		
(((\$969,000))			
	\$1,000,000		
Motor Vehicle Account—State	Appropriation		
(((\$2,283,000))			
	\$2,459,000		

County Arterial Preservation Account—State

Appropriation	(((\$1,481,000))
	\$1,518,000
TOTAL APPROPRIATION	\$4,733,000
	\$4,977,000

Sec. 203. 2015 1st sp.s. c 10 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State	Appropriation	
(((\$3,915,000))		
	\$4,063,000	

Sec. 204. 2015 1st sp.s. c 10 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account—State	Appropriation	
(((\$1,727,000))		
	\$2,222,000	

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

(1)(a) \$250,000 of the motor vehicle account—state appropriation is for a consultant study of Washington state patrol recruitment and retention of troopers. The study must identify barriers to effective candidate recruitment, candidates' successful completion of training, and retention of trained troopers of various tenure. The study must provide:

- (i) An overview of current attrition rates;
- (ii) Options and strategies on reducing the average number of trooper positions that are vacant;
- (iii) Identification of best practices for recruitment and retention of law enforcement officers;
- (iv) Recommendations to improve existing recruitment and selection programs;
- (v) Recommendations for where salary and benefit adjustments should be targeted to most effectively address recruitment and retention challenges;
- (vi) Recommendations regarding changes to the training and education program; and
- (vii) Other recommendations for cost-effective personnel strategies.

(b) The joint transportation committee shall issue a report of its findings to the house and senate transportation committees by December 14, 2015. The Washington state patrol shall work with the consultant to identify costs for each recommendation.

(2)(a) \$125,000 of the motor vehicle account—state appropriation is for a study of Washington state weigh station planning, placement, and operations by the Washington state patrol and department of transportation as they relate to roadway safety and preservation. The study must:

(i) Provide a high-level overview of commercial vehicle enforcement programs, with a focus on weigh stations, including both state and federal funding programs. This overview must include a description of how the Washington state patrol and department of transportation allocate these state and federal funds.

(ii) Review Washington state patrol and department of transportation planning related to weigh station location and operation, and the extent to which their efforts complement, coordinate with, or overlap each other;

(iii) Identify best practices in the funding, placement, and operation of weigh stations;

(iv) Review plans by the department of transportation and Washington state patrol to reopen a Federal Way area southbound weigh station;

(v) Recommend changes in state statutes, policy, or agency practices and rules to improve the efficiency and effectiveness of weigh station funding, placement, and operation, including potential savings to be achieved by adopting the changes; and

(vi) Review whether it is cost-effective or more efficient to place future weigh stations in the median of a highway instead of placing two individual weigh stations on either side of a highway.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2015.

(3) \$250,000 of the motor vehicle account—state appropriation, from the cities' statewide fuel tax distributions under RCW 46.68.110(2), is for a study to be conducted in 2016 to identify prominent road-rail conflicts, recommend a corridor-based prioritization process for addressing the impacts of projected increases in rail traffic, and identify areas of state public policy interest, such as the critical role of freight movement to the Washington economy and the state's competitiveness in world trade. The study must consider the results of the updated marine cargo forecast due to be delivered to the joint transportation committee on December 1, 2015. In conducting the study, the joint transportation committee must consult with the department of transportation, the freight mobility strategic investment board, the utilities and transportation commission, local governments, and other relevant stakeholders. The joint transportation committee must issue a report of its recommendations and findings by ((December 1, 2016)) January 9, 2017.

(4) The legislature intends for the joint transportation committee to undertake a study during the 2017-2019 fiscal biennium of consolidating rail employee safety and regulatory functions in the utilities and transportation commission. The joint transportation committee should review the information provided by the utilities and transportation commission ((as required under section 102 of this act)) and should provide recommendations to the transportation committees of the legislature regarding such a consolidation of rail employee safety and regulatory functions.

(5) Within existing resources, during the interim periods between regular sessions of the legislature, the joint transportation committee shall include on its agendas work sessions on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders. The joint transportation committee shall have at least two such work sessions before December 31, 2015.

(6) \$450,000 of the motor vehicle account—state appropriation is for the design-build contracting review study established in chapter 18, Laws of 2015 3rd sp. sess. The department of transportation must provide technical assistance, as necessary.

(7) The joint transportation committee must study the issues surrounding minority and women-owned business contracting related to the transportation sector. The study should identify any best practices adopted in other states that encourage participation by minority and women-owned businesses. The joint transportation committee, with direction from the executive committee, may form a legislative task force at the conclusion of the study to help to inform the legislature of any best practices identified from other states that encourage minority and women-owned businesses' participation in the transportation sector.

Sec. 205. 2015 1st sp.s. c 10 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION			
Motor Vehicle Account—State	Appropriation		
(((\$2,452,000))			
		\$2,667,000	
Motor Vehicle Account—Federal	Appropriation		
\$500,000			
Multimodal Transportation Account—State	Appropriation	\$112,000	
TOTAL APPROPRIATION		\$2,564,000	
		\$3,279,000	

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

(1) \$300,000 of the motor vehicle account—state appropriation is provided solely to continue evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund investments in transportation. The evaluation must include monitoring and reviewing work that is underway in other states and nationally. The commission may coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available and eligible for road usage charge pilot projects. The commission must reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, and report to the governor's office and the transportation committees of the house of representatives and the senate by December 15, 2015.

(2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the commission to use an outside survey firm to conduct three transportation surveys during the 2015-2017 fiscal biennium. The commission must consult with the joint transportation committee when deciding on the survey topics and design to ensure the survey results will deliver the data, information, and analysis for future transportation policy and strategic planning decisions in a manner useful to the legislature.

(3)(a) The legislature finds that, while some travel times have improved through Interstate 405 between the junctions with Interstate 5 on the north end and NE 6th Street in the city of Bellevue on the south end, especially for transit trips, the implementation of the express toll lane system has made travel more difficult for a number of other drivers and trips. To provide some relief to drivers, the legislature encourages the commission to expedite consideration of the elimination

of tolls during evening nonpeak hours, weekends, and holidays, to the extent that such a change will improve commuters' experience on this portion of Interstate 405. The legislature further finds that the commission, as the tolling authority of the state, should act swiftly, working in conjunction with the department of transportation's comprehensive effort to tackle obstacles adversely affecting commutes on this portion of Interstate 405, to drive improved results for the users of this critical corridor as soon as is practicable.

(b) In accordance with the rule-making authority provided under RCW 34.05.350(1)(a), the legislature deems it necessary, for preservation of the general welfare, that operational changes be made to improve the express toll lane program on Interstate 405 and that the tolling authority use its emergency rule-making authority to effect such changes in accordance with RCW 47.56.850 and 47.56.880. The legislature finds that the need for improvements to the commuter experience on the portion of Interstate 405 identified in (a) of this subsection necessitates that such action be taken in an expedited fashion. The tolling authority, with input from the department of transportation, shall evaluate the hours and days of operation for the express toll lanes and the minimum high occupancy vehicle passenger requirements for using the express toll lanes, taking into consideration the goals of: Reducing travel time on this portion of Interstate 405, including in the general purpose lanes; reducing the cost of traveling within the express toll lanes on this portion of Interstate 405; and maintaining sufficient revenue to pay for this portion of Interstate 405's express toll lane operating costs. This subsection (3) does not create a private right of action.

(4)(a) \$500,000 of the motor vehicle account—federal appropriation is provided solely to advance the work completed since 2011 in evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund future investments in transportation by completing the work necessary to launch a road usage charge pilot project, with all implementation details for a pilot project identified and incorporated into a pilot project implementation plan.

(i) Pilot project implementation preparation must include identification of all essential agency roles and responsibilities for the pilot project, a selection of the technologies and methodologies to be included, a target number of participants and participant characteristics, rigorous specific evaluation criteria by which the pilot project will be assessed, a communication plan for the pilot project that consists of a participant recruitment plan and a plan for communicating information about the launch and ongoing progress of the pilot project, and pilot project expenditure and revenue estimates.

(ii) In developing the road usage charge pilot project implementation plan, the commission shall consult and coordinate with the department of transportation, the department of licensing, the department of revenue, and the office of the state treasurer to establish participation and coordination parameters for the project.

(b) The commission shall coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available to fund a road usage charge pilot project. Where feasible, grant application content prepared by the commission must reflect the

direction provided by the road usage charge steering committee on the preferred road usage charge pilot project approach. One or more grant applications may be developed as part of the road usage charge pilot project implementation plan development work, but the pilot project implementation plan must nevertheless include any details necessary for a full launch of the pilot project not required to be included in any grant application.

(c) The commission shall reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, as well as the addition of a representative from the Puget Sound regional council, and may obtain guidance from the steering committee when it reaches key pilot project implementation plan development milestones. The commission must provide a report on the road usage charge pilot project implementation plan that includes all implementation details for a road usage charge pilot project to the governor's office and the transportation committees of the house of representatives and the senate by November 1, 2016.

(5) \$150,000 of the motor vehicle account—state appropriation is provided solely for supporting the disadvantaged business enterprise advisory committee established in chapter . . . (Senate Bill No. 6180), Laws of 2016. If chapter . . . (Senate Bill No. 6180), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

Sec. 206. 2015 1st sp.s. c 10 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD
 Motor Vehicle Account—State Appropriation ((979,000))
 \$1,024,000

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the motor vehicle account—state appropriation is provided solely to conduct a study of freight infrastructure needs, including an update of the long-term marine cargo forecast. The board must work with the Washington public ports association to evaluate: (1) Forecasted cargo movement by commodity, type, and mode of land transport; and (2) current and projected freight infrastructure capacity needs. A report on the study must be delivered to the joint transportation committee by December 1, 2015.

Sec. 207. 2015 1st sp.s. c 10 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL
 State Patrol Highway Account—State Appropriation ((407,771,000))
 \$415,364,000
 State Patrol Highway Account—Federal Appropriation ((12,779,000))
 \$13,291,000
 State Patrol Highway Account—Private/Local Appropriation ((3,631,000))
 \$3,823,000
 Highway Safety Account—State Appropriation ((1,323,000))
 \$1,494,000
 Multimodal Transportation Account—State Appropriation \$276,000

TOTAL APPROPRIATION \$425,780,000
\$434,248,000

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

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

(2) \$510,000 of the highway safety account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$23,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter (. . . (Engrossed Second Substitute House Bill No. 1276)) 3, Laws of 2015 2nd sp. sess. (impaired driving). (If chapter . . . (Engrossed Second Substitute House Bill No. 1276), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.)

(4) \$5,000,000 of the state patrol highway account—state appropriation is provided solely for compensation increases for Washington state patrol troopers, sergeants, lieutenants, and captains. This increase is not subject to interest arbitration and is for salary and benefits that are in addition to the current interest arbitration award. It is the intent of the legislature that chapter . . . (Engrossed Second Substitute House Bill No. 2872), Laws of 2016 provide the revenue to support the ongoing costs associated with the compensation increases identified in this subsection in order to provide the means necessary to recruit and retain state patrol officers in subsequent biennia.

(5)(a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

Sec. 208. 2015 1st sp.s. c 10 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State
Appropriation \$34,000
License Plate Technology Account—State
Appropriation \$3,200,000
Motorcycle Safety Education Account—State
Appropriation ((\$4,442,000))
\$4,488,000
State Wildlife Account—State Appropriation
((\$949,000))
\$1,001,000
Highway Safety Account—State Appropriation
((\$183,610,000))

\$201,666,000
Highway Safety Account—Federal
Appropriation \$3,573,000
Motor Vehicle Account—State Appropriation
((\$86,014,000))
\$92,044,000
Motor Vehicle Account—Federal Appropriation
\$362,000
Motor Vehicle Account—Private/Local
Appropriation \$1,544,000
Ignition Interlock Device Revolving Account—
State
Appropriation ((\$5,133,000))
\$5,142,000
Department of Licensing Services Account—
State
Appropriation ((\$6,575,000))
\$6,672,000
TOTAL APPROPRIATION \$295,436,000
\$319,726,000

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

(1) ((\$24,212,000)) \$30,954,000 of the highway safety account—state appropriation and \$3,200,000 of the license plate technology account—state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(2) \$5,059,000 of the motor vehicle account—state appropriation is provided solely for replacing prorate and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(3) \$3,714,000 of the highway safety account—state appropriation is provided solely for the implementation of an updated central issuance system.

(4) \$3,082,000 of the highway safety account—state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2)(e)(v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(5) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. A person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(6) Within existing resources and in consultation with the traffic safety commission, the Washington state patrol, and a representative of the insurance industry and the professional driving school association, the department must review options and make recommendations on strategies for addressing young and high-risk drivers. The recommendations must consider the findings of Washington state's strategic highway safety plan, Target Zero, and must include an analysis of expanding traffic safety education to eighteen to twenty-four year olds that have not taken a traffic safety course and drivers that have been convicted of high-risk behavior, such as driving under the influence of drugs and alcohol and reckless driving. An overview of the work conducted and the recommendations are due to the transportation committees of the legislature and the governor by December 31, 2015.

(7) \$57,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter ((. . . (Substitute House Bill No. 1157))) 1, Laws of 2015 ((or chapter . . . (Substitute Senate Bill No. 5025), Laws of 2015)) 2nd sp. sess. (quick title service fees). ((If both chapter . . . (Substitute House Bill No. 1157), Laws of 2015 and chapter . . . (Substitute Senate Bill No. 5025), Laws of 2015 are not enacted by June 30, 2015, the amount provided in this subsection lapses.))

(8) \$283,000 of the highway safety account—state appropriation and \$33,000 of the ignition interlock device revolving account—state appropriation are provided solely for the implementation of chapter ((. . . (Engrossed Second Substitute House Bill No. 1276))) 3, Laws of 2015 2nd sp. sess. (impaired driving). ((If chapter . . . (Engrossed Second Substitute House Bill No. 1276), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.))

(9) \$63,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5656), Laws of 2015 (distracted driving). If chapter . . . (Engrossed Substitute Senate Bill No. 5656), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.))

(9) \$4,000,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

(10) \$335,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2942), Laws of 2016 or chapter . . . (Senate Bill No. 6591), Laws of 2016 (nondomiciled commercial drivers' licenses). If both chapter . . . (Substitute House Bill No. 2942), Laws of 2016 and chapter . . . (Senate Bill No. 6591), Laws of 2016 are not

enacted by June 30, 2016, the amount provided in this subsection lapses.

(11) \$2,421,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2015. The department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait times and volume data for enhanced drivers' licenses and enhanced identicards.

(12) \$43,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 6200), Laws of 2016 (Washington's fish collection license plate). If chapter . . . (Senate Bill No. 6200), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

(13) \$388,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 (impaired driving). If chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

(14) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 (Purple Heart license plate). If chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

(15) \$20,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 (alternative fuel vehicles). If chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

Sec. 209. 2015 1st sp.s. c 10 s 209 (uncodified) is amended to read as follows:

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

High Occupancy Toll Lanes Operations Account—State

Appropriation (((\$2,688,000))
\$3,185,000

Motor Vehicle Account—State Appropriation
(((\$503,000))

\$510,000

State Route Number 520 Corridor Account—
State

Appropriation (((\$39,543,000))
\$39,029,000

State Route Number 520 Civil Penalties Account—State

Appropriation	(((\$6,703,000))
	\$6,008,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	(((\$25,660,000))
	\$26,636,000
Interstate 405 Express Toll Lanes Operations	
Account—State Appropriation	(((\$9,931,000))
	\$15,552,000
TOTAL APPROPRIATION	\$85,028,000
	\$90,920,000

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

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$8,157,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) \$4,778,000 of the state route number 520 civil penalties account—state appropriation and \$2,065,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for expenditures related to the toll adjudication process. The department shall report on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees by the end of each calendar quarter. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(3) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(4) \$3,100,000 of the Interstate 405 express toll lanes operations account—state appropriation, \$1,498,000 of the state route number 520 corridor account—state appropriation, and (((\$1,291,000)) \$1,802,000 of the high occupancy toll lanes operations account—state appropriation are provided solely for the operation and maintenance of roadside toll collection systems.

(5) (((\$6,831,000)) \$12,202,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for operational costs related to the express toll lane facility, including the customer service center vendor, transponders, credit card fees, printing and postage, rent, office supplies, telephone and communications equipment, computers, and vehicle operations. Within the

amount provided in this subsection, the department must, to the greatest extent possible, without adding additional tolling gantries, continue to expand the length of the access and exit points to the express toll lanes, clarify signage and striping to eliminate confusion, and make other operational and customer service improvements to enhance the public's use of the toll facility. The office of financial management shall place \$5,371,000 of the amount provided in this subsection in unallotted status. The office of financial management may release funds to the department on a monthly basis beginning July 1, 2016; however, the amount to be released monthly must be calculated to address the department's projected expenditure need based on the previous month's actual expenditures, financial statement, actual toll transaction experience, and actual revenue collections for the Interstate 405 express toll lanes facility. Prior to releasing any funding from unallotted status, the office of financial management shall notify the joint transportation committee of the amount to be released and provide the documentation used in determining the amount.

(6) \$250,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for the identification and prioritization of projects that will help reduce congestion and provide added capacity on the Interstate 405 tolling corridor between state route number 522 and Interstate 5.

(7) The department must provide quarterly reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

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

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

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

(8) \$56,000 of the high occupancy toll lanes operations account—state appropriation, \$1,124,000 of the state route number 520 corridor account—state appropriation, and \$596,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for the department to develop a request for proposal(s) for a new tolling customer service center.

(a) The department must address the replacement of the Wave2Go ferry ticketing system that is reaching the end of its useful life by developing functional and technical requirements that integrate Washington state ferries ticketing into the new tolling division customer service center toll collection system. The department shall continue to report quarterly to the governor, legislature, and state auditor on: ((a)) (i) The department's effort to mitigate risk to the state, ((b)) (ii) the development of a request for proposal(s), and ((c)) (iii) the overall progress towards procuring a new tolling customer service center.

(b) The department shall release a request for proposal for a new tolling customer service toll collection system by December 1, 2016.

(i) During the request for proposal development process and prior to its release, the office of financial management shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

- (A) Provides for the business needs of the state; and
- (B) Mitigates risk to the state.

(ii) During development of the request for proposal and prior to its release, the office of the chief information officer shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

- (A) Contains requirements that meet the security standards and policies of the office of the chief information officer; and
- (B) Is flexible and adaptable to advances in technology.

(c)(i) Prior to commencement of the new tolling customer service toll collection system implementation, the department shall submit a draft project management plan to the office of financial management and the office of the chief information officer that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation;

(ii) The office of financial management and the office of the chief information officer shall review the draft project management plan to ensure that it contains adequate contract management and quality assurance measures.

(iii) The department shall submit the project management plan to the transportation committees of the legislature prior to the commencement of system implementation.

((7)) (9) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

((8)) (10) \$5,000 of the motor vehicle account—state appropriation is provided solely for membership dues for the alliance for toll interoperability.

((9) \$1,925,000) (11) \$1,230,000 of the state route number 520 civil penalties account—state appropriation ((is)) and \$695,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely to implement chapter (. . . (Substitute Senate Bill No. 5481)) 292, Laws of 2015 (tolling customer service reform) to improve integration between the Good to Go! electronic tolling system with the pay-by-mail system through increased communication with customers and improvements to the Good to Go! web site allowing customers to manage all of their toll accounts regardless of method of payment. Within the amounts provided, the department must include in the request for proposals for a new customer service center the requirement that the new tolling customer service center link to the vehicle records system of the department of licensing to enable vehicle record updates that relate to tolling customer accounts to occur between the two systems seamlessly. The department must work with the department of licensing to develop the appropriate specifications to include in the request for proposals to allow the new tolling customer service center to link to the vehicle records system without cost to the department of licensing and report to the transportation committees of the legislature when the appropriate specifications have been completed. By June 30, 2017, the department shall report how many people with Good to Go! accounts were issued civil penalties for each toll facility and whether the number was reduced each fiscal year in the biennium. The department shall also report on the number of customer contacts that occur, number of civil penalties reduced or waived, the amount of the total civil penalties that are waived, and the number of customers that are referred to the administrative law judge process during the biennium.

Sec. 210. 2015 1st sp.s. c 10 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF
TRANSPORTATION—INFORMATION
TECHNOLOGY—PROGRAM C

Transportation Partnership Account—State		
Appropriation	\$1,460,000	
Motor Vehicle Account—State		Appropriation
(((\$67,458,000))		
	\$69,291,000	
Multimodal Transportation Account—State		
Appropriation	\$2,883,000	
Transportation 2003 Account (Nickel Account)—		State

Appropriation \$1,460,000
 Puget Sound Ferry Operations Account—State
 Appropriation \$263,000
 TOTAL APPROPRIATION \$73,524,000
 \$75,357,000

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

(1) \$1,460,000 of the transportation partnership account—state appropriation and \$1,460,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for maintaining the department's project management reporting system.

(2) \$250,000 of the motor vehicle account—state appropriation is provided solely for the development of a timeline and funding plan for the labor system replacement project. As part of its 2017-2019 biennial budget submittal, and in coordination with the office of financial management and the office of the chief information officer, the department shall submit a timeline and funding plan for the labor system replacement project. The plan must identify a timeline and all one-time and ongoing costs for the integration of all headquarters, regional, and marine employees into the new labor system.

Sec. 211. 2015 1st sp.s. c 10 s 211 (uncodified) is amended to read as follows:

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

Motor Vehicle Account—State Appropriation
 ((\$27,098,000))
 \$27,609,000
 State Route Number 520 Corridor Account—State
 Appropriation \$34,000
 TOTAL APPROPRIATION \$27,132,000
 \$27,643,000

Sec. 212. 2015 3rd sp.s c 43 s 606 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF
 TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation
 ((\$8,143,000))
 \$8,628,000
 Aeronautics Account—Federal Appropriation
 \$4,100,000
 Aeronautics Account—Private/Local
 Appropriation \$60,000
 TOTAL APPROPRIATION \$12,303,000
 \$12,788,000

The appropriations in this section are subject to the following conditions and limitations: ((\$4,137,000)) \$4,557,000 of the aeronautics account—state appropriation is provided solely for airport investment studies and the airport aid grant program, which provides competitive grants to public airports for pavement, safety, maintenance, planning, and security. ((Of this amount, \$637,000 lapses if chapter . . . (Substitute Senate Bill No. 5324), Laws of 2015 3rd sp. sess. (aircraft excise taxes) is not enacted by July 31, 2015, chapter . . . (Substitute Senate Bill No. 6057) Laws of 2015 3rd sp. sess. (relating to revenue) is not enacted by July 31, 2015, and an expenditure to the aeronautics account is

not provided in the 2015-2017 omnibus appropriations act by July 31, 2015.))

