

SIXTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Thursday, March 13, 2014

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Hargrove.

The Sergeant at Arms Color Guard consisting of Pages Faith Simmons and Haley Smith, presented the Colors. Reverend Tim Ilgen of St. Joseph Parish of Chehalis offered the prayer.

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2207.

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 6573,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 6180,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 6505,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

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

ENGROSSED HOUSE BILL NO. 1224,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

At 10:07 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 12:07 p.m. by President Owen.

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

E2SHB 2207 by House Committee on Appropriations (originally sponsored by Representatives Haigh, Orcutt, Haler, Tharinger, Blake, Short, Van De Wege, Fagan, Magendanz and Buys)

AN ACT Relating to eliminating the reduction in state basic education funding that occurs in counties with federal forest lands; amending RCW 28A.150.250 and 28A.520.020; and providing an effective date.

MOTION

On motion of Senator Fain, under suspension of the rules Engrossed Second Substitute House Bill No. 2207 was placed on the second reading calendar.

MOTION

On motion of Senator Fain, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fraser moved that Roy Heynderickx, Gubernatorial Appointment No. 9114, be confirmed as a member of the Higher Education Facilities Authority.

Senator Fraser spoke in favor of the motion.

MOTION

On motion of Senator Nelson, Senator Pedersen was excused.

APPOINTMENT OF ROY HEYNDERICKX

The President declared the question before the Senate to be the confirmation of Roy Heynderickx, Gubernatorial Appointment No. 9114, as a member of the Higher Education Facilities Authority.

The Secretary called the roll on the confirmation of Roy Heynderickx, Gubernatorial Appointment No. 9114, as a member of the Higher Education Facilities Authority and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yeas: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Absent: Senator Hargrove

Excused: Senator Pedersen

Roy Heynderickx, Gubernatorial Appointment No. 9114, having received the constitutional majority was declared confirmed as a member of the Higher Education Facilities Authority.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5972,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6001,
SENATE BILL NO. 6180,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6265,
SECOND SUBSTITUTE SENATE BILL NO. 6312,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6440,
SENATE BILL NO. 6505,
SENATE BILL NO. 6573.

MOTION

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

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6040 with the following amendment(s): 6040-S.E AMH APP H4471.1

Strike everything after the enacting clause and insert the following:

"PART 1 INVASIVE SPECIES—MANAGEMENT

NEW SECTION. **Sec. 101.** The legislature finds that:

(1) The state's fish, wildlife, and habitat are exceptionally valuable environmental resources for the state's citizens.

(2) The state's fish, wildlife, and habitat also provide exceptionally valuable economic, cultural, and recreational resources. These include hydroelectric power, agriculture, forests, water supplies, commercial and recreational fisheries, aquaculture, and public access to outdoor recreational opportunities.

(3) Invasive species pose a grave threat to these environmental and economic resources, especially to salmon recovery and state and federally listed threatened and endangered species. Because of the significant harm invasive species can cause, invasive species constitute a public nuisance.

(4) If allowed to become established, invasive species can threaten human health and cause environmental and economic disasters affecting not only our state, but other states and nations.

(5) The risk of invasive species spreading into Washington increases as travel and commerce grows in volume and efficiency.

(6) Prevention of invasive species is a cost-effective, successful, and proven management strategy. Prevention is the state's highest management priority with an emphasis on education and outreach, inspections, and rapid response.

(7) The integrated management of invasive species through pathways regulated by the department is critical to preventing the introduction and spread of a broad range of such species, including plants, diseases, and parasites.

(8) Washington's citizens must work together to protect the state from invasive species.

(9) Public and private partnerships, cooperative agreements, and compacts are important for preventing new arrivals and managing existing populations of invasive species, and coordinating these actions on local, state, national, and international levels.

(10) The department requires authority for this mission to effectively counter the unpredictable nature of invasive species' introductions and spread, enable the utilization of new advances in invasive ecology science, and implement applicable techniques and technology to address invasive species.

(11) An integrated management approach provides the best way for the state to manage invasive species and includes opportunities for creating an informed public, encouraging public involvement, and striving for local, regional, national, and international cooperation and consistency on management standards. An integrated management approach also applies sound science to minimize the chance that invasive species used for beneficial purposes will result in environmental harm.

(12) This chapter provides authority for the department to effectively address invasive species using an integrated management approach.

(13) The department of fish and wildlife currently has sufficient statutory authority to effectively address invasive species risks posed through discharge of ballast water under chapter 77.120 RCW and by private sector shellfish aquaculture operations regulated under chapter 77.115 RCW. The programs developed by the department under these chapters embody the principles of prevention as the highest priority, integrated management of pathways, public-private partnerships, clean and drain principles, and rapid response capabilities.

NEW SECTION. **Sec. 102.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Aquatic conveyance" means transportable personal property having the potential to move an aquatic invasive species from one aquatic environment to another. Aquatic conveyances include but are not limited to watercraft and associated equipment, float planes, construction equipment, fish tanker trucks, hydroelectric and irrigation equipment, personal fishing and hunting gear, and materials used for aquatic habitat mitigation or restoration.

(2) "Aquatic invasive species" means an invasive species of the animal kingdom with a life cycle that is at least partly dependent

SIXTIETH DAY, MARCH 13, 2014

upon fresh, brackish, or marine waters. Examples include nutria, waterfowl, amphibians, fish, and shellfish.

(3) "Aquatic plant" means a native or nonnative emergent, submersed, partially submersed, free-floating, or floating-leaved plant species that is dependent upon fresh, brackish, or marine water ecosystems and includes all stages of development and parts.

(4) "Certificate of inspection" means a department-approved document that declares, to the extent technically or measurably possible, that an aquatic conveyance does not carry or contain an invasive species. Certification may be in the form of a decal, label, rubber stamp imprint, tag, permit, locking seal, or written statement.

(5) "Clean and drain" means to remove the following from areas on or within an aquatic conveyance to the extent technically and measurably possible:

(a) Visible native and nonnative aquatic animals, plants, or other organisms; and

(b) Raw water.

(6) "Commercial watercraft" means a management category of aquatic conveyances:

(a) Required to have valid marine documentation as a vessel of the United States or similar required documentation for a country other than the United States; and

(b) Not subject to watercraft registration requirements under chapter 88.02 RCW or ballast water requirements under chapter 77.120 RCW.

(7) "Cryptogenic species" means a species that scientists cannot commonly agree are native or nonnative or are part of the animal kingdom.

(8) "Decontaminate" means, to the extent technically and measurably possible, the application of a treatment to kill, destroy, remove, or otherwise eliminate all known or suspected invasive species carried on or contained within an aquatic conveyance or structural property by use of physical, chemical, or other methods. Decontamination treatments may include drying an aquatic conveyance for a time sufficient to kill aquatic invasive species through desiccation.

(9) "Detect" means the verification of invasive species' presence as defined by the department.

(10) "Eradicate" means, to the extent technically and measurably possible, to kill, destroy, remove, or otherwise eliminate an invasive species from a water body or property using physical, chemical, or other methods.

(11) "Infested site management" means management actions as provided under section 109 of this act that may include long-term actions to contain, control, or eradicate a prohibited species.

(12) "Introduce" means to intentionally or unintentionally release, place, or allow the escape, dissemination, or establishment of an invasive species on or into a water body or property as a result of human activity or a failure to act.

(13) "Invasive species" means nonnative species of the animal kingdom that are not naturally occurring in Washington for purposes of breeding, resting, or foraging, and that pose an invasive risk of harming or threatening the state's environmental, economic, or human resources. Invasive species include all stages of species development and body parts. They may also include genetically modified or cryptogenic species.

(14) "Invasive species council" means the Washington invasive species council established in RCW 79A.25.310 or a similar collaborative state agency forum. The term includes the council and all of its officers, employees, agents, and contractors.

(15) "Mandatory check station" means a location where a person transporting an aquatic conveyance must stop and allow the conveyance to be inspected for aquatic invasive species.

(16) "Possess" means to have authority over the use of an invasive species or use of an aquatic conveyance that may carry or

2014 REGULAR SESSION

contain an invasive species. For the purposes of this subsection, "authority over" includes the ability to intentionally or unintentionally hold, import, export, transport, purchase, sell, barter, distribute, or propagate an invasive species.

(17) "Prohibited species" means a classification category of nonnative species as provided in section 104 of this act.

(18) "Property" means both real and personal property.

(19) "Quarantine declaration" means a management action as provided under section 107 of this act involving the prohibition or conditioning of the movement of aquatic conveyances and waters from a place or an area that is likely to contain a prohibited species.

(20) "Rapid response" means expedited management actions as provided under section 108 of this act triggered when invasive species are detected, for the time-sensitive purpose of containing or eradicating the species before it spreads or becomes further established.

(21) "Raw water" means water from a water body and held on or within property. "Raw water" does not include water from precipitation that is captured in a conveyance, structure, or depression that is not otherwise intended to function as a water body, or water from a potable water supply system, unless the water contains visible aquatic organisms.

(22) "Regulated species" means a classification category of nonnative species as provided in section 104 of this act.

(23) "Registered watercraft" means a management category of aquatic conveyances required to register as vessels under RCW 88.02.550 or similar requirements for a state other than Washington or a country other than the United States.

(24) "Seaplane" means a management category of aquatic conveyances capable of landing on or taking off from water and required to register as an aircraft under RCW 47.68.250 or similar registration in a state other than Washington or a country other than the United States.

(25) "Small watercraft" means a management category of aquatic conveyances:

(a) Including inflatable and hard-shell watercraft used or capable of being used as a means of transportation on the water, such as kayaks, canoes, sailboats, and rafts that:

(i) Do not meet watercraft registration requirements under chapter 88.02 RCW; and

(ii) Are ten feet or more in length with or without mechanical propulsion or less than ten feet in length and fitted with mechanical propulsion.

(b) Excluding nonmotorized aquatic conveyances of any size not designed or modified to be used as a means of transportation on the water, such as inflatable air mattresses and tubes, beach and water toys, surf boards, and paddle boards.

(26) "Water body" means an area that carries or contains a collection of water, regardless of whether the feature carrying or containing the water is natural or nonnatural. Examples include basins, bays, coves, streams, rivers, springs, lakes, wetlands, reservoirs, ponds, tanks, irrigation canals, and ditches.

NEW SECTION. Sec. 103. (1) The department is the lead agency for managing invasive species of the animal kingdom statewide. This lead responsibility excludes pests, domesticated animals, or livestock managed by the department of agriculture under Titles 15, 16, and 17 RCW, forest invasive insect and disease species managed by the department of natural resources under Title 76 RCW, and mosquito and algae control and shellfish sanitation managed by the department of health under Titles 69, 70, and 90 RCW.

(2) Subject to the availability of funding for these specific purposes, the department may:

(a) Develop and implement integrated invasive species management actions and programs authorized by this chapter,

including rapid response, early detection and monitoring, prevention, containment, control, eradication, and enforcement;

(b) Establish and maintain an invasive species outreach and education program, in coordination with the Washington invasive species council, that covers public, commercial, and professional pathways and interests;

(c) Align management classifications, standards, and enforcement provisions by rule with regional, national, and international standards and enforcement provisions;

(d) Manage invasive species to support the preservation of native species, salmon recovery, and the overall protection of threatened or endangered species;

(e) Participate in local, state, regional, national, and international efforts regarding invasive species to support the intent of this chapter;

(f) Provide technical assistance or other support to tribes, federal agencies, local governments, and private groups to promote an informed public and assist the department in meeting the intent of this chapter;

(g) Enter into partnerships, cooperative agreements, and state or interstate compacts as necessary to accomplish the intent of this chapter;

(h) Research and develop invasive species management tools, including standard methods for decontaminating aquatic conveyances and controlling or eradicating invasive species from water bodies and properties;

(i) Post invasive species signs and information at port districts, privately or publicly owned marinas, state parks, and all boat launches owned or leased by state agencies or political subdivisions; and

(j) Adopt rules as needed to implement the provisions of this chapter.

(3) The department may delegate selected and clearly identified elements of its authorities and duties to another agency of the state with appropriate expertise or administrative capacity upon cooperative agreement with that agency. This delegation may include provisions of funding for implementation of the delegations. The department retains primary authority and responsibility for all requirements of this chapter unless otherwise directed in this chapter.

(4) This chapter does not apply to the possession or introduction of nonnative aquatic animal species by:

(a) Ballast water held or discharged by vessels regulated under chapter 77.120 RCW; or

(b) Private sector aquaculture operations, transfers, or conveyances regulated under chapter 77.115 RCW.

(5) This chapter does not preempt or replace other department species classification systems or other management requirements under this title. However, the department must streamline invasive species requirements under this chapter into existing permits and cooperative agreements as possible.

NEW SECTION. Sec. 104. (1) The department, in consultation with the invasive species council, may classify or reclassify and list by rule nonnative aquatic animal species as prohibited level 1, level 2, or level 3, based on the degree of invasive risk, the type of management action required, and resources available to conduct the management action.

(a) Species classified as prohibited level 1 pose a high invasive risk and are a priority for prevention and expedited rapid response management actions.

(b) Species classified as prohibited level 2 pose a high invasive risk and are a priority for long-term infested site management actions.

(c) Species classified as prohibited level 3 pose a moderate to high invasive risk and may be appropriate for prevention, rapid response, or other prohibited species management plan actions by

the department, another agency, a local government, tribes, or the public.

(2) The department, in consultation with the invasive species council, may classify and list by rule regulated type A species. This classification is used for nonnative aquatic animal species that pose a low to moderate invasive risk that can be managed based on intended use or geographic scope of introduction, have a beneficial use, and are a priority for department-led or department-approved management of the species' beneficial use and invasive risks.

(3) Nonnative aquatic animal species not classified as prohibited level 1, level 2, or level 3 under subsection (1) of this section, or as regulated type A species under subsection (2) of this section, are automatically managed statewide as regulated type B species or regulated type C species and do not require listing by rule.

(a) Species managed as regulated type B pose a low or unknown invasive risk and are possessed for personal or commercial purposes, such as for aquariums, live food markets, or as nondomesticated pets.

(b) Species managed as regulated type C pose a low or unknown invasive risk and include all other species that do not meet the criteria for management as a regulated type B invasive species.

(4) Classification of prohibited and regulated species:

(a) May be by individual species or larger taxonomic groups up to the family name;

(b) Must align, as practical and appropriate, with regional and national classification levels;

(c) Must be statewide unless otherwise designated by a water body, property, or other geographic region or area; and

(d) May define general possession and introduction conditions acceptable under department authorization, a permit, or as otherwise provided by rule.

(5) Prior to or at the time of classifying species by rule as prohibited or regulated under subsections (1) and (2) of this section, the department, in consultation with the invasive species council, must adopt rules establishing standards for determining invasive risk levels and criteria for determining beneficial use that take into consideration environmental impacts, and especially effects on the preservation of native species, salmon recovery, and threatened or endangered species.

NEW SECTION. Sec. 105. (1) Until the department adopts rules classifying species pursuant to chapter 77.--- RCW (the new chapter created in section 121 of this act), species and classifications identified in this section are automatically managed as follows:

(a) Zebra mussels (*Dreissena polymorpha*), quagga mussels (*Dreissena rostriformis bugensis*), European green crab (*Carcinus maenas*), and all members of the genus *Eriocheir* (including Chinese mitten crab), all members of the walking catfish family (*Clariidae*), all members of the snakehead family (*Channidae*), silver carp (*Hypophthalmichthys molitrix*), largescale silver carp (*Hypophthalmichthys harmandi*), black carp (*Mylopharyngodon piceus*), and bighead carp (*Hypophthalmichthys nobilis*) are prohibited level 1 species statewide;

(b) Prohibited aquatic animal species classified under WAC 220-12-090(1), in effect on July 1, 2014, except those as noted in this subsection are prohibited level 3 species statewide;

(c) Regulated aquatic animal species classified under WAC 220-12-090(2), in effect on July 1, 2014, are regulated type A species statewide; and

(d) Nonnative aquatic animal species classified as game fish under WAC 232-12-019, in effect on July 1, 2014, or food fish under WAC 220-12-010, in effect on July 1, 2014, are regulated type A species statewide.

(2) The department, in consultation with the invasive species council, may change these classifications by rule.

NEW SECTION. Sec. 106. (1) Prohibited level 1, level 2, and level 3 species may not be possessed, introduced on or into a

SIXTIETH DAY, MARCH 13, 2014

water body or property, or trafficked, without department authorization, a permit, or as otherwise provided by rule.

(2) Regulated type A, type B, and type C species may not be introduced on or into a water body or property without department authorization, a permit, or as otherwise provided by rule.

(3) Regulated type B species, when being actively used for commercial purposes, must be readily and clearly identified in writing by taxonomic species name or subspecies name to distinguish the subspecies from another prohibited species or a regulated type A species. Nothing in this section precludes using additional descriptive language or trade names to describe regulated type B species as long as the labeling requirements of this section are met.

NEW SECTION. Sec. 107. (1) If the department determines it is necessary to protect the environmental, economic, or human health interests of the state from the threat of a prohibited level 1 or level 2 species, the department may declare a quarantine against a water body, property, or region within the state. The department may prohibit or condition the movement of aquatic conveyances and waters from such a quarantined place or area that are likely to contain a prohibited species.

(2) A quarantine declaration under this section may be implemented separately or in conjunction with rapid response management actions under section 108 of this act and infested site management actions under section 109 of this act in a manner and for a duration necessary to protect the interests of the state from the threat of a prohibited level 1 or level 2 species. A quarantine declaration must include:

- (a) The reasons for the action including the prohibited level 1 or level 2 species triggering the quarantine;
- (b) The boundaries of the area affected;
- (c) The action timeline;
- (d) Types of aquatic conveyances and waters affected by the quarantine and any prohibition or conditions on the movement of those aquatic conveyances and waters from the quarantine area; and
- (e) Inspection and decontamination requirements for aquatic conveyances.

NEW SECTION. Sec. 108. (1) The department may implement rapid response management actions where a prohibited level 1 species is detected in or on a water body or property. Rapid response management actions may: Include expedited actions to contain, control, or eradicate the prohibited species; and, if applicable, be implemented in conjunction with a quarantine declaration. Rapid response management actions must be terminated by the department when it determines that the targeted prohibited level 1 species are:

- (a) Eradicated;
- (b) Contained or controlled without need for further management actions;
- (c) Reclassified for that water body; or
- (d) Being managed under infested site management actions pursuant to section 109 of this act.

(2) If a rapid response management action exceeds seven days, the department may implement an incident command system for rapid response management including scope, duration, and types of actions and to support mutual assistance and cooperation between the department and other affected state and federal agencies, tribes, local governments, and private water body or property owners. The purpose of this system is to coordinate a rapid, effective, and efficient response to contain, control, and eradicate if feasible, a prohibited level 1 species. Mutual assistance and coordination by other state agencies is especially important to assist the department in expediting necessary state and federal environmental permits.

(3) The department may enter into cooperative agreements with national, regional, state, and local rapid response management

2014 REGULAR SESSION

action partners to establish incident command system structures, secure or prepare submission-ready environmental permits, and identify mutual assistance commitments in preparation for potential future actions.

(4) The department may perform simulated rapid response exercises, testing, or other training activities to prepare for future rapid response management actions.

(5) In implementing rapid response management actions, the department may enter upon property consistent with the process established under section 119 of this act.

NEW SECTION. Sec. 109. (1) The department may implement infested site management actions where a prohibited level 2 species is detected in or on a water body or property. Infested site management actions may: Include long-term actions to contain, control, or eradicate the prohibited species; and, if applicable, be implemented in conjunction with a quarantine declaration. Infested site management actions must be terminated by the department when it determines that the targeted prohibited level 2 species are:

- (a) Eradicated;
- (b) Contained or controlled without need for further management actions; or
- (c) Reclassified for that water body.

(2) The department must consult with affected state and federal agencies, tribes, local governments, and private water body or property owners prior to implementing infested site management actions. The purpose of the consultation is to support mutual assistance and cooperation in providing an effective and efficient response to contain, control, and eradicate, if feasible, a prohibited level 2 species.

(3) The department may enter into cooperative agreements with national, regional, state, and local infested site management action partners to establish management responsibilities, secure or prepare submission-ready environmental permits, and identify mutual assistance commitments.

(4) In implementing infested site management actions, the department may enter upon property consistent with the process established under section 119 of this act.

NEW SECTION. Sec. 110. (1) To the extent possible, the department's quarantine declarations under section 107 of this act, rapid response management actions under section 108 of this act, and infested site management actions under section 109 of this act must be implemented in a manner best suited to contain, control, and eradicate prohibited level 1 and level 2 species while protecting human safety, minimizing adverse environmental impacts to a water body or property, and minimizing adverse economic impacts to owners of an affected water body or property.

(2) The department is the lead agency for quarantine declarations, rapid response, and infested site management actions. Where the infested water body is subject to tribal, federal, or other sovereign jurisdiction, the department:

- (a) Must consult with appropriate federal agencies, tribal governments, other states, and Canadian government entities to develop and implement coordinated management actions on affected water bodies under shared jurisdiction;
- (b) May assist in infested site management actions where these actions may prevent the spread of prohibited species into state water bodies; and

(c) May assist other states and Canadian government entities, in the Columbia river basin, in management actions on affected water bodies outside of the state where these actions may prevent the spread of the species into state water bodies.

(3)(a) The department must provide notice of quarantine declarations, rapid response, and infested site management actions to owners of an affected water body or property. Notice may be

provided by any reasonable means, such as in person, by United States postal service, by publication in a local newspaper, by electronic publication including social media or postings on the department's public web site, or by posting signs at the water body.

(b) The department must provide updates to owners of an affected water body or property based on management action type as follows:

(i) Every seven days for a rapid response management action and, if applicable, a quarantine declaration implemented in conjunction with a rapid response management action;

(ii) Every six months for a separate quarantine declaration;

(iii) Annually for the duration of an infested site management action and, if applicable, a quarantine declaration implemented in conjunction with an infested site management action; and

(iv) A final update at the conclusion of any management action.

(c) In addition to owners of an affected water body or property, the department must provide notice of a quarantine declaration to members of the public by any reasonable means for an area subject to a quarantine declaration, such as by publication in a local newspaper, by electronic publication including social media or postings on the department's public web site, or by posting signs at the water body. The department must provide updates at reasonable intervals and a final update at the conclusion of the quarantine declaration.

(4) The department must publicly list those water bodies or portions of water bodies in which a prohibited level 1 or level 2 species has been detected. The department may list those areas in which a prohibited level 3 species has been detected.

(5) When posting signs at a water body or property where a prohibited species has been detected, the department must consult with owners of the affected water body or property regarding placement of those signs.

NEW SECTION. Sec. 111. (1) If the director finds that there exists an imminent danger of a prohibited level 1 or level 2 species detection that seriously endangers or threatens the environment, economy, human health, or well-being of the state of Washington, the director must ask the governor to order, under RCW 43.06.010(14), emergency measures to prevent or abate the prohibited species. The director's findings must contain an evaluation of the effect of the emergency measures on environmental factors such as fish listed under the endangered species act, economic factors such as public and private access, human health factors such as water quality, or well-being factors such as cultural resources.

(2) If an emergency is declared pursuant to RCW 43.06.010(14), the director may consult with the invasive species council to advise the governor on emergency measures necessary under RCW 43.06.010(14) and this section, and make subsequent recommendations to the governor. The invasive species council must involve owners of the affected water body or property, state and local governments, federal agencies, tribes, public health interests, technical service providers, and environmental organizations, as appropriate.

(3) Upon the governor's approval of emergency measures, the director may implement these measures to prevent, contain, control, or eradicate invasive species that are the subject of the emergency order, notwithstanding the provisions of chapter 15.58 or 17.21 RCW or any other statute. These measures, after evaluation of all other alternatives, may include the surface and aerial application of pesticides.

(4) The director must continually evaluate the effects of the emergency measures and report these to the governor at intervals of not less than ten days. The director must immediately advise the governor if the director finds that the emergency no longer exists or if certain emergency measures should be discontinued.

NEW SECTION. Sec. 112. (1) A person in possession of an aquatic conveyance who enters Washington by road, air, or water is required to have a certificate of inspection. A person must provide this certificate of inspection upon request by a fish and wildlife officer or ex officio fish and wildlife officer.

(2) The department must adopt rules to implement this section including:

(a) Types of aquatic conveyances required to have a certificate of inspection;

(b) Allowable certificate of inspection forms including passport type systems and integration with existing similar permits;

(c) Situations when authorization can be obtained for transporting an aquatic conveyance not meeting inspection requirements to a specified location within the state where certificate of inspection requirements can be provided; and

(d) Situations where aquatic conveyances are using shared boundary waters of the state, such as portions of the Columbia river, lake Osoyoos, and the Puget Sound.

NEW SECTION. Sec. 113. (1) A person in possession of an aquatic conveyance must meet clean and drain requirements after the conveyance's use in or on a water body or property. A certificate of inspection is not needed to meet clean and drain requirements.

(2) A fish and wildlife officer or ex officio fish and wildlife officer may order a person transporting an aquatic conveyance not meeting clean and drain requirements to:

(a) Clean and drain the conveyance at the discovery site, if the department determines there are sufficient resources available; or

(b) Transport the conveyance to a reasonably close location where resources are sufficient to meet the clean and drain requirements.

(3) This section may be enforced immediately on the transportation of aquatic plants by registered watercraft, small watercraft, seaplanes, and commercial watercraft. The department must adopt rules to implement all other aspects of clean and drain requirements, including:

(a) Other types of aquatic conveyances subject to this requirement;

(b) When transport of an aquatic conveyance is authorized if clean and drain services are not readily available at the last water body used; and

(c) Exemptions to clean and drain requirements where the department determines there is minimal risk of spreading invasive species.

NEW SECTION. Sec. 114. (1) The department may establish mandatory check stations to inspect aquatic conveyances for clean and drain requirements and aquatic invasive species. The check stations must be operated by at least one fish and wildlife officer, an ex officio fish and wildlife officer in coordination with the department, or department-authorized representative, and must be plainly marked by signs and operated in a safe manner.

(2) Aquatic conveyances required to stop at mandatory check stations include registered watercraft, commercial watercraft, and small watercraft. The department may establish rules governing other types of aquatic conveyances that must stop at mandatory check stations. The rules must provide sufficient guidance so that a person transporting the aquatic conveyance readily understands that he or she is required to stop.

(3) A person who encounters a mandatory check station while transporting an aquatic conveyance must:

(a) Stop at the mandatory check station;

(b) Allow the aquatic conveyance to be inspected for clean and drain requirements and aquatic invasive species;

(c) Follow clean and drain orders if clean and drain requirements are not met pursuant to section 113 of this act; and

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(d) Follow decontamination orders pursuant to section 115 of this act if an aquatic invasive species is found.

(4) A person who complies with the department directives under this section is exempt from criminal penalties under sections 205 and 206 of this act, civil penalties under RCW 77.15.160(4), and civil forfeiture under RCW 77.15.070, unless the person has a prior conviction for an invasive species violation within the past five years.

NEW SECTION. Sec. 115. (1) Upon discovery of an aquatic conveyance that carries or contains an aquatic invasive species without department authorization, a permit, or as otherwise provided by rule, a fish and wildlife officer or ex officio fish and wildlife officer may issue a decontamination order:

(a) Requiring decontamination at the discovery site, if the situation presents a low risk of aquatic invasive species introduction, and sufficient department resources are available at the discovery site;

(b) Prohibiting the launch of the aquatic conveyance in a water body until decontamination is completed and certified, if the situation presents a low risk of aquatic invasive species introduction, and sufficient department resources are not available at the discovery site;

(c) Requiring immediate transport of the conveyance to an approved decontamination station, and prohibiting the launch of the conveyance in a water body until decontamination is completed and certified, if the situation presents a moderate risk of aquatic invasive species introduction, and sufficient department resources are not available at the discovery site; or

(d) Seizing and transporting the aquatic conveyance to an approved decontamination station until decontamination is completed and certified, if the situation presents a high risk of aquatic invasive species introduction, and sufficient department resources are not available at the discovery site.

(2) The person possessing the aquatic conveyance that is subject to orders issued under subsection (1)(b) through (d) of this section must bear any costs for seizure, transportation, or decontamination.

(3) Orders issued under subsection (1)(b) through (d) of this section must be in writing and must include notice of the opportunity for a hearing pursuant to section 116 of this act to determine the validity of the orders.

(4) If a decontamination order is issued under subsection (1)(d) of this section, the department may seize the aquatic conveyance for two working days or a reasonable additional period of time thereafter as needed to meet decontamination requirements. The decontamination period must be based on factors including conveyance size and complexity, type and number of aquatic invasive species present, and decontamination station resource capacity.

(5) If an aquatic conveyance is subject to forfeiture under RCW 77.15.070, the timelines and other provisions under that section apply to the seizure.

(6) Upon decontamination and issuing a certificate of inspection, an aquatic conveyance must be released to the person in possession of the aquatic conveyance at the time the decontamination order was issued, or to the owner of the aquatic conveyance.

NEW SECTION. Sec. 116. (1) A person aggrieved or adversely affected by a quarantine declaration under section 107 of this act, a rapid response management action under section 108 of this act, an infested site management action under section 109 of this act, or a decontamination order under section 115 of this act may contest the validity of the department's actions by requesting a hearing in writing within twenty days of the department's actions.

(2) Hearings must be conducted pursuant to chapter 34.05 RCW and the burden of demonstrating the invalidity of agency action is on

the party asserting invalidity. The hearing may be conducted by the director or the director's designee and may occur telephonically.

(3) A hearing on a decontamination order is limited to the issues of whether decontamination was necessary and the reasonableness of costs assessed for any seizure, transportation, and decontamination. If the person in possession of the aquatic conveyance that was decontaminated prevails at the hearing, the person is entitled to reimbursement by the department for any costs assessed by the department or decontamination station operator for the seizure, transportation, and decontamination. If the department prevails at the hearing, the department is not responsible for and may not reimburse any costs.

NEW SECTION. Sec. 117. (1) The department may operate aquatic conveyance inspection and decontamination stations statewide for voluntary use by the public or for mandatory use where directed by the department to meet inspection and decontamination requirements of this chapter. Decontamination stations can be part of or separate from inspection stations. Inspection and decontamination stations are separate from commercial vehicle weigh stations operated by the Washington state patrol.

(2) Inspection station staff must inspect aquatic conveyances to determine whether the conveyances carry or contain aquatic invasive species. If an aquatic conveyance is free of aquatic invasive species, then inspection station staff must issue a certificate of inspection. A certificate of inspection is valid until the conveyance's next use in a water body.

(3) If a conveyance carries or contains aquatic invasive species, then inspection station staff must require the conveyance's decontamination before issuing a certificate of inspection. The certificate of inspection is valid until the conveyance's next use in a water body.

(4) The department must identify, in a way that is readily available to the public, the location and contact information for inspection and decontamination stations.

(5) The department must adopt by rule standards for inspection and decontamination that, where practical and appropriate, align with regional, national, and international standards.

NEW SECTION. Sec. 118. (1) The department may authorize representatives to operate its inspection and decontamination stations and mandatory check stations. Department-authorized representatives may be department volunteers, other law enforcement agencies, or independent businesses.

(2) The department must adopt rules governing the types of services that department-authorized representatives may perform under this chapter.

(3) Department-authorized representatives must have official identification, training, and administrative capacity to fulfill their responsibilities under this section.

(4) Within two years of the effective date of this section, the department must provide the legislature with recommendations for a fee schedule that department-authorized representatives may charge users whose aquatic conveyances receive inspection and decontamination services.

NEW SECTION. Sec. 119. (1) The department may enter upon a property or water body at any reasonable time for the purpose of administering this chapter, including inspecting and decontaminating aquatic conveyances, collecting invasive species samples, implementing rapid response management actions or infested site management actions, and containing, controlling, or eradicating invasive species.

(2) Prior to entering the property or water body, the department shall make a reasonable attempt to notify the owner of the property or water body as to the purpose and need for the entry. Should the

department be denied access to any property or water body where access is sought for the purposes set forth in this chapter, the department may apply to any court of competent jurisdiction for a warrant authorizing access to the property.

(3) Upon such an application, the court may issue the warrant for the purposes requested where the court finds reasonable cause to believe it is necessary to achieve the purposes of this chapter.

NEW SECTION. Sec. 120. The provisions of this chapter must be liberally construed to carry out the intent of the legislature.

NEW SECTION. Sec. 121. Sections 102 through 104 and 106 through 120 of this act constitute a new chapter in Title 77 RCW.

PART 2 INVASIVE SPECIES—ENFORCEMENT

NEW SECTION. Sec. 201. A new section is added to chapter 77.15 RCW to read as follows:

(1) Based upon reasonable suspicion that a person possesses an aquatic conveyance that has not been cleaned and drained or carries or contains aquatic invasive species in violation of this title, fish and wildlife officers or ex officio fish and wildlife officers may temporarily stop the person and inspect the aquatic conveyance for compliance with the requirements of this title.

(2) Unless the context clearly requires otherwise, the definitions in both RCW 77.08.010 and section 102 of this act apply throughout this section.

NEW SECTION. Sec. 202. A new section is added to chapter 77.15 RCW to read as follows:

(1) Upon a showing of probable cause that there has been a violation of an invasive species law of the state of Washington, or upon a showing of probable cause to believe that evidence of such a violation may be found at a place, a court must issue a search warrant or arrest warrant. Fish and wildlife officers or ex officio fish and wildlife officers may execute any such search or arrest warrant reasonably necessary to carry out their duties under this title with regard to an invasive species law and may seize invasive species or any evidence of a crime and the fruits or instrumentalities of a crime as provided by warrant. The court may have property opened or entered and the contents examined.

(2) Seizure of property as evidence of a crime does not preclude seizure of the property for forfeiture as authorized by law.

NEW SECTION. Sec. 203. A new section is added to chapter 77.15 RCW to read as follows:

(1) Upon a showing of probable cause that a water body or property has an invasive species in or on it, and the owner refuses permission to allow inspection of the water body or property, a court in the county in which the water body or property is located may, upon the request of the director or the director's designee, issue a warrant to the director or the director's designee authorizing the taking of specimens of invasive species, general inspection of the property or water body, and the performance of containment, eradication, or control work.

(2) Application for issuance, execution, and return of the warrant authorized by this section must be in accordance with the applicable rules of the superior courts or the district courts.

Sec. 204. RCW 77.15.160 and 2013 c 307 s 2 are each amended to read as follows:

The following acts are infractions and must be cited and punished as provided under chapter 7.84 RCW:

(1) Fishing and shellfishing infractions:

(a) Barbed hooks: Fishing for personal use with barbed hooks in violation of any department rule.

(b) Catch recording: Failing to immediately record a catch of fish or shellfish on a catch record card as required by RCW 77.32.430 or department rule.

(c) Catch reporting: Failing to return a catch record card to the department for other than Puget Sound Dungeness crab, as required by department rule.

(d) Recreational fishing: Fishing for fish or shellfish and, without yet possessing fish or shellfish, the person:

(i) Owns, but fails to have in the person's possession the license or the catch record card required by chapter 77.32 RCW for such an activity; or

(ii) Violates any department rule regarding seasons, closed areas, closed times, or any other rule addressing the manner or method of fishing for fish or shellfish. This subsection does not apply to use of a net to take fish under RCW 77.15.580 or the unlawful use of shellfish gear for personal use under RCW 77.15.382.

(e) Seaweed: Taking, possessing, or harvesting less than two times the daily possession limit of seaweed:

(i) While owning, but not having in the person's possession, the license required by chapter 77.32 RCW; or

(ii) In violation of any rule of the department or the department of natural resources regarding seasons, closed areas, closed times, or any other rule addressing the manner or method of taking, possessing, or harvesting of seaweed.

(f) Unclassified fish or shellfish: Taking unclassified fish or shellfish in violation of any department rule by killing, fishing, taking, holding, possessing, or maliciously injuring or harming fish or shellfish that is not classified as game fish, food fish, shellfish, protected fish, or endangered fish.

(g) Wasting fish or shellfish: Killing, taking, or possessing fish or shellfish having a value of less than two hundred fifty dollars and allowing the fish or shellfish to be wasted.

(2) Hunting infractions:

(a) Eggs or nests: Maliciously, and without permit authorization, destroying, taking, or harming the eggs or active nests of a wild bird not classified as endangered or protected. For purposes of this subsection, "active nests" means nests that contain eggs or fledglings.

(b) Unclassified wildlife: Taking unclassified wildlife in violation of any department rule by killing, hunting, taking, holding, possessing, or maliciously injuring or harming wildlife that is not classified as big game, game animals, game birds, protected wildlife, or endangered wildlife.

(c) Wasting wildlife: Killing, taking, or possessing wildlife that is not classified as big game and has a value of less than two hundred fifty dollars, and allowing the wildlife to be wasted.

(d) Wild animals: Hunting for wild animals not classified as big game and, without yet possessing the wild animals, the person owns, but fails to have in the person's possession, all licenses, tags, or permits required by this title.

(e) Wild birds: Hunting for and, without yet possessing a wild bird or birds, the person:

(i) Owns, but fails to have in the person's possession, all licenses, tags, stamps, and permits required under this title; or

(ii) Violates any department rule regarding seasons, closed areas, closed times, or any other rule addressing the manner or method of hunting wild birds.

(3) Trapping, taxidermy, fur dealing, and wildlife meat cutting infractions:

(a) Recordkeeping and reporting: If a person is a taxidermist, fur dealer, or wildlife meat cutter who is processing, holding, or storing wildlife for commercial purposes, failing to:

(i) Maintain records as required by department rule; or

(ii) Report information from these records as required by department rule.

(b) Trapper's report: Failing to report trapping activity as required by department rule.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(4) ((Aquatic invasive species infraction: Entering Washington by road and transporting a recreational or commercial watercraft that has been used outside of Washington without meeting documentation requirements as provided under RCW 77.12.879.)) (a) Invasive species management infractions:

(i) Out-of-state certification: Entering Washington in possession of an aquatic conveyance that does not meet certificate of inspection requirements as provided under section 112 of this act;

(ii) Clean and drain requirements: Possessing an aquatic conveyance that does not meet clean and drain requirements under section 113 of this act;

(iii) Clean and drain orders: Possessing an aquatic conveyance and failing to obey a clean and drain order under section 113 or 114 of this act; and

(iv) Transporting aquatic plants: Transporting aquatic plants on any state or public road, including forest roads. However, this subsection does not apply to plants that are:

(A) Being transported to the department or to another destination designated by the director, in a manner designated by the department, for purposes of identifying a species or reporting the presence of a species;

(B) Legally obtained for aquarium use, wetland or lakeshore restoration, or ornamental purposes;

(C) Located within or on a commercial aquatic plant harvester that is being transported to a suitable location to remove aquatic plants;

(D) Being transported in a manner that prevents their unintentional dispersal, to a suitable location for disposal, research, or educational purposes; or

(E) Being transported in such a way as the commission may otherwise prescribe.

(b) Unless the context clearly requires otherwise, the definitions in both RCW 77.08.010 and section 102 of this act apply throughout this subsection (4).

(5) Other infractions:

(a) Contests: Conducting, holding, or sponsoring a hunting contest, a fishing contest involving game fish, or a competitive field trial using live wildlife.

(b) Other rules: Violating any other department rule that is designated by rule as an infraction.

(c) Posting signs: Posting signs preventing hunting or fishing on any land not owned or leased by the person doing the posting, or without the permission of the person who owns, leases, or controls the land posted.

(d) Scientific permits: Using a scientific permit issued by the director for fish, shellfish, or wildlife, but not including big game or big game parts, and the person:

(i) Violates any terms or conditions of the scientific permit; or

(ii) Violates any department rule applicable to the issuance or use of scientific permits.

((e) Transporting aquatic plants: Transporting aquatic plants on any state or public road, including forest roads. However:

(i) This subsection does not apply to plants that are:

(A) Being transported to the department or to another destination designated by the director, in a manner designated by the department, for purposes of identifying a species or reporting the presence of a species;

(B) Legally obtained for aquarium use, wetland or lakeshore restoration, or ornamental purposes;

(C) Located within or on a commercial aquatic plant harvester that is being transported to a suitable location to remove aquatic plants;

(D) Being transported in a manner that prevents their unintentional dispersal, to a suitable location for disposal, research, or educational purposes; or

(E) Being transported in such a way as the commission may otherwise prescribe; and

(ii) This subsection does not apply to a person who:

(A) Is stopped at an aquatic invasive species check station and possesses a recreational or commercial watercraft that is contaminated with an aquatic invasive plant species if that person complies with all department directives for the proper decontamination of the watercraft and equipment; or

(B) Has voluntarily submitted a recreational or commercial watercraft for inspection by the department or its designee and has received a receipt verifying that the watercraft has not been contaminated since its last use.))

NEW SECTION. Sec. 205. A new section is added to chapter 77.15 RCW to read as follows:

(1) A person is guilty of unlawful use of invasive species in the second degree if the person:

(a) Fails to stop at a mandatory check station or to return to the mandatory check station for inspection if directed to do so by a fish and wildlife officer or ex officio fish and wildlife officer;

(b) Fails to allow an aquatic conveyance stopped at a mandatory check station to be inspected for clean and drain requirements or aquatic invasive species;

(c) Fails to comply with a decontamination order;

(d) Possesses, except in the case of trafficking, a prohibited level 1 or level 2 species without department authorization, a permit, or as otherwise provided by rule;

(e) Possesses, introduces on or into a water body or property, or traffics in a prohibited level 3 species without department authorization, a permit, or as otherwise provided by rule;

(f) Introduces on or into a water body or property a regulated type A, type B, or type C species without department authorization, a permit, or as otherwise provided by rule;

(g) Fails to readily and clearly identify in writing by taxonomic species name or subspecies name a regulated type B species used for commercial purposes; or

(h) Knowingly violates a quarantine declaration under section 107 of this act.

(2) A violation of subsection (1) of this section is a gross misdemeanor. In addition to criminal penalties, a court may order the person to pay all costs in capturing, killing, or controlling the invasive species, including its progeny. This subsection does not affect the authority of the department to bring a separate civil action to recover habitat restoration costs necessitated by the person's unlawful use of invasive species.

(3) This section does not apply to:

(a) A person who complies with the department directives pursuant to section 114 of this act for mandatory check stations. Such a person is exempt from criminal penalties under this section or section 206 of this act, and forfeiture under this chapter, unless the person has a prior conviction under those sections within the past five years;

(b) A person who possesses an aquatic invasive species, if the person is in the process of:

(i) Removing it from the aquatic conveyance in a manner specified by the department; or

(ii) Releasing it if caught while fishing and immediately returning it to the water body from which it came;

(c) Possessing or introducing nonnative aquatic animal species by ballast water held or discharged by vessels regulated under chapter 77.120 RCW; or

(d) Possessing or introducing nonnative aquatic animal species through private sector shellfish aquaculture operations, transfers, or conveyances regulated under chapter 77.115 RCW.

(4) Unless the context clearly requires otherwise, the definitions in both RCW 77.08.010 and section 102 of this act apply throughout this section.

NEW SECTION. Sec. 206. A new section is added to chapter 77.15 RCW to read as follows:

(1) A person is guilty of unlawful use of invasive species in the first degree if the person:

(a) Traffics or introduces on or into a water body or property a prohibited level 1 or level 2 species without department authorization, a permit, or as otherwise provided by rule; or

(b) Commits a subsequent violation of unlawful use of invasive species in the second degree within five years of the date of a prior conviction under section 205 of this act.

(2) A violation of this section is a class C felony. In addition to criminal penalties, a court may order the person to pay all costs in managing the invasive species, including the species' progeny. This subsection does not affect the authority of the department to bring a separate civil action to recover habitat restoration costs necessitated by the person's unlawful use of invasive species.

(3) This section does not apply to:

(a) A person who complies with department directives pursuant to section 114 of this act for mandatory check stations, and who is exempt from criminal penalties under this section and forfeiture under this chapter, unless the person has a prior conviction under this section or section 205 of this act within the past five years; or

(b) A person who possesses an aquatic invasive species, if the person is in the process of:

(i) Removing it from the aquatic conveyance in a manner specified by the department; or

(ii) Releasing it if caught while fishing and is immediately returning it to the water body from which it came.

(4) Unless the context clearly requires otherwise, the definitions in both RCW 77.08.010 and section 102 of this act apply throughout this section.

PART 3

INVASIVE SPECIES--OTHER PROVISIONS

Sec. 301. RCW 77.08.010 and 2012 c 176 s 4 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this title or rules adopted under this title unless the context clearly requires otherwise.

(1) "Anadromous game fish buyer" means a person who purchases or sells steelhead trout and other anadromous game fish harvested by Indian fishers lawfully exercising fishing rights reserved by federal statute, treaty, or executive order, under conditions prescribed by rule of the director.

(2) "Angling gear" means a line attached to a rod and reel capable of being held in hand while landing the fish or a hand-held line operated without rod or reel.

(3) ("Aquatic invasive species" means any invasive, prohibited, regulated, unregulated, or unlisted aquatic animal or plant species as defined under subsections (4), (34), (49), (53), (70), and (71) of this section, aquatic noxious weeds as defined under RCW 17.26.020(5)(c), and aquatic nuisance species as defined under RCW 77.60.130(1).

(4) "Aquatic plant species" means an emergent, submersed, partially submersed, free-floating, or floating-leaving plant species that grows in or near a body of water or wetland.

(5)) "Bag limit" means the maximum number of game animals, game birds, or game fish which may be taken, caught, killed, or possessed by a person, as specified by rule of the commission for a particular period of time, or as to size, sex, or species.

((6)) (4) "Building" means a private domicile, garage, barn, or public or commercial building.

((7)) (5) "Closed area" means a place where the hunting of some or all species of wild animals or wild birds is prohibited.

((8)) (6) "Closed season" means all times, manners of taking, and places or waters other than those established by rule of the commission as an open season. "Closed season" also means all hunting, fishing, taking, or possession of game animals, game birds, game fish, food fish, or shellfish that do not conform to the special restrictions or physical descriptions established by rule of the commission as an open season or that have not otherwise been deemed legal to hunt, fish, take, harvest, or possess by rule of the commission as an open season.

((9)) (7) "Closed waters" means all or part of a lake, river, stream, or other body of water, where fishing or harvesting is prohibited.

((10)) (8) "Commercial" means related to or connected with buying, selling, or bartering.

((11)) (9) "Commission" means the state fish and wildlife commission.

((12)) (10) "Concurrent waters of the Columbia river" means those waters of the Columbia river that coincide with the Washington-Oregon state boundary.

((13)) (11) "Contraband" means any property that is unlawful to produce or possess.

((14)) (12) "Deleterious exotic wildlife" means species of the animal kingdom not native to Washington and designated as dangerous to the environment or wildlife of the state.

((15)) (13) "Department" means the department of fish and wildlife.

((16)) (14) "Director" means the director of fish and wildlife.

((17)) (15) "Endangered species" means wildlife designated by the commission as seriously threatened with extinction.

((18)) (16) "Ex officio fish and wildlife officer" means:

(a) A commissioned officer of a municipal, county, or state agency having as its primary function the enforcement of criminal laws in general, while the officer is acting in the respective jurisdiction of that agency;

(b) An officer or special agent commissioned by one of the following: The national marine fisheries service; the Washington state parks and recreation commission; the United States fish and wildlife service; the Washington state department of natural resources; the United States forest service; or the United States parks service, if the agent or officer is in the respective jurisdiction of the primary commissioning agency and is acting under a mutual law enforcement assistance agreement between the department and the primary commissioning agency;

(c) A commissioned fish and wildlife peace officer from another state who meets the training standards set by the Washington state criminal justice training commission pursuant to RCW 10.93.090, 43.101.080, and 43.101.200, and who is acting under a mutual law enforcement assistance agreement between the department and the primary commissioning agency; or

(d) A Washington state tribal police officer who successfully completes the requirements set forth under RCW 43.101.157, is employed by a tribal nation that has complied with RCW 10.92.020(2) (a) and (b), and is acting under a mutual law enforcement assistance agreement between the department and the tribal government.

((19)) (17) "Fish" includes all species classified as game fish or food fish by statute or rule, as well as all fin fish not currently classified as food fish or game fish if such species exist in state waters. The term "fish" includes all stages of development and the bodily parts of fish species.

((20)) (18) "Fish and wildlife officer" means a person appointed and commissioned by the director, with authority to enforce this title and rules adopted pursuant to this title, and other statutes as prescribed by the legislature. Fish and wildlife officer

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

includes a person commissioned before June 11, 1998, as a wildlife agent or a fisheries patrol officer.

~~((21))~~ (19) "Fish broker" means a person whose business it is to bring a seller of fish and shellfish and a purchaser of those fish and shellfish together.

~~((22))~~ (20) "Fish buyer" means a person engaged by a wholesale fish dealer to purchase food fish or shellfish from a licensed commercial fisher.

~~((23))~~ (21) "Fishery" means the taking of one or more particular species of fish or shellfish with particular gear in a particular geographical area.

~~((24))~~ (22) "Food, food waste, or other substance" includes human and pet food or other waste or garbage that could attract large wild carnivores.

~~((25))~~ (23) "Freshwater" means all waters not defined as saltwater including, but not limited to, rivers upstream of the river mouth, lakes, ponds, and reservoirs.

~~((26))~~ (24) "Fur-bearing animals" means game animals that shall not be trapped except as authorized by the commission.

~~((27))~~ (25) "Fur dealer" means a person who purchases, receives, or resells raw furs for commercial purposes.

~~((28))~~ (26) "Game animals" means wild animals that shall not be hunted except as authorized by the commission.

~~((29))~~ (27) "Game birds" means wild birds that shall not be hunted except as authorized by the commission.

~~((30))~~ (28) "Game farm" means property on which wildlife is held, confined, propagated, hatched, fed, or otherwise raised for commercial purposes, trade, or gift. The term "game farm" does not include publicly owned facilities.

~~((31))~~ (29) "Game reserve" means a closed area where hunting for all wild animals and wild birds is prohibited.

~~((32))~~ (30) "Illegal items" means those items unlawful to be possessed.

~~((33))~~ (31)(a) "Intentionally feed, attempt to feed, or attract" means to purposefully or knowingly provide, leave, or place in, on, or about any land or building any food, food waste, or other substance that attracts or could attract large wild carnivores to that land or building.

(b) "Intentionally feed, attempt to feed, or attract" does not include keeping food, food waste, or other substance in an enclosed garbage receptacle or other enclosed container unless specifically directed by a fish and wildlife officer or animal control authority to secure the receptacle or container in another manner.

((34) "Invasive species" means a plant species or a nonnative animal species that either:

(a) Causes or may cause displacement of, or otherwise threatens, native species in their natural communities;

(b) Threatens or may threaten natural resources or their use in the state;

(c) Causes or may cause economic damage to commercial or recreational activities that are dependent upon state waters; or

(d) Threatens or harms human health.

(35)) (32) "Large wild carnivore" includes wild bear, cougar, and wolf.

~~((36))~~ (33) "License year" means the period of time for which a recreational license is valid. The license year begins April 1st, and ends March 31st.

~~((37))~~ (34) "Limited-entry license" means a license subject to a license limitation program established in chapter 77.70 RCW.

~~((38))~~ (35) "Money" means all currency, script, personal checks, money orders, or other negotiable instruments.

~~((39))~~ (36) "Natural person" means a human being.

~~((40))~~ (37)(a) "Negligently feed, attempt to feed, or attract" means to provide, leave, or place in, on, or about any land or building any food, food waste, or other substance that attracts or

could attract large wild carnivores to that land or building, without the awareness that a reasonable person in the same situation would have with regard to the likelihood that the food, food waste, or other substance could attract large wild carnivores to the land or building.

(b) "Negligently feed, attempt to feed, or attract" does not include keeping food, food waste, or other substance in an enclosed garbage receptacle or other enclosed container unless specifically directed by a fish and wildlife officer or animal control authority to secure the receptacle or container in another manner.

~~((41))~~ (38) "Nonresident" means a person who has not fulfilled the qualifications of a resident.

~~((42))~~ (39) "Offshore waters" means marine waters of the Pacific Ocean outside the territorial boundaries of the state, including the marine waters of other states and countries.

~~((43))~~ (40) "Open season" means those times, manners of taking, and places or waters established by rule of the commission for the lawful hunting, fishing, taking, or possession of game animals, game birds, game fish, food fish, or shellfish that conform to the special restrictions or physical descriptions established by rule of the commission or that have otherwise been deemed legal to hunt, fish, take, harvest, or possess by rule of the commission. "Open season" includes the first and last days of the established time.

~~((44))~~ (41) "Owner" means the person in whom is vested the ownership dominion, or title of the property.

~~((45))~~ (42) "Person" means and includes an individual; a corporation; a public or private entity or organization; a local, state, or federal agency; all business organizations, including corporations and partnerships; or a group of two or more individuals acting with a common purpose whether acting in an individual, representative, or official capacity.

~~((46))~~ (43) "Personal property" or "property" includes both corporeal and incorporeal personal property and includes, among other property, contraband and money.

~~((47))~~ (44) "Personal use" means for the private use of the individual taking the fish or shellfish and not for sale or barter.

~~((48))~~ (45) "Predatory birds" means wild birds that may be hunted throughout the year as authorized by the commission.

((49) "Prohibited aquatic animal species" means an invasive species of the animal kingdom that has been classified as a prohibited aquatic animal species by the commission.

(50)) (46) "Protected wildlife" means wildlife designated by the commission that shall not be hunted or fished.

~~((51))~~ (47) "Raffle" means an activity in which tickets bearing an individual number are sold for not more than twenty-five dollars each and in which a permit or permits are awarded to hunt or for access to hunt big game animals or wild turkeys on the basis of a drawing from the tickets by the person or persons conducting the raffle.

((52) "Recreational and commercial watercraft" includes the boat, as well as equipment used to transport the boat, and any auxiliary equipment such as attached or detached outboard motors.

(53) "Regulated aquatic animal species" means a potentially invasive species of the animal kingdom that has been classified as a regulated aquatic animal species by the commission.

(54)) (48) "Resident" has the same meaning as defined in RCW 77.08.075.

~~((55))~~ (49) "Retail-eligible species" means commercially harvested salmon, crab, and sturgeon.

~~((56))~~ (50) "Saltwater" means those marine waters seaward of river mouths.

~~((57))~~ (51) "Seaweed" means marine aquatic plant species that are dependent upon the marine aquatic or tidal environment, and exist in either an attached or free floating form, and includes but is not limited to marine aquatic plants in the classes Chlorophyta, Phaeophyta, and Rhodophyta.

~~((58))~~ (52) "Senior" means a person seventy years old or older.

~~((59))~~ (53) "Shark fin" means a raw, dried, or otherwise processed detached fin or tail of a shark.

~~((60))~~ (54)(a) "Shark fin derivative product" means any product intended for use by humans or animals that is derived in whole or in part from shark fins or shark fin cartilage.

(b) "Shark fin derivative product" does not include a drug approved by the United States food and drug administration and available by prescription only or medical device or vaccine approved by the United States food and drug administration.

~~((61))~~ (55) "Shellfish" means those species of marine and freshwater invertebrates that have been classified and that shall not be taken except as authorized by rule of the commission. The term "shellfish" includes all stages of development and the bodily parts of shellfish species.

~~((62))~~ (56) "State waters" means all marine waters and fresh waters within ordinary high water lines and within the territorial boundaries of the state.

~~((63))~~ (57) "Taxidermist" means a person who, for commercial purposes, creates lifelike representations of fish and wildlife using fish and wildlife parts and various supporting structures.

~~((64))~~ (58) "To fish," "to harvest," and "to take," and their derivatives means an effort to kill, injure, harass, or catch a fish or shellfish.

~~((65))~~ (59) "To hunt" and its derivatives means an effort to kill, injure, capture, or harass a wild animal or wild bird.

~~((66))~~ (60) "To process" and its derivatives mean preparing or preserving fish, wildlife, or shellfish.

~~((67))~~ (61) "To trap" and its derivatives means a method of hunting using devices to capture wild animals or wild birds.

~~((68))~~ (62) "Trafficking" means offering, attempting to engage, or engaging in sale, barter, or purchase of fish, shellfish, wildlife, or deleterious exotic wildlife.

~~((69))~~ (63) "Unclaimed" means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

((70) "Unlisted aquatic animal species" means a nonnative animal species that has not been classified as a prohibited aquatic animal species, a regulated aquatic animal species, or an unregulated aquatic animal species by the commission.

(71) "Unregulated aquatic animal species" means a nonnative animal species that has been classified as an unregulated aquatic animal species by the commission.

(72)) (64) "Wholesale fish dealer" means a person who, acting for commercial purposes, takes possession or ownership of fish or shellfish and sells, barter, or exchanges or attempts to sell, barter, or exchange fish or shellfish that have been landed into the state of Washington or entered the state of Washington in interstate or foreign commerce.

~~((73))~~ (65) "Wild animals" means those species of the class Mammalia whose members exist in Washington in a wild state. The term "wild animal" does not include feral domestic mammals or old world rats and mice of the family Muridae of the order Rodentia.

~~((74))~~ (66) "Wild birds" means those species of the class Aves whose members exist in Washington in a wild state.

~~((75))~~ (67) "Wildlife" means all species of the animal kingdom whose members exist in Washington in a wild state. This includes but is not limited to mammals, birds, reptiles, amphibians, fish, and invertebrates. The term "wildlife" does not include feral domestic mammals, old world rats and mice of the family Muridae of the order Rodentia, or those fish, shellfish, and marine invertebrates classified as food fish or shellfish by the director. The term

"wildlife" includes all stages of development and the bodily parts of wildlife members.

~~((76))~~ (68) "Wildlife meat cutter" means a person who packs, cuts, processes, or stores wildlife for consumption for another for commercial purposes.

~~((77))~~ (69) "Youth" means a person fifteen years old for fishing and under sixteen years old for hunting.

Sec. 302. RCW 77.12.020 and 2002 c 281 s 3 are each amended to read as follows:

(1) The director shall investigate the habits and distribution of the various species of wildlife native to or adaptable to the habitats of the state. The commission shall determine whether a species should be managed by the department and, if so, classify it under this section.

(2) The commission may classify by rule wild animals as game animals and game animals as fur-bearing animals.

(3) The commission may classify by rule wild birds as game birds or predatory birds. All wild birds not otherwise classified are protected wildlife.

(4) In addition to those species listed in RCW 77.08.020, the commission may classify by rule as game fish other species of the class Osteichthyes that are commonly found in freshwater except those classified as food fish by the director.

(5) The director may recommend to the commission that a species of wildlife should not be hunted or fished. The commission may designate species of wildlife as protected.

(6) If the director determines that a species of wildlife is seriously threatened with extinction in the state of Washington, the director may request its designation as an endangered species. The commission may designate an endangered species.

(7) If the director determines that a species of the animal kingdom, not native to Washington, is dangerous to the environment or wildlife of the state, the director may request its designation as deleterious exotic wildlife. The commission may designate deleterious exotic wildlife.

(8) ((Upon recommendation by the director, the commission may classify nonnative aquatic animal species according to the following categories:

(a) Prohibited aquatic animal species: These species are considered by the commission to have a high risk of becoming an invasive species and may not be possessed, imported, purchased, sold, propagated, transported, or released into state waters except as provided in RCW 77.15.253;

(b) Regulated aquatic animal species: These species are considered by the commission to have some beneficial use along with a moderate, but manageable risk of becoming an invasive species, and may not be released into state waters, except as provided in RCW 77.15.253. The commission shall classify the following commercial aquaculture species as regulated aquatic animal species, and allow their release into state waters pursuant to rule of the commission: Pacific oyster (*Crassostrea gigas*), kumamoto oyster (*Crassostrea sikamea*), European flat oyster (*Ostrea edulis*), eastern oyster (*Crassostrea virginica*), manila clam (*Tapes philippinarum*), blue mussel (*Mytilus galloprovincialis*), and suminoe oyster (*Crassostrea ariankensis*);

(c) Unregulated aquatic animal species: These species are considered by the commission as having some beneficial use along with a low risk of becoming an invasive species, and are not subject to regulation under this title;

(d) Unlisted aquatic animal species: These species are not designated as a prohibited aquatic animal species, regulated aquatic animal species, or unregulated aquatic animal species by the commission, and may not be released into state waters. Upon request, the commission may determine the appropriate category for an unlisted aquatic animal species and classify the species accordingly;

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(e) This subsection (8) does not apply to the transportation or release of nonnative aquatic animal species by ballast water or ballast water discharge.

(9)) Upon recommendation by the director, the commission may develop a work plan to eradicate native aquatic species that threaten human health. Priority shall be given to water bodies that the department of health has classified as representing a threat to human health based on the presence of a native aquatic species.

Sec. 303. RCW 77.15.080 and 2012 c 176 s 9 are each amended to read as follows:

((+)) Based upon articulable facts that a person is engaged in fishing, harvesting, or hunting activities, fish and wildlife officers and ex officio fish and wildlife officers have the authority to temporarily stop the person and check for valid licenses, tags, permits, stamps, or catch record cards, and to inspect all fish, shellfish, seaweed, and wildlife in possession as well as the equipment being used to ensure compliance with the requirements of this title. Fish and wildlife officers and ex officio fish and wildlife officers also may request that the person write his or her signature for comparison with the signature on his or her fishing, harvesting, or hunting license. Failure to comply with the request is prima facie evidence that the person is not the person named on the license. Fish and wildlife officers may require the person, if age sixteen or older, to exhibit a driver's license or other photo identification.

((2) Based upon articulable facts that a person is transporting a prohibited aquatic animal species or any aquatic plant, fish and wildlife officers and ex officio fish and wildlife officers have the authority to temporarily stop the person and inspect the watercraft to ensure that the watercraft and associated equipment are not transporting prohibited aquatic animal species or aquatic plants.)

Sec. 304. RCW 77.15.290 and 2012 c 176 s 21 are each amended to read as follows:

(1) A person is guilty of unlawful transportation of fish or wildlife in the second degree if the person:

(a) Knowingly imports, moves within the state, or exports fish, shellfish, or wildlife in violation of any department rule governing the transportation or movement of fish, shellfish, or wildlife and the transportation does not involve big game, endangered fish or wildlife, deleterious exotic wildlife, or fish, shellfish, or wildlife having a value greater than two hundred fifty dollars; or

(b) Possesses but fails to affix or notch a big game transport tag as required by department rule.

(2) A person is guilty of unlawful transportation of fish or wildlife in the first degree if the person:

(a) Knowingly imports, moves within the state, or exports fish, shellfish, or wildlife in violation of any department rule governing the transportation or movement of fish, shellfish, or wildlife and the transportation involves big game, endangered fish or wildlife, deleterious exotic wildlife, or fish, shellfish, or wildlife with a value of two hundred fifty dollars or more; or

(b) Knowingly transports shellfish, shellstock, or equipment used in commercial culturing, taking, handling, or processing shellfish without a permit required by authority of this title.

(3)(a) Unlawful transportation of fish or wildlife in the second degree is a misdemeanor.

(b) Unlawful transportation of fish or wildlife in the first degree is a gross misdemeanor.

(4) This section does not apply to((: (a) Any person stopped at an aquatic)) invasive species ((check station who possesses a recreational or commercial watercraft that is contaminated with an aquatic invasive species if that person complies with all department directives for the proper decontamination of the watercraft and equipment; or (b) any person who has voluntarily submitted a recreational or commercial watercraft for inspection by the

department or its designee and has received a receipt verifying that the watercraft has not been contaminated since its last use)).