Sec. 213. 2015 1st sp.s. c 10 s 213 (uncodified) is amended to read as follows:

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

Motor Vehicle Account—State Appropriation
 ((\$52,070,000))
 \$53,911,000

Motor Vehicle Account—Federal Appropriation
 \$500,000

Multimodal Transportation Account—State
 Appropriation \$250,000

TOTAL APPROPRIATION \$52,820,000
 \$54,661,000

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

(1) The real estate services division of the department must recover the cost of its efforts from sale proceeds and fund additional future sales from those proceeds.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(3) \$250,000 of the motor vehicle account—state appropriation is provided solely for training intended to retain a knowledgeable and competent core technical staff in the changing environment of highway project design and construction and to provide for the efficient and effective

delivery and oversight of projects. The training must focus on the following areas:

(a) Training appropriate staff in regard to coordinating and administrating projects with private sector designers and builders for projects delivered by the design-build construction process;

(b) Training on community engagement to provide project managers with the skills necessary to develop personal relations with the leaders of the affected community to blend project needs with the needs of the community, while providing fair treatment and involvement of community groups and individuals regarding elements of a project subject to environmental regulations, laws, and policies;

(c) Training for partnering and team building skills to avoid conflict and reduce construction claims that arise in contract administration; and

(d) Technical design training required in the fields of hydraulics, hydrology, and storm water abatement, and other fields in support of projects dealing with the fish passage program and highway runoff treatment.

Sec. 214. 2015 1st sp.s. c 10 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—ECONOMIC PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation (((\$582,000))

\$600,000

Electric Vehicle Charging Infrastructure Account—State Appropriation \$1,000,000
TOTAL APPROPRIATION \$1,600,000

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

(1) The economic partnership program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(2)(a) Within the amounts provided in this section, the economic partnership program shall consult with the department's tolling division and participate in the division's ongoing efforts to reduce the costs associated with the Tacoma Narrows bridge. This participation must include examining opportunities for the state to contract with one or more private sector partners to collect tolls and provide services to drivers crossing the bridge.

(b) The economic partnership program shall provide a report to the transportation committees of the legislature by January 1, 2017, containing the results of its work with the department's tolling division. The report must include information on additional opportunities that have been examined by the economic partnership program and the department's tolling division for the state to contract with one or more private sector partners to collect tolls and provide services to drivers crossing the Tacoma Narrows bridge. The report must provide information on the feasibility of each type of private sector partnering opportunity examined, including the potential benefits and drawbacks of each, as well as any legal, operational, and other potential barriers that have been identified. The department must address its evaluation of leasing the Tacoma Narrows bridge toll facility and land to concessionaires. The economic partnership program should

include a recommendation on which, if any, of the examined opportunities shows sufficient promise to warrant further investigation based on criteria for evaluation recommended by the economic partnership program and the department's tolling division that have been clearly identified in the report.

(3) \$1,000,000 of the electric vehicle charging infrastructure account—state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

Sec. 215. 2015 1st sp.s. c 10 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation (((\$397,329,000))

\$418,524,000

Motor Vehicle Account—Federal Appropriation \$7,000,000

Tacoma Narrows Toll Bridge Account—State Appropriation (((\$1,768,000))

\$1,235,000

State Route Number 520 Corridor Account—State Appropriation \$4,448,000

TOTAL APPROPRIATION \$410,545,000
\$431,207,000

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

(1) (((\$2,605,000)) \$6,091,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(2) \$4,448,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) (((\$1,768,000)) \$1,235,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(5) The department must make signage for low-height bridges a high priority.

(6) \$25,000 of the motor vehicle account—state appropriation is provided solely for the Northwest avalanche center for an additional forecaster. However, the amount in this subsection is contingent on the state parks and recreation commission receiving funding for its portion of the Northwest avalanche center forecaster in the omnibus appropriations act. If this funding is not provided by June 30, 2016, the appropriation provided in this subsection lapses.

(7) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for safety improvements and operations relating to homeless encampments along Interstate 5 between milepost 162 and milepost 165. The department shall coordinate the timing of the safety

improvements with the city of Seattle and King county to ensure that a collaborative and comprehensive approach is taken to address emergency conditions in support of the city's transitional services.

(8) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to submit a request for proposals as part of a pilot project that explores the use of rotary auger ditch cleaning and reshaping service technology in maintaining roadside ditches for state highways. The pilot project must consist of at least one technology test on each side of the Cascade mountain range.

Sec. 216. 2015 1st sp.s. c 10 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF		TRANSPORTATION—TRAFFIC OPERATIONS—	
PROGRAM Q—OPERATING			
Connecting Washington Account—State	Appropriation	\$30,000	
Motor Vehicle Account—State	Appropriation	(((\$51,572,000))	\$57,622,000
Motor Vehicle Account—Federal	Appropriation	\$2,050,000	
Motor Vehicle Account—Private/Local	Appropriation	\$250,000	
TOTAL APPROPRIATION		\$53,872,000	\$59,952,000

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

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) During the 2015-2017 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit

purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(3) The legislature recognizes that congestion is increasing on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station, and that allowing transit buses to operate on the shoulder would provide congestion relief and more reliable travel times. Therefore, the department shall, within existing resources, implement a transit bus shoulder operations pilot project on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station. The department shall make all necessary changes to handle the increased traffic and provide a ten-foot shoulder for the transit bypass.

(4) \$30,000 of the connecting Washington account—state appropriation is provided solely for the department to create and install motorist information sign panels for the Jerry Taylor Veterans Plaza in Sunnyside along the state-owned right-of-way near exits 63, 67, and 69 on Interstate 182 and on state route number 241 near the junction with Yakima Valley highway and to install supplemental directional signs as permitted by the affected local government and in accordance with the "Manual on Uniform Traffic Control Devices" and chapter 47.36 RCW.

(5) The department shall implement Senate Joint Memorial No. 8019 within existing resources if Senate Joint Memorial No. 8019 is enacted by the legislature by June 30, 2016, and the Washington state transportation commission takes action to name the facility per Senate Joint Memorial No. 8019 by June 30, 2017.

Sec. 217. 2015 1st sp.s. c 10 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF		TRANSPORTATION—TRANSPORTATION	
MANAGEMENT AND SUPPORT—PROGRAM S			
Motor Vehicle Account—State	Appropriation	(((\$27,842,000))	\$29,625,000
Motor Vehicle Account—Federal	Appropriation	(((\$280,000))	\$1,205,000
Multimodal Transportation Account—State	Appropriation	\$1,131,000	
TOTAL APPROPRIATION		\$29,253,000	\$31,961,000

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

(1) \$288,000 of the motor vehicle account—state appropriation is provided solely for enhanced disadvantaged business enterprise outreach to increase the pool of disadvantaged businesses available for department contracts and to collaborate with the department of labor and industries to recruit women and persons of color to participate in existing transportation apprenticeship programs. The department must submit a status report on disadvantaged business enterprise outreach and apprenticeship recruitment to the transportation committees of the legislature by November 15, 2015.

(2) \$3,000,000 of the motor vehicle account—state appropriation is provided solely for the headquarters communications office. Within the amount provided in this

subsection, the department shall complete the web content management system and upgrade the department's web site.

(3) \$750,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonproject agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2016, and annually thereafter.

(4)(a) During the 2015-2017 fiscal biennium, the department may proceed with the pilot project selling commercial advertising, including product placement, on department web sites and social media. In addition, the department may sell a version of its mobile application(s) to users who desire to have access to application(s) without advertising.

(b) The department shall deposit all moneys received from the sale of advertisements on web site and mobile applications into the motor vehicle fund created in RCW 46.68.070.

(c) The department shall adopt standards for advertising, product placement, and other forms of commercial recognition that require the department to define and prohibit, at a minimum, the content containing any of the following characteristics, which is not permitted: (i) Obscene, indecent, or discriminatory content; (ii) political or public issue advocacy content; (iii) products, services, or other materials that are offensive, insulting, disparaging, or degrading; or (iv) products, services, or messages that are contrary to the public interest, including any advertisements that encourage or depict unsafe behaviors or encourage unsafe or prohibited driving activities. Alcohol, tobacco, and cannabis are included among the products prohibited.

Sec. 218. 2015 1st sp.s. c 10 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF			
TRANSPORTATION—TRANSPORTATION			
PLANNING, DATA, AND RESEARCH—PROGRAM T			
Motor Vehicle Account—State	Appropriation		
(((\$21,374,000))			
		\$22,717,000	
Motor Vehicle Account—Federal	Appropriation		
(((\$24,885,000))			
		\$26,342,000	
Multimodal Transportation Account—State	Appropriation	\$662,000	
Multimodal Transportation Account—Federal	Appropriation	\$2,809,000	
Multimodal Transportation Account—			
Private/Local	Appropriation	\$100,000	
TOTAL APPROPRIATION		\$49,830,000	
		\$52,630,000	

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

(1) \$368,000 of the motor vehicle account—state appropriation is provided solely for the purchase of an economic impact model. The department shall work with

appropriate local jurisdictions to improve consistency between existing and planned transportation demand models. The department shall report back to the transportation committees of the legislature and the office of financial management by December 31, 2015, with any recommendations requiring legislative action.

(2) \$1,000,000 of the motor vehicle account—federal appropriation is provided solely for the corridor sketch program. Priority must be given to the state route number 522 corridor between Maltby and the Snohomish river bridge. Initial corridors must also include state route number 195, Interstate 5 between Bellingham and the vicinity of Mount Vernon, state route number 160 in the vicinity of Port Orchard, and state route number 28 in the vicinity of East Wenatchee.

(3) Within existing resources, the department shall conduct a traffic and access study of the intersection of the Interurban trail and state route number 104. Options to improve safety at this location must include consideration of a pedestrian and bike overcrossing.

(4)(a) The department must update the state freight mobility plan to comply with the requirements in section 70202 of the federal fixing America's surface transportation act. In updating the state freight mobility plan, the department must involve key freight stakeholders, such as representatives of public ports, the trucking industry, railroads, the marine industry, local governments and planning organizations, the Washington state freight advisory committee, and other freight stakeholders. The updated plan must delete any obsolete project references from the prioritized freight project list.

(b) The department, in conjunction with the stakeholder group, must provide a list of prioritized projects for consideration for funding in the 2017-2019 fiscal biennium. The prioritized list must have approval from all impacted stakeholders. The prioritized list must be submitted to the office of financial management and the transportation committees of the legislature by November 1, 2016.

(5) Within existing resources, the department must evaluate how light pollution from state highways and facilities can be minimized while still meeting appropriate safety standards. Additionally, the department must evaluate how budget savings can be achieved through different types of lighting. To the extent practicable, the department must conduct this work in conjunction with other ongoing study and corridor planning efforts.

(6) Within existing resources, the transportation planning program, with assistance from the rail program and other programs as needed, shall prepare a report that outlines the state's options for addressing the removal of the Eastside Freight railroad line, which runs from the city of Snohomish to the city of Woodinville, authorized under the rail banking provisions of federal law. This report must evaluate options by which the state may facilitate the preservation and maintenance of the Eastside Freight railroad line, in consideration of what is currently permitted under federal law. The report must address, but is not limited to: What, if any, legal authority the state has to affect projects currently underway in or planned for the Eastside Freight railroad line; whether state acquisition of specific property rights on the Eastside Freight railroad line is permitted under federal law and, if so, whether it could be beneficial to or would be

necessary for the preservation and maintenance of the Eastside Freight railroad line; and the extent to which the state may otherwise encourage the preservation of the Eastside Freight railroad line. The report must include sufficient details on each option presented to support its evaluation, as well as the potential benefits and estimated costs associated with options presented that are permissible under federal law. The evaluation of potential benefits must be conducted in the context of current state rail policy, including RCW 47.76.240. The department must submit the report to the transportation committees of the legislature by December 1, 2016.

(7) \$150,000 of the motor vehicle account—state appropriation is provided solely for a safety study of state route number 169 from Jones Road to Cedar Grove. The department must consider collision data and work with local stakeholders to make recommendations for safety improvements in the corridor. A report on the study is due to the transportation committees of the legislature by December 31, 2016.

Sec. 219. 2015 1st sp.s. c 10 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF
TRANSPORTATION—CHARGES FROM OTHER
AGENCIES—PROGRAM U

Motor Vehicle Account—State Appropriation	((\$75,700,000))	
	\$74,666,000	
Motor Vehicle Account—Federal Appropriation	\$500,000	
Multimodal Transportation Account—State Appropriation	((\$3,243,000))	
	\$3,115,000	
TOTAL APPROPRIATION	\$79,443,000	
	\$78,281,000	

((The appropriations in this section are subject to the following conditions and limitations: The department of enterprise services must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.))

Sec. 220. 2015 1st sp.s. c 10 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF
TRANSPORTATION—PUBLIC TRANSPORTATION—
PROGRAM V

State Vehicle Parking Account—State Appropriation	\$754,000	
Regional Mobility Grant Program Account—State Appropriation	((\$60,000,000))	
	\$74,976,000	
Rural Mobility Grant Program Account—State Appropriation	((\$17,000,000))	
	\$20,438,000	
Multimodal Transportation Account—State Appropriation	((\$50,546,000))	
	\$72,930,000	
Multimodal Transportation Account—Federal Appropriation	((\$3,242,000))	
	\$3,588,000	
TOTAL APPROPRIATION	\$131,542,000	

\$172,686,000

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

(1) ((\$35,000,000)) \$41,250,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) ((\$7,500,000)) \$8,750,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) ((\$27,500,000)) \$32,500,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2013 as reported in the "Summary of Public Transportation - 2013" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) ((\$17,000,000)) \$20,438,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) ((\$6,000,000)) \$6,969,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) \$400,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving or traveling through the Joint Base Lewis-McChord I-5 corridor between mile post 116 and 127.

(4) ((\$10,000,000)) \$18,726,000 of the regional mobility grant program account—state appropriation is reapportioned and provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Public Transportation Program (V).

(5)(a) ((\$50,000,000)) \$56,250,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2015, and December 15, 2016, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2015-2017 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$5,670,000 of the multimodal transportation account—state appropriation and \$754,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities.

(8) \$200,000 of the multimodal transportation account—state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(9)(a) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the Everett connector service for Island and Skagit transit agencies. The amount provided in this subsection is contingent on Island Transit charging fares that achieve a farebox recovery ratio similar to comparable transit systems.

(b) The amount provided in (a) of this subsection must be held in unallotted status until the office of financial management determines that fares have been both adopted and implemented by Island Transit that achieve a farebox recovery ratio similar to comparable transit systems. Island Transit must notify the office of financial management when it has met the requirements of this subsection.

(10)(a) \$13,890,000 of the multimodal transportation account—state appropriation is provided solely for projects identified in LEAP Transportation Document 2016-3 as developed March 7, 2016. Except as provided otherwise in this subsection, funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects. If a higher priority project is bypassed, it must be funded when the project is ready. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed transit projects that have been funded and projects that have been bypassed, including an estimated time frame for when the bypassed project will be funded.

(b) \$831,000 of the amount provided in (a) of this subsection is provided solely for Skagit transit system enhancements for expenditure in 2015-2017.

(c) \$2,300,000 of the amount provided in (a) of this subsection is provided solely for Island transit's tri-county connector service for expenditure in 2015-2017.

(d) It is the intent of the legislature to provide \$6,000,000 in the 2017-2019 fiscal biennium and \$6,000,000 in the 2019-2021 fiscal biennium for the Spokane Central city line, in addition to the 2015-2017 fiscal biennium funding provided in the LEAP transportation document identified in (a) of this subsection. It is further the intent of the legislature to provide a total of \$10,000,000 over the 2017-2019 and 2019-2021 fiscal biennia for the Northgate transit center pedestrian bridge.

(e) Within existing resources, the public transportation program must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating the delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016.

(11) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(12) Within the amounts provided in this section, the public transportation program must conduct a study of public transportation agencies in Washington that provide regional public transportation service outside the boundaries of the agency. The study must consider: (a) The cost to provide these existing regional services, the current source of funds for these services, and the applicable ridership data from these existing regional services; (b) the number of trips removed from the state highway system as a result of these regional services; (c) areas of the state highway system that do not have such regional service available; and (d) potential

funding sources at the state level to support a portion of current and potential regional services. The public transportation program must provide a report on its findings and recommendations to the transportation committees of the legislature by November 15, 2016.

Sec. 221. 2015 1st sp.s. c 10 s 221 (uncodified) is amended to read as follows:

FOR	THE	DEPARTMENT	OF
TRANSPORTATION—MARINE—PROGRAM X			
Puget Sound Ferry Operations Account—State			
Appropriation	((\$483,637,000))	
		\$478,319,000	
Puget Sound Ferry Operations Account—Federal			
Appropriation	\$5,908,000		
Puget Sound Ferry Operations Account—			
Private/Local			
Appropriation	\$121,000		
TOTAL APPROPRIATION	\$483,758,000		
	\$484,348,000		

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

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2015-2017 supplemental and 2017-2019 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) Until a reservation system is operational on the San Juan islands inter-island route, the department shall provide the same priority loading benefits on the San Juan islands inter-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(3) For the 2015-2017 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(4) (((\$87,036,000)) \$78,306,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2015-2017 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 701 ((of this act)), c 10, Laws of 2015 1st sp. sess. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(5) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(6) During the 2015-2017 fiscal biennium, the department shall not operate a winter sailing schedule for a time period longer than twelve weeks.

(7) \$496,000 of the Puget Sound ferry operations account—state appropriation is provided solely for ferry terminal traffic control at the Fauntleroy ferry terminal. The department shall utilize existing contracts to provide a uniformed officer to assist with ferry terminal traffic control at the Fauntleroy ferry terminal.

(8) (((\$1,151,000)) \$1,551,000 of the Puget Sound ferry operations account—state appropriation is provided solely for improvements to the reservation system. The department shall actively encourage ferry reservation customers to use the online option for making and changing reservations and shall not use these funds for call center staff.

(9) \$30,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2015, and annually thereafter, and that the report include the establishment of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(10) \$5,908,000 of the Puget Sound ferry operations account—federal appropriation is provided solely for vessel maintenance.

(11) \$48,000 of the Puget Sound ferry operations account—state appropriation is provided solely for staff sufficient to allow passenger accessibility aboard the M/V Tokitae to the sun deck during daylight hours on Saturdays and Sundays of the summer sailing season.

Sec. 222. 2015 1st sp.s. c 10 s 222 (uncodified) is amended to read as follows:

FOR	THE	DEPARTMENT	OF
TRANSPORTATION—RAIL—PROGRAM			Y—
OPERATING			
Multimodal Transportation Account—State			
Appropriation	((\$58,744,000))	
		\$59,473,000	
Multimodal Transportation Account—Private/Local			
Appropriation	\$45,000		
TOTAL APPROPRIATION	\$58,789,000		
	\$59,518,000		

Sec. 223. 2015 1st sp.s. c 10 s 223 (uncodified) is amended to read as follows:

FOR	THE	DEPARTMENT	OF
TRANSPORTATION—LOCAL			PROGRAMS—
PROGRAM Z—OPERATING			
Motor Vehicle Account—State			Appropriation
((\$8,986,000))		
	\$9,324,000		
Motor Vehicle Account—Federal			Appropriation
\$2,567,000			
Multiuse Roadway Safety			Account—State
Appropriation	\$131,000		
TOTAL APPROPRIATION	\$11,684,000		
	\$12,022,000		

TRANSPORTATION AGENCIES—CAPITAL

Sec. 301. 2015 1st sp.s. c 10 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC			
INVESTMENT BOARD			
Freight Mobility Investment Account—State			
Appropriation	((\$8,852,000))	

\$13,217,000

Freight Mobility Multimodal Account—State
 Appropriation (((\$9,937,000))
 \$11,859,000

Freight Mobility Multimodal Account—
 Private/Local
 Appropriation \$1,320,000

Highway Safety Account—State Appropriation
 (((\$2,250,000))
 \$2,765,000

Motor Vehicle Account—State Appropriation
 \$83,000

Motor Vehicle Account—Federal Appropriation
 \$3,250,000

TOTAL APPROPRIATION \$25,692,000

Sec. 302. 2015 1st sp.s. c 10 s 302 (unmodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL
 State Patrol Highway Account—State
 Appropriation (((\$5,310,000))
 \$5,895,000

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

(1) \$250,000 of the state patrol highway account—state appropriation is provided solely for unforeseen emergency repairs on facilities.

(2) \$560,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the roofs of the Shelton academy multipurpose building, Tacoma district office building, Kennewick detachment building, and Ridgefield and Plymouth weigh station buildings.

(3) \$150,000 of the state patrol highway account—state appropriation is provided solely for upgrades to scales at Goldendale required to meet current certification requirements.

(4) \$2,350,000 of the state patrol highway account—state appropriation is provided solely for funding to repair and replace the academy asphalt emergency vehicle operation course.

(5) \$500,000 of the state patrol highway account—state appropriation is provided solely for replacement of generators at Marysville, Baw Faw, Gardner, Pilot Rock, and Ridpath.

(6) \$150,000 of the state patrol highway account—state appropriation is provided solely for painting and caulking in several locations.

(7) \$350,000 of the state patrol highway account—state appropriation is provided solely for pavement preservation at the Wenatchee district office and the Spokane district office.

(8) \$700,000 of the state patrol highway account—state appropriation is provided solely for energy upgrades at two district offices and two detachments.

(9) \$300,000 of the state patrol highway account—state appropriation is provided solely for repair of the academy training tank.

(10) \$130,000 of the state patrol highway account—state appropriation is provided solely for communication site roof repair to reroof equipment shelters at radio communication sites statewide.

(11) \$275,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the broadcast tower at the Steptoe Butte radio communications site.

(12) \$100,000 of the state patrol highway account—state appropriation is provided solely for the dry-pipe fire suppression system rebuild at the Marysville district office.

(13) \$80,000 of the state patrol highway account—state appropriation is provided solely for the construction of a weatherproof enclosure of the generator at the Whiskey Ridge radio communications site. The enclosure's total cost must not exceed \$80,000, and no other Washington state patrol appropriations may be utilized for this project except for the funds provided in this subsection.

Sec. 303. 2015 1st sp.s. c 10 s 303 (unmodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State
 Appropriation (((\$46,000,000))
 \$56,094,000

Motor Vehicle Account—State Appropriation
 \$10,706,000

County Arterial Preservation Account—State
 Appropriation (((\$31,250,000))
 \$32,344,000

TOTAL APPROPRIATION \$87,956,000
 \$99,144,000

Sec. 304. 2015 1st sp.s. c 10 s 304 (unmodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—
 State
 Appropriation (((\$3,931,000))
 \$4,301,000

Highway Safety Account—State Appropriation
 \$10,000,000

Transportation Improvement Account—State
 Appropriation (((\$179,452,000))
 \$249,988,000

Multimodal Transportation Account—State
 Appropriation \$3,313,000

TOTAL APPROPRIATION \$193,383,000
 \$267,602,000

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

(1) The highway safety account—state appropriation is provided solely for:

((1)) (a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

((2)) (b) The small city pavement program to help cities meet urgent preservation needs; and

((3)) (c) The small city low-energy street light retrofit demonstration program.

(2) \$3,313,000 of the multimodal transportation account—state appropriation is provided solely for the complete streets program.

Sec. 305. 2015 1st sp.s. c 10 s 305 (unmodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—

(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Transportation Partnership Account—State	
Appropriation	(((\$211,000))
	\$1,043,000
Motor Vehicle Account—State	Appropriation
	(((\$4,270,000))
	\$7,276,000
Connecting Washington Account—State	Appropriation
	\$14,000,000
TOTAL APPROPRIATION	\$4,481,000
	\$22,319,000

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

(((\$211,000)) (1) \$1,043,000 of the transportation partnership account—state appropriation is provided solely for completion of a new traffic management center in Shoreline, Washington. By September 30, 2015, the department shall report to the transportation committees of the legislature and the office of financial management on the resulting vacancy rate of the existing regional headquarters building in Shoreline, plans to consolidate department staff into the building, and the schedule for terminating the current lease of the Goldsmith building in Seattle, and provide an update on future plans to consolidate agency staff within the region.