Sec. 305. RCW 43.06.010 and 1994 c 223 s 3 are each amended to read as follows:

In addition to those prescribed by the Constitution, the governor may exercise the powers and perform the duties prescribed in this and the following sections:

(1) The governor shall supervise the conduct of all executive and ministerial offices;

(2) The governor shall see that all offices are filled, including as provided in RCW 42.12.070, and the duties thereof performed, or in default thereof, apply such remedy as the law allows; and if the remedy is imperfect, acquaint the legislature therewith at its next session;

(3) The governor shall make the appointments and supply the vacancies mentioned in this title;

(4) The governor is the sole official organ of communication between the government of this state and the government of any other state or territory, or of the United States;

(5) Whenever any suit or legal proceeding is pending against this state, or which may affect the title of this state to any property, or which may result in any claim against the state, the governor may direct the attorney general to appear on behalf of the state, and report the same to the governor, or to any grand jury designated by the governor, or to the legislature when next in session;

(6) The governor may require the attorney general or any prosecuting attorney to inquire into the affairs or management of any corporation existing under the laws of this state, or doing business in this state, and report the same to the governor, or to any grand jury designated by the governor, or to the legislature when next in session;

(7) The governor may require the attorney general to aid any prosecuting attorney in the discharge of the prosecutor's duties;

(8) The governor may offer rewards, not exceeding one thousand dollars in each case, payable out of the state treasury, for information leading to the apprehension of any person convicted of a felony who has escaped from a state correctional institution or for information leading to the arrest of any person who has committed or is charged with the commission of a felony;

(9) The governor shall perform such duties respecting fugitives from justice as are prescribed by law;

(10) The governor shall issue and transmit election proclamations as prescribed by law;

(11) The governor may require any officer or board to make, upon demand, special reports to the governor, in writing;

(12) The governor may, after finding that a public disorder, disaster, energy emergency, or riot exists within this state or any part thereof which affects life, health, property, or the public peace, proclaim a state of emergency in the area affected, and the powers granted the governor during a state of emergency shall be effective only within the area described in the proclamation;

(13) The governor may, after finding that there exists within this state an imminent danger of infestation of plant pests as defined in RCW 17.24.007 or plant diseases which seriously endangers the agricultural or horticultural industries of the state of Washington, or which seriously threatens life, health, or economic well-being, order emergency measures to prevent or abate the infestation or disease situation, which measures, after thorough evaluation of all other alternatives, may include the aerial application of pesticides;

(14) The governor, after finding that a prohibited level 1 or level 2 species as defined in chapter 77.-- RCW (the new chapter created in section 121 of this act) has been detected and after finding that the detected species seriously endangers or threatens the environment, economy, human health, or well-being of the state of Washington, may order emergency measures to prevent or abate the prohibited

species, which measures, after thorough evaluation of all other alternatives, may include the surface or aerial application of pesticides;

(15) On all compacts forwarded to the governor pursuant to RCW 9.46.360(6), the governor is authorized and empowered to execute on behalf of the state compacts with federally recognized Indian tribes in the state of Washington pursuant to the federal Indian Gaming Regulatory Act, 25 U.S.C. Sec. 2701 et seq., for conducting class III gaming, as defined in the Act, on Indian lands.

Sec. 306. RCW 43.43.400 and 2011 c 171 s 8 are each amended to read as follows:

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

(a) "Aquatic invasive species" means any invasive, prohibited, regulated, unregulated, or unlisted aquatic animal or plant species as defined under RCW 77.08.010 [(3),] (28), (40), (44), (58), and (59), aquatic noxious weeds as defined under RCW 17.26.020(5)(c), and aquatic nuisance species as defined under RCW 77.60.130(1).

(b) "Recreational and commercial watercraft" includes the boat, as well as equipment used to transport the boat, and any auxiliary equipment such as attached or detached outboard motors.

(2))) The aquatic invasive species enforcement account is created in the state treasury. Moneys directed to the account from RCW 88.02.640 must be deposited in the account. Expenditures from the account may only be used as provided in this section. Moneys in the account may be spent only after appropriation.

((3) Funds in the aquatic invasive species enforcement account may be appropriated to the Washington state patrol and the department of fish and wildlife to develop an aquatic invasive species enforcement program for recreational and commercial watercraft, which includes equipment used to transport the watercraft and auxiliary equipment such as attached or detached outboard motors. Funds must be expended as follows:

(a) By the Washington state patrol, to inspect recreational and commercial watercraft that are required to stop at port of entry weigh stations managed by the Washington state patrol. The watercraft must be inspected for the presence of aquatic invasive species; and

(b) By the department of fish and wildlife to:

(i) Establish random check stations, to inspect recreational and commercial watercraft as provided for in RCW 77.12.879(3);

(ii) Inspect or delegate inspection of recreational and commercial watercraft. If the department conducts the inspection, there will be no cost to the person requesting the inspection;

(iii) Provide training to all department employees that are deployed in the field to inspect recreational and commercial watercraft; and

(iv) Provide an inspection receipt verifying that the watercraft is not contaminated after the watercraft has been inspected at a check station or has been inspected at the request of the owner of the recreational or commercial watercraft. The inspection receipt is valid until the watercraft is used again.

(4) The Washington state patrol and the department of fish and wildlife shall submit a biennial report to the appropriate legislative committees describing the actions taken to implement this section along with suggestions on how to better fulfill the intent of chapter 464, Laws of 2005. The first report is due December 1, 2007.))

(2) Expenditures from the account by the Washington state patrol may only be used to inspect for the presence of aquatic invasive species on aquatic conveyances that are required to stop at a Washington state patrol port of entry weigh station.

(3) Expenditures from the account by the department of fish and wildlife may only be used to develop and implement an aquatic invasive species enforcement program including enforcement of chapter 77.-- RCW (the new chapter created in section 121 of this act), enforcement of aquatic invasive species provisions in chapter

77.15 RCW, and training Washington state patrol employees working at port of entry weigh stations on how to inspect aquatic conveyances for the presence of aquatic invasive species.

(4) Unless the context clearly requires otherwise, the definitions in both RCW 77.08.010 and section 102 of this act apply throughout this section.

Sec. 307. RCW 10.31.100 and 2013 2nd sp.s. c 35 s 22 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (11) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.92, 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence of each person involved,

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

including whether the conduct was part of an ongoing pattern of abuse; or

(d) The person has violated RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and the police officer has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.503 or 46.25.110, relating to persons having alcohol or THC in their system;

(f) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(g) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(6) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

(7) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

(8) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(9) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

(10) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

(11) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

(12) A law enforcement officer having probable cause to believe that a person has committed a violation under RCW 77.15.160(4) may issue a citation for an infraction to the person in connection with the violation.

(13) A law enforcement officer having probable cause to believe that a person has committed a criminal violation under section 205 or 206 of this act may arrest the person in connection with the violation.

(14) Except as specifically provided in subsections (2), (3), (4), and (7) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

~~((43))~~ (15) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or (9) of this section if the police officer acts in good faith and without malice.

Sec. 308. RCW 77.15.360 and 2007 c 337 s 3 are each amended to read as follows:

(1) A person is guilty of unlawful interfering in department operations if the person prevents department employees from carrying out duties authorized by this title, including but not limited to interfering:

(a) In the operation of department vehicles, vessels, or aircraft; ~~((or))~~

(b) With the collection of samples of tissue, fluids, or other bodily parts of fish, wildlife, and shellfish under RCW 77.12.071; or

(c) With actions authorized by a warrant issued under section 119 or 203 of this act.

(2) Unlawful interfering in department operations is a gross misdemeanor.

Sec. 309. RCW 77.12.879 and 2013 c 307 s 1 are each amended to read as follows:

(1) The aquatic invasive species prevention account is created in the state treasury. (Moneys directed to the account from RCW 88.02.640(3)(a)(i) must be deposited in the account. Expenditures from the account may only be used as provided in this section. Moneys in the account may be spent only after appropriation.

(2) Funds in the aquatic invasive species prevention account may be appropriated to the department to develop an aquatic invasive species prevention program for recreational and commercial watercraft. Funds must be expended as follows:

(a) To inspect recreational and commercial watercraft;

(b) To educate general law enforcement officers on how to enforce state laws relating to preventing the spread of aquatic invasive species;

(c) To evaluate and survey the risk posed by recreational and commercial watercraft in spreading aquatic invasive species into Washington state waters;

(d) To evaluate the risk posed by float planes in spreading aquatic invasive species into Washington state waters; and

(e) To implement an aquatic invasive species early detection and rapid response plan. The plan must address the treatment and immediate response to the introduction to Washington waters of aquatic invasive species. Agency and public review of the plan must be conducted under chapter 43.21C RCW, the state environmental policy act. If the implementation measures or actions would have a probable significant adverse environmental impact, a detailed statement under chapter 43.21C RCW must be prepared on the plan.

(3) Funds in the aquatic invasive species enforcement account created in RCW 43.43.400 may be appropriated to the department and Washington state patrol to develop an aquatic invasive species enforcement program for recreational and commercial watercraft.

(a) The department shall provide training to Washington state patrol employees working at port of entry weigh stations, and other local law enforcement employees, on how to inspect recreational and commercial watercraft for the presence of aquatic invasive species.

(b) A person who enters Washington by road transporting any commercial or recreational watercraft that has been used outside of Washington must have in his or her possession documentation that the watercraft is free of aquatic invasive species. The department must develop and maintain rules to implement this subsection (3)(b), including specifying allowable forms of documentation.

(c) The department is authorized to require persons transporting recreational and commercial watercraft to stop at check stations. Check stations must be plainly marked by signs, operated by at least one uniformed fish and wildlife officer, and operated in a safe manner.

(d) Any person stopped at a check station who possesses a recreational or commercial watercraft that is contaminated with aquatic invasive species, must bear the expense for any necessary impoundment, transportation, cleaning, and decontamination of the watercraft.

(e) Any person stopped at a check station who possesses a recreational or commercial watercraft that is contaminated with aquatic invasive species, is exempt from the criminal penalties found in RCW 77.15.253 and 77.15.290, and forfeiture under RCW 77.15.070, if that person complies with all department directives for the proper decontamination of the watercraft.

(4) The department shall submit a biennial report to the appropriate legislative committees describing the actions taken to implement this section along with suggestions on how to better fulfill the intent of chapter 464, Laws of 2005.) All receipts directed to the account from RCW 88.02.640, as well as legislative appropriations, gifts, donations, fees, and penalties received by the department for aquatic invasive species management, must be deposited into the account.

(2) Expenditures from the account may only be used to implement the provisions of chapter 77.-- RCW (the new chapter created in section 121 of this act).

(3) Moneys in the account may be spent only after appropriation.

NEW SECTION. Sec. 310. The following acts or parts of acts are each repealed:

(1) RCW 77.12.875 (Prohibited aquatic animal species--Infested state waters) and 2002 c 281 s 5;

(2) RCW 77.12.878 (Infested waters--Rapid response plan) and 2002 c 281 s 6;

(3) RCW 77.12.882 (Aquatic invasive species--Inspection of recreational and commercial watercraft--Rules--Signage) and 2007 c 350 s 4;

(4) RCW 77.15.253 (Unlawful use of prohibited aquatic animal species--Penalty) and 2007 c 350 s 5 & 2002 c 281 s 4;

(5) RCW 77.15.293 (Unlawfully avoiding aquatic invasive species check stations--Penalty) and 2007 c 350 s 7;

(6) RCW 77.60.110 (Zebra mussels and European green crabs--Draft rules--Prevention of introduction and dispersal) and 1998 c 153 s 2; and

(7) RCW 77.60.120 (Infested waters--List published) and 1998 c 153 s 3."

Correct the title.
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Honeyford moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6040.

Senator Honeyford spoke in favor of the motion.

MOTION

On motion of Senator Hatfield, Senator Hargrove was excused.

The President declared the question before the Senate to be the motion by Senator Honeyford that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6040.

The motion by Senator Honeyford carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6040 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6040, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6040, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

ENGROSSED SUBSTITUTE SENATE BILL NO. 6040, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Hobbs: "Mr. President, I just want to notify this body that a great committee coordinator, Alison Mendiola received a job with Seattle Light. So she'll be leaving us and I just want to let her know because I know she is listening in and she has been a great public servant to this Legislature and she will be sorely missed. I for one wish her well. I wish she would stay here but I understand that it's a long drive for her and it's better opportunities for her with Seattle City Light. If you don't mind Mr. President, if I could just ask the body to give a round of applause to her? I know she's listening right now. Thank you Alison for everything you've done for the Senate."

PERSONAL PRIVILEGE

Senator Baumgartner: "I just want to let everybody know that I saw Senator Pridemore outside. I haven't seen him since he left the body. I thought Craig was a good guy and hope people take the chance to go say hello to him. Oh, today is his birthday, so Happy Birthday Senator Pridemore."

PERSONAL PRIVILEGE

SIXTIETH DAY, MARCH 13, 2014

Senator Benton: "Thank you Mr. President. I too want to echo my colleague, Senator Hobbs' comment. Alison came as a session only help one year and she was so outstanding that I went down and saw the then Secretary of the Senate, Tom Hoemann. I said, 'My goodness we've got to find a permanent position for this lady. She is really good.' And we were fortunate enough to get her on staff. She has been tremendous, both sides of the aisle, everybody knows that who has worked with her knows how diligent she is and I got the news with mixed emotions. I was devastated and thrilled. Thrilled for her, devastated for all us because that kind of dedication and talent is hard to find. We're very lucky that we were able to keep her as long as we did. I knew that she would eventually find a better opportunity and move forward in her career but I just want to say Mr. President it will be a great loss to the Senate. We wish Alison the very best in all of her future endeavors. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Angel: "Thank you Mr. President. I just want to add my two cents on with Alison. She has been amazing and Alison I know you're watching, those emails when I would shoot through on a Sunday and you would instantly reply, you are a rock star. I just wish you the very best and blessings in your new position. You will be sadly missed. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Kline: "Just want you to know that Alison is a graduate of the University of Maryland Law School. Thank you. Go Terps!"

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6552 with the following amendment(s): 6552-S2.E AMH ENGR H4469.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that preparing students to be successful in postsecondary education, gainful employment, and citizenship requires increased rigor and achievement, including attaining a meaningful high school diploma with the opportunity to earn twenty-four credits. The legislature finds that an investment was made in the 2013-2015 omnibus appropriations act to implement an increase in instructional hours in the 2014-2015 school year. School districts informed the legislature that the funding as provided in the 2013-2015 omnibus appropriations act would result in only a few minutes being added onto each class period and would not result in a meaningful increase in instruction that would have the positive impact on student learning that the legislature expects. The school districts suggested that it would be a better educational policy to use the funds to implement the requirement of twenty-four credits for high school graduation, which will result in a meaningful increase of instructional hours. Based on input from school districts across the state, the legislature recognizes the need to provide flexibility for school districts to implement the increase in instructional hours while still moving towards an increase in the high school graduation requirements. Therefore, the legislature intends to shift the focus and intent of the investments from compliance with the minimum instructional hours offering to assisting school districts to provide an opportunity for students to earn twenty-four credits for high school

2014 REGULAR SESSION

graduation and obtain a meaningful diploma, beginning with the graduating class of 2019, with the opportunity for school districts to request a waiver for up to two years.

**PART I
CAREER AND TECHNICAL EQUIVALENCIES**

Sec. 101. RCW 28A.700.070 and 2008 c 170 s 201 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall support school district efforts under RCW 28A.230.097 to adopt course equivalencies for career and technical courses by:

(a) Recommending career and technical curriculum suitable for course equivalencies;

(b) Publicizing best practices for high schools and school districts in developing and adopting course equivalencies; and

(c) In consultation with the Washington association for career and technical education, providing professional development, technical assistance, and guidance for school districts seeking to expand their lists of equivalent courses.

(2) The office of the superintendent of public instruction shall provide professional development, technical assistance, and guidance for school districts to develop career and technical course equivalencies that also qualify as advanced placement courses.

(3) The office of the superintendent of public instruction, in consultation with one or more technical working groups convened for this purpose, shall develop curriculum frameworks for a selected list of career and technical courses that may be offered by high schools or skill centers whose content in science, technology, engineering, and mathematics is considered equivalent in full or in part to science or mathematics courses that meet high school graduation requirements. The content of the courses must be aligned with state essential academic learning requirements in mathematics as adopted by the superintendent of public instruction in July 2011 and the essential academic learning requirements in science as adopted in October 2013, and industry standards. The office shall submit the list of equivalent career and technical courses and their curriculum frameworks to the state board of education for review, an opportunity for public comment, and approval. The first list of courses under this subsection must be developed and approved before the 2015-16 school year. Thereafter, the office may periodically update or revise the list of courses using the process in this subsection.

(4) Subject to funds appropriated for this purpose, the office of the superintendent of public instruction shall allocate grant funds to school districts to increase the integration and rigor of academic instruction in career and technical courses. Grant recipients are encouraged to use grant funds to support teams of academic and technical teachers using a research-based professional development model supported by the national research center for career and technical education. The office of the superintendent of public instruction may require that grant recipients provide matching resources using federal Carl Perkins funds or other fund sources.

Sec. 102. RCW 28A.230.097 and 2013 c 241 s 2 are each amended to read as follows:

(1) Each high school or school district board of directors shall adopt course equivalencies for career and technical high school courses offered to students in high schools and skill centers. A career and technical course equivalency may be for whole or partial credit. Each school district board of directors shall develop a course equivalency approval procedure. Boards of directors must approve AP computer science courses as equivalent to high school mathematics or science, and must denote on a student's transcript that AP computer science qualifies as a math-based quantitative course for students who take the course in their senior year. In

order for a board to approve AP computer science as equivalent to high school mathematics, the student must be concurrently enrolled in or have successfully completed algebra II. Beginning no later than the 2015-16 school year, a school district board of directors must, at a minimum, grant academic course equivalency in mathematics or science for a high school career and technical course from the list of courses approved by the state board of education under RCW 28A.700.070, but is not limited to the courses on the list. If the list of courses is revised after the 2015-16 school year, the school district board of directors must grant academic course equivalency based on the revised list beginning with the school year immediately following the revision.

(2) Career and technical courses determined to be equivalent to academic core courses, in full or in part, by the high school or school district shall be accepted as meeting core requirements, including graduation requirements, if the courses are recorded on the student's transcript using the equivalent academic high school department designation and title. Full or partial credit shall be recorded as appropriate. The high school or school district shall also issue and keep record of course completion certificates that demonstrate that the career and technical courses were successfully completed as needed for industry certification, college credit, or preapprenticeship, as applicable. The certificate shall be either part of the student's high school and beyond plan or the student's culminating project, as determined by the student. The office of the superintendent of public instruction shall develop and make available electronic samples of certificates of course completion.

Sec. 103. RCW 28A.230.010 and 2003 c 49 s 1 are each amended to read as follows:

(1) School district boards of directors shall identify and offer courses with content that meet or exceed: ~~((+))~~ (a) The basic education skills identified in RCW 28A.150.210; ~~((2))~~ (b) the graduation requirements under RCW 28A.230.090; ~~((3))~~ (c) the courses required to meet the minimum college entrance requirements under RCW 28A.230.130; and ~~((4))~~ (d) the course options for career development under RCW 28A.230.130. Such courses may be applied or theoretical, academic, or vocational.

(2) School district boards of directors must provide high school students with the opportunity to access at least one career and technical education course that is considered equivalent to a mathematics course or at least one career and technical education course that is considered equivalent to a science course as determined by the office of the superintendent of public instruction and the state board of education in RCW 28A.700.070. Students may access such courses at high schools, interdistrict cooperatives, skill centers or branch or satellite skill centers, or through online learning or applicable running start vocational courses.

(3) School district boards of directors of school districts with fewer than two thousand students may apply to the state board of education for a waiver from the provisions of subsection (2) of this section.

NEW SECTION. Sec. 104. A new section is added to chapter 28A.305 RCW to read as follows:

The state board of education may grant a waiver from the provisions of RCW 28A.230.010(2) based on an application from a board of directors of a school district with fewer than two thousand students.

PART II INSTRUCTIONAL HOURS AND HIGH SCHOOL GRADUATION CREDIT REQUIREMENTS

Sec. 201. RCW 28A.150.220 and 2013 2nd sp.s. c 9 s 2 are each amended to read as follows:

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210,

school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased beginning in the 2015-16 school year to at least one thousand eighty instructional hours for students enrolled in ~~((each of))~~ grades ~~((seven))~~ nine through twelve and at least one thousand instructional hours for students in ~~((each of))~~ grades one through ~~((six according to an implementation schedule adopted by the legislature, but not before the 2014-15 school year))~~ eight, all of which may be calculated by a school district using a district-wide annual average of instructional hours over grades one through twelve; and

(b) For students enrolled in kindergarten, at least four hundred fifty instructional hours, which shall be increased to at least one thousand instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the essential academic learning requirements under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete twenty-four credits for high school graduation, ~~((subject to a phased-in implementation of the twenty-four credits as established by the legislature))~~ beginning with the graduating class of 2019 or as otherwise provided in RCW 28A.230.090. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(e) 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;

(f) 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; and

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

(4) Nothing contained in this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(5)~~(a)~~ Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of one hundred eighty school days per school year according to the implementation schedule under RCW 28A.150.315. ~~((However,))~~

(b) Schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

required in the parent involvement component of the inventory. ~~((In addition, effective May 1, 1979,))~~

~~(c) In the case of students who are graduating from high school, a school district may schedule the last five school days of the one hundred ~~((and))~~ eighty day school year for noninstructional purposes ~~((in the case of students who are graduating from high school,))~~ including, but not limited to, the observance of graduation and early release from school upon the request of a student~~((, and))~~. All such students may be claimed as a full-time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260. Any hours scheduled by a school district for noninstructional purposes during the last five school days for such students shall count toward the instructional hours requirement in subsection (2)(a) of this section.~~

(6) Nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish.

Sec. 202. RCW 28A.230.090 and 2011 c 203 s 2 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW 28A.230.122 and except those equivalencies established by local high schools or school districts under RCW 28A.230.097. The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

(a) Any course in Washington state history and government used to fulfill high school graduation requirements shall consider including information on the culture, history, and government of the American Indian peoples who were the first inhabitants of the state.

(b) The certificate of academic achievement requirements under RCW 28A.655.061 or the certificate of individual achievement requirements under RCW 28A.155.045 are required for graduation from a public high school but are not the only requirements for graduation.

(c) Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation.

(d)(i) The state board of education shall adopt rules to implement the career and college ready graduation requirement proposal adopted under board resolution on November 10, 2010, and revised on January 9, 2014, to take effect beginning with the graduating class of 2019 or as otherwise provided in this subsection (1)(d). The rules must include authorization for a school district to waive up to two credits for individual students based on unusual circumstances and in accordance with written policies that must be adopted by each board of directors of a school district that grants diplomas. The rules must also provide that the content of the third credit of mathematics and the content of the third credit of science may be chosen by the student based on the student's interests and high school and beyond plan with agreement of the student's parent or guardian or agreement of the school counselor or principal.

(ii) School districts may apply to the state board of education for a waiver to implement the career and college ready graduation

requirement proposal beginning with the graduating class of 2020 or 2021 instead of the graduating class of 2019. In the application, a school district must describe why the waiver is being requested, the specific impediments preventing timely implementation, and efforts that will be taken to achieve implementation with the graduating class proposed under the waiver. The state board of education shall grant a waiver under this subsection (1)(d) to an applying school district at the next subsequent meeting of the board after receiving an application.

(2)(a) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

(b) The state board shall reevaluate the graduation requirements for students enrolled in vocationally intensive and rigorous career and technical education programs, particularly those programs that lead to a certificate or credential that is state or nationally recognized. The purpose of the evaluation is to ensure that students enrolled in these programs have sufficient opportunity to earn a certificate of academic achievement, complete the program and earn the program's certificate or credential, and complete other state and local graduation requirements.

(c) The state board shall forward any proposed changes to the high school graduation requirements to the education committees of the legislature for review and to the quality education council established under RCW 28A.290.010. The legislature shall have the opportunity to act during a regular legislative session before the changes are adopted through administrative rule by the state board. Changes that have a fiscal impact on school districts, as identified by a fiscal analysis prepared by the office of the superintendent of public instruction, shall take effect only if formally authorized and funded by the legislature through the omnibus appropriations act or other enacted legislation.

(3) Pursuant to any requirement for instruction in languages other than English established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in American sign language or one or more American Indian languages shall be considered to have satisfied the state or local school district graduation requirement for instruction in one or more languages other than English.

(4) If requested by the student and his or her family, a student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or

(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

(5) Students who have taken and successfully completed high school courses under the circumstances in subsection (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit.

(6) At the college or university level, five quarter or three semester hours equals one high school credit.

NEW SECTION. Sec. 203. The Washington state school directors' association shall adopt a model policy and procedure that

school districts may use for granting waivers to individual students of up to two credits required for high school graduation based on unusual circumstances. The purpose of the model policy and procedure is to assist school districts in providing all students the opportunity to complete graduation requirements without discrimination and without disparate impact on groups of students. The model policy must take into consideration the unique limitations of a student that may be associated with such circumstances as homelessness, limited English proficiency, medical conditions that impair a student's opportunity to learn, or disabilities, regardless of whether the student has an individualized education program or a plan under section 504 of the federal rehabilitation act of 1973. The model policy must also address waivers if the student has not been provided with an opportunity to retake classes or enroll in remedial classes free of charge during the first four years of high school. The Washington state school directors' association must distribute the model policy and procedure to all school districts in the state that grant high school diplomas by June 30, 2015.

Sec. 204. RCW 28A.230.097 and 2013 c 241 s 2 are each amended to read as follows:

(1) Each high school or school district board of directors shall adopt course equivalencies for career and technical high school courses offered to students in high schools and skill centers. A career and technical course equivalency may be for whole or partial credit. Each school district board of directors shall develop a course equivalency approval procedure. Boards of directors must approve AP computer science courses as equivalent to high school mathematics or science, and must denote on a student's transcript that AP computer science qualifies as a math-based quantitative course for students who take the course in their senior year. In order for a board to approve AP computer science as equivalent to high school mathematics, the student must be concurrently enrolled in or have successfully completed algebra II.

(2) Career and technical courses determined to be equivalent to academic core courses, in full or in part, by the high school or school district shall be accepted as meeting core requirements, including graduation requirements, if the courses are recorded on the student's transcript using the equivalent academic high school department designation and title. Full or partial credit shall be recorded as appropriate. The high school or school district shall also issue and keep record of course completion certificates that demonstrate that the career and technical courses were successfully completed as needed for industry certification, college credit, or preapprenticeship, as applicable. The certificate shall be ~~((either))~~ part of the student's high school and beyond plan ~~((or the student's culminating project, as determined by the student))~~. The office of the superintendent of public instruction shall develop and make available electronic samples of certificates of course completion.

Sec. 205. RCW 28A.320.240 and 2006 c 263 s 914 are each amended to read as follows:

(1) The purpose of this section is to identify quality criteria for school library media programs that support the student learning goals under RCW 28A.150.210, the essential academic learning requirements under RCW 28A.655.070, and high school graduation requirements adopted under RCW 28A.230.090.

(2) Every board of directors shall provide for the operation and stocking of such libraries as the board deems necessary for the proper education of the district's students or as otherwise required by law or rule of the superintendent of public instruction.

(3) "Teacher-librarian" means a certified teacher with a library media endorsement under rules adopted by the professional educator standards board.

(4) "School-library media program" means a school-based program that is staffed by a certificated teacher-librarian and provides a variety of resources that support student mastery of the

essential academic learning requirements in all subject areas and the implementation of the district's school improvement plan.

(5) The teacher-librarian, through the school-library media program, shall collaborate as an instructional partner to help all students meet the content goals in all subject areas, and assist high school students completing ~~((the culminating project and))~~ high school and beyond plans required for graduation.

Sec. 206. RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each amended to read as follows:

The purpose of this section is to provide for the allocation of state funding that the legislature deems necessary to support school districts in offering the minimum instructional program of basic education under RCW 28A.150.220. The allocation shall be determined as follows:

(1) The governor shall and the superintendent of public instruction may recommend to the legislature a formula for the distribution of a basic education instructional allocation for each common school district.

(2) The distribution formula under this section shall be for allocation purposes only. Except as may be required under chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in this section requires school districts to use basic education instructional funds to implement a particular instructional approach or service. Nothing in this section requires school districts to maintain a particular classroom teacher-to-student ratio or other staff-to-student ratio or to use allocated funds to pay for particular types or classifications of staff. Nothing in this section entitles an individual teacher to a particular teacher planning period.

(3)(a) To the extent the technical details of the formula have been adopted by the legislature and except when specifically provided as a school district allocation, the distribution formula for the basic education instructional allocation shall be based on minimum staffing and nonstaff costs the legislature deems necessary to support instruction and operations in prototypical schools serving high, middle, and elementary school students as provided in this section. The use of prototypical schools for the distribution formula does not constitute legislative intent that schools should be operated or structured in a similar fashion as the prototypes. Prototypical schools illustrate the level of resources needed to operate a school of a particular size with particular types and grade levels of students using commonly understood terms and inputs, such as class size, hours of instruction, and various categories of school staff. It is the intent that the funding allocations to school districts be adjusted from the school prototypes based on the actual number of annual average full-time equivalent students in each grade level at each school in the district and not based on the grade-level configuration of the school to the extent that data is available. The allocations shall be further adjusted from the school prototypes with minimum allocations for small schools and to reflect other factors identified in the omnibus appropriations act.

(b) For the purposes of this section, prototypical schools are defined as follows:

(i) A prototypical high school has six hundred average annual full-time equivalent students in grades nine through twelve;

(ii) A prototypical middle school has four hundred thirty-two average annual full-time equivalent students in grades seven and eight; and

(iii) A prototypical elementary school has four hundred average annual full-time equivalent students in grades kindergarten through six.

(4)(a)(i) The minimum allocation for each level of prototypical school shall be based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours under RCW 28A.150.220 and

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

provide at least one teacher planning period per school day, and based on the following general education average class size of full-time equivalent students per teacher:

General education average class size	
Grades K-3.....	25.23
Grade 4.....	27.00
Grades 5-6.....	27.00
Grades 7-8.....	28.53
Grades 9-12.....	28.74

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through twelve per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

Laboratory science average class size	
Grades 9-12	19.98

(b) During the 2011-2013 biennium and beginning with schools with the highest percentage of students eligible for free and reduced-price meals in the prior school year, the general education average class size for grades K-3 shall be reduced until the average

class size funded under this subsection (4) is no more than 17.0 full-time equivalent students per teacher beginning in the 2017-18 school year.

(c) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers based on the following number of full-time equivalent students per teacher in career and technical education:

Career and technical education average class size	
Approved career and technical education offered at the middle school and high school level	26.57
Skill center programs meeting the standards established by the office of the superintendent of public instruction	22.76

(d) In addition, the omnibus appropriations act shall at a minimum specify:

(i) A high-poverty average class size in schools where more than fifty percent of the students are eligible for free and reduced-price meals; and

(ii) A specialty average class size for ((laboratory science,)) advanced placement((s)) and international baccalaureate courses.