(2) \$4,000,000 of the connecting Washington account—state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue. The property purchase was approved by the 2005 legislature for the site of the new Olympic region and the land was acquired by the department in August 2005. The department must work with the office of financial management's facilities oversight program to develop a revised predesign for a new Olympic region facility, with an estimated total cost of no more than forty million dollars. Priority must be given to accommodating the maintenance and operations functions of the Olympic region. The department must provide a copy of the revised predesign to the transportation committees of the legislature by December 2015.

(3) \$10,000,000 of the connecting Washington account—state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

Sec. 306. 2015 1st sp.s. c 10 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Multimodal Transportation Account—State	
Appropriation	(((\$21,388,000))
	\$19,181,000
Transportation Partnership Account—State	Appropriation
	(((\$1,075,309,000))
	\$1,065,758,000
Motor Vehicle Account—State	Appropriation
	(((\$64,991,000))
	\$71,841,000
Motor Vehicle Account—Federal	Appropriation
	(((\$251,313,000))

	\$315,447,000
Motor Vehicle Account—Private/Local	Appropriation
	(((\$167,259,000))
	\$177,022,000
Transportation 2003 Account (Nickel Account)—	State
Appropriation	(((\$104,366,000))
	\$79,064,000
State Route Number 520 Corridor Account—	State
Appropriation	(((\$367,792,000))
	\$368,121,000
State Route Number 520 Corridor Account—	Federal
Appropriation	\$104,801,000
State Route Number 520 Civil Penalties Account—	State
Appropriation	(((\$15,000,000))
	\$14,000,000
((Alaskan Way Viaduct Replacement Project Account—	State
Appropriation	\$50,110,000))
Special Category C Account—State	Appropriation
	\$6,000,000
Connecting Washington Account—State	Appropriation
	\$229,425,000
TOTAL APPROPRIATION	\$2,228,329,000
	\$2,450,660,000

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

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2015-1)) 2016-1 as developed ((May 26, 2015)) March 7, 2016, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to (((\$104,366,000)) \$79,064,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account—state appropriation includes up to ((\$508,793,000)) \$546,857,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) ((\$3,700,000)) \$4,359,000 of the motor vehicle account—state appropriation is provided solely for the I-5/JBLM Early Corridor Design project (300596S) to complete an environmental impact statement for a project that creates additional general purpose lanes on Interstate 5 in the Joint Base Lewis-McChord corridor. The design of this project must be high occupancy vehicle lane ready for a future connection to the Interstate 5 high occupancy vehicle lane system that currently terminates in Tacoma.

(7) ((\$346,263,000)) \$267,071,000 of the transportation partnership account—state appropriation, ((\$15,300,000)) \$55,389,000 of the motor vehicle account—federal appropriation, ((\$154,263,000)) \$156,423,000 of the motor vehicle account—private/local appropriation, ((\$69,479,000)) \$45,400,000 of the transportation 2003 account (nickel account)—state appropriation, ((\$50,110,000 of the Alaskan Way viaduct replacement project account—state appropriation,)) and ((\$4,346,000)) \$2,139,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(8) \$17,000,000 of the multimodal transportation account—state appropriation (is) and \$1,676,000 of the transportation partnership account—state appropriation are provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B). The transportation partnership account—state appropriation must be placed in unallotted status and may only be released by the office of financial management for unpaid invoices from the 2013-2015 fiscal biennium.

(9) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(10) ((\$13,881,000)) \$22,191,000 of the transportation partnership account—state appropriation, ((\$9,753,000)) \$5,576,000 of the transportation 2003 account (nickel account)—state appropriation, \$42,000 of the multimodal transportation account—state appropriation, \$6,000,000 of the special category C account—state appropriation, \$368,000 of the motor vehicle account—state appropriation, \$13,000 of the motor vehicle account—private/local appropriation, and ((\$6,348,000)) \$12,976,000 of the motor vehicle account—federal appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2015-2017.

(11) ((\$46,894,000)) \$34,732,000 of the transportation partnership account—state appropriation, ((\$10,317,000)) \$7,329,000 of the transportation 2003 account (nickel account)—state appropriation, and ((\$1,000)) \$56,000 of the motor vehicle account—private/local appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C) or the I-405 Renton to Bellevue project in the 2015-2017 fiscal biennium.

(12)(a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$923,000,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) The state route number 520 corridor account—state appropriation includes up to ((\$343,505,000)) \$343,834,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account—federal appropriation includes up to \$104,801,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) ((\$82,195,000)) \$126,937,000 of the transportation partnership account—state appropriation, \$104,801,000 of the state route number 520 corridor account—federal appropriation, and ((\$367,792,000)) \$368,121,000 of the state route number 520 corridor account—state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003). Of the amounts appropriated in this subsection (12)(d), ((\$232,598,000)) \$233,085,000 of the state route number 520 corridor account—state appropriation must be put into unallotted status and is subject to review by the office of financial management. The director of the office of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(13) ((\$15,000,000)) \$14,000,000 of the state route number 520 civil penalties account—state appropriation is provided solely for the department to continue to work with the Seattle department of transportation in their joint planning, design, right-of-way acquisition, outreach, and operation of the remaining west side elements including, but not limited to, the Montlake lid, the bicycle/pedestrian path, the effective network of transit connections, and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV project.

(14) ((\$548,000)) \$1,056,000 of the motor vehicle account—federal appropriation and ((\$19,000)) \$38,000 of the motor vehicle account—state appropriation are provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) The legislature finds that there are sixteen companies involved in wood preserving in the state that

employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2017, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(16) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(17) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2016 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(18) ((\$59,438,000)) \$52,869,000 of the motor vehicle account—federal appropriation, ((\$572,000)) \$4,439,000 of the motor vehicle account—state appropriation, and ((\$388,000)) \$1,085,000 of the motor vehicle account—private/local appropriation are provided solely for fish passage barrier and chronic deficiency improvements (OBI4001).

(19) Any new advisory group that the department convenes during the 2015-2017 fiscal biennium must consider the interests of the entire state of Washington.

(20) (Practical design offers targeted benefits to a state transportation system within available fiscal resources. This delivers value not just for individual projects, but for the entire system. Applying practical design standards will also preserve and enhance safety and mobility. The department shall implement a practical design strategy for transportation design standards. By June 30, 2016, the department shall report to the governor and the house of representatives and senate transportation committees on where practical design has been applied or is intended to be applied in the department and the cost savings resulting from the use of practical design. This subsection takes effect if chapter . . . (Substitute House Bill No. 2012), Laws of 2015 is not enacted by June 30, 2015.) Except as provided otherwise in this section, the entire connecting Washington account appropriation is provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2016-1 as developed March 7, 2016, Program - Highway Improvements Program (I).

(21) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after

the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(22) Of the amounts allocated to the Puget Sound Gateway project (M00600R) in LEAP Transportation Document 2016-1 as developed March 7, 2016, \$4,000,000 must be used to complete the bridge connection at 28th/24th Street over state route number 509 in the city of SeaTac. The bridge connection must be completed prior to other construction on the state route number 509 segment of the project.

(23) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(24) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(25) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for the department to complete an interchange justification report (IJR) for the U.S. 2 trestle, covering the state route number 204 and 20th Street interchanges at the end of the westbound structure.

(a) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

(b) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

(c) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(26)(a) The department must conduct outreach to local transit agencies during the planning process for highway construction projects led by the department.

(b) The department must develop process recommendations for best practices in minimizing impacts to transit and freight during project construction. A report on best practices must be submitted to the transportation committees of the legislature by December 1, 2016.

(27) The legislature finds that project efficiencies and savings may be gained by combining the I-5 Marine Drive project (I5OTC1A1) and the SR 529/I-5 Interchange project (N52900R). The department must deliver them as one project, the I-5 Peak Hour Use Lanes and Interchange Improvements project (L2000229), using a design-build approach.

(28) The legislature recognizes that the city of Mercer Island has unique access issues that require the use of Interstate 90 to leave the island and that this access may be impeded by the I-90/Two Way Transit and HOV Improvements project. The department must continue to work with the city of Mercer Island to address potential access solutions as the project nears completion.

Sec. 307. 2015 1st sp.s. c 10 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P

Transportation Partnership Account—State Appropriation	(((\$12,057,000))	
	\$6,489,000	
Motor Vehicle Account—State Appropriation	(((\$56,024,000))	
	\$70,908,000	
Motor Vehicle Account—Federal Appropriation	(((\$391,681,000))	
	\$475,025,000	
Motor Vehicle Account—Private/Local Appropriation	(((\$8,104,000))	
	\$8,647,000	
Transportation 2003 Account (Nickel Account)—State Appropriation	(((\$40,457,000))	
	\$28,032,000	
Tacoma Narrows Toll Bridge Account—State Appropriation	\$4,564,000	
Recreational Vehicle Account—State Appropriation	(((\$1,509,000))	
	\$2,194,000	
High Occupancy Toll Lanes Operations Account—State Appropriation	(((\$800,000))	
	\$1,000,000	
State Route Number 520 Corridor Account—State Appropriation	(((\$720,000))	
	\$1,730,000	
Connecting Washington Account—State Appropriation	\$79,963,000	
TOTAL APPROPRIATION	\$515,916,000	
	\$678,552,000	

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

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2015-1)) 2016-1 as developed ((May 26, 2015)) March 7, 2016, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Highway

Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to (((\$38,492,000)) \$28,032,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature by December 1, 2015, on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

(6) (((\$39,000,000)) \$38,142,000 of the motor vehicle account—federal appropriation ((is)) and \$858,000 of the motor vehicle account—state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington. The department shall provide a report that identifies the scope, cost, and benefit of each project funded in this subsection as part of its 2016 agency budget request.

(7) Except as provided otherwise in this section, the entire connecting Washington account appropriation in this section is provided solely for the projects and activities as listed in LEAP Transportation Document 2016-1 as developed March 7, 2016, Program - Highway Preservation Program (P).

(8) It is the intent of the legislature that, with respect to the amounts provided for highway preservation from the connecting Washington account, the department consider the preservation and rehabilitation of concrete roadway on Interstate 5 from the Canadian border to the Oregon border to be a priority within the preservation program.

(9) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR99/Alaskan Way viaduct replacement project.

(10)(a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire

state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

(11) The department must consult with the Washington state patrol during the design phase of a department-led improvement or preservation project that could impact weigh station operations. The department must ensure that the designs of the projects do not prevent or interfere with weigh station operations.

Sec. 308. 2015 1st sp.s. c 10 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF
TRANSPORTATION—TRAFFIC OPERATIONS—
PROGRAM Q—CAPITAL

Motor Vehicle Account—State	Appropriation	
	(\$5,898,000))	
	\$7,190,000	
Motor Vehicle Account—Federal	Appropriation	
	(\$6,132,000))	
	\$7,567,000	
Motor Vehicle Account—Private/Local	Appropriation	
	\$200,000	
TOTAL APPROPRIATION	\$12,230,000	
	\$14,957,000	

The appropriations in this section are subject to the following conditions and limitations: ((\$791,000 of the motor vehicle account—state appropriation is provided solely for project 000005Q as state matching funds for federally selected competitive grants or congressional earmark projects. These moneys must be placed into reserve status until such time as federal funds are secured that require a state match.)) The department shall set aside a sufficient portion of the motor vehicle account—state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

Sec. 309. 2015 1st sp.s. c 10 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF
TRANSPORTATION—WASHINGTON STATE
FERRIES CONSTRUCTION—PROGRAM W

Puget Sound Capital Construction Account—State	Appropriation	
	(\$40,347,000))	
	\$57,764,000	
Puget Sound Capital Construction Account—Federal	Appropriation	
	(\$126,515,000))	
	\$153,647,000	
Puget Sound Capital Construction Account—Private/Local	Appropriation	
	(\$10,331,000))	
	\$3,730,000	
((Multimodal Transportation Account—State	Appropriation	
	\$2,734,000))	

Transportation 2003 Account (Nickel Account)—
State

Appropriation	(\$81,583,000))	
	\$122,089,000	
Connecting Washington Account—State	Appropriation	
	\$68,805,000	
TOTAL APPROPRIATION	\$261,510,000	
	\$406,035,000	

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Washington State Ferries Capital Program (W).

(2) ((\$73,000,000)) \$90,545,000 of the transportation 2003 account (nickel account)—state appropriation is provided solely for the acquisition of a 144-car vessel (L1000063). The department shall use as much already procured equipment as practicable on the 144-car vessels.

(3) ((\$40,617,000)) \$46,989,000 of the Puget Sound capital construction account—federal appropriation, \$2,000,000 of the connecting Washington account—state appropriation, \$562,000 of the transportation 2003 account (nickel account)—state appropriation, and ((\$608,000)) \$490,000 of the Puget Sound capital construction account—state appropriation are provided solely for the Mukilteo ferry terminal (952515P). It is the intent of the legislature, over the sixteen-year investment program, to provide \$155,000,000 to complete the Mukilteo Terminal Replacement project (952515P). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section. To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal.

(4) ((\$4,000,000)) \$7,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future terminal modifications.

(6) If the department pursues a conversion of the existing diesel powered Issaquah class fleet to a different fuel source or engine technology or the construction of a new vessel powered by a fuel source or engine technology that is not diesel powered, the department must use a design-build procurement process.

(7) Funding is included in the future biennia of the LEAP transportation document referenced in subsection (1) of this section for future vessel purchases. Given that the recent purchase of new vessels varies from the current long range

plan, the department shall include in its updated long range plan revised estimates for new vessel costs, size, and purchase time frames. Additionally, the long range plan must include a vessel retirement schedule and associated reserve vessel policy recommendations.

(8) \$325,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ferry system to participate in the development of one account-based system for customers of both the ferry system and tolling system. The current Wave2Go ferry ticketing system is reaching the end of its useful life and the department is expected to develop a replacement account-based system as part of the new tolling division customer service center toll collection system.

(9) Within existing resources, the department must evaluate the feasibility of utilizing the federal EB-5 immigrant investor program for financing the construction of a safety of life at sea (SOLAS) certificated vessel for the Anacortes-Sidney ferry route. The department must establish a group that includes, but is not limited to, the department of commerce and entities or individuals experienced with vessel engineering and EB-5 financing for assistance in evaluating the applicability of the EB-5 immigrant investor program. The department must deliver a report containing the results of the evaluation to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(10) It is the intent of the legislature, over the sixteen-year investment program, to provide \$316,000,000 to complete the Seattle Terminal Replacement project (900010L), including: (a) Design work and selection of a preferred plan, (b) replacing timber pilings with pilings sufficient to support a selected terminal design, (c) replacing the timber portion of the dock with a new and reconfigured steel and concrete dock, and (d) other staging and construction work as the amount allows. These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(11) It is the intent of the legislature, over the sixteen-year new investment program, to provide \$122,000,000 in state funds to complete the acquisition of a fourth 144-car vessel (L2000109). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(12) \$300,000 of the Puget Sound capital construction account—state appropriation is provided solely to issue a request for proposals and purchase pilot program customer counting equipment. By June 30, 2017, the department must report to the governor and the transportation committees of the legislature on the most effective way to count ferry passengers.

(13) \$1,430,000 of the Puget Sound capital construction account—federal appropriation and \$1,366,000 of the Puget Sound capital construction—state appropriation are provided solely for installation of security access control and video monitoring systems, and for enhancing wireless network capacity to handle higher security usage, increase connectivity between vessels and land-based facilities, and isolate the security portion of the network from regular business (project 998925A).

(14) The transportation 2003 account (nickel account)—state appropriation includes up to \$4,131,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

Sec. 310. 2015 1st sp.s. c 10 s 310 (uncodified) is amended to read as follows:

FOR	THE	DEPARTMENT	OF
TRANSPORTATION—RAIL—PROGRAM			Y—
CAPITAL			
Essential Rail Assistance Account—State			
Appropriation		(((\$820,000))	
		\$1,459,000	
Transportation Infrastructure Account—State			
Appropriation		(((\$7,033,000))	
		\$7,154,000	
Multimodal Transportation Account—State			
Appropriation		(((\$12,759,000))	
		\$37,205,000	
Multimodal Transportation Account—Federal			
Appropriation		(((\$363,318,000))	
		\$492,217,000	
TOTAL APPROPRIATION		\$383,930,000	
		\$538,035,000	

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Rail Program (Y).

(2) \$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. For the 2015-2017 fiscal biennium, the department shall first award loans to 2015-2017 FRIB loan applicants in priority order, and then offer loans to 2015-2017 unsuccessful freight rail assistance program grant applicants, if eligible. If any funds remain in the FRIB program, the department may reopen the loan program and shall evaluate new applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3)(a) (((\$4,514,000)) \$5,484,000 of the multimodal transportation account—state appropriation, \$270,000 of the essential rail assistance account—state appropriation, and \$455,000 of the transportation infrastructure account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(b) Of the amounts provided in this subsection, \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad

track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(4) ((\$363,191,000)) \$487,297,000 of the multimodal transportation account—federal appropriation and ((\$5,740,000)) \$13,679,000 of the multimodal transportation account—state appropriation are provided solely for expenditures related to passenger high-speed rail grants. Except for the Mount Vernon project (P01101A), the multimodal transportation account—state funds reflect no more than one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement.

(5)(a) ((\$550,000)) \$1,114,000 of the essential rail assistance account—state appropriation ((and \$305,000)), \$766,000 of the multimodal transportation account—state appropriation, and \$68,000 of the transportation infrastructure account—state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2016, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

Sec. 311. 2015 1st sp.s. c 10 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF
TRANSPORTATION—LOCAL PROGRAMS—
PROGRAM Z—CAPITAL

Highway Infrastructure Account—State
Appropriation ((\$782,000))
\$790,000

Highway Infrastructure Account—Federal
Appropriation ((\$202,000))
\$503,000

Transportation Partnership Account—State

Appropriation ((\$1,507,000))

\$4,054,000

Highway Safety Account—State Appropriation
((\$9,965,000))

\$11,647,000

Motor Vehicle Account—State Appropriation
((\$500,000))

\$1,271,000

Motor Vehicle Account—Federal Appropriation
((\$17,829,000))

\$28,043,000

Multimodal Transportation Account—State
Appropriation ((\$15,331,000))

\$34,031,000

Connecting Washington Account—State
Appropriation \$47,669,000

TOTAL APPROPRIATION \$46,116,000

\$128,008,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) ((\$13,820,000)) \$20,653,000 of the multimodal transportation account—state appropriation and ((\$1,507,000)) \$3,579,000 of the transportation partnership account—state appropriation are provided solely for pedestrian and bicycle safety program projects (project L2000188).

(b) ((\$6,100,000)) \$11,400,000 of the motor vehicle account—federal appropriation, \$1,750,000 of the multimodal transportation account—state appropriation, and \$6,750,000 of the highway safety account—state appropriation are provided solely for newly selected safe routes to school projects. ((\$6,794,000)) \$8,782,000 of the motor vehicle account—federal appropriation, ((\$1,133,000)) \$124,000 of the multimodal transportation account—state appropriation, and ((\$3,215,000)) \$4,897,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (project L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2015, and December 1, 2016, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program ((OLP600P)). The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the Edmonds waterfront at-grade train crossings alternatives analysis project (L2000135). The department shall work with the city of Edmonds and provide a preliminary report of key findings to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(5)(a) \$9,900,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in LEAP Transportation Document 2016-4 as developed March 7, 2016. Funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects and then to priority three projects. If a higher priority project is bypassed, it must be funded in the first round after the project is ready. If funds become available as a result of projects being removed from this list or completed under budget, the department may submit additional bicycle and pedestrian safety projects for consideration by the legislature. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed bicycle and pedestrian projects that have been funded and projects that have been bypassed, including an estimated time frame for when the project will be funded.

(b) Within existing resources, the local programs division must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016.

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2015 1st sp.s. c 10 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State
 Appropriation (((\$2,559,000))
 \$3,610,000
 Highway Bond Retirement Account—State
 Appropriation (((\$1,169,927,000))
 \$1,176,906,000
 Ferry Bond Retirement Account—State
 Appropriation \$29,230,000
 Transportation Improvement Board Bond
 Retirement
 Account—State Appropriation \$16,129,000
 State Route Number 520 Corridor Account—State
 Appropriation \$559,000
 Nondebt-Limit Reimbursable Bond Retirement
 Account—
 State Appropriation \$25,837,000

Toll Facility Bond Retirement Account—State
 Appropriation (((\$62,885,000))
 \$72,880,000
 Motor Vehicle Account—State Appropriation
 \$2,500,000
 Transportation 2003 Account (Nickel Account)—
 State
 Appropriation (((\$719,000))
 \$477,000
TOTAL APPROPRIATION \$1,307,286,000
\$1,328,128,000

The appropriations in this section are subject to the following conditions and limitations: \$2,500,000 of the motor vehicle account—state appropriation is provided solely for debt service payment and withholding for the Tacoma Narrows bridge, with the intent of forestalling the need for the Washington state transportation commission to raise toll rates for the Tacoma Narrows bridge for fiscal year 2017.

Sec. 402. 2015 1st sp.s. c 10 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State
 Appropriation (((\$512,000))
 \$697,000
 Transportation 2003 Account (Nickel Account)—
 State
 Appropriation (((\$143,000))
 \$87,000
TOTAL APPROPRIATION \$655,000
\$784,000

Sec. 403. 2015 1st sp.s. c 10 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal
 Appropriation (((\$200,637,000))
 \$200,215,000
 Toll Facility Bond Retirement Account—State
 Appropriation (((\$12,455,000))
 \$12,009,000
TOTAL APPROPRIATION \$213,092,000
\$212,224,000

Sec. 404. 2015 1st sp.s. c 10 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION
 Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax distributions to cities and counties (((\$489,359,000))
 \$497,071,000

NEW SECTION. Sec. 405. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows:FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Multimodal Transportation Account—State
Appropriation: For

distributions to cities and counties \$12,500,000

Motor Vehicle Account—State Appropriation: For
distributions to cities and counties \$10,938,000

TOTAL APPROPRIATION \$23,438,000

Sec. 406. 2015 1st sp.s. c 10 s 405 (uncodified) is
amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For
motor vehicle fuel tax refunds and statutory
transfers (((\$1,269,319,000))
\$1,831,879,000

Sec. 407. 2015 1st sp.s. c 10 s 406 (uncodified) is
amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—
TRANSFERS

Motor Vehicle Account—State Appropriation:
For motor vehicle fuel tax refunds and
transfers (((\$143,664,000))
\$182,730,000

Sec. 408. 2015 1st sp.s. c 10 s 407 (uncodified) is
amended to read as follows:

FOR THE STATE TREASURER—
ADMINISTRATIVE TRANSFERS

(1) Multimodal Transportation Account—State
Appropriation: For transfer to the Puget Sound
Ferry Operations Account—State \$10,000,000
(2) Multimodal Transportation Account—State
Appropriation: For transfer to the Puget Sound
Capital Construction Account—State \$12,000,000
(3) State Route Number 520 Civil Penalties
Account—State Appropriation: For transfer to
the
State Route Number 520 Corridor Account—
State (((\$916,000))
\$1,631,000

(4) Highway Safety Account—State
Appropriation:

For transfer to the State Patrol Highway
Account—State \$20,000,000

(5) Highway Safety Account—State
Appropriation: For transfer to the Puget Sound
Ferry

Operations Account—State \$10,000,000

(6) Tacoma Narrows Toll Bridge Account—State
Appropriation: For transfer to the Motor Vehicle
Account—State \$950,000

(7) Motor Vehicle Account—State Appropriation:
For transfer to the Puget Sound Capital Construction
Account—State (((\$12,000,000))
\$18,000,000

(8) Rural Mobility Grant Program Account—State
Appropriation: For transfer to the Multimodal
Transportation Account—State \$3,000,000,

(9) Motor Vehicle Account—State Appropriation:
For transfer to the Puget Sound Ferry Operations
Account—State \$10,000,000

(10) State Patrol Highway Account—State
Appropriation:

For transfer to the Connecting Washington Account—
State \$9,690,000

(11) Transportation Partnership Account—State
Appropriation: For transfer to the Connecting
Washington

Account—State \$4,998,000

(12) Motor Vehicle Account—State Appropriation:
For transfer to the Connecting Washington Account—
State \$25,781,000

(13) Puget Sound Ferry Operations Account—State
Appropriation: For transfer to the Connecting
Washington

Account—State \$596,000

(14) Transportation 2003 Account (Nickel Account)—
State

Appropriation: For transfer to the Connecting
Washington

Account—State \$2,270,000

(15) Highway Safety Account—State Appropriation:
For transfer to the Multimodal Transportation
Account—State \$5,000,000

(16) Motor Vehicle Account—State Appropriation:
For transfer to the Freight Mobility Investment
Account—State \$1,922,000

(17) Motor Vehicle Account—State Appropriation:
For transfer to the Transportation Improvement
Account—State \$2,188,000

(18) Motor Vehicle Account—State Appropriation:
For transfer to the Rural Arterial Trust Account—
State \$1,094,000

(19) Motor Vehicle Account—State Appropriation:
For transfer to the County Arterial Preservation
Account—State \$1,094,000

(20) Multimodal Transportation Account—State
Appropriation: For transfer to the Freight Mobility
Multimodal Account—State \$1,922,000

(21) Multimodal Transportation Account—State
Appropriation: For transfer to the Regional Mobility
Grant Program Account—State \$6,250,000

(22) Multimodal Transportation Account—State
Appropriation: For transfer to the Rural Mobility
Grant Program Account—State \$3,438,000

(23) Multimodal Transportation Account—State
Appropriation: For transfer to the Electric Vehicle
Charging Infrastructure Account—State
\$1,000,000

(24) Capital Vessel Replacement Account—State
Appropriation: For transfer to the Connecting
Washington Account—State \$59,000,000

(25) Multimodal Transportation Account—State
Appropriation: For transfer to the Connecting
Washington Account—State \$8,000,000

(26) Multimodal Transportation Account—State
Appropriation: For transfer to the Aeronautics
Account—State \$250,000

COMPENSATION

Sec. 501. 2015 3rd sp.s. c 4 s 728 (uncodified) is
amended to read as follows:

TRANSPORTATION—WASHINGTON
FEDERATION OF STATE EMPLOYEES

((Motor Vehicle Account—State Appropriation
\$13,990,000

State Patrol Highway Account—State
Appropriation \$1,093,000

State Patrol Highway Account—Federal
 Appropriation \$23,000
 Puget Sound Ferry Operations Account—State
 Appropriation \$55,000
 Highway Safety Account—State Appropriation
 \$2,273,000
 Motorcycle Safety Education Account—State
 Appropriation \$41,000
 State Wildlife Account—State Appropriation
 \$34,000
 Ignition Interlock Device Revolving Account—State
 Appropriation \$9,000
 Department of Licensing Services Account—State
 Appropriation \$74,000
 Aeronautics Account—State Appropriation
 \$11,000
 High Occupancy Toll Lanes Operations Account—State
 Appropriation \$8,000
 State Route Number 520 Corridor Account—State
 Appropriation \$86,000
 Multimodal Transportation Account—State
 Appropriation \$26,000
 Tacoma Narrows Toll Bridge Account—State
 Appropriation \$42,000
TOTAL APPROPRIATION \$17,765,000

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

(1) An agreement has been reached between the governor and the Washington federation of state employees general government under the provisions of chapter 41.80 RCW for the 2015-2017 fiscal biennium. Funding is provided for employees funded in the 2015-2017 omnibus transportation appropriations act, a three percent general wage increase effective July 1, 2015, and a one and eight-tenths percent general wage increase or a one percent general wage increase plus twenty dollars per month, whichever is greater, effective ((January)) July 1, 2016. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, assignment pay for targeted job classifications, hazard pay for designated night crews, and geographic pay for designed areas. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

(2) This section represents the results of the 2015-2017 collective bargaining process required under chapter 41.80 RCW. Provisions of the collective bargaining agreement contained in this section are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreement. The collective bargaining agreement contained in this section 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. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 502. 2015 3rd sp.s. c 4 s 729 (uncodified) is amended to read as follows:

TRANSPORTATION—GENERAL WAGE
 INCREASE—STATE EMPLOYEES
 ((Motor Vehicle Account—State Appropriation
 \$5,854,000
 State Patrol Highway Account—State
 Appropriation \$819,000
 State Patrol Highway Account—Federal
 Appropriation \$22,000
 State Patrol Highway Account—Private/Local
 Appropriation \$5,000
 Puget Sound Ferry Operations Account—State
 Appropriation \$488,000
 Highway Safety Account—State Appropriation
 \$696,000
 Highway Safety Account—Federal
 Appropriation \$128,000
 Motorcycle Safety Education Account—State
 Appropriation \$8,000
 State Wildlife Account—State Appropriation
 \$21,000
 Department of Licensing Services Account—State
 Appropriation \$13,000
 Aeronautics Account—State Appropriation
 \$48,000
 High Occupancy Toll Lanes Operations Account—State
 Appropriation \$15,000
 State Route Number 520 Corridor Account—State
 Appropriation \$13,000
 Multimodal Transportation Account—State
 Appropriation \$237,000
 Tacoma Narrows Toll Bridge Account—State
 Appropriation \$42,000
 Rural Arterial Trust Account—State
 Appropriation \$32,000
 County Arterial Preservation Account—State
 Appropriation \$38,000
 Transportation Improvement Account—State
 Appropriation \$87,000
TOTAL APPROPRIATION \$8,566,000

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

(1) Funding provided for state agency employee compensation for employees funded in the 2015-2017 omnibus transportation appropriations act who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475 is sufficient for general wage increases.

(2) Funding is provided for a three percent general wage increase effective July 1, 2015, for all classified employees, as specified in subsection (1) of this section. Also included are employees in the Washington management service and exempt employees under the jurisdiction of the director of the office of financial management. The appropriations are also sufficient to fund a three percent salary increase effective July 1, 2015, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) Funding is provided for a general wage increase of one and eight-tenths percent or a one percent general wage increase plus twenty dollars per month, whichever is greater, effective July 1, 2016, for all classified employees, as

specified in subsection (1) of this section. Also included are employees in the Washington management service and exempt employees under the jurisdiction of the director of the office of financial management. The appropriations are also sufficient to fund a one and eight-tenths percent salary increase effective July 1, 2016, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this section.

Sec. 503. 2015 3rd sp.s. c 4 s 730 (uncodified) is amended to read as follows:

TRANSPORTATION—WPEA GENERAL GOVERNMENT
 ((Motor Vehicle Account—State Appropriation \$64,000
 State Patrol Highway Account—State Appropriation \$867,000
 State Patrol Highway Account—Federal Appropriation \$103,000
 TOTAL APPROPRIATION \$1,034,000

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

(1) An agreement has been reached between the governor and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2015-2017 fiscal biennium and funded in the 2015-2017 omnibus transportation appropriations act. Funding is provided for employees funded in the 2015-2017 omnibus transportation appropriations act, a three percent general wage increase effective July 1, 2015, and a one and eight-tenths percent general wage increase or a one percent general wage increase plus twenty dollars per month, whichever is greater, effective ((January)) July 1, 2016. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

(2) This section represents the results of the 2015-2017 collective bargaining process required under chapter 41.80 RCW. Provisions of the collective bargaining agreement contained in this section are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreement. The collective bargaining agreement contained in this section 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. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 504. 2015 3rd sp.s. c 4 s 731 (uncodified) is amended to read as follows:

TRANSPORTATION—THE COALITION OF UNIONS AGREEMENT
 ((State Patrol Highway Account—State Appropriation \$181,000

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

state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 505. 2015 3rd sp.s. c 4 s 732 (uncodified) is amended to read as follows:

TRANSPORTATION—TARGETED COMPENSATION INCREASES—NONREPRESENTED JOB CLASS SPECIFIC
 ((Motor Vehicle Account—State Appropriation \$36,000
 State Patrol Highway Account—State Appropriation \$26,000
 State Patrol Highway Account—Federal Appropriation \$14,000
 Puget Sound Ferry Operations Account—State Appropriation \$12,000
 Highway Safety Account—Federal Appropriation \$4,000
 Aeronautics Account—State Appropriation \$4,000
 Tacoma Narrows Toll Bridge Account—State Appropriation \$8,000
 Transportation Improvement Account—State Appropriation \$4,000
 TOTAL APPROPRIATION \$108,000

The appropriations in this section are subject to the following conditions and limitations:)) Funding is provided for salary adjustments for targeted job classifications for employees funded in the 2015-2017 omnibus transportation appropriations act, as specified by the office of financial management, of classified state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 506. 2015 3rd sp.s. c 4 s 733 (uncodified) is amended to read as follows:

TRANSPORTATION—COLLECTIVE BARGAINING AGREEMENTS—PTE LOCAL 17
 ((State Patrol Highway Account—State Appropriation \$3,973,000
 State Patrol Highway Account—Federal Appropriation \$361,000
 State Patrol Highway Account—Private/Local Appropriation \$192,000
 Motor Vehicle Account—State Appropriation \$1,567,000
 Highway Safety Account—State Appropriation \$1,019,000
 Aeronautics Account—State Appropriation \$7,000
 Puget Sound Ferry Operations Account—State Appropriation \$42,000
 State Route Number 520 Corridor Account—State Appropriation \$5,000
 Multimodal Transportation Account—State Appropriation \$97,000
 Tacoma Narrows Toll Bridge Account—State Appropriation \$16,000

TOTAL APPROPRIATION \$7,279,000

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

(1) An agreement has been reached between the governor and the professional and technical employees local seventeen under chapter 41.80 RCW for the 2015-2017 fiscal biennium. Funding is provided for the negotiated three percent general wage increase effective July 1, 2015, and a one and eight-tenths percent general wage increase or a one percent general wage increase plus a flat twenty dollars per month, whichever is greater, effective July 1, 2016. The agreement also includes targeted job classification specific increases.

(2) This section represents the results of the 2015-2017 collective bargaining process required under chapter 41.80 RCW. Provisions of the collective bargaining agreement contained in this section are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreement. The collective bargaining agreement contained in this section 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. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 507. 2015 3rd sp.s. c 4 s 734 (uncodified) is amended to read as follows:

**TRANSPORTATION—COMPENSATION—
REPRESENTED EMPLOYEES—INSURANCE
BENEFITS**

(Motor Vehicle Account—State	Appropriation
(\$771,000)	
State Patrol Highway Account—State	Appropriation
(\$481,000)	
State Patrol Highway Account—Federal	Appropriation
(\$11,000)	
State Patrol Highway Account—Private/Local	Appropriation
(\$5,000)	
Motorcycle Safety Education Account—State	Appropriation
(\$3,000)	
High Occupancy Toll Lanes Operations Account—State	Appropriation
(\$1,000)	
State Wildlife Account—State	Appropriation
(\$3,000)	
Highway Safety Account—State	Appropriation
(\$263,000)	
Puget Sound Ferry Operations Account—State	Appropriation
(\$471,000)	
State Route Number 520 Corridor Account—State	Appropriation
(\$4,000)	
Department of Licensing Services Account—State	Appropriation
(\$3,000)	
Multimodal Transportation Account—State	Appropriation
(\$6,000)	
Tacoma Narrows Toll Bridge Account—State	Appropriation
(\$3,000)	
TOTAL APPROPRIATION	(\$2,025,000)

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

Collective bargaining agreements were reached for the 2015-2017 fiscal biennium between the governor and the employee representatives under the provisions of chapters 41.80 and 41.56 RCW. Appropriations in this act for state agencies are sufficient to implement the provisions of the 2015-2017 collective bargaining agreements and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan must not exceed \$840 per eligible employee for fiscal year 2016. For fiscal year 2017, the monthly employer funding rate must not exceed \$894 per eligible employee.

(b) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the public employees' benefits board must 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 41.05.065. 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 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority must deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts must not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, must provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2016 and 2017, the subsidy must be up to \$150.00 per month. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 – 2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

(3) All savings resulting from reduced claim costs or other factors identified after June 1, 2015, must be reserved for funding employee health benefits in the 2017-2019 fiscal biennium.

Sec. 508. 2015 3rd sp.s. c 4 s 735 (uncodified) is amended to read as follows:

**TRANSPORTATION—COMPENSATION—
NONREPRESENTED EMPLOYEES—INSURANCE
BENEFITS**

(Aeronautics Account—State	Appropriation
(\$3,000)	
Motor Vehicle Account—State	Appropriation
(\$241,000)	

State	Patrol	Highway	Account—State
Appropriation	(\$55,000)		
High Occupancy Toll Lanes Operations Account—State			
Appropriation	(\$1,000)		
Rural Arterial Trust			Account—State
Appropriation	(\$1,000)		
Highway Safety Account—State			Appropriation
(\$29,000)			
Highway Safety			Account—Federal
Appropriation	(\$7,000)		
Puget Sound Ferry Operations Account—State			
Appropriation	(\$18,000)		
Transportation Improvement Account—State			
Appropriation	(\$3,000)		
State Route Number 520 Corridor Account—State			
Appropriation	(\$1,000)		
County Arterial Preservation Account—State			
Appropriation	(\$1,000)		
Department of Licensing Services Account—State			
Appropriation	(\$1,000)		
Multimodal Transportation Account—State			
Appropriation	(\$8,000)		
Tacoma Narrows Toll Bridge Account—State			
Appropriation	(\$1,000)		
TOTAL APPROPRIATION	(\$370,000)		

The appropriations in this section are subject to the following conditions and limitations: Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan must not exceed \$840 per eligible employee for fiscal year 2016. For fiscal year 2017, the monthly employer funding rate must not exceed \$894 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board must require any 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 41.05.065. 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 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority must deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts must not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, must provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2016 and 2017, the subsidy must be up to \$150.00 per month. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

(3) All savings resulting from reduced claim costs or other factors identified after June 1, 2015, must be reserved for funding employee health benefits in the 2017-2019 fiscal biennium.

IMPLEMENTING PROVISIONS

Sec. 601. 2015 1st sp.s. c 10 s 601 (uncodified) is amended to read as follows:

FUND TRANSFERS

(1) The transportation 2003 projects or improvements and the 2005 transportation partnership projects or improvements are listed in the LEAP list titled ((2015-1)) 2016-1 as developed ((May 26, 2015)) March 7, 2016, which consists of a list of specific projects by fund source and amount over a ((ten-year)) sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a ((ten-year)) sixteen-year plan. The department is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and transportation 2003 account (nickel account) projects on the LEAP transportation documents referenced in this act. However, this section does not apply to the I-5/Columbia River Crossing project (400506A). For the 2015-2017 project appropriations, unless otherwise provided in this act, the director of financial management may authorize a transfer of appropriation authority between projects funded with transportation 2003 account (nickel account) appropriations, or transportation partnership account appropriations, in order to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Each transfer between projects may only occur if the director of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2016 supplemental omnibus transportation appropriations act, any unexpended 2013-2015 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects;

(d) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed to complete the project;

(e) Transfers may not occur for projects not identified on the applicable project list;

(f) Transfers may not be made while the legislature is in session; and

(g) Transfers between projects may be made, without the approval of the director of the office of financial management, by the department of transportation until the transfer amount by project exceeds two hundred fifty thousand dollars, or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of financial management and the chairs of the house of representatives and senate transportation committees.

(2) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) The office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(4) The office of financial management shall document approved transfers and schedule changes in the transportation executive information system, compare changes to the legislative baseline funding and schedules identified by project identification number identified in the LEAP transportation documents referenced in this act, and transmit revised project lists to chairs of the transportation committees of the legislature on a quarterly basis.

Sec. 602. 2015 3rd sp.s. c 43 s 502 (uncodified) is amended to read as follows:

(1) By November 15, 2015, and annually thereafter, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document ((2015 NL-1)) 2016-2 ALL PROJECTS as developed ((June 28, 2015)) March 7, 2016. The report must address each modal category separately and identify if eighteenth amendment protected funds have been used and, if not, the source of funding.

(2) To facilitate the report in subsection (1) of this section, the department of transportation must require that all bids on connecting Washington projects include an estimate on the cost to implement any transit, bicycle, or pedestrian project elements.

NEW SECTION. Sec. 603. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows: BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

MISCELLANEOUS 2015-2017 FISCAL BIENNIUM

Sec. 701. RCW 81.53.281 and 2014 c 222 s 702 are each amended to read as follows:

There is hereby created in the state treasury a "grade crossing protective fund" to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or subsidies to public, private, and nonprofit entities for rail safety projects authorized or ordered by the commission; and for personnel and associated costs related to supervising and administering rail safety grants and/or

subsidies. During the 2013-2015 fiscal biennium, funds in this account may also be used to conduct the study required under section 102, chapter 222, Laws of 2014. The commission shall transfer from the public service revolving fund's miscellaneous fees and penalties accounts moneys appropriated for these purposes as needed. At the time the commission makes each allocation of cost to said grade crossing protective fund, it shall certify that such cost shall be payable out of said fund. When federal-aid highway funds are involved, the department of transportation shall, upon entry of an order by the commission requiring the installation or upgrading of a grade crossing protective device, submit to the commission an estimate for the cost of the proposed installation and related work. Upon receipt of the estimate the commission shall pay to the department of transportation the percentage of the estimate specified in RCW 81.53.295, as now or hereafter amended, to be used as the grade crossing protective fund portion of the cost of the installation and related work.

The commission may adopt rules for the allocation of money from the grade crossing protective fund. During the 2015-2017 fiscal biennium, the commission may waive rules regarding local matching fund requirements, maximum awards for individual projects, and other application requirements as necessary to expedite the allocation of money from the grade crossing protective fund to address under-protected grade crossings as identified by the commission.

NEW SECTION. Sec. 702. The following acts or parts of acts are each repealed:

- (1) 2015 3rd sp.s. c 43 s 201 (uncodified);
- (2) 2015 3rd sp.s. c 43 s 202 (uncodified);
- (3) 2015 3rd sp.s. c 43 s 203 (uncodified);
- (4) 2015 3rd sp.s. c 43 s 204 (uncodified);
- (5) 2015 3rd sp.s. c 43 s 205 (uncodified);
- (6) 2015 3rd sp.s. c 43 s 206 (uncodified);
- (7) 2015 3rd sp.s. c 43 s 207 (uncodified);
- (8) 2015 3rd sp.s. c 43 s 301 (uncodified);
- (9) 2015 3rd sp.s. c 43 s 302 (uncodified);
- (10) 2015 3rd sp.s. c 43 s 303 (uncodified);
- (11) 2015 3rd sp.s. c 43 s 304 (uncodified);
- (12) 2015 3rd sp.s. c 43 s 305 (uncodified);
- (13) 2015 3rd sp.s. c 43 s 306 (uncodified);
- (14) 2015 3rd sp.s. c 43 s 307 (uncodified);
- (15) 2015 3rd sp.s. c 43 s 308 (uncodified);
- (16) 2015 3rd sp.s. c 43 s 309 (uncodified); and
- (17) 2015 3rd sp.s. c 43 s 401 (uncodified).

MISCELLANEOUS

NEW SECTION. Sec. 801. 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. 802. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 81.53.281; amending 2015 1st sp.s. c 10 ss 101, 102, 103, 105, 106, 107, 201-211, 213-223, 301-311, 401-407, and 601 (uncodified); amending 2015 3rd sp.s. c 43 ss 502 and

606 (uncodified); amending 2015 3rd sp.s. c 4 ss 728-735 (uncodified); adding new sections to 2015 1st sp.s. c 10 (uncodified); repealing 2015 3rd sp.s. c 43 ss 201-207, 301-309, and 401 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

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

MOTIONS

On motion of Representative Harris, Representative Zeiger was excused. On motion of Representative Van De Wege, Representative Orwall was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2524, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2524, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, DeBolt, Dent, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Scott, Sells, Senn, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Condotta, Dye, Hawkins, Kretz, Manweller, McCaslin, Schmick, Shea, Short and Taylor.

Excused: Representatives Orwall and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 8, 2016

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 5. It is the intent of the legislature to recruit and retain the highest qualified commissioned officers of the Washington state patrol appointed under RCW 43.43.020. The "Joint Transportation Committee Recruitment and Retention Study" dated January 7, 2016, outlines several recommendations to fulfill this intent. The study recommendations were broken down into several areas, with the Washington state patrol, office of financial management, select committee on pension policy, and the legislature all supporting their respective authorizations and control over their respective areas of responsibility and accountability. It is also the intent of the legislature in the 2017-2019 fiscal biennium to increase the thirty dollar vehicle license fee distribution to the state patrol for the salaries and benefits of state patrol officers, including troopers, sergeants, lieutenants, and captains, and make adjustments as needed in the 2019-2021 fiscal biennium.

Sec. 6. RCW 46.68.030 and 2015 3rd sp.s. c 43 s 601 are each amended to read as follows:

(1) The director shall forward all fees for vehicle registrations under chapters 46.16A and 46.17 RCW, unless otherwise specified by law, to the state treasurer with a proper identifying detailed report. The state treasurer shall credit these moneys to the motor vehicle fund created in RCW 46.68.070.

(2) Proceeds from vehicle license fees and renewal vehicle license fees must be deposited by the state treasurer as follows:

(a) (~~(\$20.35)~~) \$23.60 of each initial or renewal vehicle license fee must be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal vehicle license fees, and all other funds in the state patrol highway account must be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations.

(b) \$2.02 of each initial vehicle license fee and \$0.93 of each renewal vehicle license fee must be deposited each biennium in the Puget Sound ferry operations account.

(c) Any remaining amounts of vehicle license fees and renewal vehicle license fees that are not distributed

otherwise under this section must be deposited in the motor vehicle fund.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the state patrol highway account to the connecting Washington account such amounts as reflect the excess fund balance of the state patrol highway account.

NEW SECTION. Sec. 7. (1) The office of financial management must perform an organization study through a third-party independent consultant to implement the changes in the "Joint Transportation Committee Recruitment and Retention Study" dated January 7, 2016, affecting each organization in the study. Washington state patrol management must work actively with the independent consultant to implement the recommended changes. An implementation report must be delivered to the transportation committees of the house of representatives and senate by September 1, 2016.