(5) The minimum allocation for each level of prototypical school shall include allocations for the following types of staff in addition to classroom teachers:

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators	1.253	1.353	1.880
Teacher librarians, a function that includes information literacy, technology, and media to support school library media programs	0.663	0.519	0.523
Health and social services:			
School nurses	0.076	0.060	0.096
Social workers.....	0.042	0.006	0.015
Psychologists.....	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising	0.493	1.116	(1.909) <u>2.539</u>
Teaching assistance, including any aspect of educational instructional services provided by classified employees.....	0.936	0.700	0.652
Office support and other noninstructional aides.....	2.012	2.325	3.269
Custodians	1.657	1.942	2.965
Classified staff providing student and staff safety.....	0.079	0.092	0.141
Parent involvement coordinators.....	0.00	0.00	0.00

(6)(a) The minimum staffing allocation for each school district to provide district-wide support services shall be allocated per one thousand annual average full-time equivalent students in grades K-12 as follows:

.....	Staff per 1,000
K-12 students	
Technology	0.628
Facilities, maintenance, and grounds	1.813
Warehouse, laborers, and mechanics	0.332

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central administration shall be 5.30 percent of the staff units generated under subsections (4)(a) and (b) and (5) of this section and (a) of this subsection.

(7) The distribution formula shall include staffing allocations to school districts for career and technical education and skill center administrative and other school-level certificated staff, as specified in the omnibus appropriations act.

(8)(a) Except as provided in (b) and (c) of this subsection, the minimum allocation for each school district shall include allocations

per annual average full-time equivalent student for the following materials, supplies, and operating costs, to be adjusted for inflation from the 2008-09 school year:

Per annual average full-time equivalent student in grades K-12	
Technology	\$54.43
Utilities and insurance.....	\$147.90
Curriculum and textbooks.....	\$58.44
Other supplies and library materials	\$124.07
Instructional professional development for certified and classified staff	\$9.04
Facilities maintenance.....	\$73.27
Security and central office	\$50.76

(b) During the 2011-2013 biennium, the minimum allocation for maintenance, supplies, and operating costs shall be increased as specified in the omnibus appropriations act. The following allocations, adjusted for inflation from the 2007-08 school year, are provided in the 2015-16 school year, after which the allocations shall be adjusted annually for inflation as specified in the omnibus appropriations act:

Per annual average full-time equivalent student in grades K-12	
Technology	\$113.80
Utilities and insurance.....	\$309.21
Curriculum and textbooks.....	\$122.17
Other supplies and library materials	\$259.39
Instructional professional development for certificated and classified staff	\$18.89
Facilities maintenance.....	\$153.18
Security and central office administration	\$106.12

(c) In addition to the amounts provided in (a) and (b) of this subsection, beginning in the 2014-15 school year, the omnibus appropriations act shall provide the following minimum allocation for each annual average full-time equivalent student in grades nine through twelve for the following materials, supplies, and operating costs, to be adjusted annually for inflation:

Per annual average full-time equivalent student in grades 9-12	
Technology	\$36.35
Curriculum and textbooks.....	\$39.02
Other supplies and library materials	\$82.84
Instructional professional development for certificated and classified staff	\$6.04

(9) In addition to the amounts provided in subsection (8) of this section, the omnibus appropriations act shall provide an amount based on full-time equivalent student enrollment in each of the following:

- (a) Exploratory career and technical education courses for students in grades seven through twelve;
- (b) ~~(Laboratory science courses for students in grades nine through twelve;~~
- ~~—(e))~~ Preparatory career and technical education courses for students in grades nine through twelve offered in a high school; and
- ~~((4))~~ (c) Preparatory career and technical education courses for students in grades eleven and twelve offered through a skill center.

(10) In addition to the allocations otherwise provided under this section, amounts shall be provided to support the following programs and services:

(a) To provide supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the district percentage of students in grades K-12 who were

eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall provide for each level of prototypical school resources to provide, on a statewide average, 1.5156 hours per week in extra instruction with a class size of fifteen learning assistance program students per teacher.

(b) To provide supplemental instruction and services for students whose primary language is other than English, allocations shall be based on the head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080. The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in extra instruction with fifteen transitional bilingual instruction program students per teacher. Notwithstanding other provisions of this subsection (10), the actual per-student allocation may be scaled to provide a larger allocation for students needing more intensive intervention and a commensurate reduced allocation for students needing less intensive intervention, as detailed in the omnibus appropriations act.

(c) To provide additional allocations to support programs for highly capable students under RCW 28A.185.010 through 28A.185.030, allocations shall be based on two and three hundred fourteen one-thousandths percent of each school district's full-time equivalent basic education enrollment. The minimum allocation for the programs shall provide resources to provide, on a statewide average, 2.1590 hours per week in extra instruction with fifteen highly capable program students per teacher.

(11) The allocations under subsections (4)(a) and (b), (5), (6), and (8) of this section shall be enhanced as provided under RCW 28A.150.390 on an excess cost basis to provide supplemental instructional resources for students with disabilities.

(12)(a) For the purposes of allocations for prototypical high schools and middle schools under subsections (4) and (10) of this section that are based on the percent of students in the school who are eligible for free and reduced-price meals, the actual percent of such students in a school shall be adjusted by a factor identified in the omnibus appropriations act to reflect underreporting of free and reduced-price meal eligibility among middle and high school students.

(b) Allocations or enhancements provided under subsections (4), (7), and (9) of this section for exploratory and preparatory career and technical education courses shall be provided only for courses approved by the office of the superintendent of public instruction under chapter 28A.700 RCW.

(13)(a) This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature.

(b) In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect.

(c) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the first school day of each month, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. The definition of full-time equivalent student shall be determined by rules of the superintendent of public instruction and shall be included as part of the superintendent's biennial budget request. The definition shall be based on the minimum instructional hour offerings required under RCW 28A.150.220. Any revision of the present definition shall not take effect until approved by the house ways and means committee and the senate ways and means committee.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION
BARBARA BAKER, Chief Clerk

(d) The office of financial management shall make a monthly review of the superintendent's reported full-time equivalent students in the common schools in conjunction with RCW 43.62.050.

NEW SECTION. Sec. 207. A new section is added to chapter 43.06B RCW to read as follows:

(1) The office of the education ombuds shall convene a task force on success for students with special needs to:

(a) Define and assess barriers that students with special needs face in earning a high school diploma and fully accessing the educational program provided by the public schools, including but not limited to students with disabilities, dyslexia, and other physical or emotional conditions for which students do not have an individualized education program or section 504 plan but that create limitations to their ability to succeed in school;

(b) Outline recommendations for systemic changes to address barriers identified and successful models for the delivery of education and supportive services for students with special needs;

(c) Recommend steps for coordination of delivery of early learning through postsecondary education and career preparation for students with special needs through ongoing efforts of various state and local education and workforce agencies, including strategies for earlier assessment and identification of disabilities or barriers to learning in early learning programs and in kindergarten through third grade; and

(d) Identify options for state assistance to help school districts develop course equivalencies for competency-based education or similar systems of personalized learning where students master specific knowledge and skills at their own pace.

(2) The task force shall be composed of at least the following members:

(a) One representative each from the office of the superintendent of public instruction, the workforce training and education coordinating board, the Washington state school directors' association, a statewide organization representing teachers and other certificated instructional staff, the student achievement council, the state board of education, the department of early learning, the educational opportunity gap oversight and accountability committee, a nonprofit organization providing professional development and resources for educators and parents regarding dyslexia, a nonprofit organization of special education parents and teachers, and the Washington association for career and technical education, each to be selected by the appropriate agency or organization; and

(b) At least one faculty member from a public institution of higher education, at least one special education teacher, at least one general education teacher, and at least three parent representatives from special needs families, each to be appointed by the education ombuds.

(3) The office of the education ombuds shall submit an initial report to the superintendent of public instruction, the governor, and the legislature by December 15, 2014, and December 15th of each year thereafter until 2016 detailing its recommendations, including recommendations for specific strategies, programs, and potential changes to funding or accountability systems that are designed to close the opportunity gap, increase high school graduation rates, and assure students with special needs are fully accessing the educational program provided by the public schools.

(4) This section expires June 30, 2017.

NEW SECTION. Sec. 208. Sections 103 and 104 of this act take effect September 1, 2015.

NEW SECTION. Sec. 209. Section 206 of this act takes effect September 1, 2014."

Correct the title.
and the same are herewith transmitted.

MOTION

Senator Rolfes moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6552.

Senators Rolfes, Dammeier, McAuliffe and Conway spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Rolfes that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6552.

MOTION

On motion of Senator Billig, Senators Hargrove and Ranker were excused.

The motion by Senator Rolfes carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6552 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6552, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6552, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Voting nay: Senators Hasegawa and McCoy

Excused: Senators Hargrove and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6552, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6518 with the following amendment(s): 6518-S2.E AMH HUDG PRIN 460; 6518-S2.E AMH HUDG PRIN 459

On page 13, line 29, after "(1) The" strike "FAA center of excellence for alternative jet fuels and environment" and insert "office of alternative energy"

On page 14, line 10, after "(3) The" strike "FAA center of excellence for alternative jet fuels and environment" and insert "office of alternative energy"

On page 12, beginning on line 1, strike all of section 7

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 15, after line 1, insert the following:

"NEW SECTION. Sec. 9. A new section is added to chapter 43.333 RCW to read as follows:

(1) The innovate Washington program is created in the department to support business growth in the state's innovation and technology sectors and facilitate statewide technology transfer and commercialization activities, for the purpose of increasing the state's economic vitality.

(2) The innovate Washington program shall:

(a) Support businesses in securing federal and private funds to support product research and commercialization, developing and integrating technology in new or enhanced products and services, and launching those products and services in sustainable businesses in the state;

(b) Establish public-private partnerships and programmatic activities that increase the competitiveness of state industries;

(c) Work with utilities, district energy providers, the utilities and transportation commission, and the state energy office to improve the alignment of investments in clean energy technologies with existing state policies;

(d) Administer technology and innovation grant and loan programs including bridge funding programs for the state's technology sector;

(e) Work with impact Washington to ensure that customers have ready access to each other's services;

(f) Develop and strengthen academic-industry relationships through research and assistance that is primarily of interest to existing small and medium-sized Washington-based companies; and

(g) Reach out to firms operating in the state's innovation partnership zones.

(3) The innovate Washington program terminates June 30, 2015. Until that time, any services provided by the program may be delivered by the department directly or through a contract with a 501(c)(3) nonprofit organization with a principal office located in Washington with experience facilitating interaction between the state's higher education institutions and the state's technology-based companies on technology transfer activities.

(4) The department must establish performance metrics for the innovate Washington program. The department must report the outcomes of the program against those metrics to the governor and the economic development committees of the legislature on December 1, 2014.

NEW SECTION. Sec. 10. A new section is added to chapter 43.333 RCW to read as follows:

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

(1) "Department" means the department of commerce.

(2) "Innovate Washington program" or "program" means the program created in section 205 of this act.

Sec. 11. RCW 43.333.030 and 2011 1st sp.s. c 14 s 4 are each amended to read as follows:

(1) The investing in innovation account is created in the custody of the state treasurer to receive state and federal funds, grants, private gifts, or contributions to further the purpose of ~~((innovate Washington))~~ growing the technology and innovation-based sectors of the state and supporting the commercialization of intellectual property and the manufacturing of innovative products in the state.

(2) Expenditures from the account may be used only for the purposes of the investing in innovation programs established in chapter 70.210 RCW and any other purpose consistent with the innovate Washington program established in this chapter.

(3) Only the ~~((executive))~~ director of ~~((innovate Washington))~~ commerce or the ~~((executive))~~ director's designee may authorize

expenditures from the account. Funds may only be used for the department of commerce to provide directly or through contract services consistent with the purposes described in subsection (2) of this section. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 12. RCW 43.333.040 and 2011 1st sp.s. c 14 s 3 are each amended to read as follows:

(1) To increase participation by Washington state small business innovators in federal small business research programs, the innovate Washington program shall provide ~~((or contract for the provision of))~~ a small business innovation assistance program. The assistance program must include a proposal review process and must train and assist Washington small business innovators to win awards from federal small business research programs. The assistance program must collaborate with small business development centers~~((entrepreneur in residence programs;))~~ and other appropriate sources of technical assistance to ensure that small business innovators also receive the planning, counseling, and support services necessary to expand their businesses and protect their intellectual property.

(2) ~~((In operating the program;))~~ The innovate Washington program must give priority to first-time applicants to the federal small business research programs, new businesses, and firms with fewer than ten employees, and may charge a fee for its services.

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

(a) "Federal small business research programs" means the programs, operating pursuant to the small business innovation development act of 1982, P.L. 97-219, and the small business technology transfer act of 1992, P.L. 102-564, title II, that provide funds to small businesses to conduct research having commercial application.

(b) "Small business" means a corporation, partnership, sole proprietorship, or individual, operating a business for profit, with two hundred fifty employees or fewer, including employees employed in a subsidiary or affiliated corporation, that otherwise meets the requirements of federal small business research programs.

Sec. 13. RCW 43.333.050 and 2011 1st sp.s. c 14 s 13 are each amended to read as follows:

(1) The innovate Washington program shall administer the investing in innovation program.

(2) Not more than one percent of the available funds from the investing in innovation account may be used for administrative costs of the program.

Sec. 14. RCW 70.210.020 and 2011 1st sp.s. c 14 s 8 are each amended to read as follows:

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

~~((1))~~ "Board" means the innovate Washington board of directors.

(3) ~~[(2)]~~ "Innovate Washington" means the agency created in RCW 43.333.010.)

(1) "Department" means the department of commerce.

(2) "Innovate Washington program" means the program established at the department of commerce under chapter 43.333 RCW.

Sec. 15. RCW 70.210.030 and 2011 1st sp.s. c 14 s 9 are each amended to read as follows:

(1) The investing in innovation program is established.

(2) The innovate Washington program shall periodically make strategic assessments of the types of investments in research, technology, and industrial development in this state that would likely create new products, jobs, and business opportunities and produce the most beneficial long-term improvements to the lives and health of the citizens of the state. The assessments shall be

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

available to the public and shall be used to guide decisions on awarding funds under this chapter.

Sec. 16. RCW 70.210.040 and 2011 1st sp.s. c 14 s 10 are each amended to read as follows:

The ~~((board))~~ innovate Washington program shall:

(1) Develop criteria for the awarding of loans or grants to qualifying universities, institutions, businesses, or individuals;

(2) Make decisions regarding distribution of funds;

(3) In making funding decisions and to the extent that economic impact is not diminished, provide priority to enterprises that:

(a) Were created through, and have existing intellectual property agreements in place with, public and private research institutions in the state; and

(b) Intend to produce new products or services, develop or expand facilities, or manufacture in the state; and

(4) Specify in contracts awarding funds that recipients must utilize funding received to support operations in the state of Washington and must subsequently report on the impact of their research, development, and any subsequent production activities within Washington for a period of ten years following the award of funds, and that a failure to comply with this requirement will obligate the recipient to return the amount of the award plus interest as determined by the ~~((board))~~ department.

Sec. 17. RCW 70.210.050 and 2011 1st sp.s. c 14 s 11 are each amended to read as follows:

(1) The ~~((board))~~ innovate Washington program may accept grant and loan proposals and establish a competitive process for the awarding of grants and loans.

(2) The ~~((board))~~ innovate Washington program shall establish a peer review committee to include ~~((board members,))~~ scientists, engineers, and individuals with specific recognized expertise. The peer review committee shall provide to the ~~((board))~~ innovate Washington program an independent peer review of all proposals determined to be competitive for a loan or grant award that are submitted to the ~~((board))~~ innovate Washington program.

(3) In the awarding of grants and loans, priority shall be given to proposals that leverage additional private and public funding resources.

~~((4))~~ Innovate Washington may not be a direct recipient of funding under this chapter.)

Sec. 18. RCW 70.210.060 and 2011 1st sp.s. c 14 s 12 are each amended to read as follows:

The ~~((board))~~ department shall establish performance benchmarks against which the program will be evaluated. The program shall be reviewed periodically by the ~~((board))~~ department. The ~~((board))~~ department shall report annually to the appropriate standing committees of the legislature on loans made and grants awarded and as appropriate on program reviews conducted by the ~~((board))~~ department.

NEW SECTION. Sec. 19. The following acts or parts of acts are each repealed:

(1) RCW 41.06.0711 (Innovate Washington--Certain personnel exempted from chapter) and 2011 1st sp.s. c 14 s 5;

(2) RCW 43.333.010 (Innovate Washington--Created--Mission--Transfer of administrative responsibilities for facilities located at the Washington technology center and Spokane intercollegiate research and technology institute--Five-year business plan requirements) and 2011 1st sp.s. c 14 s 1; and

(3) RCW 43.333.020 (Board of directors--Composition--Meetings--Duties) and 2011 1st sp.s. c 14 s 2.

(4) RCW 43.333.800 (Sustainable aviation biofuels work group) and 2012 c 63 s 4;

(5) RCW 43.333.900 (Transfer of powers, duties, and functions of Spokane intercollegiate research and technology institute and Washington technology center) and 2011 1st sp.s. c 14 s 17;

(6) RCW 43.333.901 (Effective date--2011 1st sp. S. c 14) and 2011 1st sp.s. c 14 c 12.

NEW SECTION. Sec. 20. A new section is added to chapter 43.333 RCW to read as follows:

(1) Innovate Washington is hereby abolished and its mission, powers, duties, and functions are hereby transferred to the department of commerce.

(2)(a) Except as provided in (c) of this subsection, all property of Innovate Washington shall be assigned and transferred to the department of commerce. Except as provided in (c) of this subsection, all reports, documents, surveys, books, records, files, papers, and written material, regardless of physical form or characteristics, in the possession of Innovate Washington shall be delivered to the department of commerce. Except as provided in (c) of this subsection, all cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by Innovate Washington shall be made available to the department of commerce. Except as provided in (b) and (c) of this subsection, all funds, credits, and other assets, tangible or intangible, held by Innovate Washington shall be assigned and transferred to the department of commerce.

(b) The department of commerce shall honor any donor-imposed condition on the transfer of assets to Innovate Washington, consistent with chapter 14, Laws of 2011 1st sp. sess., returning any unused funds or other assets to the grantor or the grantor's successor in interest, if return of such funds or other assets is required in the grant or other instrument by which the asset was conveyed to Innovate Washington. Any donated assets, the use of which is limited by a donor-imposed restriction, shall be used only for the purposes specified in the granting instrument, and where the instrument restricts the use of such funds or other assets for the purposes of Innovate Washington, they shall be used by the department of commerce only for the purpose of growing the innovation-based economic sectors of the state and responding to the technology transfer needs of existing businesses in the state.

(c)(i) All real property of Innovate Washington is assigned and transferred to Washington State University, including all real estate, buildings, and facilities located at 665 North Riverpoint Boulevard in Spokane, Washington and any associated tenant leases and building obligations. All cabinets, furniture, office equipment, motor vehicles and other tangible property associated with the facilities located at 665 North Riverpoint Boulevard in Spokane, Washington are assigned and transferred to Washington State University. The master lease for the Spokane Technology Center Building located at 120 North Pine Street in Spokane, Washington is assigned and transferred to Washington State University. The department of commerce shall coordinate with the department of enterprise services in assigning and transferring the master lease. Washington State University shall explore terminating the master lease on the Spokane Technology Center and acquiring the property for reintegration into the campus, if in the best interests of the university.

(ii) In operating the 665 North Riverpoint Boulevard building and the Spokane Technology Center building, Washington State University may offer rental space to public, private, or private nonprofit entities that provided services to Innovate Washington in the Spokane Technology Center building, and not in the 665 North Riverpoint Boulevard building, and only at a gross per square foot rate equal to or greater than the rate charged to Washington State University as subleasees prior to the effective date of this act.

(d) If any question arises as to the transfer of any asset used or held in the exercise of the powers and the performance of the duties

and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION. Sec. 21. A new section is added to chapter 43.333 RCW to read as follows:

This chapter expires June 30, 2015.

NEW SECTION. Sec. 22. A new section is added to chapter 70.210 RCW to read as follows:

This chapter expires June 30, 2015."

Re-number the remaining sections consecutively, correct any internal references accordingly, and correct the title.

On page 15, beginning on line 2, strike all of sections 9 and 10.

Correct the title.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Chase moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6518.

Senators Chase and Baumgartner spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Chase that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6518.

The motion by Senator Chase carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6518 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6518, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6518, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senators Hargrove and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6518, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:35 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:25 p.m. by President Owen.

REMARKS BY THE PRESIDENT

President Owen: "Thank you and I don't want to delay things but it looks like nothing happening. Well things are happening, I don't mean that. I mean that we can do this. I have served a long time here with a number of very, very good Readers and some that they sounded great and others that didn't last all that long. I have never served with a reader that has not only been as competent as Ken but as knowledgeable of the process as this gentleman has for us for years. I don't know if you know but Ken is a retired history teacher. Married to Barbara. He lives in Puyallup. It's his thirteenth regular session. He was security staff in his first session in 2002. In 2003 to 2006 he was security and back up Reader for four years and, to our great pleasure, you know he has served from 2007-2014 as not only as security but our Reader so for eight years. Now I understand to our chagrin that he is looking at retirement. Now I, so the Secretary has mentioned that he will continue his relentless, the Secretary of the Senate will continue his relentless pursuit of persuading Ken to return for one more session. However, however, should we fail in this pursuit and he does something like retiring and having fun and being able to go somewhere in January, February, March and April of the year, then the President sincerely wants to wish him the absolute best retirement and give him the most sincere and expression of appreciation for an incredible job. Well done. Thank you Ken."

PERSONAL PRIVILEGE

Senator Hargrove: "Well, I want to say a few about Ken too. So, a couple of things, first of all not only is he excellent at what he does but his inflection and his voice quality really makes our resolutions sound good. When he read the Seahawks resolution it was really, really good. I do have to bring up one time when he was going on and on and the President was not paying attention and I said 'Last line' and he stopped. So, I got you once Ken. We hope you come back."

PERSONAL PRIVILEGE

Senator Pedersen: "Well, I will just add that although I've been in this chamber for only two months I have known Ken for probably about forty years, which may seem astounding to many of you, but I had the great pleasure of growing up at Mountain View Lutheran Church with Ken and his family. And his daughter Kari was in my sister's Kari's class all through school. Ken, it has been an incredible joy these last few years to be able to serve with you and have the pleasure of your company and I will certainly miss you."

PERSONAL PRIVILEGE

Senator Hewitt: "Thank you Mr. President. Ken, I also want to say congratulations. It's been wonderful knowing you the last fourteen years. You're a wonderful person. What I really want to bring back, and Senator Hargrove is not on the floor unfortunately. I want you to remind him of the night he made you go, read third reading to sit there and go on and on and on and that was Senator Hargrove's motion. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Baumgartner: "I just want to point out, it's just more than people in this fine body that Ken's good work has touched. You know, my father retired now, is an avid watcher of TVW and what we do out here. I just remember off hand him saying, 'Boy, that guy looks like a class act.' So, people over in even in Pullman and Spokane Washington are paying attention, thinking you're doing a great job as well."

PERSONAL PRIVILEGE

Senator Dammeier: "So, I would like to echo Senator Pedersen's comments. Ken is a legend back in our community for what he did there before he came down here and then what he's done since he's come down here. I'm not exactly sure how many other Puyallup people he has recruited into service in Olympia but there's been a few. I'll tell you for me since my service in the other chamber and here I just, when you walk in early in the morning and there's Ken standing in the intersection in Cherberg and he greets you with that great 'Good morning,' it gets your day off to a great start. That's even beyond the fantastic job he does here in this chamber. So, Ken, thank you very much for all your support for us and the citizens of Puyallup."

PERSONAL PRIVILEGE

Senator Benton: "Thank you Mr. President. Ken, I want to apologize to you. I have made you read my name more than anybody else's name on the floor of the Senate because I am the most likely not answer the first time you call. That's been going on, I think the President can verify that with some awards he's given out in the past but the fact is I've been here twenty years and you normally have to call my name at least twice. I apologize for that. I'm not sure that I'm going to be able, my ear has been trained to your voice. So, whether I am speaking with constituents in the wings or working even outside with one of the lobbyists and I hear your voice and I hear my name I know I've got to get in there and vote. So, I'm going to have to completely retrain my hearing if you're not going to be here calling the names on the roll. I very much appreciated the opportunity to serve with you. I echo Senator Dammeier's comments that in addition to your job here when we're actually in session you have been a bright and cheery face that greets us in the morning when we come to work and often times you're here too when we leave. I just tell you it's going to be kind of weird getting used to this place without you sir. I will miss you."

PERSONAL PRIVILEGE

Senator Becker: "Thank you Mr. President. Ken, don't leave! I remember my first day I walked in the intersection as Senator Dammeier referred to and Ken said, 'Good morning Senator' and I turned around and I had to realize that was what my title was at that time and when I'd miss a vote and he looked at me and I realized that I was supposed to vote. You have been an amazing person here and I know from my perspective you sure made me feel welcome and sure made me feel like a part of this institution. Just for that I thank you but for the fact that everybody has talked about your voice. I told my husband about your voice and he told me to quit talking about you in that way, manner. So, I hope you decide to stay one more year but if you decide to retire I wish you the very best."

REMARKS BY THE PRESIDENT

President Owen: "So, the President had not called us back to order but I did want to get that out of the way so you can continue to mingle I guess, Senator Fain. I will say this: Ken if you change your mind and you come back, if you change your mind you wouldn't be the first person in this chamber to do that. I can guarantee you that it's okay to acknowledge all these great things that have been said and still come back next year anyway. Good luck."

MOTION

On motion of Senator Fain, the Senate advanced to the seventh order of business.

PERSONAL PRIVILEGE

Senator Roach: "Thank you Mr. President, members of the senate. Before we get too far into our business today, our important work of closing up, I did want to recognize another person whom I've worked with a number of years. I don't even know how many and that would be Senator Adam Kline who also will not be with us next year. He's elected to spend time with his family, his lovely grand-daughter and others. This is a strange thing here. I'm fairly concerned Republican and I count on Senator Kline to be my progressive Seattle liberal and he has fulfilled all my wishes for him. He is the greatest. So, with the permission of the President?"

REPLY BY THE PRESIDENT

President Owen: "Senator Roach. I assume that you're under a point of personal privilege?"

Senator Roach: "Point of Personal Privilege. I have a gift here for Senator Kline and for those of you that can't see and I did the art work myself. I had to get a book to look at it. I had no idea what this stuff really looks like. Would you indulge us and come over and unveil your gift? So Senator Kline and I have had a lot of fun things we've done together and other things not so fun but we always are friends and I appreciate that. Senator Kline, I am going to let you unwrap this for us and then show it to the crowd."

Senator Kline: "Mr. President, I just hope this is going to be with the rules."

REMARKS BY THE PRESIDENT

President Owen: "Well, let's just cross our fingers."

Senator Roach: "He does this really well. Look how nice and neat. He's always so neat. Look at that. Don't rip the paper."

REMARKS BY THE PRESIDENT

President Owen: "If it's a lousy picture he's just going to frame the outside."

Senator Roach: "Yea, he can frame the art, that's right. Alright, there it is. This is Senator Adam Kline. I have a picture of him holding a AK-47 out at the Black Diamond Gun Club. He's with Brian Judy, the Chief of, West Coast Lobbyist for the NRA."

PERSONAL PRIVILEGE

Senator Kline: "I'm very happy that this is now known to the public after my last election."

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dammeier moved that Takiyah Jackson, Gubernatorial Appointment No. 9120, be confirmed as a member of the Professional Educator Standards Board.

Senator Dammeier spoke in favor of the motion.

APPOINTMENT OF TAKIYAH JACKSON

The President declared the question before the Senate to be the confirmation of Takiyah Jackson, Gubernatorial Appointment No. 9120, as a member of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Takiyah Jackson, Gubernatorial Appointment No. 9120, as a member of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Takiyah Jackson, Gubernatorial Appointment No. 9120, having received the constitutional majority was declared confirmed as a member of the Professional Educator Standards Board.

MOTION

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

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 1260 and asks the Senate to recede therefrom.

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Hatfield moved that the Senate recede from its position in the Senate amendment(s) to Substitute House Bill No. 1260.

The President declared the question before the Senate to be motion by Senator Hatfield that the Senate recede from its position in the Senate amendment(s) to Substitute House Bill No. 1260.

The motion by Senator Hatfield carried and the Senate receded from its position in the Senate amendment(s) to Substitute House Bill No. 1260 by voice vote.

MOTION

On motion of Senator Hatfield, the rules were suspended and Substitute House Bill No. 1260 was returned to second reading for the purposes of amendment.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1260, by House Committee on Capital Budget (originally sponsored by Representatives Warnick and Stanford)

Concerning public facilities' grants and loans.

The measure was read the second time.

MOTION

Senator Hatfield moved that the following striking amendment by Senator Hatfield and others be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.160.010 and 2012 c 225 s 2 are each amended to read as follows:

(1) The legislature finds that it is the ((public)) policy of the state of Washington to ((direct financial resources toward the fostering of economic development through the stimulation of investment and job opportunities and the retention of sustainable existing employment)) employ state and federal resources to foster economic development to promote private investment and to create or retain job opportunities for the general welfare of the inhabitants of the state. Reducing unemployment and reducing the time citizens remain jobless ((is)) are important for the economic welfare of the state.

(2) The legislature finds that a valuable means of fostering economic development is the construction of public facilities which contribute to the stability and growth of the state's economic base. Expenditures made for these purposes as authorized in this chapter are declared to be in the public interest, and constitute a proper use of public funds. ~~((A community economic revitalization board is needed which shall aid the development of economic opportunities. The general objectives of the board should include:~~

~~—(a) Strengthening the economies of areas of the state which have experienced or are expected to experience chronically high unemployment rates or below average growth in their economies;~~

~~—(b) Encouraging the diversification of the economies of the state and regions within the state in order to provide greater seasonal and cyclical stability of income and employment;~~

~~—(c) Encouraging wider access to financial resources for both large and small industrial development projects;~~

~~—(d) Encouraging new economic development or expansions to maximize employment;~~

~~—(e) Encouraging the retention of viable existing firms and employment;~~

~~—(f) Providing incentives for expansion of employment opportunities for groups of state residents that have been less successful relative to other groups in efforts to gain permanent employment; and~~

~~—(g) Enhancing job and business growth through facility development and other improvements in innovation partnership zones designated under RCW 43.330.270.~~

~~—(2)) (3) The legislature also finds that the state's economic~~

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

development efforts can be enhanced by, in certain instances, providing funds to improve state highways, county roads, or city streets for industries considering locating or expanding in this state.

~~((3))~~ (4) The legislature finds it desirable to provide a process whereby the need for diverse public works improvements necessitated by planned economic development can be addressed in a timely fashion and with coordination among all responsible governmental entities.

~~((4))~~ (5) The legislature also finds that the state's economic development efforts can be enhanced by, in certain instances, providing funds to assist development of telecommunications infrastructure that supports business development, retention, and expansion in the state.

~~((5))~~ (6) The legislature also finds that the state's economic development efforts can be enhanced by providing funds to improve markets for those recyclable materials representing a large fraction of the waste stream. The legislature finds that the construction or rehabilitation of public facilities ~~((which))~~ that result in private construction of processing or remanufacturing facilities for recyclable materials ~~((are))~~ is eligible for consideration from the board.

~~((6))~~ (7) The legislature finds that sharing economic growth statewide is important to the welfare of the state. The ability of communities to pursue business and job retention, expansion, and development opportunities depends on their capacity to ready necessary economic development project plans, sites, permits, and infrastructure for private investments. Project-specific planning, predevelopment, and infrastructure are critical ingredients for economic development. ~~((It is, therefore, the intent of the legislature to increase the amount of funding available through the community economic revitalization board and to authorize flexibility for available resources in these areas to help fund planning, predevelopment, and construction costs of infrastructure and facilities and sites that foster economic vitality and diversification.))~~

(8) It is, therefore, the intent of the legislature to create a community economic revitalization board to aid the development of economic opportunities. The general objectives of the board should include:

- (a) Strengthening the economies of areas of the state which have experienced or are expected to experience chronically high unemployment rates or below average growth in their economies;
- (b) Encouraging the diversification of the economies of the state and regions within the state in order to provide greater stability of income and employment;
- (c) Encouraging greater access to financial resources for both large and small industrial development projects;
- (d) Encouraging new economic development or expansions to maximize employment;
- (e) Encouraging the retention of viable existing firms and promoting employment within these firms;
- (f) Providing incentives for expansion of employment opportunities for groups of state residents that have been less successful relative to other groups in efforts to gain permanent employment; and
- (g) Enhancing job and business growth through facility development and other improvements in innovation partnership zones designated under RCW 43.330.270.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.160 RCW to read as follows:

The legislature finds that the community economic revitalization board has successfully acted as an economic development infrastructure financier for local governments. It is, therefore, the intent of the legislature to authorize flexibility for the community economic revitalization board to help fund planning,

predevelopment, and construction costs of infrastructure and facilities and sites that foster economic vitality and diversification.

Sec. 3. RCW 43.160.020 and 2012 c 225 s 3 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the community economic revitalization board.

(2) "Department" means the department of commerce.

(3) "Director" means the director of the department.

~~___~~ (4) "Local government" or "political subdivision" means any port district, county, city, town, special purpose district, and any other municipal corporations or quasi-municipal corporations in the state providing for public facilities under this chapter.

~~((4))~~ (5) "Planning project" means project-specific environmental, capital facilities, land use, permitting, feasibility, and marketing studies and plans; project design, site planning, and analysis; project debt and revenue impact analysis; and economic development industry cluster analysis.

(6) "Project" means a project of a local government or a federally recognized Indian tribe for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of a public facility.

(7) "Public facilities" means ~~((a project of a local government or a federally recognized Indian tribe for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of:))~~ bridges; roads; research, testing, training, and incubation facilities in areas designated as innovation partnership zones under RCW 43.330.270; buildings or structures; domestic and industrial water, earth stabilization, sanitary sewer, storm ~~((sewer))~~ water, railroad, electricity, broadband, telecommunications, transportation, natural gas, and port facilities ~~((; all for the purpose of job creation, job retention, or job expansion)).~~

~~((5))~~ (8) "Rural county" means a county with a population density of fewer than one hundred persons per square mile or a county smaller than two hundred twenty-five square miles, as determined by the office of financial management and published each year by the department for the period July 1st to June 30th.

Sec. 4. RCW 43.160.030 and 2011 1st sp.s. c 21 s 25 are each amended to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board ~~((shall))~~ must consist of one member from each of the two major caucuses of the house of representatives to be appointed by the speaker of the house and one member from each of the two major caucuses of the senate to be appointed by the president of the senate. The board ~~((shall))~~ must also consist of the following members appointed by the director of commerce: A recognized private or public sector economist; one port district official; one county official; one city official; one representative of a federally recognized Indian tribe; one representative of the public; ~~((one))~~ four representatives of small businesses ~~((each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades)); and two executives from large businesses.~~ The appointive members ~~((shall))~~ must initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms ~~((which shall))~~ that must include the chair. Thereafter each succeeding term ~~((shall))~~ must be for three years. The chair of the board ~~((shall))~~ must be selected by the director of commerce. When appointing members, the director must endeavor to ensure equitable geographic representation. The

members of the board (~~((shall))~~ must elect one of their members to serve as (~~((vice chair))~~ vice chair. The director of commerce, the director of revenue, the commissioner of employment security, and the secretary of transportation (~~((shall))~~ must serve as nonvoting advisory members of the board.

(3) (Management services, including fiscal and contract services, shall be provided by the department to assist the board in implementing this chapter.

(4)) Members of the board ((shall)) must be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

~~((5))~~ (4) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the director of commerce (~~((shall))~~ must fill the same for the unexpired term. Members of the board may be removed for malfeasance or misfeasance in office, upon specific written charges by the director of commerce, under chapter 34.05 RCW.

~~((6))~~ (5) A member appointed by the director of commerce may not be absent from more than fifty percent of the regularly scheduled meetings in any one calendar year. Any member who exceeds this absence limitation is deemed to have withdrawn from the office and may be replaced by the director of commerce.

~~((7))~~ (6) A majority of members currently appointed constitutes a quorum.

Sec. 5. RCW 43.160.050 and 2008 c 327 s 4 are each amended to read as follows:

The board may:

(1) Adopt bylaws for the regulation of its affairs and the conduct of its business.

(2) Adopt an official seal and alter the seal at its pleasure.

(3) Utilize the services of other governmental agencies.

(4) Accept from any federal agency loans or grants for the planning or financing of any project and enter into an agreement with the agency respecting the loans or grants.

(5) Conduct examinations and investigations and take testimony at public hearings of any matter material for its information that will assist in determinations related to the exercise of the board's lawful powers.

(6) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter.

(7) Enter into agreements or other transactions with and accept grants and the cooperation of any governmental agency in furtherance of this chapter.

(8) Consistent with the guidelines issued by the office of financial management and in consultation with the department, prepare biennial operating and capital budgets and, as needed, update these budgets during the biennium.

(9) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter.

~~((9))~~ (10) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

NEW SECTION. Sec. 6. A new section is added to chapter 43.160 RCW to read as follows:

Management services, including fiscal and contract services, must be provided by the department to assist the board in implementing this chapter.

NEW SECTION. Sec. 7. A new section is added to chapter 43.160 RCW to read as follows:

(1) In order to assist political subdivisions of the state and federally recognized Indian tribes in financing the cost of public facilities, the board:

(a) Must manage the public facilities construction loan revolving account in such a way as to ensure its sustainability.

(b) Must execute contracts or otherwise financially obligate funds from the public facilities construction loan revolving account

for projects approved for funding by the board under the following programs:

(i) Committed private sector partner construction;

(ii) Prospective development construction;

(iii) Planning; and

(iv) Any other program authorized by the legislature.

(c) Must provide loans to political subdivisions and federally recognized Indian tribes for the purposes of financing the cost of public facilities.

(i) The board must determine the interest rate that loans bear. The interest rate may not exceed ten percent per annum.

(ii) The board may provide reasonable terms and conditions for repayment for loans, including partial forgiveness of loan principal and interest payments on projects located in rural communities as defined by the board, or rural counties. The loans may not exceed twenty years in duration.

(iii) In general, the board must require borrowers to begin repaying loans within one year of final contract execution. The board may authorize borrowers to defer initiating loan repayments for up to five years. A borrower must submit a deferral request to the board in writing and must include justification as to the need.

(d) May provide grants for purposes designated in this chapter, but only when, and to the extent that, a loan is not reasonably possible, given the limited resources of the political subdivision or the federally recognized Indian tribe and the finding by the board that financial circumstances require grant assistance to enable the project to move forward.

(2) No more than twenty-five percent of all financial assistance approved by the board in any biennium may consist of grants to political subdivisions and federally recognized Indian tribes.

(3) Except as authorized to the contrary under subsection (4) of this section, from all funds available to the board for financial assistance in a biennium under this chapter, the board must approve at least seventy-five percent of the first twenty million dollars of funds available and at least fifty percent of any additional funds for financial assistance for projects in rural counties or board defined rural communities.

(4) If at any time during the last six months of a biennium the board finds that the actual and anticipated applications for qualified projects in rural counties or board defined rural communities are clearly insufficient to use up the allocations under subsection (3) of this section, the board must estimate the amount of the insufficiency and during the remainder of the biennium may use that amount of the allocation for financial assistance to projects not located in rural counties or board defined rural communities.

(5) The board may elect to reserve up to one million dollars of its biennial appropriation to use as state match for federal grant awards. The purpose and use of the federal funds must be consistent with the board's purpose of financing economic development infrastructure. Reserved board funds must be matched, at a minimum, dollar for dollar by federal funds. If the set aside funds are not fully utilized for federal grant match by the 18th month of the biennium, the board may use those funds for other eligible projects as stated in this chapter.

NEW SECTION. Sec. 8. A new section is added to chapter 43.160 RCW to read as follows:

The board must:

(1) Establish and maintain collaborative relations with governmental, private, and other financing organizations, advocate groups, and other stakeholders associated with state economic development activities and policies;

(2) Provide information and advice to the governor and legislature on matters related to economic development; and

(3) At the direction of the governor, provide information and advocacy at the national level on matters related to economic development financing.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

NEW SECTION. Sec. 9. A new section is added to chapter 43.160 RCW to read as follows:

(1) Under the committed private sector partner construction program, the board may only provide financial assistance to a project that demonstrates convincing evidence that a specific private sector development or expansion is ready to occur or will occur only if the public facility improvement is made.

(2) Under the prospective development construction program, the board may only provide financial assistance to a project that can demonstrate project feasibility using standard economic principles.

(3)(a) Projects applying under either the committed private sector partner construction program or the prospective development construction program must submit evidence comparing the median hourly wage of the private sector jobs to be created after the project is completed with the countywide median hourly wage for private sector jobs.

(b) The board must award a minimum of fifty percent of the moneys appropriated to it in the omnibus capital appropriations act to projects that are able to demonstrate convincing evidence that the median hourly wage of the private sector jobs created after the project is completed will exceed the countywide median hourly wage for private sector jobs.

(4) The board must give funding priority to eligible projects applying under the committed private sector partner construction program.

NEW SECTION. Sec. 10. A new section is added to chapter 43.160 RCW to read as follows:

(1) The board must prioritize awards for committed private sector partner construction and prospective development construction projects by considering at a minimum the following criteria:

(a) The number of jobs created by the expected business creation or expansion and the average wage of those expected jobs. In evaluating proposals for their job creation potential, the board may adjust the job estimates in applications based on the board's judgment of the credibility of the job estimates;

(b) The need for job creation based on the unemployment rate of the county or counties in which the project is located. When evaluating the jobs created by the project, the board may consider the area labor supply and readily available skill sets of the labor pool in the county or counties surrounding the project location;

(c) How the expected business creation or expansion fits within the region's preferred economic growth strategy as indicated by the efforts of nearby innovation partnership zones, industry clusters, future export prospects, or local government equivalent if available;

(d) The speed with which the project can begin construction;

(e) Whether the proposed project offers a health insurance plan for employees that includes an option for dependents of employees;

(f) Whether the public facility investment will increase existing capacity necessary to accommodate projected population and employment growth in a manner that supports infill and redevelopment of existing urban or industrial areas served by adequate public facilities; and

(g) The extent that the project leverages nonstate funds, and achieves overall the greatest benefit in job creation at good wages for the amount of money provided.

(2) The board may not provide financial assistance:

(a) For a project the primary purpose of which is to facilitate or promote a retail shopping development or expansion;

(b) For any project for which evidence exists that would result in a development or expansion that would displace jobs in any other community in the state;

(c) For a project the primary purpose of which is to facilitate or promote gambling; or

(d) For a project located outside the jurisdiction of the applicant political subdivision or federally recognized Indian tribe.

Sec. 11. RCW 43.160.076 and 2011 c 180 s 301 are each amended to read as follows:

((1) Except as authorized to the contrary under subsection (2) of this section, from all funds available to the board for financial assistance in a biennium under this chapter, the board shall approve at least seventy-five percent of the first twenty million dollars of funds available and at least fifty percent of any additional funds for financial assistance for projects in rural counties.

(2) If at any time during the last six months of a biennium the board finds that the actual and anticipated applications for qualified projects in rural counties are clearly insufficient to use up the allocations under subsection (1) of this section, then the board shall estimate the amount of the insufficiency and during the remainder of the biennium may use that amount of the allocation for financial assistance to projects not located in rural counties.

(3)) The board ((shall)) must solicit qualifying projects to plan, design, and construct public facilities needed to attract new industrial and commercial activities in areas impacted by the closure or potential closure of large coal-fired electric generation facilities, which for the purposes of this section means a facility that emitted more than one million tons of greenhouse gases in any calendar year prior to 2008. The projects should be consistent with any applicable plans for major industrial activity on lands formerly used or designated for surface coal mining and supporting uses under RCW 36.70A.368. When the board receives timely and eligible project applications from a political subdivision of the state for financial assistance for such projects, the board from available funds ((shall)) must give priority consideration to such projects.

Sec. 12. RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each amended to read as follows:

(1) There ((shall)) must be a fund in the state treasury known as the public facilities construction loan revolving account, which ((shall)) consists of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account ((shall)) must be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account ((shall be)) is subject in all respects to chapter 43.88 RCW. During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for community economic revitalization board export assistance grants and loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for matching funds for the federal energy regional innovation cluster in section 1017, chapter 36, Laws of 2010 1st sp. sess.

(2) The moneys in the public facilities construction loan revolving account must be used solely to fulfill commitments arising from financial assistance authorized in this chapter. The total outstanding amount, which the board must dispense at any time pursuant to this section, may not exceed the moneys available from the account.

(3) Repayments of loans made from the public facilities construction loan revolving account under the contracts for public facilities construction loans must be paid into the public facilities construction loan revolving account.

Sec. 13. RCW 43.160.900 and 2008 c 327 s 9 are each amended to read as follows:

(1) The community economic revitalization board ((shall)) must conduct biennial outcome-based evaluations of the financial assistance provided under this chapter. The evaluations ((shall)) must include information on the number of applications for community economic revitalization board assistance; the number and types of projects approved; the grant or loan amount awarded each project; the projected number of jobs created or retained by

each project; the actual number and cost of jobs created or retained by each project; the wages and health benefits associated with the jobs; the amount of state funds and total capital invested in projects; the number and types of businesses assisted by funded projects; the location of funded projects; the transportation infrastructure available for completed projects; the local match and local participation obtained; the number of delinquent loans; and the number of project terminations. The evaluations may also include additional performance measures and recommendations for programmatic changes.

(2)(a) By September 1st of each even-numbered year, the board ~~((shall))~~ must forward its draft evaluation to the Washington state economic development commission for review and comment ~~((as required in section 10 of this act))~~. The board ~~((shall))~~ must provide any additional information as may be requested by the commission for the purpose of its review.

(b) Any written comments or recommendations provided by the commission as a result of its review ~~((shall))~~ must be included in the board's completed evaluation. The evaluation must be presented to the governor and appropriate committees of the legislature by December 31st of each even-numbered year. ~~((The initial evaluation must be submitted by December 31, 2010.))~~

NEW SECTION. Sec. 14. The following acts or parts of acts are each repealed:

(1) RCW 43.160.060 (Loans and grants to political subdivisions and federally recognized Indian tribes for public facilities authorized--Application--Requirements for financial assistance) and 2012 c 196 s 10, 2008 c 327 s 5, 2007 c 231 s 3, & 2004 c 252 s 3;

(2) RCW 43.160.070 (Conditions) and 2008 c 327 s 6, 1999 c 164 s 104, 1998 c 321 s 27, 1997 c 235 s 721, 1996 c 51 s 6, 1990 1st ex.s. c 16 s 802, 1983 1st ex.s. c 60 s 4, & 1982 1st ex.s. c 40 s 7; and

(3) RCW 43.160.078 (Board to familiarize government officials and public with chapter provisions) and 1985 c 446 s 5."

Senators Hatfield, Hewitt and Chase spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Hatfield and others to Substitute House Bill No. 1260.

The motion by Senator Hatfield carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "loans;" strike the remainder of the title and insert "amending RCW 43.160.010, 43.160.020, 43.160.030, 43.160.050, 43.160.076, 43.160.080, and 43.160.900; adding new sections to chapter 43.160 RCW; and repealing RCW 43.160.060, 43.160.070, and 43.160.078."

MOTION

On motion of Senator Hatfield, the rules were suspended, Substitute House Bill No. 1260 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1260 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1260 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 39; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Dammeier, Dansel, Eide, Ericksen, Fain, Frockt, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Litzow, McAuliffe, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Schoesler, Sheldon and Tom

Voting nay: Senators Cleveland, Conway, Darneille, Fraser, Hasegawa, Kohl-Welles, Liias, McCoy, Ranker and Rolfes

SUBSTITUTE HOUSE BILL NO. 1260 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Keiser moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6020.

Senator Keiser spoke in favor of the motion.

POINT OF ORDER

Senator Fain: "Thank you Mr. President. I believe the speaker is getting a little off field."

REPLY BY THE PRESIDENT

President Owen: "Senator Fain has raised a point of order, Senator Keiser that you're getting off. The motion that you made is to concur in the House amendments, so you're discussion must solely be on that concurrence and what is involved in the concurrence."

MOTION

At 3:58 p.m. Senator Fain moved that the Senate be at ease subject to the call of the President.

The President declared the question before the Senate to be the motion by Senator Fain that the Senate go at ease.

The motion by Senator Fain carried by a rising vote.

EVENING SESSION

The Senate was called to order at 5:04 p.m. by President Owen.

Senator Keiser spoke in favor of the motion.

PARLIAMENTARY INQUIRY

Senator Nelson: "Thank you Mr. President. I just want to clarify. I believe this is a fully debatable motion?"

REPLY BY THE PRESIDENT

President Owen: "The motion to concur is, yes."

Senators Honeyford and Baumgartner spoke against the motion.

Senators Mullet and McCoy spoke in favor of the motion.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

Senator McCoy demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Schoesler and Sheldon spoke against the motion.

Senators Liias, Frockt and Nelson spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Keiser that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6020.

ROLL CALL

The Secretary called the roll on the motion by Senator Keiser to concur in the House amendments to Engrossed Substitute Senate Bill No. 6020 and the motion failed and the Senate did not concur in the House amendments to Engrossed Substitute Senate Bill No. 6020 by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Chase, Cleveland, Conway, Darneille, Eide, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hobbs, Keiser, Kline, Kohl-Welles, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Holmquist Newbry, Honeyford, King, Litzow, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Tom

MESSAGE FROM THE HOUSE

March 12, 2014

MR. PRESIDENT:

The House insists on its position regarding the House amendment(s) to SUBSTITUTE SENATE BILL NO. 6283 and asks the Senate to concur thereon. and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Becker moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6283.

Senator Becker spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6283.

The motion by Senator Becker carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6283 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6283, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6283, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

SUBSTITUTE SENATE BILL NO. 6283, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 6002 and has passed the bill as recommended by the Conference Committee.

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2304,

ENGROSSED HOUSE BILL NO. 2397,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

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

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2029,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

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

SUBSTITUTE HOUSE BILL NO. 2175,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING
OF HOUSE BILLS

ESHB 2304 by House Committee on Government Accountability & Oversight (originally sponsored by Representative Moscoso)

AN ACT Relating to marijuana processing and retail licenses; amending RCW 69.50.325, 69.50.354, 69.50.357, 69.50.360, 42.56.270, and 69.50.535; and reenacting and amending RCW 69.50.101.

MOTION

On motion of Senator Fain, under suspension of the rules Engrossed Substitute House Bill No. 2304 was placed on the second reading calendar.

MOTION

On motion of Senator Fain, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2572, by House Committee on Appropriations (originally sponsored by Representative Cody)

Concerning the effectiveness of health care purchasing and transforming the health care delivery system.

The measure was read the second time.

MOTION

Senator Becker moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that the state of Washington has an opportunity to transform its health care delivery system.

(2) The state health care innovation plan establishes the following primary drivers of health transformation, each with individual key actions that are necessary to achieve the objective:

(a) Improve health overall by stressing prevention and early detection of disease and integration of behavioral health;

(b) Developing linkages between the health care delivery system and community; and

(c) Supporting regional collaboratives for communities and populations, improve health care quality, and lower costs.

NEW SECTION. Sec. 2. (1) The health care authority is responsible for coordination, implementation, and administration of interagency efforts and local collaborations of public and private organizations to implement the state health care innovation plan.

(2) Prior to the authority submitting a grant application for innovation plan funding, the authority must consult a neutral actuarial firm not currently contracted with the agency to review the estimated savings with the innovation plan prior to application submission. The plan and the actuarial information must be presented to the joint select committee on health care oversight, including the scope and details of the grant application and any request for proposal, prior to an application submission. The joint committee must review the application in a timely fashion that

enables the grant application, if approved, to be submitted within the required time frame.

(3) The grant application cannot commit the state to any financial obligations beyond the actual grant award amount.

(4) All required federal reporting related to a grant award must be shared with the joint committee at the same time it is submitted to the federal government.

(5) By January 1, 2015, and January 1st of each year through January 1, 2019, the health care authority shall coordinate and submit a status report to the appropriate committees of the legislature regarding implementation of the innovation plan. The report must summarize any actions taken to implement the innovation plan, progress toward achieving the aims of the innovation plan, and anticipated future implementation efforts. In addition, the health care authority shall submit any recommendations for legislation necessary to implement the innovation plan.

NEW SECTION. Sec. 3. (1) The joint select committee on health care oversight is established in statute, continuing the committee created in Engrossed Substitute Senate Concurrent Resolution No. 8401 passed in 2013.

(2) The membership of the joint select committee on health care oversight must consist of the following: (a) The chairs of the health care committees of the senate and the house of representatives, who must serve as cochairs; (b) four additional members of the senate, two each appointed by the leadership of the two largest political parties in the senate; and (c) four additional members of the house of representatives, two each appointed by the leadership of the two largest political parties in the house of representatives. The governor must be invited to appoint, as a liaison to the joint select committee, a person who must be a nonvoting member.

(3) The joint select committee on health care oversight must provide oversight between the health care authority, health benefit exchange, the office of the insurance commissioner, the department of health, and the department of social and health services. The goal must be to ensure that these entities are not duplicating their efforts and are working toward a goal of increased quality of services which will lead to reduced costs to the health care consumer.

(4) The joint select committee on health care oversight must, as necessary, propose legislation to the health care committees and budget recommendations to the ways and means committees of the legislature that aids in their coordination of activities and that leads to better quality and cost savings.

(5) The joint select committee on health care oversight expires on December 31, 2022.

NEW SECTION. Sec. 4. A new section is added to chapter 41.05 RCW to read as follows:

(1) The authority shall, subject to the availability of amounts appropriated or grants received for this specific purpose, award grants to support the development of two pilot projects for a community of health. A community of health is a regionally based, voluntary collaborative. The purpose of the collaborative is to align actions to achieve healthy communities and populations, improve health care quality, and lower costs. Grants may only be used for start-up costs.

(2) The authority shall develop a process for designating an entity as a community of health. An entity seeking designation is eligible if:

(a) It is a nonprofit or public-private partnership, including those led by local public health agencies;

(b) Its membership is broad and incorporates key stakeholders, such as the long-term care system, the health care delivery system, behavioral health, social supports and services, primary care and specialty providers, hospitals, consumers, small and large

SIXTIETH DAY, MARCH 13, 2014

employers, health plans, and public health, with no single entity or organizational cohort serving in a majority capacity; and

(c) It demonstrates an ongoing capacity to:

(i) Lead health improvement activities within the region with other local systems to improve health outcomes and the overall health of the community, improve health care quality, and lower costs; and

(ii) Distribute tools and resources from the health extension program created in section 5 of this act.

(3) In awarding grants under this section, the authority shall consider the extent to which the applicant will:

(a) Base decisions on public input and an active collaboration among key community partners, which can include, but are not limited to, local governments, housing providers, school districts, early learning regional coalitions, large and small businesses, labor organizations, health and human service organizations, tribal governments, health carriers, providers, hospitals, public health agencies, and consumers;

(b) Match the grant funding with funds from other sources; and

(c) Demonstrate capability for sustainability without reliance on state general fund appropriations.

(4) The authority may prioritize applications that commit to providing at least one dollar in matching funds for each grant dollar awarded.

(5) Before grant funds are disbursed, the authority and the applicant must agree on performance requirements.

NEW SECTION. Sec. 5. A new section is added to chapter 43.70 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a health extension program to provide training, tools, and technical assistance to primary care, behavioral health, and other providers. The program must emphasize high quality preventive, chronic disease, and behavioral health care that is comprehensive and evidence-based.

(2) The health extension program must coordinate dissemination of evidence-based tools and resources that promote:

(a) Integration of physical and behavioral health;

(b) Clinical decision support to promote evidence-based care;

(c) Reports of the Robert Bree collaborative created by RCW 70.250.050 and findings of health technology assessments under RCW 70.14.080 through 70.14.130;

(d) Methods of formal assessment;

(e) Support for patients managing their own conditions;

(f) Identification and use of resources that are available in the community for patients and their families, including community health workers; and

(g) Identification of evidence-based models to effectively treat depression and other conditions in primary care settings, such as the program advancing integrated mental health solutions, and others.

(3) The department may adopt rules necessary to implement this section, but may not adopt rules, policies, or procedures beyond the scope of authority granted in this section.

NEW SECTION. Sec. 6. A new section is added to chapter 41.05 RCW to read as follows:

(1) There is created a performance measures committee, the purpose of which is to identify and recommend standard statewide measures of health performance to inform public and private health care purchasers and to propose benchmarks to track costs and improvements in health outcomes.

(2) Members of the committee must include representation from state agencies, small and large employers, health plans, patient groups, federally recognized tribes, consumers, academic experts on health care measurement, hospitals, physicians, and other providers. The governor shall appoint the members of the committee, except that a statewide association representing hospitals may appoint a

2014 REGULAR SESSION

member representing hospitals, and a statewide association representing physicians may appoint a member representing physicians. The governor shall ensure that members represent diverse geographic locations and both rural and urban communities. The chief executive officer of the lead organization must also serve on the committee. The committee must be chaired by the director of the authority.

(3) The committee shall develop a transparent process for selecting performance measures, and the process must include opportunities for public comment.

(4) By January 1, 2015, the committee shall submit the performance measures to the authority. The measures must include dimensions of:

(a) Prevention and screening;

(b) Effective management of chronic conditions;

(c) Key health outcomes;

(d) Care coordination and patient safety; and

(e) Use of the lowest cost, highest quality care for preventive care and acute and chronic conditions.

(5) The committee shall develop a measure set that:

(a) Is of manageable size;

(b) Is based on readily available claims and clinical data;

(c) Gives preference to nationally reported measures and, where nationally reported measures may not be appropriate, measures used by state agencies that purchase health care or commercial health plans;

(d) Focuses on the overall performance of the system, including outcomes and total cost;

(e) Is aligned with the governor's performance management system measures and common measure requirements specific to medicaid delivery systems under RCW 70.320.020 and 43.20A.895;

(f) Considers the needs of different stakeholders and the populations served; and

(g) Is usable by multiple payers, providers, hospitals, purchasers, public health, and communities as part of health improvement, care improvement, provider payment systems, benefit design, and administrative simplification for providers and hospitals.

(6) State agencies shall use the measure set developed under this section to inform purchasing decisions and set benchmarks.

(7) The committee shall establish a public process to periodically evaluate the measure set and make additions or changes to the measure set as needed.

NEW SECTION. Sec. 7. A new section is added to chapter 74.09 RCW to read as follows:

(1) The authority and the department may restructure medicaid procurement of health care services and agreements with managed care systems on a phased basis to better support integrated physical health, mental health, and chemical dependency treatment, consistent with assumptions in Second Substitute Senate Bill No. 6312, Laws of 2014, and recommendations provided by the behavioral health task force. The authority and the department may develop and utilize innovative mechanisms to promote and sustain integrated clinical models of physical and behavioral health care.

(2) The authority and the department may incorporate the following principles into future medicaid procurement efforts aimed at integrating the delivery of physical and behavioral health services:

(a) Medicaid purchasing must support delivery of integrated, person-centered care that addresses the spectrum of individuals' health needs in the context of the communities in which they live and with the availability of care continuity as their health needs change;

(b) Accountability for the client outcomes established in RCW 43.20A.895 and 71.36.025 and performance measures linked to those outcomes;

(c) Medicaid benefit design must recognize that adequate preventive care, crisis intervention, and support services promote a recovery-focused approach;

(d) Evidence-based care interventions and continuous quality improvement must be enforced through contract specifications and performance measures that provide meaningful integration at the patient care level with broadly distributed accountability for results;

(e) Active purchasing and oversight of medicaid managed care contracts is a state responsibility;

(f) A deliberate and flexible system change plan with identified benchmarks to promote system stability, provide continuity of treatment for patients, and protect essential existing behavioral health system infrastructure and capacity; and

(g) Community and organizational readiness are key determinants of implementation timing; a phased approach is therefore desirable.

(3) The principles identified in subsection (2) of this section are not intended to create an individual entitlement to services.

(4) The authority shall increase the use of value based contracting, alternative quality contracting, and other payment incentives that promote quality, efficiency, cost savings, and health improvement, for medicaid and public employee purchasing. The authority shall also implement additional chronic disease management techniques that reduce the subsequent need for hospitalization or readmissions. It is the intent of the legislature that the reforms the authority implements under this subsection are anticipated to reduce extraneous medical costs, across all medical programs, when fully phased in by fiscal year 2017 to generate budget savings identified in the omnibus appropriations act.

NEW SECTION. Sec. 8. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means the health care authority.

(2) "Carrier" and "health carrier" have the same meaning as in RCW 48.43.005.

(3) "Claims data" means the data required by section 11 of this act to be submitted to the database, as defined by the director in rule. "Claims data" includes, but is not limited to, claims data related to health care coverage and services funded, in whole or in part, in the omnibus appropriations act, including coverage and services funded by appropriated and nonappropriated state and federal moneys, for medicaid programs and the public employees benefits board program.

(4) "Database" means the statewide all-payer health care claims database established in section 10 of this act.

(5) "Director" means the director of financial management.

(6) "Lead organization" means the organization selected under section 10 of this act.

(7) "Office" means the office of financial management.

NEW SECTION. Sec. 9. The legislature finds that:

(1) The activities authorized by this chapter will require collaboration among state agencies and local governments that purchase health care, private health carriers, third-party purchasers, health care providers, and hospitals. These activities will identify strategies to increase the quality and effectiveness of health care delivered in Washington state and are therefore in the best interest of the public.

(2) The benefits of collaboration, together with active state supervision, outweigh potential adverse impacts. Therefore, the legislature intends to exempt from state antitrust laws, and provide immunity through the state action doctrine from federal antitrust laws, activities that are undertaken, reviewed, and approved by the office pursuant to this chapter that might otherwise be constrained

by such laws. The legislature does not intend and does not authorize any person or entity to engage in activities not provided for by this chapter, and the legislature neither exempts nor provides immunity for such activities including, but not limited to, agreements among competing providers or carriers to set prices or specific levels of reimbursement for health care services.

NEW SECTION. Sec. 10. (1) The office shall establish a statewide all-payer health care claims database to support transparent public reporting of health care information. The database must improve transparency to: Assist patients, providers, and hospitals to make informed choices about care; enable providers, hospitals, and communities to improve by benchmarking their performance against that of others by focusing on best practices; enable purchasers to identify value, build expectations into their purchasing strategy, and reward improvements over time; and promote competition based on quality and cost.

(2) The director shall select a lead organization to coordinate and manage the database. The lead organization is responsible for internal governance, management, funding, and operations of the database. At the direction of the office, the lead organization shall:

(a) Collect claims data from data suppliers as provided in section 11 of this act;

(b) Design data collection mechanisms with consideration for the time and cost involved in collection and the benefits that measurement would achieve;

(c) Ensure protection of collected data and store and use any data with patient-specific information in a manner that protects patient privacy;

(d) Consistent with the requirements of this chapter, make information from the database available as a resource for public and private entities, including carriers, employers, providers, hospitals, and purchasers of health care;

(e) Report performance on cost and quality pursuant to section 14 of this act using, but not limited to, the performance measures developed under section 6 of this act;

(f) Develop protocols and policies to ensure the quality of data releases;

(g) Develop a plan for the financial sustainability of the database and charge fees not to exceed five thousand dollars for reports and data files as needed to fund the database. Any fees must be approved by the office and must be comparable across data requesters and users; and

(h) Convene advisory committees with the approval and participation of the office, including: (i) A committee on data policy development; and (ii) a committee to establish a data release process consistent with the requirements of this chapter and to provide advice regarding formal data release requests. The advisory committees must include representation from key provider, hospital, payer, public health, health maintenance organization, purchaser, and consumer organizations.