(2) The Washington state patrol must develop an action plan and implementation strategy for each of the recommendations that are outlined in the study with a report due to the transportation committees of the house of representatives and senate by November 15, 2016.

(3) The select committee on pension policy must review the pension-related items in the study and make recommendations to the governor's office and the legislature by November 1, 2016, on pension policy that will assist in recruiting and retaining state patrol commissioned officers.

NEW SECTION. Sec. 8. Effective July 1, 2016, Washington state patrol troopers, sergeants, lieutenants, and captains must receive a one-time five percent compensation increase. The pay increase must be based on the commissioned salary schedule that is effective July 1, 2016.

Sec. 9. RCW 43.43.380 and 1965 c 8 s 43.43.380 are each amended to read as follows:

The minimum monthly salary paid to state patrol (~~officers shall be as follows: Officers, three hundred dollars; staff or technical sergeants, three hundred twenty-five dollars; line sergeants, three hundred fifty dollars; lieutenants, three hundred seventy-five dollars; captains, four hundred twenty-five dollars~~) troopers and sergeants on July 1, 2017, must be competitive with law enforcement agencies within the boundaries of the state of Washington, guided by the results of a survey undertaken in the collective bargaining process during 2016. The salary levels on July 1, 2017, must be guided by the average of compensation paid to the corresponding rank from the Seattle police department, King county sheriff's office, Tacoma police department, Snohomish county sheriff's office, Spokane police department, and Vancouver police department. Compensation must be calculated using base salary, premium pay (a pay received by more than a majority of employees), education pay, and longevity pay. The compensation comparison data is based on the

Washington state patrol and the law enforcement agencies listed in this section as of July 1, 2016. Increases in salary levels for captains and lieutenants that are collectively bargained must be proportionate to the increases in salaries for troopers and sergeants as a result of the survey described in this section.

NEW SECTION. Sec. 10. A new section is added to chapter 43.43 RCW to read as follows:

During the 2017-2019 collective bargaining process, the office of financial management, the Washington state patrol troopers association, and the Washington state patrol lieutenants association must evaluate regional differences in the cost of living to determine areas of the state where geographic pay may be needed. The negotiators must implement regional compensation adjustments, as appropriate.

NEW SECTION. Sec. 11. A new section is added to chapter 43.43 RCW to read as follows:

To ensure that it is adequately and thoroughly reaching potential recruits, the Washington state patrol must develop a comprehensive outreach and marketing strategic plan that expands on the success of current strategies and looks for ways to tap into groups or individuals that do not currently show an interest in the state patrol or law enforcement as a career. The plan must include, but is not limited to, expanding marketing and outreach efforts online and through other media outlets and expanding recruitment relationships in respective communities. The plan must also include polling applicants about their application. Results from the polling must be tracked to determine the success of each outreach method.

NEW SECTION. Sec. 12. Section 2 of this act takes effect July 1, 2017."

On page 1, line 2 of the title, after "officers;" strike the remainder of the title and insert "amending RCW 46.68.030 and 43.43.380; adding new sections to chapter 43.43 RCW; creating new sections; and providing an effective date."

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Fey, Orcutt and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2872, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2872, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, McCaslin, Shea and Taylor.

Excused: Representatives Orwall and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 4, 2016

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2644 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 13.** RCW 16.52.085 and 2011 c 172 s 3 are each amended to read as follows:

(1) If a law enforcement officer or animal control officer has probable cause to believe that an owner of a domestic animal has violated this chapter or a person owns, cares for, or resides with an animal in violation of an order issued under RCW 16.52.200(4) and no responsible person can be found to assume the animal's care, the officer may authorize, with a warrant, the removal of the animal to a suitable place for feeding and care, or may place the animal under the custody of an animal care and control agency. In determining what is a suitable place, the officer shall consider the animal's needs, including its size and behavioral characteristics. An officer may remove an

animal under this subsection without a warrant only if the animal is in an immediate life-threatening condition.

(2) If a law enforcement officer or an animal control officer has probable cause to believe a violation of this chapter has occurred, the officer may authorize an examination of a domestic animal allegedly neglected or abused in violation of this chapter by a veterinarian to determine whether the level of neglect or abuse in violation of this chapter is sufficient to require removal of the animal. This section does not condone illegal entry onto private property.

(3) Any owner whose domestic animal is removed pursuant to this chapter shall be given written notice of the circumstances of the removal and notice of legal remedies available to the owner. The notice shall be given by posting at the place of seizure, by delivery to a person residing at the place of seizure, or by registered mail if the owner is known. In making the decision to remove an animal pursuant to this chapter, the officer shall make a good faith effort to contact the animal's owner before removal.

(4) The agency having custody of the animal may euthanize the animal or may find a responsible person to adopt the animal not less than fifteen business days after the animal is taken into custody. A custodial agency may euthanize severely injured, diseased, or suffering animals at any time. An owner may prevent the animal's destruction or adoption by: (a) Petitioning the district court of the county where the animal was seized for the animal's immediate return subject to court-imposed conditions, or (b) posting a bond or security in an amount sufficient to provide for the animal's care for a minimum of thirty days from the seizure date. If the custodial agency still has custody of the animal when the bond or security expires, the animal shall become the agency's property unless the court orders an alternative disposition. If a court order prevents the agency from assuming ownership and the agency continues to care for the animal, the court shall order the owner to post or renew a bond or security for the agency's continuing costs for the animal's care. When a court has prohibited the owner from owning, caring for, or residing with a similar animal under RCW 16.52.200(4), the agency having custody of the animal may assume ownership upon seizure and the owner may not prevent the animal's destruction or adoption by petitioning the court or posting a bond.

(5) If no criminal case is filed within fourteen business days of the animal's removal, the owner may petition the district court of the county where the animal was removed for the animal's return. The petition shall be filed with the court ~~((with))~~. Copies of the petition must be served ~~((to))~~ on the law enforcement or animal care and control agency responsible for removing the animal and to the prosecuting attorney. If the court grants the petition, the agency which seized the animal must ~~((deliver))~~ surrender the animal to the owner at no cost to the owner. If a criminal action is filed after the petition is filed but before the ~~((animal is returned))~~ hearing on the petition, then the petition shall be joined with the criminal matter.

(6) In a motion or petition for the animal's return before a trial, the burden is on the owner to prove by a preponderance of the evidence that the animal will not suffer future neglect or abuse and is not in need of being restored to health.

(7) Any authorized person treating or attempting to restore an animal to health under this chapter shall not be civilly or criminally liable for such action.

Sec. 14. RCW 16.52.200 and 2011 c 172 s 4 are each amended to read as follows:

(1) The sentence imposed for a misdemeanor or gross misdemeanor violation of this chapter may be deferred or suspended in accordance with RCW 3.66.067 and 3.66.068, however the probationary period shall be two years.

(2) In case of multiple misdemeanor or gross misdemeanor convictions, the sentences shall be consecutive, however the probationary period shall remain two years.

(3) In addition to the penalties imposed by the court, the court shall order the forfeiture of all animals held by law enforcement or animal care and control authorities under the provisions of this chapter if any one of the animals involved dies as a result of a violation of this chapter or if the defendant has a prior conviction under this chapter. In other cases the court may enter an order requiring the owner to forfeit the animal if the court deems the animal's treatment to have been severe and likely to reoccur.

(4) Any person convicted of animal cruelty shall be prohibited from owning, caring for, or residing with any similar animals for a period of time as follows:

(a) Two years for a first conviction of animal cruelty in the second degree under RCW 16.52.207;

(b) Permanently for a first conviction of animal cruelty in the first degree under RCW 16.52.205;

(c) Permanently for a second or subsequent conviction of animal cruelty, except as provided in subsection (5) of this section.

(5) If a person has no more than two convictions of animal cruelty and each conviction is for animal cruelty in the second degree, the person may petition the sentencing court in which the most recent animal cruelty conviction occurred, for a restoration of the right to own or possess a similar animal five years after the date of the second conviction. In determining whether to grant the petition, the court shall consider, but not be limited to, the following:

(a) The person's prior animal cruelty in the second degree convictions;

(b) The type of harm or violence inflicted upon the animals;

(c) Whether the person has completed the conditions imposed by the court as a result of the underlying convictions;

(d) Whether the person complied with the prohibition on owning, caring for, or residing with similar animals; and

(e) Any other matters the court finds reasonable and material to consider in determining whether the person is likely to abuse another animal.

The court may delay its decision on forfeiture under subsection (3) of this section until the end of the probationary period.

(6) In addition to fines and court costs, the defendant, only if convicted or in agreement, shall be liable

for reasonable costs incurred pursuant to this chapter by law enforcement agencies, animal care and control agencies, or authorized private or public entities involved with the care of the animals. Reasonable costs include expenses of the investigation, and the animal's care, euthanization, or adoption.

(7) If convicted, the defendant shall also pay a civil penalty of one thousand dollars to the county to prevent cruelty to animals. These funds shall be used to prosecute offenses under this chapter and to care for forfeited animals pending trial.

(8) If a person violates the prohibition on owning, caring for, or residing with similar animals under subsection (4) of this section, that person:

(a) Shall pay a civil penalty of one thousand dollars for the first violation;

(b) Shall pay a civil penalty of two thousand five hundred dollars for the second violation; and

(c) Is guilty of a gross misdemeanor for the third and each subsequent violation.

(9) As a condition of the sentence imposed under this chapter or RCW 9.08.070 through 9.08.078, the court may also order the defendant to participate in an available animal cruelty prevention or education program or obtain available psychological counseling to treat mental health problems contributing to the violation's commission. The defendant shall bear the costs of the program or treatment.

(10) Nothing in this section limits the authority of a law enforcement officer, animal control officer, custodial agency, or court to remove, adopt, euthanize, or require forfeiture of an animal under RCW 16.52.085.

On page 1, line 1 of the title, after "cases;" strike the remainder of the title and insert "and amending RCW 16.52.085 and 16.52.200."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 2644 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kilduff and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2644, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2644, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, McCaslin, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Shea, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Van Werven, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young and Mr. Speaker.

Excused: Representatives Orwall and Zeiger.

SUBSTITUTE HOUSE BILL NO. 2644, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

March 9, 2016

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SENATE BILL NO. 5180,
ENGROSSED SENATE BILL NO. 6349,
ENGROSSED SENATE BILL NO. 6413,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 9, 2016

MR. SPEAKER:

The President has signed:

ENGROSSED HOUSE BILL NO. 1003,
SECOND SUBSTITUTE HOUSE BILL NO. 1408,
SECOND SUBSTITUTE HOUSE BILL NO. 1448,
ENGROSSED HOUSE BILL NO. 1918,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
2061,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2323,
HOUSE BILL NO. 2326,
HOUSE BILL NO. 2356,
SUBSTITUTE HOUSE BILL NO. 2359,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
2375,
HOUSE BILL NO. 2391,
HOUSE BILL NO. 2394,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458,
ENGROSSED HOUSE BILL NO. 2478,
SUBSTITUTE HOUSE BILL NO. 2580,
HOUSE BILL NO. 2694,
ENGROSSED HOUSE BILL NO. 2749,
HOUSE BILL NO. 2771,
HOUSE BILL NO. 2808,
HOUSE BILL NO. 2842,
HOUSE BILL NO. 2856,
SUBSTITUTE HOUSE BILL NO. 2876,
ENGROSSED HOUSE BILL NO. 2883,

HOUSE BILL NO. 2918,
SUBSTITUTE HOUSE BILL NO. 2938,
ENGROSSED HOUSE BILL NO. 2971,
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 9, 2016

MR. SPEAKER:

The President has signed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5109,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5435,
SENATE BILL NO. 5689,
SUBSTITUTE SENATE BILL NO. 5778,
FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO.
5857,
ENGROSSED SENATE BILL NO. 6091,
ENGROSSED SENATE BILL NO. 6100,
SUBSTITUTE SENATE BILL NO. 6160,
SUBSTITUTE SENATE BILL NO. 6211,
SUBSTITUTE SENATE BILL NO. 6227,
SUBSTITUTE SENATE BILL NO. 6238,
SUBSTITUTE SENATE BILL NO. 6261,
SUBSTITUTE SENATE BILL NO. 6264,
SUBSTITUTE SENATE BILL NO. 6273,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6293,
SUBSTITUTE SENATE BILL NO. 6329,
SUBSTITUTE SENATE BILL NO. 6337,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6470,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6528,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
6534,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
6564,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
6601,
ENGROSSED SENATE BILL NO. 6620,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Mullet, Fain, Hobbs, Becker, Rivers, O'Ban, Dammeier, Angel, Hill, Bailey, Sheldon, Miloscia, Braun, Baumgartner and King)

Concerning public schools that are not common schools.

The bill was read the second time.

With the consent of the house, amendments (971), (964), (955), (950), (954) and (960) to the striking amendment were withdrawn.

Representative Springer moved the adoption of amendment (945):

Strike everything after the enacting clause and insert the following:

**"PART I
CHARTER PUBLIC SCHOOLS**

Sec. 101. RCW 28A.710.010 and 2013 c 2 s 201 are each reenacted and amended to read as follows:

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

(1) "Applicant" means a nonprofit corporation that has submitted an application to an authorizer. The nonprofit corporation must be either a public benefit nonprofit corporation as defined in RCW 24.03.490, or a nonprofit corporation as defined in RCW 24.03.005 that has applied for tax exempt status under section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)). The nonprofit corporation may not be a sectarian or religious organization and must meet all of the requirements for a public benefit nonprofit corporation before receiving any funding under RCW 28A.710.220.

(2) "At-risk student" means a student who has an academic or economic disadvantage that requires assistance or special services to succeed in educational programs. The term includes, but is not limited to, students who do not meet minimum standards of academic proficiency, students who are at risk of dropping out of high school, students in chronically low-performing schools, students with higher than average disciplinary sanctions, students with lower participation rates in advanced or gifted programs, students who are limited in English proficiency, students who are members of economically disadvantaged families, and students who are identified as having special educational needs.

(3) "Authorizer" means ~~((an entity))~~ the commission established in RCW 28A.710.070 or a school district approved under RCW 28A.710.090 to review, approve, or reject charter school applications; enter into, renew, or revoke charter contracts with applicants; and oversee the charter schools the entity has authorized.

(4) "Charter contract" means a fixed term, renewable contract between a charter school and an authorizer that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.

(5) "Charter school" or "~~((public))~~ charter public school" means a public school that is established in accordance with this chapter, governed by a charter school board, and operated according to the terms of a charter contract executed under this chapter ~~((and includes a new charter school and a conversion charter school)).~~

(6) "Charter school board" means the board of directors appointed or selected under the terms of a charter application to manage and operate the charter school.

(7) "Commission" means the Washington state charter school commission established in RCW 28A.710.070.

(8) ~~(("Conversion charter school" means a charter school created by converting an existing noncharter public school in its entirety to a charter school under this chapter.~~

~~((9))~~ ~~"New charter school" means any charter school established under this chapter that is not a conversion charter school.~~

~~((10))~~ "Parent" means a parent, guardian, or other person or entity having legal custody of a child.

~~((11))~~ ~~((9))~~ "Student" means ~~((any))~~ a child eligible ((under RCW 28A.225.160)) to attend a public school in the state.

Sec. 102. RCW 28A.710.020 and 2013 c 2 s 202 are each reenacted and amended to read as follows:

A charter school established under this chapter:

(1) Is a public~~((common))~~ school that is:

(a) Open to all children free of charge and by choice; and

(b) Operated separately from the common school system as an alternative to traditional common schools;

(2) ~~((Is a public, common school offering))~~ May offer any program or course of study that ((a noncharter)) any other public school may offer, including one or more of grades kindergarten through twelve;

(3) Is governed by a charter school board according to the terms of a renewable, five-year charter contract executed under RCW 28A.710.160;

~~((Is a public school to which parents choose to send their children;~~

~~((5))~~ Functions as a local education agency under applicable federal laws and regulations and is responsible for meeting the requirements of local education agencies and public schools under those federal laws and regulations, including but not limited to compliance with the individuals with disabilities education improvement act (20 U.S.C. Sec. 1401 et seq.), the federal educational rights and privacy act (20 U.S.C. Sec. 1232g), and the elementary and secondary education act (20 U.S.C. Sec. 6301 et seq.).

Sec. 103. RCW 28A.710.030 and 2013 c 2 s 203 are each reenacted and amended to read as follows:

(1) To ~~((carry out))~~ fulfill its duty to manage and operate the charter school, and ~~((carry out))~~ to execute the terms of its charter contract, a charter school board may:

(a) Hire, manage, and discharge ~~((any))~~ charter school employees in accordance with the terms of this chapter and ~~((that))~~ the school's charter contract;

(b) Receive and disburse funds for the purposes of the charter school;

(c) Enter into contracts with any school district, educational service district, or other public or private entity for the provision of real property, equipment, goods, supplies, and services, including educational instructional services ~~((and including))~~, pupil transportation services, and for the management and operation of the charter school ((to the same extent as other noncharter public schools, as long as)), provided the charter school board maintains oversight authority over the charter school. Contracts for management operation of the charter school may only be with nonprofit organizations;

(d) Rent, lease, purchase, or own real property. All charter contracts and contracts with other entities must include provisions regarding the disposition of the property

if the charter school fails to open as planned or closes, or if the charter contract is revoked or not renewed;

(e) Issue secured and unsecured debt, including pledging, assigning, or encumbering its assets to be used as collateral for loans or extensions of credit to manage cash flow, improve operations, or finance the acquisition of real property or equipment (~~(-PROVIDED, That)~~). However, the ((public)) charter public school may not pledge, assign, or encumber any public funds received or to be received pursuant to RCW 28A.710.220. ((The)) Debt issued under this subsection (1)(e) is not a general, special, or moral obligation of the state, the charter school authorizer, the school district in which the charter school is located, or any other political subdivision or agency of the state. Neither the full faith and credit nor the taxing power of the state, or any political subdivision or agency of the state, may be pledged for the payment of the debt;

(f) Solicit, accept, and administer for the benefit of the charter school and its students, gifts, grants, and donations from individuals, or public or private entities, excluding (~~(from))~~ sectarian or religious organizations. A charter school((s)) board may not accept any gifts or donations ((the conditions of which)) that violate this chapter or other state laws; and

(g) Issue diplomas to students who meet state high school graduation requirements established under RCW 28A.230.090. A charter school board may establish additional graduation requirements.

(2) A charter school board may not levy taxes or issue tax-backed bonds.

(3) A charter school board may not acquire property by eminent domain.

Sec. 104. RCW 28A.710.040 and 2013 c 2 s 204 are each reenacted and amended to read as follows:

(1) A charter school must operate according to the terms of its charter contract and the provisions of this chapter.

(2) ~~((A))~~ A charter school((s)) must:

(a) Comply with local, state, and federal health, safety, parents' rights, civil rights, and nondiscrimination laws applicable to school districts and to the same extent as school districts, including but not limited to chapter 28A.642 RCW (discrimination prohibition) and chapter 28A.640 RCW (sexual equality);

(b) Provide a program of basic education, ((as provided)) that meets the goals in RCW 28A.150.210, including instruction in the essential academic learning requirements, and participate in the statewide student assessment system as developed under RCW 28A.655.070;

(c) Employ certificated instructional staff as required in RCW 28A.410.025(~~(-PROVIDED, That)~~). Charter schools, however, may hire noncertificated instructional staff of unusual competence and in exceptional cases as specified in RCW 28A.150.203(7);

(d) Comply with the employee record check requirements in RCW 28A.400.303;

(e) Adhere to generally accepted accounting principles and be subject to financial examinations and audits as determined by the state auditor, including annual audits for legal and fiscal compliance;

(f) Comply with the annual performance report under RCW 28A.655.110;

(g) Be subject to the performance improvement goals adopted by the state board of education under RCW 28A.305.130;

(h) Comply with the open public meetings act in chapter 42.30 RCW and public records requirements in chapter 42.56 RCW; and

(i) Be subject to and comply with legislation enacted after December 6, 2012, ~~((governing))~~ that governs the operation and management of charter schools.

(3) ~~((Public))~~ Charter public schools must comply with all state statutes and rules made applicable to the charter school in the school's charter contract, and are subject to the specific state statutes and rules identified in subsection (2) of this section. For the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs to improve student outcomes and academic achievement, charter schools are not subject to, and are exempt from, all other state statutes and rules applicable to school districts and school district boards of directors((, for the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs in order to improve student outcomes and academic achievement)). Except as provided otherwise by this chapter or a charter contract, charter schools are exempt from all school district policies ((except policies made applicable in the school's charter contract)).

(4) ~~((No))~~ A charter school may not engage in any sectarian practices in its educational program, admissions or employment policies, or operations.

(5) Charter schools are subject to the supervision of the superintendent of public instruction and the state board of education, including accountability measures, to the same extent as other public schools, except as otherwise provided in this chapter ((2, Laws of 2013)).

Sec. 105. RCW 28A.710.050 and 2013 c 2 s 205 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (3) of this section, a charter school may not limit admission on any basis other than age group, grade level, or enrollment capacity ((and must enroll all students who apply within these bases)). A charter school is open to any student regardless of his or her location of residence.

(2) A charter school may not charge tuition, but may charge fees for participation in optional extracurricular events and activities in the same manner and to the same extent as do other public schools.

(3) ~~((A conversion charter school must provide sufficient capacity to enroll all students who wish to remain enrolled in the school after its conversion to a charter school, and may not displace students enrolled before the chartering process.~~

~~((4))~~ If capacity is insufficient to enroll all students who apply to a charter school, the charter school must ((select students through a lottery to ensure fairness. However, a charter school must give an enrollment preference to siblings of already enrolled students)) grant an enrollment preference to siblings of enrolled students.

with any remaining enrollments allocated through a lottery. A charter school may offer, pursuant to an admissions policy approved by the commission, a weighted enrollment preference for at-risk students or to children of full-time employees of the school if the employees' children reside within the state.

~~((5))~~ (4) The enrollment capacity of a charter school must be determined annually by the charter school board in consultation with the charter authorizer and with consideration of the charter school's ability to facilitate the academic success of its students, achieve the objectives specified in the charter contract, and assure that its student enrollment does not exceed the capacity of its facility. An authorizer may not restrict the number of students a charter school may enroll.

~~((6))~~ (5) Nothing in this section prevents formation of a charter school whose mission is to offer a specialized learning environment and services for particular groups of students, such as at-risk students, students with disabilities, or students who pose such severe disciplinary problems that they warrant a specific educational program. Nothing in this section prevents formation of a charter school organized around a special emphasis, theme, or concept as stated in the school's application and charter contract.

Sec. 106. RCW 28A.710.060 and 2013 c 2 s 206 are each reenacted and amended to read as follows:

(1) School districts must provide information to parents and the general public about charter schools located within the district as an enrollment option for students.

(2) If a student who was previously enrolled in a charter school enrolls in another public school in the state, the student's new school must accept credits earned by the student in the charter school in the same manner and according to the same criteria that credits are accepted from other public schools.

(3) A charter school ~~(is eligible for)~~ may participate in state or district-sponsored interscholastic programs, awards, scholarships, or competitions to the same extent as other public schools.