(3) The lead organization governance structure and advisory committees must include representation of the third-party administrator of the uniform medical plan. A payer, health maintenance organization, or third-party administrator must be a data supplier to the all-payer health care claims database to be represented on the lead organization governance structure or advisory committees.

NEW SECTION. Sec. 11. (1) Data suppliers must submit claims data to the database within the time frames established by the director in rule and in accordance with procedures established by the lead organization.

(2) An entity that is not a data supplier but that chooses to participate in the database shall require any third-party administrator utilized by the entity's plan to release, at no additional cost, any claims data related to persons receiving health coverage from the plan.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(3) Each data supplier shall submit an annual status report to the office regarding its compliance with this section. The report to the legislature required by section 2 of this act must include a summary of these status reports.

NEW SECTION. Sec. 12. (1) The claims data provided to the database, the database itself, including the data compilation, and any raw data received from the database are not public records and are exempt from public disclosure under chapter 42.56 RCW.

(2) Claims data obtained in the course of activities undertaken pursuant to or supported under this chapter are not subject to subpoena or similar compulsory process in any civil or criminal, judicial, or administrative proceeding, nor may any individual or organization with lawful access to data under this chapter be compelled to testify with regard to such data, except that data pertaining to a party in litigation may be subject to subpoena or similar compulsory process in an action brought by or on behalf of such individual to enforce any liability arising under this chapter.

NEW SECTION. Sec. 13. (1) Except as otherwise required by law, claims or other data from the database shall only be available for retrieval in original or processed form to public and private requesters pursuant to this section and shall be made available within a reasonable time after the request.

(2) Except as otherwise required by law, the office shall direct the lead organization to maintain the confidentiality of claims or other data it collects for the database that include direct and indirect patient identifiers. Any agency, researcher, or other person that receives claims or other data under this section containing direct or indirect patient identifiers must also maintain confidentiality and may not release such claims or other data except as consistent with this section. The office shall oversee the lead organization's release of data as follows:

(a) Claims or other data that include direct or indirect patient identifiers, as specifically defined in rule, may be released to:

(i) Federal, state, and local government agencies upon receipt of a signed data use agreement with the office and the lead organization; and

(ii) Researchers with approval of an institutional review board upon receipt of a signed confidentiality agreement with the office and the lead organization.

(b) Claims or other data that do not contain direct patient identifiers but that may contain indirect patient identifiers may be released to agencies, researchers, and other persons upon receipt of a signed data use agreement with the lead organization.

(c) Claims or other data that do not contain direct or indirect patient identifiers may be released upon request.

(3) Recipients of claims or other data under subsection (2)(a) or (b) of this section must agree in a data use agreement or a confidentiality agreement to, at a minimum:

(a) Take steps to protect direct and indirect patient identifying information as described in the agreement; and

(b) Not redisclose the data except as authorized in the agreement consistent with the purpose of the agreement or as otherwise required by law.

(4) Recipients of the claims or other data under subsection (2)(b) of this section must not attempt to determine the identity of persons whose information is included in the data set or use the claims or other data in any manner that identifies the individuals or their families.

(5) For purposes of this section, the following definitions apply unless the context clearly requires otherwise.

(a) "Direct patient identifier" means information that identifies a patient.

(b) "Indirect patient identifier" means information that may identify a patient when combined with other information.

NEW SECTION. Sec. 14. (1) Under the supervision of the office, the lead organization shall prepare health care data reports using the database and the statewide health performance and quality measure set, including only those measures that can be completed with readily available claims data. Prior to releasing any health care data reports that use claims data, the lead organization must submit the reports to the office for review and approval.

(2)(a) Health care data reports prepared by the lead organization that use claims data must assist the legislature and the public with awareness and promotion of transparency in the health care market by reporting on:

(i) Whether providers and health systems deliver efficient, high quality care; and

(ii) Geographic and other variations in medical care and costs as demonstrated by data available to the lead organization.

(b) Measures in the health care data reports should be stratified by demography, income, language, health status, and geography when feasible with available data to identify disparities in care and successful efforts to reduce disparities.

(c) Comparisons of costs among providers and health care systems must account for differences in acuity of patients, as appropriate and feasible, and must take into consideration the cost impact of subsidization for uninsured and governmental patients, as well as teaching expenses, when feasible with available data.

(3) The lead organization may not publish any data or health care data reports that:

(a) Directly or indirectly identify patients; or

(b) Disclose specific terms of contracts, discounts, or fixed reimbursement arrangements or other specific reimbursement arrangements between an individual provider and a specific payer.

(4) The lead organization may not release a report that compares and identifies providers, hospitals, or data suppliers unless it:

(a) Allows the data supplier, the hospital, or the provider to verify the accuracy of the information submitted to the lead organization and submit to the lead organization any corrections of errors with supporting evidence and comments within forty-five days of receipt of the report; and

(b) Corrects data found to be in error within a reasonable amount of time.

(5) The office and the lead organization may use claims data to identify and make available information on payers, providers, and facilities, but may not use claims data to recommend or incentivize direct contracting between providers and employers.

(6) The lead organization shall ensure that no individual data supplier comprises more than twenty-five percent of the claims data used in any report or other analysis generated from the database. For purposes of this subsection, a "data supplier" means a carrier and any self-insured employer that uses the carrier's provider contracts.

NEW SECTION. Sec. 15. (1) The director shall adopt any rules necessary to implement this chapter, including:

(a) Definitions of claim and data files that data suppliers must submit to the database, including: Files for covered medical services, pharmacy claims, and dental claims; member eligibility and enrollment data; and provider data with necessary identifiers;

(b) Deadlines for submission of claim files;

(c) Penalties for failure to submit claim files as required;

(d) Procedures for ensuring that all data received from data suppliers are securely collected and stored in compliance with state and federal law; and

(e) Procedures for ensuring compliance with state and federal privacy laws.

(2) The director may not adopt rules, policies, or procedures beyond the authority granted in this chapter.

NEW SECTION. Sec. 16. A new section is added to chapter 48.02 RCW to read as follows:

(1) The commissioner may not use data acquired from the statewide all-payer health care claims database created in section 10 of this act for purposes of reviewing rates pursuant to this title.

(2) The commissioner's authority to access data from any other source for rate review pursuant to this title is not otherwise curtailed, even if that data may have been separately submitted to the statewide all-payer health care claims database.

Sec. 17. RCW 42.56.360 and 2013 c 19 s 47 are each amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

(k) Data and information exempt from disclosure under section 12 of this act.

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

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

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

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

Sec. 18. RCW 70.02.045 and 2000 c 5 s 2 are each amended to read as follows:

Third-party payors shall not release health care information disclosed under this chapter, except as required by chapter 43--- RCW (the new chapter created in section 22 of this act) and to the extent that health care providers are authorized to do so under RCW 70.02.050.

NEW SECTION. Sec. 19. 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. 20. Section 3 of this act constitutes a new chapter in Title 44 RCW.

NEW SECTION. Sec. 21. Section 4 of this act expires July 1, 2020.

NEW SECTION. Sec. 22. Sections 8 through 15 of this act constitute a new chapter in Title 43 RCW."

Senator Becker spoke in favor of adoption of the committee striking amendment.

MOTION

Senator Becker moved that the following amendment by Senator Becker to the committee striking amendment be adopted:

On page 4, line 11 of the amendment, after "requirements." Insert the following:

"(6) The authority may adopt rules necessary to implement this section, but may not adopt rules, policies, or procedures beyond the scope of the authority granted in this section."

On page 6, line 11 of the amendment, after "inform" insert "and set benchmarks for"

and after "decisions" strike "and set benchmarks"

On page 7, line 35 of the amendment, after "includes" strike ", but is not limited to," and insert ": (a)"

On page 8, line 3 of the amendment, after "program" insert "; and (b) Claims data voluntarily provided by other data suppliers, including carriers and self-funded employers"

On page 9, line 26 of the amendment, after "dollars" insert "unless otherwise negotiated"

On page 10, line 11 of the amendment, after "release: strike ", at no additional cost,"

On page 12, line 31 of the amendment, after "patients;" strike "or" and on line 34 after "payer" insert the following: "; or (c) Compares performance in a report generated for the general public that includes any provider in a practice with fewer than five providers"

Senator Becker spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Becker on page 4, line 11 to the committee striking amendment to Engrossed Second Substitute House Bill No. 2572.

The motion by Senator Becker carried and the amendment to the committee striking amendment was adopted by voice vote.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

MOTION

Senator Keiser moved that the following amendment by Senators Keiser and Hobbs to the committee striking amendment be adopted:

On page 8, line 2 of the amendment after "moneys" strike the remainder of the sentence and insert "(4) "Data supplier" means a health carrier or an employer that provides health insurance to its employees. It does not include any entity, other than a state or local governmental entity, that is self-insured."

Renumber the remaining subsections consecutively.

Senators Keiser and Mullet spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Becker spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Keiser and Hobbs on page 8, line 2 to the committee striking amendment to Engrossed Second Substitute House Bill No. 2572.

The motion by Senator Keiser failed and the amendment to the committee striking amendment as not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means as amended to Engrossed Second Substitute House Bill No. 2572.

The motion by Senator Becker carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 5 of the title, after "supports;" strike the remainder of the title and insert "amending RCW 42.56.360 and 70.02.045; adding new sections to chapter 41.05 RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 48.02 RCW; adding a new chapter to Title 44 RCW; adding a new chapter to Title 43 RCW; creating new sections; and providing an expiration date."

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Second Substitute House Bill No. 2572 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker, Conway and Keiser spoke in favor of passage of the bill.

Senator Parlette spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2572 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2572 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hill, Hobbs, Keiser, King,

Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes, Schoesler and Tom

Voting nay: Senators Angel, Bailey, Baumgartner, Benton, Brown, Danel, Ericksen, Hewitt, Holmquist Newbry, Honeyford, O'Ban, Padden, Parlette, Pearson, Rivers, Roach and Sheldon

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2572 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2207, by House Committee on Appropriations (originally sponsored by Representatives Haigh, Orcutt, Haler, Tharinger, Blake, Short, Van De Wege, Fagan, Magendanz and Buys)

Eliminating the reduction in state basic education funding that occurs in counties with federal forest lands.

The measure was read the second time.

MOTION

On motion of Senator Hill, the rules were suspended, Engrossed Second Substitute House Bill No. 2207 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill, Hargrove, Ericksen, Danel and Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2207.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2207 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Voting nay: Senators Hasegawa and Liias

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6040,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6518,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6552.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2304, by House Committee on Government Accountability & Oversight (originally sponsored by Representative Moscoso)

Concerning marijuana processing and retail licenses.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute House Bill No. 2304 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rivers spoke in favor of passage of the bill.

POINT OF ORDER

Senator Padden: "How many votes, Mr. President, does it take to pass this bill?"

REPLY BY THE PRESIDENT

President Owen: "Thirty-three Senator, two-thirds."

Senators Conway and Kohl-Welles spoke in favor of passage of the bill.

PARLIAMENTARY INQUIRY

Senator Benton: "I'm looking for some paperwork on this bill and I can't seem to find it. I apologize for that but was it amended here on the floor? Are there amendments? I didn't see any amendments. Is this a conference report? How do we know exactly what's in this bill? I don't see it in my bill book and I think it's been changed from that point anyway. So, I'm just wondering if there is some paperwork on this bill that had been distributed sometime today?"

REPLY BY THE PRESIDENT

President Owen: "Senator Benton, the President can't speak as to what materials have been passed out to you. You will have to take that up with your leadership or the Secretary of the Senate. I can't answer the questions that there were no amendments. The bill is a House bill."

POINT OF ORDER

Senator Padden: "Is there a requirement Mr. President that our Rules that we have a printed copy of the bills and analysis before we vote on them?"

REPLY BY THE PRESIDENT

President Owen: "Senator Padden, there is no rule. You can request it and any member that requests will be granted that."

Senator Padden: "I would make that request Mr. President. I think we got to have the bills here before we vote on them."

REPLY BY THE PRESIDENT

President Owen: "Senator Padden, specifically you're asking for a copy of the bill? It will be done."

MOTION

Senator Fain moved that further consideration of Engrossed Substitute House Bill No. 2304 be deferred and the bill hold its place on the third reading calendar.

REMARKS BY SENATOR KOHL-WELLES

Senator Kohl-Welles: "Mr. President I would like to note that for those of us who do have our Senate lap tops with us we can look on line and see the, all the different versions of the bills. What happened in the House. How the bill was engrossed. We can also read the bill reports and I believe that we do keep copies of the bills up by the Senate rostrum. I don't know if this particular bill is there because it just came over from the House. I've noted that Senator Benton's point is a good one though. We have not had copies of the bills, many of the bills we've been doing and that happens on sine die. I think we all get a little frustrated but with the speed of bills going back and forth, that's what happens."

The President declared the question before the Senate to be the motion by Senator Fain that further consideration of Engrossed Substitute House Bill No. 2304 be deferred and the bill hold its place on the third reading calendar.

The motion by Senator Fain carried by a voice vote.

MOTION

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

REPORT OF THE CONFERENCE COMMITTEE

Engrossed Substitute Senate Bill No. 6002

March 13, 2014

MR. PRESIDENT:

MR. SPEAKER:

We of your conference committee, to whom was referred Engrossed Substitute Senate Bill No. 6002, have had the same under consideration and recommend that all previous amendments not be adopted and that the following striking amendment be adopted:

Strike everything after the enacting clause and insert the following:

"PART I GENERAL GOVERNMENT

Sec. 101. 2013 2nd sp.s. c 4 s 101 (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES	
General Fund--State Appropriation (FY 2014)	-
.....	(((\$30,789,000))
.....	\$30,923,000
General Fund--State Appropriation (FY 2015)	.....
.....	(((\$31,075,000))
.....	\$30,810,000
Motor Vehicle Account--State Appropriation	.....
.....	\$1,765,000
TOTAL APPROPRIATION	.....(((\$63,629,000))

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

.....\$63,498,000
 The appropriations in this section are subject to the following conditions and limitations: A joint select task force on nuclear energy is created to study the generation of energy in the region through the use of nuclear power. The task force must report any findings and recommendations to the legislature by December 1, 2014.

(1) In its deliberations, the task force must consider the greatest amount of environmental benefit for each dollar spent based on the life-cycle cost of any nuclear power technology. Life-cycle costs must include the storage and disposal of any nuclear wastes.

(2) The task force must consist of eight members that serve on the legislative standing committees with primary jurisdiction over energy issues. The president of the senate shall appoint two members from the majority caucus, two members from the minority caucus, and an alternate. The speaker of the house of representatives shall appoint two members from each caucus and an alternate.

(3) The members of the task force shall select from among their members a chair and other officers as the task force deems appropriate.

(4) The task force must hold no more than four meetings, with two of those meetings in Richland, Washington.

(5) The task force must be staffed by senate committee services and the office of program research of the house of representatives.

(6) The task force terminates December 15, 2014.

Sec. 102. 2013 2nd sp.s. c 4 s 102 (uncodified) is amended to read as follows:

FOR THE SENATE

General Fund--State Appropriation (FY 2014)	.....(((\$21,150,000))
.....	.....\$21,240,000
General Fund--State Appropriation (FY 2015)	.....
.....	.....(((\$23,405,000))
.....	.....\$23,216,000
Motor Vehicle Account--State Appropriation	.....
.....	.....\$1,514,000
TOTAL APPROPRIATION	.....(((\$46,069,000))
.....	.....\$45,970,000

The appropriations in this section are subject to the following conditions and limitations: A joint select task force on nuclear energy is created to study the generation of energy in the region through the use of nuclear power. The task force must report any findings and recommendations to the legislature by December 1, 2014.

(1) In its deliberations, the task force must consider the greatest amount of environmental benefit for each dollar spent based on the life-cycle cost of any nuclear power technology. Life-cycle costs must include the storage and disposal of any nuclear wastes.

(2) The task force must consist of eight members that serve on the legislative standing committees with primary jurisdiction over energy issues. The president of the senate shall appoint two members from the majority caucus, two members from the minority caucus, and an alternate. The speaker of the house of representatives shall appoint two members from each caucus and an alternate.

(3) The members of the task force shall select from among their members a chair and other officers as the task force deems appropriate.

(4) The task force must hold no more than four meetings, with two of those meetings in Richland, Washington.

(5) The task force must be staffed by senate committee services and the office of program research of the house of representatives.

(6) The task force terminates December 15, 2014.

Sec. 103. 2013 2nd sp.s. c 4 s 103 (uncodified) is amended to read as follows:

FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

General Fund--State Appropriation (FY 2014)	.....
.....	.....\$62,000
General Fund--State Appropriation (FY 2015)	.....
.....	.....(((\$111,000))
.....	.....\$85,000
Performance Audits of Government Account--State	.....
Appropriation	.....\$5,641,000
Medical Aid Account--State Appropriation	.....
.....	.....\$332,000
Accident Account--State Appropriation	.....\$332,000
TOTAL APPROPRIATION	.....(((\$6,478,000))
.....	.....\$6,452,000

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

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2013-15 work plan as necessary to efficiently manage workload.

(2) \$332,000 of the medical aid account--state appropriation and \$332,000 of the accident account--state appropriation are provided for the purposes of chapter 37, Laws of 2011 (workers' compensation).

(3) \$323,000 of the performance audits of government account--state appropriation is provided for consultant and staff costs related to the economic analysis of tax preferences as directed by chapter 43.136 RCW.

(4) The joint legislative audit and review committee shall conduct an audit of Washington's state research universities. The purpose of the audit is to identify cost and profit centers within, and in partnership with, the research universities. The audit must focus on public funds; student fees, in particular tuition; and auxiliary enterprises, which for the purposes of the audit at the University of Washington includes University of Washington medical center, the internal lending program, the W fund, and the center for commercialization. The audit at each university must achieve the following:

(a) Assess the university's policies and practices for tracking per-student expenditures for instruction and identify the average amount per student that the university has spent on instruction for undergraduate students in each of the past five fiscal years;

(b) Obtain the university's definition of auxiliary enterprises and determine the number of auxiliary enterprises, including the University of Washington medical center, the University of Washington internal lending program, the W fund, and the center for commercialization, that exist in the university system, the methods the university uses to track revenue and expenditures of auxiliary enterprises, and the policies and practices the university has in place to ensure that state funding is not used to supplement or guarantee projects or programs authorized by auxiliary enterprises;

(c) Identify how much money is being spent on undergraduate education and to what extent undergraduate education is subsidizing graduate education; and

(d) Determine how tuition funds are being used and to what extent they are being used to fund the University of Washington medical center, the University of Washington internal lending program, the W fund, and the center for commercialization and to back bonds authorized by the university.

(5) The committee shall conduct a study of the current methods of collecting legal financial obligations and compare those methods with other debt collection methods, including contracting for debt collection of legal financial obligations. The study shall include analysis of the costs and revenues of current methods and compare those to alternatives, and include analysis of the impact of current

methods and alternatives to revenues received by the state. Included shall be an examination of costs and revenue generation before and after the implementation of chapter 379, Laws of 2003 (SSB 5990) and chapter 362, Laws of 2005 (SSB 5256) and analysis of whether these changes met the legislative goals of reducing costs and increasing collections. A report on the results of the analysis shall be presented to the appropriate committees of the legislature by December 2014.

(6) The committee shall conduct a study of economic development programs and projects supported by the state general fund in the department of commerce. The study shall first review the extent to which these programs: (a) Included specific economic development targets; (b) monitored economic development targets; (c) required for programs which provided support or services through contracts, whether the contracts were structured such that if economic development targets were not met, contracts were reviewed or revised; and (d) changed the economic development targets of associate development organizations relative to funding increases since 2007. The study will include the feasibility of determining how to isolate other factors, such as general economic trends, from the impacts of economic development programs. The costs and options for conducting future analysis of the outcomes specific to economic development programs shall be included and a briefing report shall be provided to the appropriate committees of the legislature by December 1, 2013. A complete report with study data and conclusions shall be provided to the appropriate committees of the legislature by December 1, 2014.

(7) The committee shall analyze the incidence and level of taxation and business incentives available to the financial services industry in Washington State, and identify the relative differences in taxes and business incentives compared to California. A report shall be provided to the appropriate committees of the legislature by December 1, 2014.

(8) The committee shall conduct an analysis of how school districts use school days. The analysis must include:

- (a) How school districts define classroom time, nonclassroom time, instructional time, noninstructional time, and any other definitions of how the school day is divided or used;
- (b) Estimates of time in each category;
- (c) How noninstructional time is distributed over the annual number of school days;
- (d) When noninstructional hours occur;
- (e) How noninstructional hours are used, including how much noninstructional time is devoted to professional development for the purposes of teacher and principal evaluation training or common core state standards training; and
- (f) The extent to which the use of each category of time is identified or defined in collective bargaining agreements.

To the extent data is not available at the statewide level, the committee may use case studies or other methods to conduct the analysis. The committee shall submit a report of its findings to the education committees of the legislature by December 1, 2014.

(9) The committee shall review funding enhancement formulas that provide minimum staffing unit funding to small school districts and districts with school plants that have been judged by the state board of education to be remote and necessary. The committee will make an assessment of the current formulas and report any recommended adjustments to the legislative fiscal committees of the senate and the house of representatives by November 1, 2014. In assessing the current formulas, the committee may consider: Enhancements being made to basic education funding in the 2013-2015 omnibus appropriations act and committed to under Engrossed Substitute House Bill No. 2261 (chapter 548, Laws of 2009) and Substitute House Bill No. 2776 (chapter 236, Laws of 2010); developments in technology or educational service delivery since the formulas were established; practices in other states;

districts' ability to provide students with access to a program of education; and inter-district equity.

~~((42))~~ (10) In carrying out the report required by RCW 44.28.157, the committee shall include by December 2014, an analysis of the impacts of using the Washington health benefit exchange established in chapter 43.71 RCW as a mechanism for providing health insurance for part-time certificated and classified K-12 public school employees. The analysis shall be conducted in coordination with the health care authority and shall include a review of how the exchange, federal health premium tax credits and subsidies for out-of-pocket expenses administered through the exchange, and Medicaid expansion have impacted, or could impact, health care costs for individuals, school districts, and the state. The analysis shall also include a review of the cost of stand-alone dental plans.

(11) The committee shall conduct an analysis of the changes to modifying the medicaid dispensing methods for contraceptive drugs in section 213(48) chapter 4, Laws of 2013 2nd special session. The analysis must include:

- (a) Whether the changes to contraceptive methods are achieving the assumed budget savings; and
- (b) A determination of whether a twelve-month supply is an optimal level of supply to achieve assumed savings at the lowest state cost.

Sec. 104. 2013 2nd sp.s. c 4 s 104 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund--State Appropriation (FY 2014) .....	.....
.....	.....(\$1,653,000)
.....	.....\$1,642,000
General Fund--State Appropriation (FY 2015) .....	.....
.....	.....(\$1,811,000)
.....	.....\$1,788,000
TOTAL APPROPRIATION .....	.....(\$3,464,000)
.....	.....\$3,430,000

Sec. 105. 2013 2nd sp.s. c 4 s 105 (uncodified) is amended to read as follows:

FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE

General Fund--State Appropriation (FY 2014) .....	.....
.....	.....(\$8,004,000)
.....	.....\$8,062,000
General Fund--State Appropriation (FY 2015) .....	.....
.....	.....(\$7,973,000)
.....	.....\$7,976,000
TOTAL APPROPRIATION .....	.....(\$15,977,000)
.....	.....\$16,038,000

Sec. 106. 2013 2nd sp.s. c 4 s 106 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund--State Appropriation (FY 2015) .....	.....
.....	.....\$163,000
General Fund--Federal Appropriation .....	.....\$163,000
State Health Care Administration Account--State	
Appropriation .....	.....\$227,000
Department of Retirement Systems Expense	
Account--State Appropriation .....	.....(\$3,529,000)
.....	.....\$3,527,000
TOTAL APPROPRIATION .....	.....\$4,080,000

The appropriations in this section are subject to the following conditions and limitations: \$163,000 of the general fund--state appropriation for fiscal year 2015, \$163,000 of the general fund--federal appropriation, and \$227,000 of the state health care administration account appropriation are provided to improve the legislature's access to independent and objective health care

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

actuarial analysis for the state medicaid and public employee benefits programs.

Sec. 107. 2013 2nd sp.s. c 4 s 107 (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund--State Appropriation (FY 2014)	.....	.....
	.....	..(\$3,895,000)
	.....	.....\$3,896,000
General Fund--State Appropriation (FY 2015)	.....	.....
	.....	..(\$4,102,000)
	.....	.....\$4,053,000
TOTAL APPROPRIATION	.....	..(\$7,997,000)
	.....	.....\$7,949,000

Sec. 108. 2013 2nd sp.s. c 4 s 108 (uncodified) is amended to read as follows:

FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES

General Fund--State Appropriation (FY 2014)	.....	.....
	.....	..(\$3,686,000)
	.....	.....\$3,558,000
General Fund--State Appropriation (FY 2015)	.....	.....
	.....	..(\$3,684,000)
	.....	.....\$3,820,000
TOTAL APPROPRIATION	.....	..(\$7,370,000)
	.....	.....\$7,378,000

Sec. 109. 2013 2nd sp.s. c 4 s 110 (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund--State Appropriation (FY 2014)	.....	.....
	.....	..(\$6,911,000)
	.....	.....\$7,028,000
General Fund--State Appropriation (FY 2015)	.....	.....
	.....	..(\$6,836,000)
	.....	.....\$6,813,000
TOTAL APPROPRIATION	.....	..(\$13,747,000)
	.....	.....\$13,841,000

Sec. 110. 2013 2nd sp.s. c 4 s 111 (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund--State Appropriation (FY 2014)	.....	.....
	.....	..(\$1,481,000)
	.....	.....\$1,484,000
General Fund--State Appropriation (FY 2015)	.....	.....
	.....	..(\$1,468,000)
	.....	.....\$1,457,000
TOTAL APPROPRIATION	.....	..(\$2,949,000)
	.....	.....\$2,941,000

Sec. 111. 2013 2nd sp.s. c 4 s 112 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund--State Appropriation (FY 2014)	.....	.....
	.....	..(\$1,068,000)
	.....	.....\$1,071,000
General Fund--State Appropriation (FY 2015)	.....	.....
	.....	..(\$994,000)
	.....	.....\$997,000
TOTAL APPROPRIATION	.....	..(\$2,062,000)
	.....	.....\$2,068,000

Sec. 112. 2013 2nd sp.s. c 4 s 113 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund--State Appropriation (FY 2014)	.....	.....
	.....	..(\$15,691,000)
	.....	.....\$15,865,000
General Fund--State Appropriation (FY 2015)	.....	.....
	.....	..(\$15,685,000)

.....	.....	.....\$15,811,000
TOTAL APPROPRIATION	.....	..(\$31,376,000)
	.....	.....\$31,676,000

Sec. 113. 2013 2nd sp.s. c 4 s 114 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund--State Appropriation (FY 2014)	.....	.....
	.....	..(\$51,085,000)
	.....	.....\$51,403,000
General Fund--State Appropriation (FY 2015)	.....	.....
	.....	..(\$50,771,000)
	.....	.....\$50,987,000
General Fund--Federal Appropriation	.....	.....
	.....	..(\$2,125,000)
	.....	.....\$2,123,000
General Fund--Private/Local Appropriation	.....	.....
	.....	..(\$658,000)
	.....	.....\$657,000
Judicial Information Systems Account--State	.....	.....
Appropriation	.....	..(\$46,611,000)
	.....	.....\$53,517,000
Judicial Stabilization Trust Account--State	.....	.....
Appropriation	.....	.....\$6,691,000
TOTAL APPROPRIATION	.....	..(\$157,941,000)
	.....	.....\$165,378,000

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

(1) \$1,500,000 of the judicial information systems account--state appropriation is provided solely for development and implementation of the information network hub project.

(2) \$2,138,000 of the judicial information systems account--state appropriation is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades.

~~((4))~~ (3) The distributions made under this subsection and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

~~((5))~~ (4) \$1,199,000 of the judicial information systems account--state appropriation is provided solely for replacing computer equipment at state courts and state judicial agencies.

~~((6))~~ (5) ~~(\$108,000 of the general fund--state appropriation for fiscal year 2014 and)~~ \$108,000 of the general fund--state appropriation for fiscal year 2015 ~~(are)~~ is provided solely for the implementation of chapter 210, Laws of 2013 (Senate Bill No. 5052) (superior court judges Whatcom county). The funds provided in this subsection shall be expended only if the fourth superior court judge position in Whatcom county is appointed and serving on the bench.

~~((7))~~ (6) ~~(\$108,000 of the general fund--state appropriation for fiscal year 2014 and)~~ \$108,000 of the general fund--state appropriation for fiscal year 2015 ~~(are)~~ is provided solely for the implementation of chapter 142, Laws of 2013 (House Bill No. 1175) (superior court judges Benton/Franklin counties). The funds provided in this subsection shall be expended only if the seventh superior court judge position in Benton and Franklin counties jointly is appointed and serving on the bench.

((8)) \$11,300,000 of the judicial information systems account--state appropriation is provided solely for continued implementation of the superior court case management system project. The administrative office of the courts, in consultation with the judicial information systems committee, the superior court case management system project steering committee, and the office of the chief information officer shall develop a revised charter to

implement the next phases of the superior court case management system. The revised charter shall insure that the superior court case management system project steering committee continues to provide contract oversight, in collaboration with the judicial information system committee, through the implementation period and various phases of the project. Oversight responsibilities throughout the various phases of the project must include, but are not limited to, vendor management, contract and deliverable management, and assuring satisfaction of the business and technical needs at the local level. The superior court case management system project steering committee may solicit input from user groups as deemed appropriate. The revised charter shall be approved by the judicial information systems committee)) (7) \$16,606,000 of the judicial information systems account--state appropriation is provided solely for continued implementation of the superior court case management system project. The administrative office of the courts, in consultation with the judicial information systems committee and the office of the chief information officer shall develop a revised superior court case management steering committee charter to implement the next phases of the superior court case management system. The steering committee members shall be appointed by the judicial information systems committee and shall consist of two members representing each of the following groups: Court administrators, superior court judges, county clerks, and the administrative office of the courts. The revised charter shall insure that voting members of the steering committee represent the administrative office of the courts and those courts that have implemented, or have committed to implement, the statewide superior court vendor solution as selected by the judicial information systems committee. The revised charter shall also insure that the superior court case management system project steering committee continues to provide contract oversight in collaboration with the judicial information system committee through the implementation period. Oversight responsibilities of the steering committee throughout the various phases of the project must include, but are not limited to, vendor management, contract and deliverable management, assuring reasonable satisfaction of the business and technical needs at the local level, receipt of stakeholder feedback, and communication between the various stakeholder groups and the judicial information systems committee. Issues of significant scope, schedule or budget changes, and risk mitigation strategies must be escalated to the judicial information systems committee for consideration. In the event that a majority of the steering committee members cannot reach a decision, the issue must be escalated to the judicial information systems committee for consideration. The superior court case management system project steering committee may solicit input from user groups as deemed appropriate. The revised charter shall be approved by the judicial information systems committee.

~~((9))~~ (8) \$1,399,000 of the general fund--state appropriation for fiscal year 2014 and \$1,399,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

~~((10))~~ (9)(a) \$7,313,000 of the general fund--state appropriation for fiscal year 2014 and \$7,313,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for distribution to county juvenile court administrators to fund the costs

of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula shall neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2013-2015 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate fiscal committees no later than 60 days after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

~~((11))~~ (10) \$274,000 of the general fund--state appropriation for fiscal year 2014 and \$274,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the office of public guardianship to continue guardianship services for those low-income incapacitated persons who were receiving services on June 30, 2013.

~~((12) \$333,000)~~ (11) \$1,426,000 of the judicial information systems account--state appropriation is provided solely for the content management system for the appellate courts.

(12) The administrative office of the courts and the judicial information systems committee shall develop statewide superior court data collection and exchange standards. Upon implementation, these standards must be met by each superior court in order to continue to receive judicial information systems account funding or equipment and services funded by the account. For those courts that do not use the statewide superior court vendor solution as chosen by the judicial information systems committee, judicial information systems account funds may not be allocated for (a) the costs to meet the data collection and exchange standards developed by administrative office of the courts and judicial information systems committee, and (b) the costs to develop and implement local court case management systems.

(13) \$200,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the office of public guardianship for the purpose of providing guardianship services to low income and indigent alleged or actual incapacitated persons.

Sec. 114. 2013 2nd sp.s. c 4 s 115 (uncodified) is amended to read as follows:

FOR THE OFFICE OF PUBLIC DEFENSE General Fund--State Appropriation (FY 2014)	.....(((\$30,410,000))
	.....\$30,912,000
General Fund--State Appropriation (FY 2015)	.....
	.....(((\$33,719,000))
	.....\$35,475,000
Judicial Stabilization Trust Account--State Appropriation	.....\$3,648,000
General Fund--Federal Appropriation	.....(((\$152,000))
	.....\$304,000
TOTAL APPROPRIATION	.....(((\$67,929,000))
	.....\$70,339,000

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

(1) The amounts provided include funding for expert and investigative services in death penalty personal restraint petitions.

(2) \$3,378,000 of the general fund--state appropriation for fiscal year 2015 is provided solely to expand the parents representation

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

program into Asotin, Columbia, Garfield, King, Whatcom, and Whitman counties.

(3) \$225,000 of the general fund--state appropriation for fiscal year 2014 and \$1,721,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for parents representation program costs related to increased parental rights termination filings from the department of social and health services permanency initiative.

(4) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the immigration consequences advisement program at the Washington defenders association.

Sec. 115. 2013 2nd sp.s. c 4 s 116 (uncodified) is amended to read as follows:

FOR THE OFFICE OF CIVIL LEGAL AID

General Fund--State Appropriation (FY 2014)	.....	.....
		..(\$10,862,000)
		.....\$10,910,000
General Fund--State Appropriation (FY 2015)	.....	.....
		..(\$10,870,000)
		.....\$12,105,000
Judicial Stabilization Trust Account--State		
Appropriation	.....	..(\$1,454,000)
		.....\$1,453,000
TOTAL APPROPRIATION	.....	..(\$23,186,000)
		.....\$24,468,000

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

(1) An amount not to exceed \$40,000 of the general fund--state appropriation for fiscal year 2014 and an amount not to exceed \$40,000 of the general fund--state appropriation for fiscal year 2015 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are sixty years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(2) \$48,000 of the general fund--state appropriation for fiscal year 2014 and \$956,000 of the general fund--state appropriation for fiscal year 2015 is provided solely to implement Engrossed Second Substitute Senate Bill No. 6126 (representation of children in dependency matters) and to fund the cost of legal services. The office is authorized to include in its contracts with counties provisions to reduce reimbursement levels, impose case funding limits or other measures to remain within appropriated amounts. If the bill is not enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

Sec. 116. 2013 2nd sp.s. c 4 s 117 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund--State Appropriation (FY 2014)	.....	.....
		..(\$5,509,000)
		.....\$5,565,000
General Fund--State Appropriation (FY 2015)	.....	.....
		..(\$5,217,000)
		.....\$5,225,000
Economic Development Strategic Reserve Account--State		
Appropriation	.....	\$4,000,000
TOTAL APPROPRIATION	.....	..(\$14,726,000)
		.....\$14,790,000

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

(1) \$4,000,000 of the economic development strategic reserve account appropriation is provided solely for efforts to assist with currently active industrial recruitment efforts that will bring new

jobs to the state or will retain headquarter locations of major companies currently housed in the state.

(2) \$684,000 of the general fund--state appropriation for fiscal year 2014 and \$684,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the office of the education ombudsman.

(3) \$258,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5802 (greenhouse gas emissions). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(4) \$35,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the implementation of Second Substitute House Bill No. 1709 (foreign language interpreters). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(5) \$50,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the office of the education ombuds to provide special education ombuds services. Beginning in fiscal year 2015, the superintendent of public instruction must enter into an interagency agreement with the office of the education ombuds to provide support for additional special education ombuds services.

(6) Within appropriated funds, the office of the education ombuds shall develop a scope of work and proposed plan for a task force on success for students with special needs that will: (a) Define and assess barriers that students placed or qualified to be placed in special education and students with a plan for accommodation under section 504 of the federal rehabilitation act of 1973 face in earning a high school diploma and fully accessing the educational program provided by the public schools; and (b) outline recommendations for systemic changes and successful models for education and service delivery, including improved coordination of early learning through postsecondary education and career preparation. With input from interested parents, educators, state agencies, and organizations representing students placed or qualified to be placed in special education and students with a section 504 plan, the office of the education ombuds shall invite representative individuals to participate in the task force. The office of the education ombuds shall submit the scope of work and proposed task force plan to the education and fiscal committees of the legislature by December 1, 2014, along with a request for additional funds necessary to implement the plan. To the extent possible within appropriated funds, the office of the education ombuds may convene the task force and commence its work before June 30, 2015.

Sec. 117. 2013 2nd sp.s. c 4 s 118 (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund--State Appropriation (FY 2014)	.....	.....
		\$654,000
General Fund--State Appropriation (FY 2015)	.....	.....
		..(\$658,000)
		.....\$657,000
General Fund--Private/Local Appropriation	.....	.....
		.....\$90,000
TOTAL APPROPRIATION	.....	..(\$1,402,000)
		.....\$1,401,000

Sec. 118. 2013 2nd sp.s. c 4 s 119 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund--State Appropriation (FY 2014)	.....	.....
		..(\$2,082,000)
		.....\$2,084,000
General Fund--State Appropriation (FY 2015)	.....	.....
		..(\$2,015,000)

.....	\$2,044,000
TOTAL APPROPRIATION .....	..(\$4,097,000))
.....	\$4,128,000
Sec. 119. 2013 2nd sp.s. c 4 s 120 (uncodified) is amended to read as follows:	
FOR THE SECRETARY OF STATE	
General Fund--State Appropriation (FY 2014) .....	.....(((\$11,356,000))
.....	\$11,813,000
General Fund--State Appropriation (FY 2015) .....	.....(((\$9,535,000))
.....	\$9,440,000
General Fund--Federal Appropriation	
.....	.....(((\$7,419,000))
.....	\$7,428,000
General Fund--Private/Local Appropriation.....	\$20,000
Public Records Efficiency, Preservation, and Access	
Account--State Appropriation.....	.....(((\$7,361,000))
.....	\$8,336,000
Charitable Organization Education Account--State	
Appropriation.....	\$364,000
Local Government Archives Account--State	
Appropriation.....	.....(((\$8,467,000))
.....	\$8,485,000
Election Account--Federal Appropriation .....	.....(((\$12,016,000))
.....	\$12,006,000
Washington State Heritage Center Account--State	
Appropriation.....	\$8,860,000
TOTAL APPROPRIATION .....	.....(((\$65,378,000))
.....	\$66,752,000

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

(1) ~~(\$3,301,000)~~ \$3,767,000 of the general fund--state appropriation for fiscal year 2014 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$1,847,000 of the general fund--state appropriation for fiscal year 2014 and \$1,926,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2013-2015 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any

county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) It is the intent of the legislature to consider during the 2014 legislative session funding for the publication and distribution of a primary election voters pamphlet.

(5) \$771,000 of the general fund--state appropriation for fiscal year 2014 and \$772,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the state library to purchase statewide on-line access to the information technology academy to allow public access to on-line courses and learning resources through public libraries.

(6) The legislature finds that the volume of state records retained in paper format continues to grow, increasing the records storage costs for the state. The secretary of state shall convene a work group to study methods for retaining records in electronic formats and for shorter periods of time, with the goal of reducing the volume of stored paper records by ten percent by the end of 2016, and an additional ten percent by the end of 2018. The following state agencies shall participate in the work group, which shall report to the appropriate committees of the legislature by December 31, 2014, and December 31, 2015:

- (a) Office of the secretary of state;
- (b) Office of the attorney general;
- (c) Office of the state auditor;
- (d) Office of financial management;
- (e) Department of corrections;
- (f) Department of social and health services;
- (g) Department of health; and
- (h) Department of transportation.

Sec. 120. 2013 2nd sp.s. c 4 s 121 (uncodified) is amended to read as follows:

FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS	
General Fund--State Appropriation (FY 2014) .....	.....(((\$253,000))
.....	\$249,000
General Fund--State Appropriation (FY 2015) .....	.....(((\$248,000))
.....	\$250,000
TOTAL APPROPRIATION .....	.....(((\$501,000))
.....	\$499,000

The appropriations in this section are subject to the following conditions and limitations: The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

Sec. 121. 2013 2nd sp.s. c 4 s 122 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS	
General Fund--State Appropriation (FY 2014)	
.....	.....(((\$213,000))

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

.....	\$210,000
General Fund--State Appropriation (FY 2015) .....	.....
.....	..(\$207,000)
.....	\$208,000
TOTAL APPROPRIATION .....	..(\$420,000)
.....	\$418,000

Sec. 122. 2013 2nd sp.s. c 4 s 123 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

State Treasurer's Service Account--State	
Appropriation.....	..(\$14,924,000)
.....	\$14,872,000

The appropriation in this section is subject to the following conditions and limitations: \$150,000 of the state treasurer's service account--state appropriation is provided solely for legal fees related to additional legal assistance due to changes in federal financial regulations and an increase in complex and high profile litigation.

Sec. 123. 2013 2nd sp.s. c 4 s 124 (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund--State Appropriation (FY 2014) .....	..(\$728,000)
.....	\$755,000
General Fund--State Appropriation (FY 2015)	
.....	..(\$733,000)
.....	\$754,000
State Auditing Services Revolving Account--State	
Appropriation.....	..(\$9,573,000)
.....	\$9,821,000
((Performance Audits of Government Account--State	
Appropriation.....	\$56,000)
TOTAL APPROPRIATION .....	..(\$11,090,000)
.....	\$11,330,000

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

(1) (~~(\$728,000)~~) \$755,000 of the general fund--state appropriation for fiscal year 2014 and (~~(\$733,000)~~) \$754,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

(2)(a) \$300,000 of the state auditing services revolving account--state appropriation is provided solely to contract with a private firm with accounting expertise to conduct an audit of the use of dedicated local and operating fee accounts by the state's public institutions of higher education. For the purpose of this audit, the public institutions of higher education means the state's colleges and universities as defined in RCW 28B.15.005, one public community and technical college selected by the state auditor that offers applied baccalaureate programs, and one public community and technical college selected by the state auditor that does not offer applied baccalaureate programs.

(b) The legislature intends that tuition revenue be expended in support of instruction and student support services and that other dedicated fees are expended for the purposes for which they are charged. As a result, the legislature directs this audit to examine the accounting of these accounts; to provide clarity regarding the use of these accounts; and to make recommendations for improvement that will support the ongoing clarity, transparency, and accurate accounting of the use of these accounts in accordance with legislative intent. The final audit must include:

(i) For the 2007-2009 through the 2011-2013 fiscal biennia, a thorough examination of the accounting, as required by governmental accounting standards board requirements that govern accounting functions of the office of financial management, of:

- (A) All revenue into these accounts;
- (B) All expenditures out of these accounts; and
- (C) All transfers to, from, and within these accounts;

(ii) A narrative summary of the management and uses of these accounts by the institutions of higher education, including an explanation of the reserve policies implemented by the institutions of higher education that govern fund balances in these accounts; and
(iii) Recommendations to improve current practices that will support the ongoing clarity, transparency, and accurate accounting of the use of these accounts in a manner that satisfies the governmental accounting standards board requirements that govern accounting functions of the office of financial management and that aligns with the legislature's intended use of these accounts.

(c) The final audit shall be submitted to the governor and the appropriate committees of the legislature by January 1, 2015. The state auditor shall recover the costs of this audit, which may not exceed the amount provided in this subsection, from the state's colleges and universities and the state board for community and technical colleges.

(d) With any funds remaining from the audit required by this subsection, the state auditor shall review other issues of significance in support of the goal of achieving transparency in the use of funding sources available to institutions of higher education.

Sec. 124. 2013 2nd sp.s. c 4 s 125 (uncodified) is amended to read as follows:

FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund--State Appropriation (FY 2014) .....	..(\$141,000)
.....	\$138,000
General Fund--State Appropriation (FY 2015) .....	.....
.....	..(\$171,000)
.....	\$170,000
TOTAL APPROPRIATION .....	..(\$312,000)
.....	\$308,000

Sec. 125. 2013 2nd sp.s. c 4 s 126 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund--State Appropriation (FY 2014)	
.....	..(\$10,456,000)
.....	\$11,019,000
General Fund--State Appropriation (FY 2015) .....	.....
.....	..(\$10,132,000)
.....	\$10,803,000
General Fund--Federal Appropriation	\$7,114,000
New Motor Vehicle Arbitration Account--State	
Appropriation.....	..(\$997,000)
990,000	
Legal Services Revolving Account--State	
Appropriation.....	..(\$191,286,000)
.....	\$205,174,000
Tobacco Prevention and Control Account--State	
Appropriation.....	\$271,000
Medicaid Fraud Penalty Account--State Appropriation	
.....	..(\$2,279,000)
.....	\$2,333,000
Public Services Revolving Account--State	
Appropriation.....	..(\$2,093,000)
.....	\$2,106,000
TOTAL APPROPRIATION .....	..(\$224,628,000)
.....	\$239,810,000

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

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of financial management and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new *cy pres* awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) The executive ethics board shall: (a) Develop a statewide plan, with performance measures, to provide overall direction and accountability in all executive branch agencies and statewide elected offices; (b) coordinate and work with the commission on judicial conduct and the legislative ethics board; (c) assess and evaluate each agency's ethical culture through employee and stakeholder surveys, review Washington state quality award feedback reports, and publish an annual report on the results to the public; and (d) solicit outside evaluations, studies, and recommendations for improvements from academics, nonprofit organizations, the public disclosure commission, or other entities with expertise in ethics, integrity, and the public sector.

(5) \$424,000 of the legal services revolving account--state appropriation is provided solely for replacement of a portion of the agency's personal computers. The amount provided in this subsection is conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and section 945 of this act, personal computer acquisition and replacement.

(6) \$609,000 of the legal services revolving account--state appropriation is provided solely for upgrades to software programs. The amount provided in this subsection is conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(7) \$150,000 of the legal services revolving account--state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5405 (extended foster care). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(8) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Engrossed Substitute House Bill No. 1341 (wrongful imprisonment). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(9) \$189,000 of the legal services revolving account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1420 (transportation improvement

projects). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(10) \$2,093,000 of the public service revolving account--state appropriation is provided solely for the work of the public counsel section of the office of the attorney general.

(11) \$353,000 of the general fund--state appropriation for fiscal year 2014 and \$353,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant to the Washington coalition of crime victim advocates to provide training, certification, and technical assistance for crime victim service center advocates.

(12) \$69,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for implementation of Substitute House Bill No. 2171 (veterans, military personnel). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(13) \$182,000 of the general fund--state appropriation for fiscal year 2015, \$13,000 of the public service revolving account--state appropriation, \$54,000 of the medicaid fraud penalty account--state appropriation, and \$3,128,000 of the legal services revolving account--state appropriation are provided solely for the purposes of salary adjustments addressing recruitment and retention issues for assistant attorneys general in the first six years of their employment with the attorney general's office.

(14) \$80,000 of the legal services revolving account--state appropriation is provided solely for implementation of Engrossed Third Substitute Senate Bill No. 5887 (medical and recreational marijuana). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

Sec. 126. 2013 2nd sp.s. c 4 s 127 (uncodified) is amended to read as follows:

FOR THE CASELOAD FORECAST COUNCIL

General Fund--State Appropriation (FY 2014) .....	.....(((\$1,260,000))
.....	.....\$1,211,000
General Fund--State Appropriation (FY 2015)	.....(((\$1,230,000))
.....	.....\$1,192,000
TOTAL APPROPRIATION .....	.....(((\$2,490,000))
.....	.....\$2,403,000

Sec. 127. 2013 2nd sp.s. c 4 s 128 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

General Fund--State Appropriation (FY 2014) .....	.....(((\$63,076,000))
.....	.....\$61,546,000
General Fund--State Appropriation (FY 2015) .....	.....(((\$60,151,000))
.....	.....\$63,394,000
General Fund--Federal Appropriation .....	.....(((\$265,004,000))
.....	.....\$266,732,000
General Fund--Private/Local Appropriation.....	.....(((\$5,638,000))
.....	.....\$5,595,000
Public Works Assistance Account--State	Appropriation.....(((\$3,036,000))
.....	.....\$3,013,000
Drinking Water Assistance Administrative .....	.....(((\$445,000))
Account--State Appropriation.....	.....\$442,000
Lead Paint Account--State Appropriation .....	.....\$147,000
Building Code Council Account--State Appropriation .....	.....\$13,000
Home Security Fund Account--State Appropriation (((\$25,452,000))	.....
.....	.....\$25,457,000
Affordable Housing for All Account--State	Appropriation.....(((\$11,915,000))
.....	.....\$11,908,000
Financial Fraud and Identity Theft Crimes Investigation	

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

and Prosecution Account--State Appropriation	.....(((\$969,000))
.....	.....\$1,166,000
Low-Income Weatherization and Structural Rehabilitation Assistance Account--State Appropriation	.....(((\$1,882,000))
.....	.....\$1,879,000
Community and Economic Development Fee Account--State Appropriation	.....(((\$5,303,000))
.....	.....\$5,298,000
Washington Housing Trust Account--State Appropriation	.....(((\$19,592,000))
.....	.....\$18,481,000
Prostitution Prevention and Intervention Account--State Appropriation	.....\$98,000
Public Facility Construction Loan Revolving Account--State Appropriation	.....(((\$758,000))
.....	.....\$752,000
Washington Community Technology Opportunity Account--Private/Local Appropriation	.....\$10,000
Liquor Revolving Account--State Appropriation	.....\$5,605,000
TOTAL APPROPRIATION	.....(((\$469,094,000))
.....	.....\$471,536,000

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

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(2) \$500,000 of the general fund--state appropriation for fiscal year 2014 and \$500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant to resolution Washington to building statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(3) \$306,000 of the general fund--state appropriation for fiscal year 2014 and \$306,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance and pass-through grants so that smaller cities and counties receive proportionately more assistance than larger cities or counties.

(5) \$375,000 of the general fund--state appropriation for fiscal year 2014 and \$375,000 of the general fund--state appropriation for fiscal year 2015 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(6) \$1,800,000 of the home security fund--state appropriation is provided for transitional housing assistance or partial payments for rental assistance under the independent youth housing program.

(7) \$5,000,000 of the home security fund--state appropriation is for the operation, repair, and staffing of shelters in the homeless family shelter program.

(8) \$198,000 of the general fund--state appropriation for fiscal year 2014 and ~~(((\$198,000))~~ \$396,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington new Americans program.

(9) \$2,949,000 of the general fund--state appropriation for fiscal year 2014 and \$2,949,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for associate development organizations. During the 2013-2015 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086.

(10) \$234,000 of the general fund--state appropriation for fiscal year 2014 and \$233,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington asset building coalitions.

(11) \$5,605,000 of the liquor revolving account--state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(12) \$500,000 of the general fund--state appropriation for fiscal year 2014 and \$500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the purposes of purchasing contracted services to expand and promote the tourism industry in the state of Washington.

(a) The department must contract with the Washington tourism alliance. Expenditure of state moneys is contingent upon the contractor providing a dollar for dollar cash or in-kind match. Funding must be provided for the following services:

(i) Serving as a central point of contact through developing and maintaining a web portal for Washington tourism, operating a call center, and mailing travel guides;

(ii) Promoting Washington as a tourism destination to national and international markets, with emphasis on markets in Europe and Asia;

(iii) Providing information to businesses and local communities on tourism opportunities that could expand local revenues; and

(iv) Conducting tourism-related research, including market research and measuring the return on investment of funded activities.

(b) The department may not use more than 4 percent of the funds to administer, monitor, and report the outcomes of the services. The department must electronically submit performance metrics by January 1, 2014, and report the outcomes of the services by January 1, 2015, to the economic development committees of the legislature.

(c) The department has the authority to designate one or more alternative contractors if necessary due to performance or other significant issues. Such change must only be made after consultation with the Washington tourism alliance, the governor's office, and the chairs and ranking members of the economic development committees of the legislature.

(13) \$72,000 of the prostitution prevention and intervention account is provided solely for implementation of Engrossed Substitute House Bill No. 1291 (sex trade victims). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(14) \$49,000 of the general fund--state appropriation for fiscal year 2014 and \$49,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1818 (business and government streamlining). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(15) \$36,000 of the general fund--state appropriation for fiscal year 2014 and \$37,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to develop an economic cluster strategy to leverage the state's unique maritime assets, geography, history, and infrastructure. Goals include growing employment, targeted economic activity, environmental considerations, tax revenue to state and local governments, and quality of life associated with the maritime sector by working with

the industry to understand workforce needs, parity considerations with Oregon and British Columbia, and tax structure and regulatory barriers. The department will report its findings to the appropriate committees of the legislature no later than December 1, 2014.

(16) \$2,000,000 of the Washington housing trust account--state appropriation is provided solely for the department of commerce for services to homeless families through the Washington families fund.

(17) \$5,000,000 of the home security account--state appropriation is provided solely for the department of commerce to provide emergency assistance to homeless families in the temporary assistance for needy families program.

(18) \$75,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the economic development commission to retain one current administrative position. The department shall convene a work group, chaired by the current chair of the economic development commission, of representatives of associate development organizations and the economic development commission to recommend: (1) Changes to the economic development commission's purpose and source and amount of funding; (2) objective benchmarks and outcome-based performance measures for evaluating state investments in economic development; (3) high priority regulatory reforms to foster a favorable business climate for long-term private sector job creation and competitiveness; and (4) organizational roles responsibilities and structures to strengthen cohesive planning, streamline execution, and improve outcomes. The work group shall be comprised of representatives from no less than eight associate development organizations representing both urban and rural counties and counties on both sides of the Cascade range. The department shall submit a report of the work group's recommendation to the fiscal and economic development policy committees of the legislature by December 15, 2013.

(19) ~~(\$4,000,000)~~ \$2,515,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$850,000)~~ \$3,779,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for purposes of creating and operating a community health care and education and innovation center at the Pacific Medical Center in Seattle. Amounts provided in this subsection must be used for lease, maintenance, operations, and other required related expenses for Seattle community colleges allied health programs and other related uses identified by the department of commerce. The department is authorized to enter into a thirty-year lease for the Pacific Medical Center property.

(20) Within the appropriations in this section, the department shall, by December 1, 2013, develop a comprehensive start-up Washington strategy to facilitate the growth of start-ups and enhance the state's competitiveness in recruiting and retaining businesses that start up in Washington. This shall include but is not limited to: Business and occupation tax relief, capital investment, regulatory burdens, workforce and infrastructure needs and support. Start-up businesses interactions with state government and other public entities as a customer shall also be considered.

(21) \$700,000 of the general fund--state appropriation for fiscal year 2014 and \$700,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. For each dollar expended the department must receive a one hundred percent match. The match may be provided by the department through nongeneral fund sources, or any partnering governments or organizations. Sector

leads established by the department must include the industries of: (a) Tourism; (b) agriculture, wood products, and other natural resource industries; and (c) clean technology and renewable and nonrenewable energy. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead. The department must develop performance metrics and milestones. The department must electronically submit the performance metrics and performance-to-date by January 1, 2014, to the economic development committees of the legislature.

(22) The department is authorized to suspend issuing any nonstatutorily required grants or contracts of an amount less than \$1,000,000 per year.

(23) The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets.

(24) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the economic impact and infrastructure cost study for Covington town center.

(25) The department is directed to work with innovation partnership zone administrators to review the existing grant program, including the criteria for designation as an innovation partnership zone and the grant funding criteria. The department shall submit its report to the legislature by December 1, 2013.

(26) Within existing resources, the department shall provide administrative and other indirect support to the developmental disabilities council.

(27) \$306,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the long-term care ombuds program to improve ombuds access to long-term care residents in community-based settings such as adult family homes and assisted living facilities.

(28) \$26,000 of the home security fund--state appropriation is provided solely for the department to establish a pilot program to provide a certification of homeless status for persons who may need a physical or mailing address for purposes of employment. The department must choose one county within which to implement the program, based on the support of local homeless housing and service providers, community leaders, and businesses willing to partner with the department. The department must establish a homeless status form that requires sufficient information to verify a person's homeless status and to provide the address and location of a homeless housing or service provider to be used as the person's own address. The department must develop a procedure for collecting and maintaining the information provided on the homeless status forms and convene regular meetings with homeless housing and service providers, community leaders, homeless persons, and businesses interested in implementing the program. The department must submit a report to the appropriate legislative committees that includes the number of persons who filed a homeless status form, the number of persons who obtained employment with use of the certification, the involvement of partners within the community in implementing the program, and an evaluation and recommendation of the opportunities and impediments for expanding the program statewide. The evaluation and recommendation should include input from statewide homeless housing and service provider networks and business associations.

(29) \$466,000 of the Washington housing trust account--state appropriation is provided solely for the department to provide one-time funding to the Tacoma housing authority to offset expenses associated with remediating units of low-income housing that have been contaminated by the manufacture or use of methamphetamine. The Tacoma housing authority must provide

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

sufficient documentation to verify the costs associated with remediating units of low-income housing that have been contaminated by the manufacture or use of methamphetamine for which they request support. The department may make full or partial payment once sufficient documentation has been provided.

(30) Within existing resources, the department must conduct a data-based evaluation of the effectiveness of the department's international trade services. The report must include comparative data from other states and detail the possible advantages and disadvantages of contracting these services to a nonstate entity. The department must present its findings to the economic development committees of the legislature no later than January 15, 2015.

Sec. 128. 2013 2nd sp.s. c 4 s 129 (uncodified) is amended to read as follows:

FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund--State Appropriation (FY 2014)	(\$764,000)
.....	\$758,000
General Fund--State Appropriation (FY 2015)	(\$802,000)
.....	\$805,000
Lottery Administrative Account--State Appropriation	\$50,000
TOTAL APPROPRIATION	(\$1,616,000)
.....	\$1,613,000

Sec. 129. 2013 2nd sp.s. c 4 s 130 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund--State Appropriation (FY 2014)	(\$18,414,000)
.....	\$17,942,000
General Fund--State Appropriation (FY 2015)	(\$17,542,000)
.....	\$17,539,000
General Fund--Federal Appropriation	(\$31,340,000)
.....	\$34,336,000
General Fund--Private/Local Appropriation.....	\$370,000
Economic Development Strategic Reserve Account--State Appropriation.....	(\$289,000)
.....	\$288,000
Personnel Service Fund--State Appropriation	(\$8,656,000)
.....	\$8,592,000
Data Processing Revolving Account--State Appropriation.....	(\$6,015,000)
.....	\$6,552,000
Higher Education Personnel Services Account--State Appropriation.....	\$1,497,000
Performance Audits of Government Account--State Appropriation.....	\$4,000,000
TOTAL APPROPRIATION	(\$88,123,000)
.....	\$91,116,000

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

(1) The office of financial management shall prepare a report outlining alternative methods of procuring health benefits for home care workers, including individual providers and agency providers. In preparing the report, the office of financial management shall consult with the department of social and health services, representatives of individual home care providers, and agency home care providers.

Along with a summary of the current method of providing benefits, the report must include an analysis of the policy and fiscal implications of accessing health benefits through the Washington health benefits exchange. The report must also provide an analysis of a medicaid section 1115 waiver with the federal centers for medicare and medicaid services that would provide additional medicaid matching funds for individual provider home care workers who are provided with health care benefits through a collective

bargaining agreement negotiated with the state under chapter 74.39A RCW, but would otherwise be eligible for medicaid under the federal expanded eligibility provisions that take effect January 1, 2014.

The report must be submitted to the appropriate fiscal committees of the legislature by January 6, 2014.

(2) \$350,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5802 (greenhouse gas emissions). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(3) \$536,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for a study of the state's medical and public assistance eligibility systems and infrastructure with the goal of simplifying procedures, improving customer service, and reducing state expenditures. The study must also examine which state entities play various roles in the eligibility and data verification processes in order to determine if eligibility processes can be further streamlined in light of changes related to the federal affordable care act. The study must identify how costs will be allocated between state and federal funding sources and options for maximizing federal participation. The office of financial management shall provide a report on its findings and recommendations to the relevant policy and fiscal committees of the legislature by January 1, 2014.

(4)(a) The legislature finds that the state's nationally recognized student achievement initiative has led to significant improvements at two-year institutions of higher education. With the goal of creating such efficiencies within the four-year institutions of higher education, the office of financial management shall convene, in coordination with the joint committee on higher education and the student achievement council, a technical incentive funding model task force to propose an incentive funding model for the four-year institutions of higher education. The model will provide new incentive funding to four-year institutions of higher education that demonstrate improvement on existing performance measures and control resident undergraduate tuition growth. Participation in the program is voluntary; however, funding appropriated for this program shall only be available to those institutions that have chosen to participate in the program.

(b) The task force must include the following members:

- (i) One representative from the student achievement council;
- (ii) One representative from the education data center created in RCW 43.41.400; and
- (iii) One representative from each of the four-year institutions of higher education.

(c) The program shall include, but shall not be limited to:

- (i) A system for allocating new incentive funding to participating institutions based on an institution's:
 - (A) Performance in specific metrics;
 - (B) Control and reduction where possible of resident undergraduate and graduate tuition; and
 - (C) Efficient utilization of classrooms, laboratories, and online and other high technology instructional methods;
- (ii) A methodology for allocating funding for performance as specified in (c)(i)(A) of this subsection that is based on performance metrics reported in the accountability monitoring and reporting system established in RCW 28B.77.090 and that recognizes each institution's unique mission by measuring each institution's performance in these metrics against its past performance;
- (iii) A methodology for investing any unallocated incentive funds to the state need grant program created in chapter 28B.92 RCW to expand access to low-income and underserved student populations; and
- (iv) A methodology for establishing a baseline level of state funding that:

(A) Fully supports the state's need for an increasing portion of its citizens to gain post-secondary education and qualifications;

(B) Recognizes the acute need of the state's high-technology economy for a sufficient number of graduates in high employer demand programs of study;

(C) Achieves a more equitable share of support between the state and students and their families; and

(D) Provides for funding enhancements based on demonstrated improvements in institutional performance within the educational achievement and tuition reduction incentive program.

(d) The workgroup shall submit a final report containing an incentive funding model to the governor and higher education and fiscal committees of the legislature by December 31, 2013.

(5) \$37,000 of the data processing revolving account--state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2192 (state agency permitting). If the bill is not enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

(6) \$262,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the implementation of Substitute House Bill No. 2739 (student success in schools). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(7) Within amounts provided in this section, the office of the chief information officer must survey and review agency security policies and standards including, but not limited to (a) compliance with employee information technology security training policies; (b) agency standards and policies for decommissioning personal computers; and (c) the security plans of the provider one system and other health information technology systems within the health care authority and the department of social and health services to ensure compliance with federal health information portability and accountability act rules and the council for affordable quality healthcare committee on operating rules for information exchange. The office must report to the legislature by December 1, 2014, with findings and recommendations from the survey and review.