Sec. 107. RCW 28A.710.070 and 2013 c 2 s 208 are each reenacted and amended to read as follows:

(1) The Washington state charter school commission is established as an independent state agency whose mission is to authorize high quality ~~(public)~~ public schools throughout the state, ~~(particularly)~~ especially schools that are designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools.

(2) The commission shall, through its management, supervision, and enforcement of the charter contracts and pursuant to applicable law, administer the ~~(portion of the public common school system consisting of the)~~ charter schools it authorizes ~~(as provided in this chapter,)~~ in the same manner as a school district board of directors ~~(; through its management, supervision, and enforcement of the charter contracts, and pursuant to applicable law,~~

~~administers the charter schools it authorizes)~~ administers other schools.

~~((2))~~ (3) The commission shall consist of nine members, no more than five of whom shall be members of the same political party. Three members shall be appointed by the governor; three members shall be appointed by the president of the senate; and three members shall be appointed by the speaker of the house of representatives. The appointing authorities shall assure diversity among commission members, including representation from various geographic areas of the state and shall assure that at least one member is a parent of a Washington public school student.

~~((3))~~ (4) Members appointed to the commission shall collectively possess strong experience and expertise in public and nonprofit governance; management and finance; public school leadership, assessment, curriculum, and instruction; and public education law. All members shall have demonstrated an understanding of and commitment to charter schooling as a strategy for strengthening public education.

~~((4))~~ (5) Members shall be appointed to serve four-year, staggered terms ~~(, -with)~~. The initial appointments from each of the appointing authorities ~~(consisting)~~ must consist of one member appointed to a one-year term, one member appointed to a two-year term, and one member appointed to a three-year term, all of whom thereafter may be reappointed for a four-year term. No member may serve more than two consecutive terms. Initial appointments must be made ~~(no later than ninety days after December 6, 2012)~~ by July 1, 2016.

~~((5))~~ (6) Whenever a vacancy on the commission exists, the original appointing authority must appoint a member for the remaining portion of the term within no more than thirty days.

~~((6))~~ (7) Commission members shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

~~((7))~~ Operational and staff support for the commission shall be provided by the office of the governor until the commission has sufficient resources to hire or contract for separate staff support, who) (8) The commission shall reside within the office of the ~~(governor)~~ superintendent of public instruction for administrative purposes only.

~~((8))~~ (9) RCW 28A.710.090 and 28A.710.120 do not apply to the commission.

Sec. 108. RCW 28A.710.080 and 2013 c 2 s 207 are each reenacted and amended to read as follows:

The following entities ~~(are eligible to)~~ may be authorizers of charter schools:

(1) The ~~(Washington charter school)~~ commission ~~(established under RCW 28A.710.070,)~~ may exercise the authority granted under this section for charter schools located anywhere in the state; and

(2) A school district board ~~(s)~~ of directors ~~(that have been approved by the state board of education under RCW 28A.710.090 before authorizing a charter school,)~~ may exercise the authority granted under this section only after receiving approval from the state board of education

under RCW 28A.710.090, and only for charter schools located within the school district's (~~own~~) boundaries.

Sec. 109. RCW 28A.710.090 and 2013 c 2 s 209 are each reenacted and amended to read as follows:

(1) The state board of education shall establish an annual application and approval process and timelines for (~~entities~~) school districts seeking approval to (~~be~~) become charter school authorizers. The initial process and timelines must be established (~~no later than ninety days after December 6, 2012~~) by July 1, 2016.

(2) At a minimum, each applicant district must submit to the state board of education:

(a) The applicant's strategic vision for chartering;
 (b) A plan to support the vision presented, including explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing;

(c) A draft or preliminary outline of the (~~request for proposals~~) annual charter school application process that the applicant would, if approved as an authorizer, issue to solicit charter school applicants;

(d) A draft of the performance framework that the applicant would, if approved as an authorizer, use to guide the establishment of a charter contract and use for ongoing oversight and evaluation of charter schools;

(e) A draft of the applicant's proposed renewal, revocation, and nonrenewal processes, consistent with RCW 28A.710.190 and 28A.710.200;

(f) A statement of assurance that the applicant seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of this chapter, and that, if approved as an authorizer, the applicant will fully participate in any authorizer training provided or required by the state; and

(g) A statement of assurance that the applicant will provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and expenditures.

(3) The state board of education shall consider the merits of each application and make its decision within the timelines established by the state board of education.

(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the (~~entity~~) applicant district. The initial term of an authorizing contract (~~shall~~) must be six years. The authorizing contract must specify each approved (~~entity's~~) applicant district's agreement to serve as an authorizer in accordance with the expectations of this chapter, and may specify additional performance terms based on the applicant's proposal and plan for chartering.

(5) No approved (~~entity~~) school district may commence charter authorizing without an authorizing contract in effect.

Sec. 110. RCW 28A.710.100 and 2013 c 2 s 210 are each reenacted and amended to read as follows:

(1) Authorizers are responsible for:

(a) Soliciting and evaluating charter applications;

(b) Approving (~~quality~~) charter applications that meet identified educational needs and promote a diversity of educational choices;

(c) Denying (~~weak or inadequate~~) charter applications that fail to meet statutory requirements, requirements of the authorizer, or both;

(d) Negotiating and executing (~~sound~~) charter contracts with each authorized charter school;

(e) Monitoring, in accordance with charter contract terms, the performance and legal compliance of charter schools including, without limitation, education and academic performance goals and student achievement; and

(f) Determining whether each charter contract merits renewal, nonrenewal, or revocation.

(2) An authorizer may delegate its responsibilities under this section to employees or contractors.

(3) All authorizers must develop and follow chartering policies and practices that are consistent with the principles and standards for quality charter authorizing developed by the national association of charter school authorizers in at least the following areas:

(a) Organizational capacity and infrastructure;

(b) Soliciting and evaluating charter applications;

(c) Performance contracting;

(d) Ongoing charter school oversight and evaluation; and

(e) Charter renewal decision making.

(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board (~~, which~~) that includes:

(a) The authorizer's strategic vision for chartering and progress toward achieving that vision;

(b) The academic and financial performance of all operating charter schools (~~oversen by the authorizer~~) under its jurisdiction, including the progress of the charter schools based on the authorizer's performance framework;

(c) The status of the authorizer's charter school portfolio, identifying all charter schools in each of the following categories: (i) Approved but not yet open(~~;~~); (ii) operating(~~;~~); (iii) renewed(~~;~~); (iv) transferred(~~;~~); (v) revoked(~~;~~); (vi) not renewed(~~;~~); (vii) voluntarily closed(~~;~~); or (viii) never opened;

(d) The authorizer's operating costs and expenses detailed in annual audited financial statements that conform with generally accepted accounting principles; and

(e) The services purchased from the authorizer by the charter schools under its jurisdiction under RCW 28A.710.110, including an itemized accounting of the actual costs of these services.

(5) Neither an authorizer, individuals who comprise the membership of an authorizer in their official capacity, nor the employees of an authorizer are liable for acts or omissions of a charter school they authorize.

(6) No employee, trustee, agent, or representative of an authorizer may simultaneously serve as an employee, trustee, agent, representative, vendor, or contractor of a charter school under the jurisdiction of that authorizer.

Sec. 111. RCW 28A.710.110 and 2013 c 2 s 211 are each reenacted and amended to read as follows:

(1) The state board of education shall establish a statewide formula for an authorizer oversight fee, which ~~((shall))~~ must be calculated as a percentage of the state operating funding ~~((allocated))~~ distributed to charter schools under RCW 28A.710.220 to each charter school under the jurisdiction of an authorizer, but may not exceed four percent of each charter school's annual funding. ~~((The office of the superintendent of public instruction shall deduct the oversight fee from each charter school's allocation under RCW 28A.710.220 and transmit the fee to the appropriate authorizer.))~~

(2) The state board of education may establish a sliding scale for the authorizer oversight fee, with the funding percentage decreasing after the authorizer has achieved a certain threshold, such as after a certain number of years of authorizing or after a certain number of charter schools have been authorized.

(3) The office of the superintendent of public instruction shall deduct the oversight fee from each charter school's distribution under RCW 28A.710.220 and transmit the fee to the appropriate authorizer.

(4) An authorizer must use its oversight fee exclusively for the purpose of fulfilling its duties under RCW 28A.710.100.

~~((4))~~ (5) An authorizer may provide contracted, fee-based services to charter schools under its jurisdiction that are in addition to the oversight duties under RCW 28A.710.100. An authorizer may not charge more than market rates for the contracted services provided. An authorizer may not require a charter school ~~((may not be required))~~ to purchase contracted services ~~((from))~~ provided by an authorizer. Fees collected by the authorizer under this subsection must be separately accounted for and reported annually to the state board of education.

Sec. 112. RCW 28A.710.120 and 2013 c 2 s 212 are each reenacted and amended to read as follows:

(1) The state board of education is responsible for overseeing the performance and effectiveness of all authorizers approved under RCW 28A.710.090.

(2) Persistently unsatisfactory performance of an authorizer's portfolio of charter schools, a pattern of well-founded complaints about the authorizer or its charter schools, or other objective circumstances may trigger a special review by the state board of education.

(3) In reviewing or evaluating the performance of authorizers, the state board of education must apply nationally recognized principles and standards for quality charter authorizing. Evidence of material or persistent failure by an authorizer to carry out its duties in accordance with ~~((the))~~ these principles and standards constitutes grounds for revocation of the authorizing contract by the state board of education, as provided under this section.

(4) If at any time the state board of education finds that an authorizer is not in compliance with a charter contract, its authorizing contract, or the authorizer duties under RCW 28A.710.100, the board must notify the authorizer in writing of the identified problems, and the authorizer ~~((shall))~~ must have reasonable opportunity to respond and remedy the problems.

(5) If ~~((an authorizer persists))~~, after due notice from the state board of education, an authorizer persists in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified authorizing problems, the state board of education shall notify the authorizer, within a reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation or deficiencies.

(6) In the event of revocation of any authorizer's chartering authority, the state board of education shall manage the timely and orderly transfer of each charter contract held by that authorizer to another authorizer in the state, with the mutual agreement of each affected charter school and proposed new authorizer. The new authorizer shall assume the existing charter contract for the remainder of the charter term.

(7) The state board of education must establish timelines and a process for taking actions under this section in response to performance deficiencies by an authorizer.

Sec. 113. RCW 28A.710.130 and 2013 c 2 s 213 are each reenacted and amended to read as follows:

(1)(a) Each authorizer must annually issue and broadly publicize a ~~((request))~~ solicitation for proposals for charter school applicants by the date established by the state board of education under RCW 28A.710.140.

(b) Each authorizer's ~~((request))~~ solicitation for proposals must:

(i) Present the authorizer's strategic vision for chartering, including a clear statement of any preferences the authorizer wishes to grant to applications that employ proven methods for educating at-risk students or students with special needs;

(ii) Include or otherwise direct applicants to the performance framework that the authorizer has developed for charter school oversight and evaluation in accordance with RCW 28A.710.170;

(iii) Provide the criteria that will guide the authorizer's decision to approve or deny a charter application; and

(iv) State clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful charter school.

(2) A charter school application must provide or describe thoroughly all of the following elements of the proposed school plan:

(a) An executive summary;

(b) The mission and vision of the proposed charter school, including identification of the ~~((targeted))~~ student population and ~~((the))~~ community the school hopes to serve;

(c) The location or geographic area proposed for the school and the school district within which the school will be located;

(d) The grades to be served each year for the full term of the charter contract;

(e) Minimum, planned, and maximum enrollment per grade per year for the full term of the charter contract;

(f) Evidence of need and parent and community support for the proposed charter school;

(g) Background information on the proposed founding (~~(governing)~~) charter school board members and, if identified, the proposed school leadership and management team;

(h) The school's proposed calendar and sample daily schedule;

(i) A description of the academic program aligned with state standards;

(j) A description of the school's proposed instructional design, including the type of learning environment(~~(s)~~),₂ class size and structure(~~(s)~~),₂ curriculum overview(~~(s)~~),₂ and teaching methods;

(k) Evidence that the educational program is based on proven methods;

(l) The school's plan for using internal and external assessments to measure and report student progress on the performance framework developed by the authorizer in accordance with RCW 28A.710.170;

(m) The school's plans for identifying, successfully serving, and complying with applicable laws and regulations regarding students with disabilities, students who are limited English proficient, students who are struggling academically, and highly capable students;

(n) A description of cocurricular or extracurricular programs and how (~~(they)~~) those programs will be funded and delivered;

(o) Plans and timelines for student recruitment and enrollment, including targeted plans for recruiting at-risk students and including lottery procedures;

(p) The school's student discipline policies, including for special education students;

(q) An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the school;

(r) A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown in the organization chart;

(s) A staffing plan for the school's first year and for the term of the charter;

(t) Plans for recruiting and developing school leadership and staff;

(u) The school's leadership and teacher employment policies, including performance evaluation plans;

(v) Proposed governing bylaws;

(w) An explanation of proposed partnership agreement, if any, between a charter school and its school district focused on facilities, budgets, taking best practices to scale, and other items;

(x) Explanations of any other partnerships or contractual relationships central to the school's operations or mission;

(y) Plans for providing transportation, food service, and all other significant operational or ancillary services;

(z) Opportunities and expectations for parent involvement;

(aa) A detailed school start-up plan, identifying tasks, timelines, and responsible individuals;

(bb) A description of the school's financial plan and policies, including financial controls and audit requirements;

(cc) A description of the insurance coverage the school will obtain;

(dd) Start-up and five-year cash flow projections and budgets with clearly stated assumptions;

(ee) Evidence of anticipated fund-raising contributions, if claimed in the application; and

(ff) A sound facilities plan, including backup or contingency plans if appropriate.

(3) (~~In the case of an application to establish a conversion charter school, the applicant must also demonstrate support for the proposed conversion by a petition signed by a majority of teachers assigned to the school or a petition signed by a majority of parents of students in the school.~~

(4) (~~In the case of an application where the proposed charter school~~) If an applicant intends to contract with a nonprofit education service provider for substantial educational services, management services, or both, the applicant must:

(a) Provide evidence of the nonprofit education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions if applicable;

(b) Provide a term sheet setting forth: (i) The proposed duration of the service contract; (ii) the roles and responsibilities of the governing board, the school staff, and the service provider; (iii) the scope of services and resources to be provided by the service provider; (iv) the performance evaluation measures and timelines; (v) the compensation structure, including clear identification of all fees to be paid to the service provider; (vi) methods of contract oversight and enforcement; (vii) investment disclosure; and (viii) conditions for renewal and termination of the contract; and

(c) Disclose and explain any existing or potential conflicts of interest between the charter school board and proposed service provider or any affiliated business entities.

(~~(5) In the case of an application from~~) (4) If an applicant (~~(that)~~) operates one or more schools in any state or nation, the applicant must provide evidence of (~~(past)~~) the performance of those schools, including evidence of the applicant's success in serving at-risk students, and capacity for growth.

(~~(6)~~) (5) Applicants may submit a proposal for a particular (~~(public)~~) charter public school to no more than one authorizer at a time.

Sec. 114. RCW 28A.710.140 and 2013 c 2 s 214 are each reenacted and amended to read as follows:

(1) The state board of education must establish an annual statewide timeline for charter application

submission and approval or denial(~~(-which))~~ that must be followed by all authorizers.

(2) In reviewing and evaluating charter applications, authorizers shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing. Authorizers shall give preference to applications for charter schools that are designed to enroll and serve at-risk student populations(~~(-PROVIDED, That))~~. However, nothing in this chapter may be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk students, or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve other pupil populations under a nonexclusive, nondiscriminatory admissions policy. The application review process must include thorough evaluation of each application, an in-person interview with the applicant group, and an opportunity to learn about and provide input on each application in a public forum including, without limitation, parents, community members, local residents, and school district board members and staff(~~(-to learn about and provide input on each application))~~).

(3) In deciding whether to approve an application, authorizers must:

(a) Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful (~~(public))~~ charter public school;

(b) Base decisions on documented evidence collected through the application review process;

(c) Follow charter-granting policies and practices that are transparent and based on merit; and

(d) Avoid any conflicts of interest, whether real or apparent.

(4) An approval decision may include, if appropriate, reasonable conditions that the charter applicant must meet before a charter contract may be executed.

(5) For any denial of an application, the authorizer shall clearly state in writing its reasons for denial. A denied applicant may subsequently reapply to that authorizer or apply to another authorizer in the state.

Sec. 115. RCW 28A.710.150 and 2013 c 2 s 215 are each reenacted and amended to read as follows:

(1) A maximum of forty (~~(public))~~ charter public schools may be established under this chapter(~~(s))~~ over (~~(a))~~ the five-year period commencing with the effective date of this section. No more than eight charter schools may be established in any (~~(single))~~ year during the five-year period, except that if in any (~~(single))~~ year fewer than eight charter schools are established, (~~(then))~~ additional charter schools, equal in number to the difference between the number established in that year and eight, may be established in subsequent years during the five-year period.

(2)(a) To ensure compliance with the limits for establishing new charter schools, certification from the state board of education must be obtained before final authorization of a charter school.

(b) Within ten days of taking action to approve or deny an application under RCW 28A.710.140, an authorizer must submit a report of the action to the applicant and (~~(to))~~ the state board of education(~~(-which))~~. The report must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements and application elements under RCW 28A.710.130 and 28A.710.140. The authorizer must also indicate whether the charter school is designed to enroll and serve at-risk student populations. The state board of education must establish, for each year in which charter schools may be authorized as part of the timeline to be established pursuant to RCW 28A.710.140, the (~~(last))~~ latest annual date by which the authorizer (~~(must))~~ may submit the report. The state board of education must send to each authorizer notice of the date (~~(to each authorizer no later than))~~ by which a report must be submitted at least six months before the date established by the board.

(3) Upon the receipt of notice from an authorizer that a charter school has been approved, the state board of education shall certify whether the approval is in compliance with the limits on the maximum number of charters allowed under subsection (1) of this section. If the board receives simultaneous notification of approved charters that exceed the annual allowable limits in subsection (1) of this section, the board must select approved charters for implementation through a lottery process, and must assign implementation dates accordingly.

(4) The state board of education must notify authorizers when the maximum allowable number of charter schools has been reached.

Sec. 116. RCW 28A.710.160 and 2013 c 2 s 216 are each reenacted and amended to read as follows:

(1) The purposes of the charter application submitted under RCW 28A.710.130 are to present the proposed charter school's academic and operational vision and plans, and to demonstrate and provide the authorizer with a clear basis for evaluating the applicant's capacities to execute the proposed vision and plans. An approved charter application does not serve as the school's charter contract.

(2) Within ninety days of approval of a charter application, the authorizer and the governing board of the approved charter school must execute a charter contract. The contract must establish the terms by which (~~(-fundamentally,))~~ the (~~(public))~~ charter school agrees to provide educational services that, at a minimum, meet basic education standards, in return for (~~(an allocation))~~ a distribution of public funds (~~(to))~~ that will be used for (~~(such))~~ the purposes (~~(all as set forth))~~ established in the contract and in this and other applicable statutes (~~(and in the charter contract))~~. The charter contract must clearly set forth the academic and operational performance expectations and measures by which the charter school will be (~~(judged))~~ evaluated and the administrative relationship between the authorizer and charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract must include, but need not be limited to, applicable federal and state accountability requirements. The performance provisions

may be refined or amended by mutual agreement after the charter school is operating and has collected baseline achievement data for its enrolled students.

(3) If the charter school is authorized by a school district board of directors, the charter contract must be signed by the president of the applicable school district board of directors ((if the school district board of directors is the authorizer or the chair of the commission if the commission is the authorizer and by)) and the president of the charter school board. If the charter school is authorized by the commission, the charter contract must be signed by the chair of the commission and the president of the charter school board. Within ten days of executing a charter contract, the authorizer must submit to the state board of education written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

(4) A charter contract may govern one or more charter schools to the extent approved by the authorizer. A single charter school board may hold one or more charter contracts. However, each charter school that is part of a charter contract must be separate and distinct from any others and, for purposes of calculating the maximum number of charter schools that may be established under this chapter, each charter school must be considered a single charter school regardless of how many charter schools are governed under a particular charter contract.

(5) An initial charter contract must be granted for a term of five operating years. The contract term must commence on the charter school's first day of operation. An approved charter school may delay its opening for one school year in order to plan and prepare for the school's opening. If the school requires an opening delay of more than one school year, the school must request an extension from its authorizer. The authorizer may grant or deny the contract extension depending on the school's circumstances.

(6) Authorizers may establish reasonable preopening requirements or conditions to monitor the start-up progress of newly approved charter schools ~~((and))~~, ensure that they are prepared to open smoothly on the date agreed, and ~~((to))~~ ensure that each school meets all building, health, safety, insurance, and other legal requirements for school opening.

(7) No charter school may commence operations without a charter contract executed in accordance with this section.

(8) In accordance with section 138(3) of this act:
(a) The state board of education must take reasonable and necessary steps to provide parties to contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect or that had been executed on or before December 1, 2015, with an opportunity to execute new contracts with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015; and

(b) Each authorizer must take reasonable and necessary steps to provide parties to contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect or that had been executed on or before December 1, 2015, with an opportunity to execute new contracts with the same terms and duration or substantially

the same terms and duration as were in effect on December 1, 2015.

(9) Contracts executed pursuant to subsection (8) of this section do not count against the annual cap established in RCW 28A.710.150(1).

(10) For purposes of this section, "substantially the same terms and duration" includes contract modifications necessary to comply with the provisions of this chapter or other applicable law.

Sec. 117. RCW 28A.710.170 and 2013 c 2 s 217 are each reenacted and amended to read as follows:

(1) The performance provisions within a charter contract must be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide an authorizer's evaluations of ~~((each))~~ a charter school within its jurisdiction.

(2) At a minimum, the performance framework must include indicators, measures, and metrics for:

- (a) Student academic proficiency;
- (b) Student academic growth;
- (c) Achievement gaps in both proficiency and growth between major student subgroups;
- (d) Attendance;
- (e) Recurrent enrollment from year to year;
- (f) High school graduation rates and student postsecondary readiness~~((, for high schools))~~;
- (g) Financial performance and sustainability; and
- (h) Charter school board performance and stewardship, including compliance with all applicable laws, rules, and terms of the charter contract.

(3) Annual performance targets must be set by each charter school in conjunction with its authorizer and must be designed to help each school meet applicable federal, state, and authorizer expectations.

(4) The authorizer and charter school may also include additional rigorous, valid, and reliable indicators in the performance framework to augment external evaluations of the charter school's performance.

(5) The performance framework must require the disaggregation of all student performance data by major student subgroups, including gender, race and ethnicity, poverty status, special education status, English language learner status, and highly capable status.

(6) Multiple schools operating under a single charter contract or overseen by a single charter school board must report their performance as separate schools, and each school shall be held independently accountable for its performance.

Sec. 118. RCW 28A.710.180 and 2013 c 2 s 218 are each reenacted and amended to read as follows:

(1) Each authorizer must continually monitor the performance and legal compliance of the charter schools ~~((it oversees))~~ under its jurisdiction, including collecting and analyzing data to support ongoing evaluation according to the performance framework in the charter contract.

(2) An authorizer may conduct or require oversight activities that enable the authorizer to fulfill its

responsibilities under this chapter, including conducting appropriate inquiries and investigations, ~~((so long as))~~ if those activities are consistent with the intent of this chapter, adhere to the terms of the charter contract, and do not unduly inhibit the autonomy granted to charter schools.

(3) In the event that a charter school's performance or legal compliance appears unsatisfactory, the authorizer must promptly notify the school of the perceived problem and provide reasonable opportunity for the school to remedy the problem ~~((, unless))~~. However, if the problem warrants revocation ~~((in which case))~~ of the charter contract, the revocation procedures under RCW 28A.710.200 apply.

(4) An authorizer may take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in charter school performance or legal compliance. ~~((Such))~~ These actions or sanctions may include, if warranted, requiring a school to develop and execute a corrective action plan within a specified time frame.

Sec. 119. RCW 28A.710.190 and 2013 c 2 s 219 are each reenacted and amended to read as follows:

(1) A charter contract may be renewed by the authorizer, at the request of the charter school, for successive five-year terms ~~((, although))~~. The authorizer, however, may vary the term based on the performance, demonstrated capacities, and particular circumstances of a charter school, and may grant renewal with specific conditions for necessary improvements to a charter school.

(2) No later than six months before the expiration of a charter contract, the authorizer must issue a performance report and charter contract renewal application guidance to ~~((that))~~ the charter school. The performance report must summarize the charter school's performance record to date based on the data required by the charter contract, and must provide notice of any weaknesses or concerns perceived by the authorizer concerning the charter school that may, if not timely rectified, jeopardize its position in seeking renewal ~~((if not timely rectified))~~. The charter school has thirty days to respond to the performance report and submit any corrections or clarifications for the report.

(3) The renewal application guidance must, at a minimum, provide an opportunity for the charter school to:

- (a) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter contract renewal;
- (b) Describe improvements undertaken or planned for the school; and
- (c) Detail the school's plans for the next charter contract term.

(4) The renewal application guidance must include or refer explicitly to the criteria that will guide the authorizer's renewal decisions, ~~((which shall))~~ and this criteria must be based on the performance framework set forth in the charter contract.

(5) In making charter renewal decisions, an authorizer must:

- (a) ~~((Ground))~~ Base its decisions in evidence of the school's performance over the term of the charter contract

in accordance with the performance framework set forth in the charter contract;

(b) Ensure that data used in making renewal decisions are available to the school and the public; and

(c) Provide a public report summarizing the evidence basis for its decision.

Sec. 120. RCW 28A.710.200 and 2013 c 2 s 220 are each reenacted and amended to read as follows:

(1) An authorizer may revoke a charter contract ~~((may be revoked))~~ at any time, or ~~((not renewed))~~ may refuse to renew it, if the authorizer determines that the charter school did any of the following or otherwise failed to comply with the provisions of this chapter:

(a) Committed a material and substantial violation of any of the terms, conditions, standards, or procedures required under this chapter or the charter contract;

(b) Failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;

(c) Failed to meet generally accepted standards of fiscal management; or

(d) Substantially violated any material provision of law from which the charter school is not exempt.

(2) Except as provided otherwise by this subsection (2), an authorizer may not renew a charter contract ~~((may not be renewed))~~ if, at the time of the renewal application, the charter school's performance falls in the bottom quartile of schools on the ~~((accountability))~~ Washington achievement index developed by the state board of education under RCW 28A.657.110 ~~((, unless))~~. A contract may be renewed without violating this subsection (2), however, if the charter school demonstrates exceptional circumstances that the authorizer finds justifiable.

(3) Each authorizer must develop revocation and nonrenewal processes that:

(a) Provide the charter school board with a timely notification of the prospect of and reasons for revocation or nonrenewal;

(b) Allow the charter school board a reasonable amount of time in which to prepare a response;

(c) Provide the charter school board with an opportunity, at a recorded public proceeding held for that purpose, to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school ~~((at a recorded public proceeding held for that purpose))~~;

(d) Allow the charter school board to be represented by counsel and to call witnesses on its behalf; and

(e) After a reasonable period for deliberation, require a final determination to be made and conveyed in writing to the charter school board.

(4) If an authorizer revokes or does not renew a charter contract, the authorizer must clearly state in a resolution the reasons for the revocation or nonrenewal.

(5) Within ten days of taking action to renew, not renew, or revoke a charter contract, an authorizer must submit a report of the action to the ~~((applicant))~~ charter school and ~~((to))~~ the state board of education ~~((, which))~~. The report must include a copy of the authorizer's

resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements established by the authorizer under this section.

Sec. 121. RCW 28A.710.210 and 2013 c 2 s 221 are each reenacted and amended to read as follows:

(1) Before making a decision to not renew or to revoke a charter contract, an authorizer(s) must develop a charter school termination protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, as necessary, and proper disposition of public school funds, property, and assets. The protocol must specify tasks, timelines, and responsible parties, including delineating the respective duties of the charter school and the authorizer.

(2) ~~((In the event that))~~ If the nonprofit corporation ~~((applicant))~~ operator of a charter school should dissolve for any reason including, without limitation, because of the termination of the charter contract, the public school funds of the charter school that have been provided pursuant to RCW 28A.710.220 must be returned to the state or local account from which the public funds originated. If the charter school has commingled the funds, the funds must be returned in proportion to the proportion of those funds received by the charter school from the public accounts in the last year preceding the dissolution. The dissolution of ~~((an applicant))~~ a nonprofit corporation shall otherwise proceed as provided by law.

(3) A charter contract may not be transferred from one authorizer to another or from one charter school ~~((applicant))~~ to another before the expiration of the charter contract term except by petition to the state board of education by the charter school or its authorizer. The state board of education must review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the charter school's students.

Sec. 122. RCW 28A.710.220 and 2013 c 2 s 222 are each reenacted and amended to read as follows:

(1) Charter schools must report student enrollment in the same manner, and based on the same definitions of enrolled students and annual average full-time equivalent enrollment, as other public schools. Charter schools must comply with applicable reporting requirements to receive state or federal funding that is ~~((allocated))~~ distributed based on student characteristics.

(2) ~~((According to the schedule established under RCW 28A.510.250, the superintendent of public instruction shall allocate funding for a charter school including general apportionment, special education, categorical, and other nonbasic education moneys. Allocations must be based on the statewide average staff mix ratio of all noncharter public schools from the prior school year and the school's actual full-time equivalent enrollment. Categorical funding must be allocated to a charter school based on the same funding criteria used for noncharter public schools and the funds must be expended as provided in the charter contract.~~

~~A charter school is eligible to apply for state grants on the same basis as a school district)) In accordance with appropriations made under sections 127 and 128 of this act, the superintendent of public instruction shall distribute state funding to charter schools according to the schedule established in RCW 28A.510.250.~~

~~(3) ((Allocations for pupil transportation must be calculated on a per student basis based on the allocation for the previous school year to the school district in which the charter school is located. A charter school may enter into a contract with a school district or other public or private entity to provide transportation for the students of the school.~~

~~(4))~~ Amounts ~~((payable))~~ distributed to a charter school under ~~((this))~~ section 128 of this act in the school's first year of operation must be based on the projections of first-year student enrollment established in the charter contract. The office of the superintendent of public instruction must reconcile the amounts ~~((paid))~~ distributed in the first year of operation to the amounts that would have been ~~((paid))~~ distributed based on actual student enrollment and make adjustments to the charter school's ~~((allocations))~~ distributions over the course of the second year of operation.

~~((5) For charter schools authorized by a school district board of directors, allocations to a charter school that are included in RCW 84.52.0531(3) (a) through (c) shall be included in the levy planning, budgets, and funding distribution in the same manner as other public schools in the district.~~

~~(6) Conversion charter schools are eligible for local levy moneys approved by the voters before the conversion start-up date of the school as determined by the authorizer, and the school district must allocate levy moneys to a conversion charter school.~~

~~(7) New charter schools are not eligible for local levy moneys approved by the voters before the start-up date of the school unless the local school district is the authorizer.~~

~~(8) For levies submitted to voters after the start-up date of a charter school authorized under this chapter, the charter school must be included in levy planning, budgets, and funding distribution in the same manner as other public schools in the district.~~

~~(9))~~ (4) Any moneys received by a charter school from any source and remaining in the school's accounts at the end of ~~((any))~~ a budget year ~~((shall))~~ must remain in the school's accounts for use by the school during subsequent budget years.

Sec. 123. RCW 28A.710.230 and 2013 c 2 s 223 are each reenacted and amended to read as follows:

(1) Charter schools are eligible for state ~~((matching funds))~~ funding for ~~((common))~~ school construction. However, such appropriations may not be made from the common school construction fund.

(2) ~~((A))~~ If a school district decides to sell or lease the public school facility or property pursuant to RCW 28A.335.040 or 28A.335.120, a charter school ~~((has))~~ located within the boundaries of the district has a right of first refusal to purchase or lease at ~~((or below))~~ fair market

value a closed public school facility or property or unused portions of a public school facility or property (~~located in a school district from which it draws its students if the school district decides to sell or lease the public school facility or property pursuant to RCW 28A.335.040 or 28A.335.120~~) by negotiated agreement with mutual consideration. The consideration may include the provision of educational services by the charter school.

(3) A charter school may negotiate and contract with a school district, the governing body of a public college or university, or any other public or private entity for the use of a facility for a school building at ~~(or below)~~ fair market rent.

(4) Public libraries, community service organizations, museums, performing arts venues, theaters, and public or private colleges and universities may provide space to charter schools within their facilities under their preexisting zoning and land use designations.

~~((5) A conversion charter school as part of the consideration for providing educational services under the charter contract may continue to use its existing facility without paying rent to the school district that owns the facility. The district remains responsible for major repairs and safety upgrades that may be required for the continued use of the facility as a public school. The charter school is responsible for routine maintenance of the facility including, but not limited to, cleaning, painting, gardening, and landscaping. The charter contract of a conversion charter school using existing facilities that are owned by its school district must include reasonable and customary terms regarding the use of the existing facility that are binding upon the school district.))~~

Sec. 124. RCW 28A.710.240 and 2013 c 2 s 224 are each reenacted to read as follows:

Years of service in a charter school by certificated instructional staff shall be included in the years of service calculation for purposes of the statewide salary allocation schedule under RCW 28A.150.410. This section does not require a charter school to pay a particular salary to its staff while the staff is employed by the charter school.

Sec. 125. RCW 28A.710.250 and 2013 c 2 s 225 are each reenacted and amended to read as follows:

(1) By December 1st of each year beginning in the first year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, must issue ~~((an annual))~~ a report on the performance of the state's charter schools ~~((for))~~ during the preceding school year to the governor, the legislature, and the public at large.

(2) The annual report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the state board of education. The report must include a comparison of the performance of charter school students with the performance of academically, ethnically, and economically comparable groups of students in ~~((noncharter))~~ other public schools. In addition, the annual report must include the state board of education's assessment of the successes, challenges, and

areas for improvement in meeting the purposes of this chapter, including the board's assessment of the sufficiency of funding for charter schools, the efficacy of the formula for authorizer funding, and any suggested changes in state law or policy necessary to strengthen the state's charter schools.

(3) Together with the issuance of the annual report following the fifth year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, shall submit a recommendation regarding whether or not the legislature should authorize the establishment of additional ~~((public))~~ charter public schools.

Sec. 126. RCW 28A.710.260 and 2014 c 221 s 911 are each reenacted to read as follows:

The charter schools oversight account is hereby created in the state treasury. All moneys received by the commission under RCW 28A.710.110 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes of this chapter.

NEW SECTION. Sec. 127. A new section is added to chapter 28A.710 RCW to read as follows:

The state legislature shall, at each regular session in an odd-numbered year, appropriate from the Washington opportunity pathways account for the current use of charter public schools amounts as determined in accordance with section 128 of this act, and amounts authorized under RCW 28A.710.230(1), for state support to charter schools during the ensuing biennium.

NEW SECTION. Sec. 128. A new section is added to chapter 28A.710 RCW to read as follows:

(1) For eligible students enrolled in a charter school established and operating in accordance with this chapter, the superintendent of public instruction shall transmit to each charter school an amount per each full-time equivalent student at statewide uniform rates. The calculations and distributions must be based upon the estimated statewide annual average per full-time equivalent student allocations under RCW 28A.150.260, including any enrichment to those statutory formulae that is specified in the omnibus appropriations act. The amount must be the sum of (a) and (b) of this subsection, as applicable.

(a) The superintendent shall, for purposes of making distributions under this section, separately calculate and distribute to charter schools moneys appropriated for general apportionment under the same ratios as in RCW 28A.150.260.

(b) The superintendent also shall, for purposes of making distributions under this section, and in accordance with the applicable formulae for categorical programs specified in (b)(i) through (v) of this subsection (1) and any enrichment to those statutory formulae that is specified in the omnibus appropriations act, separately calculate and distribute moneys appropriated by the legislature to charter schools for:

(i) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(ii) Supplemental instruction and services for eligible and enrolled students and exited students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(iii) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020;

(iv) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030; and

(v) Pupil transportation services to and from school in accordance with RCW 28A.160.150 through 28A.160.180. Distributions for pupil transportation must be calculated on a per eligible student basis based on the allocation for the previous school year to the school district in which the charter school is located.

(2) The superintendent of public instruction must adopt rules necessary for the distribution of funding required by this section and to comply with federal reporting requirements.

Sec. 129. RCW 28A.150.010 and 2013 c 2 s 301 are each reenacted and amended to read as follows:

Public schools means the common schools as referred to in Article IX of the state Constitution, ~~((including))~~ charter schools established under chapter 28A.710 RCW, and those schools and institutions of learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense.

Sec. 130. RCW 28A.315.005 and 2013 c 2 s 302 are each reenacted and amended to read as follows:

(1) Under the constitutional framework and the laws of the state of Washington, the governance structure for the state's public common school system is comprised of the following bodies: The legislature, the governor, the superintendent of public instruction, the state board of education, ~~((the Washington charter school commission,))~~ the educational service district boards of directors, and local school district boards of directors. The respective policy and administrative roles of each body are determined by the state Constitution and statutes.

(2) Local school districts are political subdivisions of the state and the organization of such districts, including the powers, duties, and boundaries thereof, may be altered or abolished by laws of the state of Washington.

Sec. 131. RCW 41.32.033 and 2013 c 2 s 303 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States

department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

Sec. 132. RCW 41.35.035 and 2013 c 2 s 304 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

Sec. 133. RCW 41.40.025 and 2013 c 2 s 305 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

Sec. 134. RCW 41.05.011 and 2015 c 116 s 2 are each reenacted to read as follows:

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

(1) "Authority" means the Washington state health care authority.

(2) "Board" means the public employees' benefits board established under RCW 41.05.055.

(3) "Dependent care assistance program" means a benefit plan whereby state and public employees may pay for certain employment related dependent care with pretax dollars as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 129 or other sections of the internal revenue code.

(4) "Director" means the director of the authority.

(5) "Emergency service personnel killed in the line of duty" means law enforcement officers and firefighters as defined in RCW 41.26.030, members of the Washington state patrol retirement fund as defined in RCW 43.43.120, and reserve officers and firefighters as defined in RCW 41.24.010 who die as a result of injuries sustained in the course of employment as determined consistent with Title 51 RCW by the department of labor and industries.

(6) "Employee" includes all employees of the state, whether or not covered by civil service; elected and appointed officials of the executive branch of government, including full-time members of boards, commissions, or committees; justices of the supreme court and judges of the court of appeals and the superior courts; and members of the state legislature. Pursuant to contractual agreement with

the authority, "employee" may also include: (a) Employees of a county, municipality, or other political subdivision of the state and members of the legislative authority of any county, city, or town who are elected to office after February 20, 1970, if the legislative authority of the county, municipality, or other political subdivision of the state seeks and receives the approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.04.205 and 41.05.021(1)(g); (b) employees of employee organizations representing state civil service employees, at the option of each such employee organization, and, effective October 1, 1995, employees of employee organizations currently pooled with employees of school districts for the purpose of purchasing insurance benefits, at the option of each such employee organization; (c) employees of a school district if the authority agrees to provide any of the school districts' insurance programs by contract with the authority as provided in RCW 28A.400.350; (d) employees of a tribal government, if the governing body of the tribal government seeks and receives the approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.05.021(1) (f) and (g); (e) employees of the Washington health benefit exchange if the governing board of the exchange established in RCW 43.71.020 seeks and receives approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.05.021(1) (g) and (n); and (f) employees of a charter school established under chapter 28A.710 RCW. "Employee" does not include: Adult family home providers; unpaid volunteers; patients of state hospitals; inmates; employees of the Washington state convention and trade center as provided in RCW 41.05.110; students of institutions of higher education as determined by their institution; and any others not expressly defined as employees under this chapter or by the authority under this chapter.

(7) "Employer" means the state of Washington.

(8) "Employer group" means those counties, municipalities, political subdivisions, the Washington health benefit exchange, tribal governments, school districts, and educational service districts, and employee organizations representing state civil service employees, obtaining employee benefits through a contractual agreement with the authority.

(9) "Employing agency" means a division, department, or separate agency of state government, including an institution of higher education; a county, municipality, school district, educational service district, or other political subdivision; charter school; and a tribal government covered by this chapter.

(10) "Faculty" means an academic employee of an institution of higher education whose workload is not defined by work hours but whose appointment, workload, and duties directly serve the institution's academic mission, as determined under the authority of its enabling statutes, its governing body, and any applicable collective bargaining agreement.

(11) "Flexible benefit plan" means a benefit plan that allows employees to choose the level of health care coverage provided and the amount of employee

contributions from among a range of choices offered by the authority.

(12) "Insuring entity" means an insurer as defined in chapter 48.01 RCW, a health care service contractor as defined in chapter 48.44 RCW, or a health maintenance organization as defined in chapter 48.46 RCW.

(13) "Medical flexible spending arrangement" means a benefit plan whereby state and public employees may reduce their salary before taxes to pay for medical expenses not reimbursed by insurance as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(14) "Participant" means an individual who fulfills the eligibility and enrollment requirements under the salary reduction plan.

(15) "Plan year" means the time period established by the authority.

(16) "Premium payment plan" means a benefit plan whereby state and public employees may pay their share of group health plan premiums with pretax dollars as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(17) "Retired or disabled school employee" means:

(a) Persons who separated from employment with a school district or educational service district and are receiving a retirement allowance under chapter 41.32 or 41.40 RCW as of September 30, 1993;

(b) Persons who separate from employment with a school district, educational service district, or charter school on or after October 1, 1993, and immediately upon separation receive a retirement allowance under chapter 41.32, 41.35, or 41.40 RCW;

(c) Persons who separate from employment with a school district, educational service district, or charter school due to a total and permanent disability, and are eligible to receive a deferred retirement allowance under chapter 41.32, 41.35, or 41.40 RCW.

(18) "Salary" means a state employee's monthly salary or wages.

(19) "Salary reduction plan" means a benefit plan whereby state and public employees may agree to a reduction of salary on a pretax basis to participate in the dependent care assistance program, medical flexible spending arrangement, or premium payment plan offered pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(20) "Seasonal employee" means an employee hired to work during a recurring, annual season with a duration of three months or more, and anticipated to return each season to perform similar work.

(21) "Separated employees" means persons who separate from employment with an employer as defined in: (a) RCW 41.32.010(17) on or after July 1, 1996; or (b) RCW 41.35.010 on or after September 1, 2000; or

(c) RCW 41.40.010 on or after March 1, 2002; and who are at least age fifty-five and have at least ten years of service under the teachers' retirement system plan 3 as defined in RCW 41.32.010(33), the Washington school employees' retirement system plan 3 as defined in RCW

41.35.010, or the public employees' retirement system plan 3 as defined in RCW 41.40.010.

(22) "State purchased health care" or "health care" means medical and health care, pharmaceuticals, and medical equipment purchased with state and federal funds by the department of social and health services, the department of health, the basic health plan, the state health care authority, the department of labor and industries, the department of corrections, the department of veterans affairs, and local school districts.

(23) "Tribal government" means an Indian tribal government as defined in section 3(32) of the employee retirement income security act of 1974, as amended, or an agency or instrumentality of the tribal government, that has government offices principally located in this state.

Sec. 135. RCW 41.56.0251 and 2013 c 2 s 307 are each reenacted to read as follows:

In addition to the entities listed in RCW 41.56.020, this chapter applies to any charter school established under chapter 28A.710 RCW. Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.710 RCW is a separate employer from any school district, including the school district in which it is located.

Sec. 136. RCW 41.59.031 and 2013 c 2 s 308 are each reenacted to read as follows:

This chapter applies to any charter school established under chapter 28A.710 RCW. Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.710 RCW is a separate employer from any school district, including the school district in which it is located.

NEW SECTION. Sec. 137. RCW 28A.710.005 (Findings—2013 c 2) and 2013 c 2 s 101 are each repealed.

NEW SECTION. Sec. 138. (1) Sections 101 through 137 of this act are remedial and curative in nature and apply to the Washington state charter school commission, school district authorizers, and charter schools established before the effective date of this section.

(2) The Washington state charter school commission and school district authorizers, and actions related to their establishment and operation that were in compliance with the laws of the state of Washington before the effective date of this section, or that substantially complied with the provisions of this act before its effective date, are declared to be valid.

(3) Contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect on December 1, 2015, may, with the agreement of all parties and within sixty days after the effective date of this section, be executed as new contracts with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015. For purposes of this section, "substantially the same terms and duration" includes contract modifications necessary to comply with the provisions of chapter . . . , Laws of 2016 (this act) or other applicable law.

(4) Nothing in this section entitles a charter school to retroactive payments under chapter . . . , Laws of 2016 (this act) for services that were rendered after December 1, 2015, and before execution of new contracts pursuant to subsection (3) of this section.

PART II WASHINGTON OPPORTUNITY PATHWAYS ACCOUNT

Sec. 201. RCW 28B.76.526 and 2010 1st sp.s. c 27 s 2 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 (state need grant program), (~~chapter 28B.101 RCW (educational opportunity grant),~~) chapter 28B.105 RCW (GET ready for math and science scholarship), chapter 28B.117 RCW (passport to college promise), chapter 28B.118 RCW (college bound scholarship), chapter 28B.119 RCW (Washington promise scholarship), and chapter 43.215 RCW (early childhood education and assistance program) (~~and RCW 43.330.280 (recruitment of entrepreneurial researchers, innovation partnership zones and research teams)~~)).

PART III MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 301. 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. 302. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately." Correct the title.

Representative Reykdal moved the adoption of amendment (949) to amendment (945):

On page 1, line 4 of the amendment, after "CHARTER" strike "PUBLIC"

On page 2, line 9 of the amendment, after "school" strike all material through "school" and insert "((or "public charter school"))"

On page 2, line 10 of the amendment, after "a" strike "public" and insert "((public))"

On page 2, line 31 of the amendment, after "a" strike all material through "common))" and insert "((public, common))"

On page 2, line 36 of the amendment, after "any" strike "other"

On page 3, line 8 of the amendment, after "and" strike "public" and insert "((public))"

On page 4, line 5 of the amendment, after "charter" strike "public"

On page 5, line 23 of the amendment, after "Charter" strike "public"

On page 6, at the beginning of line 7 of the amendment, strike "other" and insert "((other))"

On page 6, line 18 of the amendment, after "do" strike "other" and insert "((other))"

On page 7, line 17 of the amendment, after "in" strike "another" and insert "((another) a"

On page 7, line 20 of the amendment, after "from" strike "other" and insert "((other))"

On page 7, line 23 of the amendment, after "as" strike "other" and insert "((other))"

On page 7, line 28 of the amendment, after "charter" strike "public"

On page 17, line 10 of the amendment, after "charter" strike "public"

On page 18, line 2 of the amendment, after "charter" strike "public"

On page 18, line 17 of the amendment, after "charter" strike "public"

On page 26, line 15 of the amendment, after "as" strike "other" and insert "((other))"

On page 28, line 11 of the amendment, after "any" strike "other" and insert "((other))"

On page 29, line 14 of the amendment, after "((noncharter))" strike "other"

On page 29, line 26 of the amendment, after "charter" strike "public"

On page 29, line 38 of the amendment, after "charter" strike "public"

On page 31, beginning on line 12 of the amendment, after "Constitution," strike all material through "RCW," on line 32 and insert "((including charter schools established under chapter 28A.710 RCW,))"

Representative Reykdal spoke in favor of the adoption of the amendment to the amendment.

Representative Magendanz spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (949) to amendment (945) and the amendment was not adopted by the following vote: Yeas, 43, Nays, 54; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Hunt, Jinkins, Kagi, Kilduff, Kirby, Kuderer, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Peterson, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, Santos, Sells, Senn, Stanford, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pettigrew, Pike, Rodne, Sawyer, Schmick, Scott, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger
Excused: Representative Orwall

Representative Gregerson moved the adoption of amendment (948) to amendment (945):

On page 3, line 12 of the amendment, after "1232g)," insert "the McKinney-Vento homeless assistance act of 1987 (42 U.S.C. Sec. 11431 et seq.)."

Representatives Gregerson and Magendanz spoke in favor of the adoption of the amendment to the amendment.

Amendment (948) to amendment (945) was adopted.

Representative Fey moved the adoption of amendment (967) to amendment (945):

On page 4, line 24 of the amendment, after "(2)" insert "A charter school board must contract for an independent performance audit of the school to be conducted: (a) The second year immediately following the school's first full school year of operation; and (b) every three years thereafter. The performance audit must be conducted in accordance with United States general accounting office government auditing standards. A performance audit in compliance with this section does not inhibit the state auditor's office from conducting a performance audit of the school.

(3)"

On page 4, at the beginning of line 26 of the amendment, strike "(3)" and insert "(4)"

Correct any internal references accordingly.

Representatives Fey and Magendanz spoke in favor of the adoption of the amendment to the amendment.

Amendment (967) to amendment (945) was adopted.

Representative Kilduff moved the adoption of amendment (970) to amendment (945):

On page 4, after line 27 of the amendment, insert the following:

"(4) A charter school board, through web site postings and written notice with receipt acknowledged by signature of the recipient, must advise families of new, ongoing, and prospective students of any ongoing litigation challenging the constitutionality of charter schools or that may require charter schools to cease operations."

On page 20, line 35 of the amendment, after "Authorizers" strike "may" and insert "~~((may))~~ shall"

Representatives Kilduff and Stokesbary spoke in favor of the adoption of the amendment to the amendment.

Amendment (970) to amendment (945) was adopted.

Representative Sells moved the adoption of amendment (946) to amendment (945):

On page 5, line 8 of the amendment, after "(d)" insert "Evaluate classroom teachers, both certificated instructional staff and noncertificated instructional staff, as provided in RCW 28A.405.100:

(e)"

On page 5, at the beginning of line 10 of the amendment, strike "(e)" and insert "~~((e))~~ (f)"

On page 5, at the beginning of line 14 of the amendment, strike "(f)" and insert "~~((f))~~ (g)"

On page 5, at the beginning of line 16 of the amendment, strike "(g)" and insert "~~((g))~~ (h)"

On page 5, at the beginning of line 18 of the amendment, strike "(h)" and insert "~~((h))~~ (i)"

On page 5, at the beginning of line 20 of the amendment, strike "(i)" and insert "~~((i))~~ (j)"

Correct any internal references accordingly.

Representatives Sells and Ortiz-Self spoke in favor of the adoption of the amendment to the amendment.

Representative Manweller spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (946) to amendment (945) and the amendment was not adopted by the following vote: Yeas, 44; Nays, 53; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Hunt, Jinkins, Kagi, Kilduff, Kirby, Kuderer, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Peterson, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, Santos, Sells, Senn, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler,

Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pettigrew, Pike, Rodne, Sawyer, Schmick, Scott, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Excused: Representative Orwall

Representative Hunt moved the adoption of amendment (959) to amendment (945):

On page 5, line 19 of the amendment, after "RCW;" strike "and" and insert "~~((and))~~"

On page 5, line 22 of the amendment, after "schools" insert "; and

(j) Provide monthly reports of all revenues received by the charter school, including the sources of the revenues, to the board of directors of the school district in which the charter school is located"

Representative Hunt spoke in favor of the adoption of the amendment to the amendment.

Representative Stokesbary spoke against the adoption of the amendment to the amendment.

Amendment (959) to amendment (945) was not adopted.

Representative Gregerson moved the adoption of amendment (951) to amendment (945):

On page 6, beginning on line 27 of the amendment, after "to" strike all material through "state" on line 32 and insert "at-risk students"

Representatives Gregerson, Bergquist and Ortiz-Self spoke in favor of the adoption of the amendment to the amendment.

Representative Harris spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (951) to amendment (945) and the amendment was not adopted by the following vote: Yeas, 43; Nays, 54; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Hunt, Jinkins, Kagi, Kilduff, Kirby, Kuderer, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Peterson, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, Santos, Sells, Senn, Stanford, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Calder, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel,

Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pettigrew, Pike, Rodne, Sawyer, Schmick, Scott, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger
Excused: Representative Orwall

Representative Gregerson moved the adoption of amendment (952) to amendment (945):

On page 6, beginning on line 28 of the amendment, after "allocated" strike all material through "state" on line 32 and insert "to at-risk students"

Representatives Gregerson and Bergquist spoke in favor of the adoption of the amendment to the amendment.

Representative Harris spoke against the adoption of the amendment to the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 43 - YEAS; 54 - NAYS.

Amendment (952) to amendment (945) was not adopted.

Representative Fey moved the adoption of amendment (966) to amendment (945):

On page 7, line 26 of the amendment, after "(1)" insert "(a)"

On page 7, after line 31 of the amendment, insert the following:

"(b) The commission may authorize charter schools located anywhere in the state. However, through June 30, 2020, the commission shall not authorize more than three charter schools in the same school district. Beginning July 1, 2020, the commission must remove the moratorium on approving more than three charter schools in the same school district if the commission determines that:

(i) There have been no financial or performance audit findings for any of the charter schools within the district resulting in recommendations by the state auditor's office; or

(ii) There have been financial or performance audit findings for one or more charter schools within the district resulting in recommendations by the state auditor's office but the commission determines that each charter school has taken actions sufficient to satisfactorily comply with the recommendations."

Representatives Fey and Rossetti spoke in favor of the adoption of the amendment to the amendment.

Representative Stambaugh spoke against the adoption of the amendment to the amendment.

Amendment (966) to amendment (945) was not adopted.

Representative Springer moved the adoption of amendment (963) to amendment (945):

Beginning on page 7, line 24 of the amendment, strike all of section 107 and insert the following:

"Sec. 107. RCW 28A.710.070 and 2013 c 2 s 208 are each amended to read as follows:

(1) The Washington state charter school commission is established as an independent state agency whose mission is to authorize high quality ~~((public))~~ public schools throughout the state, ~~((particularly))~~ especially schools that are designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools.

(2) The commission shall, through its management, supervision, and enforcement of the charter contracts and pursuant to applicable law, administer the ~~((portion of the public common school system consisting of the))~~ charter schools it authorizes ~~((as provided in this chapter,))~~ in the same manner as a school district board of directors ~~((through its management, supervision, and enforcement of the charter contracts, and pursuant to applicable law, administers the charter schools it authorizes))~~ administers other schools.

~~((2))~~ (3)(a) The commission shall consist of: (i) Nine appointed members ~~((no more than five of whom shall be members of the same political party));~~

(ii) The superintendent of public instruction or the superintendent's designee; and

(iii) The chair of the state board of education or the chair's designee.

(b) Appointments to the commission shall be as follows: Three members shall be appointed by the governor; three members shall be appointed by the ~~((president of the))~~ senate, with two members appointed by the leader of the largest caucus of the senate and one member appointed by the leader of the minority caucus of the senate; and three members shall be appointed by the ~~((speaker of the))~~ house of representatives, with two members appointed by the speaker of the house of representatives and one member appointed by the leader of the minority caucus of the house of representatives. The appointing authorities shall assure diversity among commission members, including representation from various geographic areas of the state and shall assure that at least one member is ~~((a))~~ the parent of a Washington public school student.

~~((3))~~ (4) Members appointed to the commission shall collectively possess strong experience and expertise in public and nonprofit governance; management and finance; public school leadership, assessment, curriculum, and instruction; and public education law. All appointed members shall have demonstrated an understanding of and commitment to charter schooling as a strategy for strengthening public education.

~~((4))~~ (5) Appointed members shall ~~((be appointed to))~~ serve four-year, staggered terms ~~((with)).~~ The initial appointments from each of the appointing authorities ~~((consisting))~~ must consist of one member appointed to a one-year term, one member appointed to a two-year term, and one member appointed to a three-year term, all of whom thereafter may be reappointed for a four-year term.

No appointed member may serve more than two consecutive terms. Initial appointments must be made ~~((no later than ninety days after December 6, 2012))~~ by July 1, 2016.

~~((5))~~ (6) Whenever a vacancy on the commission exists among its appointed membership, the original appointing authority must appoint a member for the remaining portion of the term within no more than thirty days.

~~((6))~~ (7) Commission members shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

~~((7) Operational and staff support for the commission shall be provided by the office of the governor until the commission has sufficient resources to hire or contract for separate staff support, who))~~

(8) The commission shall reside within the office of the ~~((governor))~~ superintendent of public instruction for administrative purposes only.

~~((8))~~ (9) RCW 28A.710.090 and 28A.710.120 do not apply to the commission."

Representatives Springer and Magendanz spoke in favor of the adoption of the amendment to the amendment.

Representatives Pollet and Rossetti spoke against the adoption of the amendment to the amendment.

Amendment (963) to amendment (945) was adopted.

Representative Hansen moved the adoption of amendment (965) to amendment (945):

On page 18, line 17 of the striking amendment, after "(1)" strike everything through "period." on line 25 and insert the following:

~~((A maximum of forty public charter schools may be established under this chapter, over a five year period. No more than eight charter schools may be established in any single year during the five year period, except that if in any single year fewer than eight charter schools are established, then additional charter schools equal in number to the difference between the number established in that year and eight may be established in subsequent years during the five year period.))~~ (a) No more than eight charter public schools may be established in the first year after the effective date of this act. If a constitutional challenge to this act is filed within ninety days of the effective date of this act, then until the earlier of the date that a final judgment not subject to further appeal has been entered in that case or three years after the effective date of this act, no additional charter public schools may be established under this chapter.

(b) Thereafter, a maximum of forty charter public schools may be established in a five-year period as specified in this subsection (b). If a constitutional challenge to this act is filed within ninety days of the effective date of this act, then the five-year period begins on the earlier of the date that a final judgment not subject to further appeal is entered in that case or three years from the effective date of this act. If a constitutional challenge to this act is not filed within ninety days of the effective date of this act, then the five-year period begins on the effective date of this act.

(c) During the five-year period in (b) of this subsection, no more than eight charter schools may be established in any year, except that if in any year fewer than eight charter schools are established, then additional charter schools, in a number equal to the difference between the number established in that year and eight, may be established in subsequent years during the five-year period.

(d) The attorney general must provide notice of the date of entry of any final judgment as described in this section to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the superintendent of public instruction, the state charter commission established in section 107 of this act, and others as deemed appropriate by the attorney general."

Representatives Hansen, Sullivan and Kuderer spoke in favor of the adoption of the amendment to the amendment.

Representative Manweller spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (965) to amendment (945) and the amendment was not adopted by the following vote: Yeas, 44; Nays, 53; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Hunt, Jinkins, Kagi, Kilduff, Kirby, Kuderer, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Peterson, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, Santos, Sells, Senn, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pettigrew, Pike, Rodne, Sawyer, Schmick, Scott, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Excused: Representative Orwall

Representative Bergquist moved the adoption of amendment (968) to amendment (945):

On page 18, beginning on line 17 of the amendment, strike all of subsection (1) and insert the following:

"(1) A maximum of ~~((forty public))~~ eight charter public schools may be established under this chapter ~~((over a five year period. No more than eight charter schools may be established in any single year during the five year period, except that if in any single year fewer than eight charter schools are established, then additional charter schools equal in number to the difference between the number established in that year and eight may be~~

~~established in subsequent years during the five-year period)). A charter school eligible for establishment under this chapter: Must have been operating as an authorized charter school in Washington during the months of September, October, and November 2015; and may not have submitted an application or other expression of intent with a public agency to operate as a private school."~~

On page 19, line 12 of the amendment, after "the" strike "annual" and insert "~~((annual))~~"

On page 21, beginning on line 17 of the amendment, strike all of subsection (9)

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Representatives Bergquist and Riccelli spoke in favor of the adoption of the amendment to the amendment.

Representatives Stambaugh and Manweller spoke against the adoption of the amendment to the amendment.

Amendment (968) to amendment (945) was not adopted.

Representative Gregerson moved the adoption of amendment (953) to amendment (945):

On page 24, line 21 of the amendment, after "management;" strike "or" and insert "~~((or))~~"

On page 24, line 23 of the amendment, after "exempt" insert ";or

(e) Failed to enroll an at-risk student who applied to enroll at the charter school"

Representatives Gregerson and Kilduff spoke in favor of the adoption of the amendment to the amendment.

Representative Manweller spoke against the adoption of the amendment to the amendment.

Amendment (953) to amendment (945) was not adopted.

Representative Springer moved the adoption of amendment (947) to amendment (945):

On page 30, line 6 of the striking amendment, after "(1)" insert:

"The legislature intends that state funding for charter schools be distributed equitably with state funding provided for other public schools.

(2)"

Renumber remaining subsections consecutively and correct title and internal references accordingly.

On page 30, line 9 of the striking amendment, after "amount" strike everything through "RCW 28A.150.260," on line 12 and insert "calculated as provided in this section and based on the statewide average staff mix factor for certificated instructional staff,"

Representatives Springer and Magendanz spoke in favor of the adoption of the amendment to the amendment.

Representative Pollet spoke against the adoption of the amendment to the amendment.

Amendment (947) to amendment (945) was adopted.

Representative Bergquist moved the adoption of amendment (962) to amendment (945):

On page 31, after line 8 of the striking amendment, insert the following:

"NEW SECTION. Sec. 129. A new section is added to chapter 28A.710 RCW to read as follows:

(1) A school district that experiences a decrease in enrollment of at least ten full-time equivalent students due to enrollment of the students in a charter school established in this chapter is entitled to a hold-harmless allocation calculated as specified in subsection (2) of this section. For the purposes of this section, a full-time equivalent student that is included in the enrollment count qualifying the school district for the hold-harmless payment may be counted for only the first two years of that student's enrollment in the charter school.

(2)(a) For the first school year of student enrollment in the charter school that results in the school district entitlement to a hold harmless allocation, the office of the superintendent of public instruction must allocate funding equal to the district's average per-pupil funding allocation multiplied by one-half of the full-time equivalent student enrollment that was lost in that school year due to the enrollment of the students in a charter school.

(b) For the second school year of student enrollment in the charter school that results in the school district entitlement to a hold harmless allocation, the office of the superintendent of public instruction must allocate funding equal to the district's average per-pupil funding allocation multiplied by one-quarter of the full-time equivalent student enrollment that was lost in that school year due to the enrollment of the students in a charter school."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Bergquist, Fey and Pollet spoke in favor of the adoption of the amendment to the amendment.

Representative Magendanz spoke against the adoption of the amendment to the amendment.

Amendment (962) to amendment (945) was not adopted.

Representative Hunt moved the adoption of amendment (958) to amendment (945):

On page 31, after line 8 of the amendment, insert the following:

"NEW SECTION. Sec. 129. A new section is added to chapter 28A.710 RCW to read as follows:

(1) The eligibility of a charter school student to participate in interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association is subject to rules adopted by the Washington interscholastic activities association. The rules must provide that, unless

approved by a nonresident school district or the Washington interscholastic activities association, a student attending a charter school may only participate in interschool athletic activities or other interschool extracurricular activities offered by the student's resident school district.

(2) A proposal by a charter school to regulate the conduct of interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association is subject to rules adopted by the Washington interscholastic activities association.

(3) The rules adopted by the Washington interscholastic activities association under this section must provide that it is the responsibility of the charter school to pay the full cost, minus any student participation fee, for any student who participates in interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Hunt and Magendanz spoke in favor of the adoption of the amendment to the amendment.

Amendment (958) to amendment (945) was adopted.

Representative Ortiz-Self moved the adoption of amendment (969) to amendment (945):

On page 31, after line 8 of the amendment, insert the following:

"NEW SECTION. Sec. 129. A new section is added to chapter 28A.710 RCW to read as follows:

(1) Members of the commission must file personal financial affairs statements with the public disclosure commission.

(2) Members of a charter school board must file personal financial affairs statements with the public disclosure commission."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Ortiz-Self, Reykdal, Sells, Riccelli, Pollet, Gregerson, Stanford, Kuderer and Manweller spoke in favor of the adoption of the amendment to the amendment.

Representative Magendanz spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (969) to amendment (945) and the amendment was adopted by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Calder, Clibborn, Cody, Condotta, DeBolt, Dent, Dunshee, Dye, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Kuderer, Lytton, MacEwen, Magendanz, Manweller, McBride, McCabe, Moeller, Morris, Moscoso, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Parker, Peterson, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Robinson, Rodne, Rossetti, Ryu, Santos, Sawyer, Schmick, Scott, Sells, Senn, Short, Smith, Springer, Stambaugh, Stanford, Stokesbary, Sullivan, Tarleton, Tharinger, Van De Wege, Vick, Walkinshaw, Walsh, Wilcox, Wilson, Wylie, Young, and Zeiger, and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, McCaslin, Shea, Taylor, and Van Werven

Excused: Representative Orwall

Representative Pollet moved the adoption of amendment (957) to amendment (945):

On page 38, beginning on line 3 of the amendment, strike all of section 301

Renumber the remaining section consecutively and correct any internal references accordingly.

Representative Pollet spoke in favor of the adoption of the amendment to the amendment.

Representative Manweller spoke against the adoption of the amendment to the amendment.

Amendment (957) to amendment (945) was not adopted.

Representative Bergquist moved the adoption of amendment (961) to amendment (945):

On page 38, beginning on line 7 of the amendment, strike all of section 302 and insert the following:

"NEW SECTION. Sec. 302. This act takes effect on the date that the Washington state supreme court issues a mandate in *McCleary v. State* or other litigation declaring that the state is in compliance with its paramount duty under Article IX, section 1 of the state Constitution to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex. The attorney general must provide notice of the effective date of this act 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 attorney general."

Correct the title.

Representatives Bergquist, Frame and Kuderer spoke in favor of the adoption of the amendment to the amendment.

Representative Stokesbary spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (961) to amendment (945) and the amendment was not adopted by the following vote: Yeas, 43; Nays, 54; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Hunt, Jinkins, Kagi, Kilduff, Kirby, Kuderer, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Peterson, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, Santos, Sells, Senn, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Clibborn, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pettigrew, Pike, Rodne, Sawyer, Schmick, Scott, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger

Excused: Representative Orwall

Representative Pollet moved the adoption of amendment (956) to amendment (945):

On page 38, beginning on line 7 of the amendment, strike all of section 302

Correct the title.

Representative Pollet spoke in favor of the adoption of the amendment to the amendment.

Representative Stambaugh spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (956) to amendment (945) and the amendment was not adopted by the following vote: Yeas, 44; Nays, 53; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Hunt, Jinkins, Kagi, Kilduff, Kirby, Kuderer, McBride, Moeller, Morris, Moscoso, Ormsby, Ortiz-Self, Peterson, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, Santos, Sells, Senn, Stanford, Sullivan, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie, and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel,

Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCabe, McCaslin, Muri, Nealey, Orcutt, Parker, Pettigrew, Pike, Rodne, Sawyer, Schmick, Scott, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young, and Zeiger
Excused: Representative Orwall

Amendment (945), as amended, was adopted.

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

Representatives Springer, Magendanz, Walsh, Parker, Pettigrew, Manweller, Kagi, Zeiger, Smith, Hurst, Scott and Kristiansen spoke in favor of the passage of the bill.

Representatives Kuderer, Ortiz-Self, Sells, McBride, Kilduff, Pollet, Santos, Gregerson and Reykdal spoke against the passage of the bill.

COLLOQUY

Representative Senn: "Thank you, Mr. Speaker. Will the good gentleman from the 5th Legislative District yield to a question?"

Representative Magendanz: "I Will."

Representative Senn: "Thank you. There has been some confusion around the dates in the underlying striking amendment to this bill and the total number of charter schools authorized. Am I correct in understanding that, while this amended bill does talk of a back-dated authorization process to 'grandfather-in' some existing schools, the total number is still only up to forty schools?"

Representative Magendanz: "Thank you, yes, the good lady from the 41st Legislative District is correct: nothing in the underlying bill or the striking amendment changes the limit on the total number of charter schools which may be authorized. Regardless of authorization dates and 'grandfathered-in' schools, the total limit remains at up to forty schools."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Clibborn, Condotta, DeBolt, Dent, Dye, Griffey, Haler, Hargrove, Harmsworth, Harris, Hawkins, Hayes, Hickel, Holy, Hurst, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz,

Manweller, McCabe, McCaslin, Morris, Muri, Nealey, Orcutt, Parker, Pettigrew, Pike, Rodne, Sawyer, Schmick, Scott, Senn, Shea, Short, Smith, Springer, Stambaugh, Stokesbary, Sullivan, Taylor, Van Werven, Vick, Walsh, Wilcox, Wilson, Young and Zeiger.

Voting nay: Representatives Appleton, Bergquist, Blake, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Hunt, Jinkins, Kilduff, Kirby, Kuderer, McBride, Moeller, Moscoso, Ormsby, Ortiz-Self, Peterson, Pollet, Reykdal, Riccelli, Robinson, Rossetti, Ryu, Santos, Sells, Stanford, Tarleton, Tharinger, Van De Wege, Walkinshaw, Wylie and Mr. Speaker.

Excused: Representative Orwall.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 10:00 a.m., March 10, 2016, the 60th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

1003
 Speaker Signed2
 Messages.....40
 1408-S2
 Speaker Signed2
 Messages.....40
 1448-S2
 Speaker Signed2
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 1918
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 2061-S2
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 Messages.....40
 2274-S
 Speaker Signed2
 Messages.....40
 2323-S
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