(8) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures shall include the following: The agency's priority ranking of each information technology request; the estimated cost for the current biennium; the estimated total cost of the request over all biennia; and expected timeline to complete the request. The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

(9) \$300,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for an analysis of statewide jail needs and how operational costs are incurred among local governments. The analysis must examine, among other things, how regional capacity is currently being utilized at the state and local level including, but not limited to: Historical and current utilization, level of security, ability to provide medical and mental health care, and availability of programming. The analysis must examine the financial impact to counties of providing felon and juvenile detention. In addition, the analysis must include the identification of barriers and solutions for the use of local jails in lieu of prison beds including: For individuals who would otherwise be transferred to department of corrections for a short-term stay; for violator population billing and tracking; and for long-term stays in jail in lieu of prison. A report of findings and recommendations must be provided to the governor and legislative fiscal committees by November 1, 2014.

(10) \$46,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the education data center to:

(a) Collect and publish on its web site by October 1, 2014, short-term and long-term earnings and employment data for completers of higher education degrees, apprenticeships, and certificates awarded by institutions of higher education as defined in RCW 28B.10.016 for each institution;

(b) With the assistance of the legislative evaluation and accountability program committee, make publicly available on its web site a detailed inventory of the data that are contained in the data warehouse. The data center and its contributors shall continue to expand efforts to improve the integrity of the information and web site displays to maximize value and utility. The education data center shall also collaborate with the legislative evaluation and accountability program committee to broadly disseminate meaningful information on the publicly accessible web sites by expanding and increasing interactive web-based reporting; and

(c) In consultation with the state board for community and technical colleges, the workforce training and education coordinating board, representatives of the public four-year institutions of higher education, and the legislative evaluation and accountability program committee, prepare, or contract with an entity to prepare, an economic success metrics report of employment and earnings outcomes for degrees, apprenticeships, and certificates earned at institutions of higher education. The final report shall be published on the education data center web site and delivered to the governor and the higher education and fiscal committees of the legislature by November 1, 2014.

Sec. 130. 2013 2nd sp.s. c 4 s 131 (uncodified) is amended to read as follows:

FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Account--State

Appropriation.....((\$37,772,000))

.....\$38,011,000

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

(1) \$151,000 of the administrative hearings revolving account--state appropriation is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades. The amount provided in this subsection is conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(2) \$137,000 of the administrative hearings revolving account--state appropriation is provided solely for replacement of a portion of the agency's personal computers. The amount provided in this subsection is conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(3) Within the amounts provided in this section, the office shall improve the timeliness of its hearings and report the progress of its efforts to the office of financial management and the fiscal committees of the legislature by November 1, 2014.

Sec. 131. 2013 2nd sp.s. c 4 s 132 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account--State

Appropriation.....((\$25,696,000))

.....\$25,607,000

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

(1) \$596,000 of the lottery administrative account--state appropriation is provided solely for the replacement of the lottery's gaming systems vendor contract.

(2) No portion of this appropriation may be used for acquisition of gaming system capabilities that violates state law.

Sec. 132. 2013 2nd sp.s. c 4 s 133 (uncodified) is amended to read as follows:

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund--State Appropriation (FY 2014)	(\$238,000)
.....	\$235,000
General Fund--State Appropriation (FY 2015)	(\$235,000)
.....	\$238,000
TOTAL APPROPRIATION	\$473,000

Sec. 133. 2013 2nd sp.s. c 4 s 134 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund--State Appropriation (FY 2014)	(\$233,000)
.....	\$238,000
General Fund--State Appropriation (FY 2015)	(\$224,000)
.....	\$233,000
TOTAL APPROPRIATION	(\$457,000)
.....	\$471,000

Sec. 134. 2013 2nd sp.s. c 4 s 135 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS

Department of Retirement Systems Expense	
Account--State Appropriation.....	(\$50,728,000)
.....	\$50,599,000

The appropriation in this section is subject to the following conditions and limitations: \$57,000 of the department of retirement systems expense account--state appropriation is provided solely for the purposes of Senate Bill No. 6201 (optional life annuities for LEOFF 2 members). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

Sec. 135. 2013 2nd sp.s. c 4 s 136 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund--State Appropriation (FY 2014)	(\$107,985,000)
.....	\$108,115,000
General Fund--State Appropriation (FY 2015)	(\$106,301,000)
.....	\$105,511,000
Timber Tax Distribution Account--State	
Appropriation.....	(\$6,102,000)
.....	\$6,083,000
Waste Reduction/Recycling/Litter Control--State	
Appropriation.....	(\$132,000)
.....	\$131,000
State Toxics Control Account--State Appropriation.....	(\$93,000)
.....	\$92,000
((Master License Fund--State Appropriation.....	\$17,082,000))
Business License Account--State Appropriation.....	\$17,043,000
Data Processing Revolving Account--State Appropriation	
.....	\$6,751,000
TOTAL APPROPRIATION	(\$244,446,000)
.....	\$243,726,000

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

(1) The department of revenue is authorized to increase the master application fee to nineteen dollars and the renewal fee to eleven dollars consistent with RCW 19.02.075.

(2) \$6,751,000 of the data processing revolving account--state appropriation and \$4,853,000 of the master license fund--state appropriation are provided solely for the replacement of the department's legacy business systems. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(3) \$495,000 of the general fund--state appropriation for fiscal year 2014 and \$431,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of

House Bill No. 1971 or Senate Bill No. 5873 (communications services reform). If neither bill is enacted by June 30, 2013, the amounts provided in the subsection shall lapse.

(4) \$641,000 of the general fund--state appropriation for fiscal year 2014 and \$297,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Senate Bill No. 5882 or House Bill No. 2081 (tax preferences and transparency). If neither bill is enacted by June 30, 2013, the amounts provided in the subsection shall lapse.

(5) \$78,000 of the general fund--state appropriation for fiscal year 2014 and \$262,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Substitute Senate Bill No. 5360 (unpaid wage collection). If the bill is not enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

(6) \$8,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Second Engrossed Second Substitute House Bill No. 2493 (land use/horticulture). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(7) \$14,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for implementation of Engrossed Substitute House Bill No. 1287 (Indian tribes/property tax). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(8) \$25,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for implementation of Substitute House Bill No. 1634 (property tax levy limit). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(9) The department must consult with counties it determines to be directly affected by the United States open golf championship held in June 2015 in Washington state for the purpose of establishing metrics to estimate the additional state sales tax revenue attributable to that event. The department must report the additional state sales tax revenue attributable to the United States open golf championship to the fiscal committees of the legislature not later than December 1, 2015.

Sec. 136. 2013 2nd sp.s. c 4 s 137 (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund--State Appropriation (FY 2014)	(\$1,217,000)
.....	\$1,203,000
General Fund--State Appropriation (FY 2015)	(\$1,178,000)
.....	\$1,174,000
TOTAL APPROPRIATION	(\$2,395,000)
.....	\$2,377,000

Sec. 137. 2013 2nd sp.s. c 4 s 138 (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account--State Appropriation	(\$4,077,000)
.....	\$3,999,000

The appropriation in this section is subject to the following conditions and limitations: ((\$200,000 of the minority and women's business enterprises account--state appropriation is provided for implementation of a certification program for small business enterprises.))

(1) The agency will collaborate with the department of transportation to certify small businesses as small business enterprises. Funding for this work is provided through interagency agreement with the state department of transportation.

(2) The agency must engage in the stakeholder process with the department of transportation, cities, counties, ports, transit agencies, and other entities that rely on the agency for federal certification as a small business enterprise, disadvantaged business enterprise, or

airport concessionaire disadvantaged business enterprise to determine an equitable manner to fully recover from users the agency's costs for providing this statewide service. Cost to be reviewed include, but are not limited to, business outreach, certification application and renewal processing, investigations and audits, and appeals from denials and decertifications.

Sec. 138. 2013 2nd sp.s. c 4 s 139 (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund--State Appropriation (FY 2014)	\$300,000
General Fund--State Appropriation (FY 2015)	(((\$100,000))
.....	\$227,000
General Fund--Federal Appropriation	(((\$4,495,000))
.....	\$4,486,000
Health Benefit Exchange Account--State Appropriation ...	\$676,000
Insurance Commissioners Regulatory Account--State	
Appropriation.....	(((\$49,555,000))
.....	\$50,145,000
TOTAL APPROPRIATION	(((\$55,126,000))
.....	\$55,834,000

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

(1) \$676,000 of the health benefit exchange account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 1947 (Washington health benefit exchange). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(2) The office of the insurance commissioner shall not curtail functions relating to solvency, rates and forms, and consumer protection.

(3) \$498,000 of the insurance commissioners regulatory account--state appropriation is provided solely for the implementation of Substitute House Bill No. 2461 (insurance company solvency). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(4) Appropriations in this section, as previously appropriated by the legislature in section 144, chapter 564, Laws of 2009 for the implementation of chapter 298, Laws of 2009, are sufficient to implement Engrossed Substitute Senate Bill No. 6511 (prior authorization).

Sec. 139. 2013 2nd sp.s. c 4 s 140 (uncodified) is amended to read as follows:

FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account--State	
Appropriation.....	(((\$36,035,000))
.....	\$35,967,000

Sec. 140. 2013 2nd sp.s. c 4 s 141 (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Dedicated Marijuana Fund--State Appropriation	\$8,136,000
Liquor Revolving Account--State Appropriation	(((\$65,146,000))
.....	\$57,268,000
General Fund--Federal Appropriation	\$945,000
General Fund--Private/Local Appropriation.....	\$25,000
TOTAL APPROPRIATION	(((\$66,116,000))
.....	\$66,374,000

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

(1) ((\$2,494,000 of the liquor revolving account--state appropriation is provided solely for the liquor control board to implement Initiative Measure No. 502.

(2))(a) The liquor control board must work with the department of health and the department of revenue to develop recommendations for the legislature regarding the interaction of medical marijuana regulations and the provisions of Initiative

Measure No. 502. At a minimum, the recommendations must include provisions addressing the following:

- (i) Age limits;
- (ii) Authorizing requirements for medical marijuana;
- (iii) Regulations regarding health care professionals;
- (iv) Collective gardens;
- (v) Possession amounts;
- (vi) Location requirements;
- (vii) Requirements for medical marijuana producing, processing, and retail licensing;
- (viii) Taxation of medical marijuana in relation to recreational marijuana; and
- (ix) The state agency that should be the regulatory body for medical cannabis.

(b) The board must submit its recommendations to the appropriate committees of the legislature by January 1, 2014.

(2) For the purposes of RCW 43.88.110(7), any initial cash deficit in the dedicated marijuana fund must be liquidated over the remainder of the 2013-2015 fiscal biennium.

(3) \$786,000 of the dedicated marijuana fund--state appropriation is provided solely for implementation of Engrossed Third Substitute Senate Bill No. 5887 (medical and recreational marijuana). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

Sec. 141. 2013 2nd sp.s. c 4 s 142 (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

General Fund--Federal Appropriation	\$150,000
General Fund--Private/Local Appropriation.....	(((\$11,228,000))
.....	\$11,217,000
Public Service Revolving Account--State	
Appropriation.....	(((\$29,893,000))
.....	\$29,850,000
Pipeline Safety Account--State Appropriation	(((\$4,411,000))
.....	\$4,407,000
Pipeline Safety Account--Federal Appropriation	(((\$1,938,000))
.....	\$1,929,000
TOTAL APPROPRIATION	(((\$47,620,000))
.....	\$47,553,000

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

(1) The commission shall work with the Idaho public utilities commission and the public utility commission of Oregon to identify common regulatory functions that can be performed jointly, with the goal of formalizing an agreement that protects essential services while increasing regulatory effectiveness and efficiencies through economies of scale. The commission is authorized to enter into an agreement with such other state public utility commissions to work jointly in administering specified respective regulatory functions.

(2) Up to \$200,000 of the total appropriation is provided for the commission to continue to evaluate the regulatory processes for energy companies and identify and implement administrative actions to improve those processes. The commission shall develop and adopt a schedule for such administrative actions.

Sec. 142. 2013 2nd sp.s. c 4 s 143 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund--State Appropriation (FY 2014)	(((\$1,880,000))
.....	\$1,833,000
General Fund--State Appropriation (FY 2015)	(((\$1,846,000))
.....	\$1,640,000
General Fund--Federal Appropriation	(((\$140,135,000))
.....	\$140,024,000
Enhanced 911 Account--State Appropriation.....	(((\$58,514,000))
.....	\$58,392,000

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

Disaster Response Account--State Appropriation ....((\$14,531,000))	
.....	\$20,223,000
Disaster Response Account--Federal Appropriation ((\$53,253,000))	
.....	\$69,625,000
Military Department Rent and Lease Account--State	
Appropriation.....	\$615,000
Worker and Community Right-to-Know Account--State	
Appropriation.....	((\$2,794,000))
.....	\$3,180,000
TOTAL APPROPRIATION.....((\$273,568,000))	
.....	\$295,532,000

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

(1) ((~~\$14,531,000~~)) \$20,223,000 of the disaster response account--state appropriation and ((~~\$53,253,000~~)) \$69,625,000 of the disaster response account--federal appropriation may be spent only on disasters declared by the governor and with the approval of the office of financial management. The military department shall submit a report to the office of financial management and the legislative fiscal committees on October 1st and February 1st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2014-2015 biennium based on current revenue and expenditure patterns.

(2) ((~~\$75,000,000~~)) \$60,000,000 of the general fund--federal appropriation is provided solely for homeland security, subject to the following conditions:

(a) Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee; and

(b) The department shall submit an annual report to the office of financial management and the legislative fiscal committees detailing the governor's domestic security advisory group recommendations; homeland security revenues and expenditures, including estimates of total federal funding for the state; and incremental changes from the previous estimate.

(3) \$388,000 of the worker and community right-to-know account--state appropriation is provided solely for the department's equipment replacement plan. Prior to using appropriated funds for the purchase of server or other related equipment, the department shall create a plan, in consultation with consolidated technology services and the office of the chief information officer, to migrate the department's existing data center to the state data center located in the 1500 Jefferson building and use services provided by consolidated technology services instead of purchasing new servers or other related equipment. If the department has specific service or performance requirements for locating servers outside the state data center, the agency will submit a waiver request to the office of the chief information officer as required in RCW 43.41A.150.

Sec. 143. 2013 2nd sp.s. c 4 s 144 (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund--State Appropriation (FY 2014)	((\$1,977,000))
.....	\$1,993,000
General Fund--State Appropriation (FY 2015)	((\$2,036,000))
.....	\$2,058,000
Higher Education Personnel Services Account--State	
Appropriation.....	\$521,000
Personnel Service Account--State Appropriation.....	((\$3,300,000))
.....	\$3,319,000
TOTAL APPROPRIATION.....	((\$7,834,000))
.....	\$7,891,000

Sec.144. 2013 2nd sp.s. c 4 s 145 (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account--State	
Appropriation.....	((\$2,699,000))
.....	\$2,680,000

Sec. 145. 2013 2nd sp.s. c 4 s 147 (uncodified) is amended to read as follows:

FOR THE HORSE RACING COMMISSION

Horse Racing Commission Operating Account--State	
Appropriation.....	((\$3,552,000))
.....	\$3,436,000

The appropriation in this section is subject to the following conditions and limitations: Pursuant to RCW 43.135.055, the commission is authorized to increase licensing fees by up to five percent in fiscal year 2014 and up to five percent in fiscal year 2015; and background check fees by up to one dollar in fiscal year 2014, and up to one dollar in fiscal year 2015.

Sec. 146. 2013 2nd sp.s. c 4 s 148 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund--State Appropriation (FY 2014)	((\$3,654,000))
.....	\$3,661,000
General Fund--State Appropriation (FY 2015)	((\$3,628,000))
.....	\$5,863,000
Building Code Council Account--State Appropriation	
.....	((\$1,227,000))
.....	\$1,223,000
Data Processing Revolving Account--State	
Appropriation.....	\$7,062,000
Enterprise Services Account--State Appropriation.....	\$2,400,000
TOTAL APPROPRIATION	((\$8,509,000))
.....	\$20,209,000

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

(1) \$3,287,000 of the general fund--state appropriation for fiscal year 2014 and \$3,286,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the payment of facilities and services charges, utilities and contracts charges, public and historic facilities charges, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to enjoy all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) In accordance with RCW 46.08.172 and 43.135.055, the department is authorized to increase parking fees in fiscal years 2014 and 2015 as necessary to meet the actual costs of conducting business.

(3) The building code council account appropriation is provided solely for the operation of the state building code council as required by statute and modified by the standards established by executive order 10-06. The council shall not consider any proposed code amendment or take any other action not authorized by statute or in compliance with the standards established in executive order 10-06. No member of the council may receive compensation, per diem, or reimbursement for activities other than physical attendance at those meetings of the state building code council or the council's designated committees, at which the opportunity for public comment is provided generally and on all agenda items upon which

the council proposes to take action. The building code council shall comply with chapter 19.85 RCW, known as the regulatory fairness act, by including with all proposed substantial code amendments an analysis addressing cost effectiveness, net benefits, payback periods, and life-cycle costs.

~~((5))~~ (4) The department of enterprise services shall purchase flags needed for ceremonial occasions on the capitol campus in order to fully represent the countries that have an international consulate in Washington state.

~~((6))~~ (5) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have written approval from the director of the department of enterprise services.

~~((7))~~ (6) \$2,400,000 of the ~~((data processing revolving account))~~ enterprise services account--state appropriation is provided solely for the implementation of a pilot program to implement a strategy and action plan to modernize the state's enterprise financial and administrative systems. The department, the office of financial management, and the office of the chief information officer, will lead the planning effort and establish advisory committees composed of key stakeholders. The plan will include an assessment of the readiness of state government to conduct a business transformation and system replacement project of this scale. The plan shall incorporate the objectives of lean management and should include recommendations on: Project scope, phasing and timeline, expected outcomes and measures of success, product strategy, budget and financing strategy options, risk mitigation, staffing and organization, and strategies to close readiness gaps. The department shall submit the implementation plan to the fiscal committees of the legislature by December 15, ~~(2013))~~ 2014.

The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

~~((8))~~ ~~(\$8,013,000)~~ (7) \$7,062,000 of the data processing revolving account--state appropriation is provided solely for the implementation of a pilot program to implement a time, leave, and attendance enterprise system. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

~~((9))~~ (8) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$2,039,000 in fiscal year 2014 and \$2,038,000 in fiscal year 2015.

~~((10))~~ (9) The legislature intends to review for purchase parcel number one and surrounding property on McNeil Island. The department shall coordinate with the federal government to obtain an appraisal determining the fair market value and shall provide an estimate to the legislative fiscal committees by October 1, 2013.

(10) Appropriations to state agencies in this act have been reduced to reflect the following changes and reductions in services provided by the department. The department shall revise its central services rates charged to state agencies to implement these changes in services and policy: Small agency client services shall be transferred to the office of financial management on July 1, 2014; small agency human resources services shall cease on July 1, 2014; and costs for the print and imaging program shall be fully recovered through rates charged to state agencies and other government and nonprofit entities for this service.

(11) On a one-time basis, \$2,250,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for incremental costs to facilitate the purchasing of electricity for use in state government operations from in-state alternative power sources consisting of high-efficiency cogeneration from woody biomass that is at least sixty-five percent energy efficient based upon low heat

value, coal transition power, and solar energy facilities. This funding shall be provided on a temporary basis to assist state agencies to make purchases from in-state alternative power sources. The department may solicit proposals from local electric utilities that currently serve state operations.

Sec. 147. 2013 2nd sp.s. c 4 s 149 (uncodified) is amended to read as follows:

FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS
Volunteer Firefighters' and Reserve Officers'
Administrative Account--State Appropriation.....(((\$1,044,000))
.....\$959,000

Sec. 148. 2013 2nd sp.s. c 4 s 150 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND
HISTORIC PRESERVATION
General Fund--State Appropriation (FY 2014)(((\$1,293,000))
.....\$1,271,000
General Fund--State Appropriation (FY 2015)(((\$1,242,000))
.....\$1,258,000
General Fund--Federal Appropriation(((\$1,950,000))
.....\$1,944,000
General Fund--Private/Local Appropriation.....\$14,000
TOTAL APPROPRIATION(((\$4,499,000))
.....\$4,487,000

(End of part)

**PART II
HUMAN SERVICES**

Sec. 201. 2013 2nd sp.s. c 4 s 201 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH
SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3)(a) The health care authority and the department are authorized to develop an integrated health care program designed to slow the progression of illness and disability and better manage medicaid expenditures for the aged and disabled population. Under the Washington medicaid integration partnership (WMIP) and the medicaid integrated care project (MICP), the health care authority

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

and the department may combine and transfer such medicaid funds appropriated under sections 204, 206, 208, and 213 of this act as may be necessary to finance a unified health care plan for the WMIP and the MICP program enrollment. The WMIP pilot projects shall not exceed a daily enrollment of 6,000 persons, nor expand beyond one county during the 2013-2015 fiscal biennium. The amount of funding assigned from each program may not exceed the average per capita cost assumed in this act for individuals covered by that program, actuarially adjusted for the health condition of persons enrolled, times the number of clients enrolled. In implementing the WMIP and the MICP, the health care authority and the department may: (i) Withhold from calculations of "available resources" as set forth in RCW 71.24.025 a sum equal to the capitated rate for enrolled individuals; and (ii) employ capitation financing and risk-sharing arrangements in collaboration with health care service contractors licensed by the office of the insurance commissioner and qualified to participate in both the medicaid and medicare programs.

(b) If Washington has been selected to participate in phase two of the federal demonstration project for persons dually-eligible for both medicare and medicaid, the department and the authority may initiate the MICP. Participation in the project shall be limited to persons who are eligible for both medicare and medicaid and to counties in which the county legislative authority has agreed to the terms and conditions under which it will operate. The purpose of the project shall be to demonstrate and evaluate ways to improve care while reducing state expenditures for persons enrolled both in medicare and medicaid. To that end, prior to initiating the project, the department and the authority shall assure that state expenditures shall be no greater on either a per person or total basis than the state would otherwise incur. Individuals who are solely eligible for medicaid may also participate if their participation is agreed to by the health care authority, the department, and the county legislative authority.

(4) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(5) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in section 213 of this act. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(6) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for the medicaid expansion but are enrolled in coverage that will be eliminated in the transition to the medicaid expansion.

(7)(a) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2014, unless

specifically prohibited by this act, the department may transfer general fund--state appropriations for fiscal year 2014 among programs after approval by the director of financial management. However, the department shall not transfer state moneys that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2014 caseload forecasts and utilization assumptions in the long-term care, foster care, adoptions support, medicaid personal care, and child support programs, the department may transfer state moneys that are provided solely for a specified purpose. The department shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

Sec. 202. 2013 2nd sp.s. c 4 s 202 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	(((\$296,676,000))
.....	\$297,837,000
General Fund--State Appropriation (FY 2015)	(((\$297,641,000))
.....	\$298,132,000
General Fund--Federal Appropriation	(((\$489,939,000))
.....	\$495,189,000
General Fund--Private/Local Appropriation.....	\$1,354,000
Home Security Fund Account--State Appropriation	\$10,741,000
Domestic Violence Prevention Account--State	
Appropriation	\$1,240,000
Child and Family Reinvestment Account--State	
Appropriation.....	(((\$6,491,000))
.....	\$2,647,000
TOTAL APPROPRIATION	(((\$1,104,082,000))
.....	\$1,107,140,000

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

(1) Within amounts provided for the foster care and adoption support programs, the department shall control reimbursement decisions for foster care and adoption support cases such that the aggregate average cost per case for foster care and for adoption support does not exceed the amounts assumed in the projected caseload expenditures.

(2) \$668,000 of the general fund--state appropriation for fiscal year 2014 and \$668,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(3) \$538,500 of the general fund--state appropriation for fiscal year 2014, \$539,500 of the general fund--state appropriation for fiscal year 2015, \$656,000 of the general fund--private/local appropriation, and \$253,000 of the general fund--federal appropriation are provided solely for children's administration to contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the transition to performance based contracts. Funding shall be prioritized to regions with high numbers of foster care youth and/or regions where backlogs of youth that have formerly requested educational outreach services exist. The department shall utilize private matching funds to maintain educational advocacy services.

(4) \$10,741,000 of the home security fund--state appropriation is provided solely for the department to contract for services pursuant to RCW 13.32A.030 and 74.15.220. The department shall contract and collaborate with service providers in a manner that maintains the availability and geographic representation of secure and semi-secure crisis residential centers and HOPE centers. To achieve efficiencies and increase utilization, the department shall allow the co-location of these centers, except that a youth may not be placed in a secure facility or the secure portion of a co-located facility except as specifically authorized by chapter 13.32A RCW. The reductions to appropriations in this subsection related to semi-secure crisis residential centers reflect a reduction to the number of beds for semi-secure crisis residential centers and not a reduction in rates. Any secure crisis residential center or semi-secure crisis residential center bed reduction shall not be based solely upon bed utilization. The department is to exercise its discretion in reducing the number of beds but to do so in a manner that maintains availability and geographic representation of semi-secure and secure crisis residential centers.

(5) \$125,000 of the general fund--state appropriation for fiscal year 2014 and \$125,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a community-based organization that has innovated, developed, and replicated a foster care delivery model that includes a licensed hub home. The community-based organization will provide training and technical assistance to the children's administration to develop five hub home models in region 2 that will improve child outcomes, support foster parents, and encourage the least restrictive community placements for children.

(6) \$73,000 of the general fund--state appropriation for fiscal year 2014, \$20,000 of the general fund--state appropriation for fiscal year 2015, and \$31,000 of the general fund--federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1566 (youth in out-of-home care). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(7) \$88,000 of the general fund--state appropriation for fiscal year 2014, \$2,000 of the general fund--state appropriation for fiscal year 2015, and \$28,000 of the general fund--federal appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1774 (child welfare system). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(8) \$1,698,000 of the general fund--state appropriation for fiscal year 2014, \$2,788,000 of the general fund--state appropriation for fiscal year 2015, and \$1,894,000 of the general fund--federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5405 (extended foster care). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(9) \$579,000 of the general fund--state appropriation for fiscal year 2014, \$579,000 of the general fund--state appropriation for fiscal year 2015, and \$109,000 of the general fund--federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(10)(a) \$446,000 of the general fund--state appropriation for fiscal year 2014 and \$446,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a contract with a nongovernmental entity or entities to establish one demonstration site in a school district or group of school districts in western Washington.

(b) The children's administration and the nongovernmental entity or entities shall collaboratively select the demonstration site. The demonstration site should be a school district or group of school districts with a significant number of students who are dependent pursuant to chapter 13.34 RCW.

(c) The demonstration site established under this subsection must be selected by September 1, 2013.

(d) The purpose of the demonstration site is to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW by providing individualized education services and monitoring and supporting dependent youths' completion of educational milestones, remediation needs, and special education needs.

(e) The demonstration site established under this subsection must facilitate the educational progress and graduation of dependent youth. The contract must be performance-based with a stated goal of improving the graduation rates of foster youth by two percent per year over five school year periods, starting with the 2014-15 school year and ending with the 2019-20 school year. The demonstration site must develop and provide services aimed at improving the educational outcomes of foster youth. These services must include:

(i) Direct advocacy for foster youth to eliminate barriers to educational access and success;

(ii) Consultation with department of social and health services case workers to develop educational plans for and with participating youth;

(iii) Monitoring education progress of participating youth;

(iv) Providing participating youth with school and local resources that may assist in educational access and success; and

(v) Coaching youth, caregivers, and social workers to advocate for dependent youth in the educational system.

(f) The contracted nongovernmental entity or entities must report demonstration site outcomes to the department of social and health services and the office of public instruction by June 30, 2014, for the 2013-14 school year, and by June 30, 2015, for the 2014-15 school year.

(g) The children's administration must proactively refer all students fifteen years or older, within the demonstration site area, to the selected nongovernmental entity for educational services.

(h) The children's administration must report quarterly to the legislature on the number of eligible youth and number of youth referred for services beginning at the close of the second quarter of fiscal year 2014 and through the final quarter of fiscal year 2015.

(i) The contracted nongovernmental entity or entities shall report to the legislature by June 30, 2015, on the effectiveness of the demonstration site in increasing graduation rates for dependent youth.

(11) \$50,000 of the general fund--state appropriation for fiscal year 2014, and \$50,000 of the general fund--state appropriation for fiscal year 2015, and \$256,000 of the general fund--federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5315 (Powell fatality team). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(12) \$670,000 of the general fund--state appropriation for fiscal year 2014 and \$670,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for services provided through children's advocacy centers.

(13)(a) \$22,695,000 of the general fund--state appropriation for fiscal year 2014, \$22,695,000 of the general fund--state appropriation for fiscal year 2015, and \$28,450,000 of the general fund--federal appropriation are provided solely for services for children and families. Prior to approval of contract services pursuant to RCW 74.13B.020, the amounts provided in this section shall be allotted on a monthly basis and expenditures shall not exceed allotments based on a three-month rolling average without approval of the office of financial management following notification to the legislative fiscal committees.

(b) The department shall provide these services to safely reduce the number of children in out-of-home care, the time spent in out-of-home care prior to achieving permanency, and the number of children returning to out-of-home care following permanency.

(14) ~~\$494,000 of the general fund--state appropriation for fiscal year 2014, ((\$1,783,000))~~ \$6,332,000 of the general fund--state appropriation for fiscal year 2015, ~~(\$6,491,000))~~ \$2,647,000 of the child and family reinvestment account--state appropriation, and ~~(\$8,274,000))~~ \$9,474,000 of the general fund--federal appropriation, are provided solely for the implementation and operations of the family assessment response program.

(15) \$35,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for a rate add-on paid to residential facilities providing behavioral rehabilitation service placements to children or youth who have been assessed as needing mental health services through the mental health division's children's long-term inpatient program and are waiting for an available placement. In no case shall the department decrease any rates paid to such residential facilities as a result of this subsection.

(16) \$329,000 of the general fund--state appropriation for fiscal year 2015 and \$48,000 of the general fund--federal appropriation are provided solely for a tiered reimbursement pilot project for family home and center child care providers who participate in the early achievers quality and improvement system. The tiered reimbursement rates shall be consistent with those established by the department of early learning.

(17) \$150,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for training, technical assistance, and fidelity oversight for an open source parenting program developed by a university-based child welfare research entity. Expenditure of the amount provided in this subsection is contingent upon the availability of private or local funds necessary for the research entity to develop the open source parenting curriculum. The children's administration must make the open source parenting program available to parents with an open child welfare case beginning January 1, 2015.

(18) Effective January 2015, in addition to the youth eligible for extended foster care services under RCW 13.34.267 and 74.13.031, the department is authorized to provide extended foster care services to nonminor dependents who are engaged in employment for eighty hours or more per month. \$83,000 of the general fund--state appropriation for fiscal year 2015 and \$23,000 of the general fund--federal appropriation are provided solely for such services.

Sec. 203. 2013 2nd sp.s. c 4 s 203 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE REHABILITATION PROGRAM	
General Fund--State Appropriation (FY 2014)	(\$89,967,000))
.....	\$89,505,000
General Fund--State Appropriation (FY 2015)	(\$90,255,000))
.....	\$88,778,000

General Fund--Federal Appropriation	\$3,464,000
General Fund--Private/Local Appropriation.....	(\$1,981,000))
.....	\$1,978,000
Washington Auto Theft Prevention Authority Account--	
State Appropriation.....	\$196,000
Reinvesting in Youth--State Appropriation.....	\$383,000
Juvenile Accountability Incentive Account--Federal	
Appropriation.....	\$2,801,000
TOTAL APPROPRIATION	(\$189,047,000))
.....	\$187,105,000

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

(1) \$331,000 of the general fund--state appropriation for fiscal year 2014 and \$331,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$2,716,000 of the general fund--state appropriation for fiscal year 2014 and \$2,716,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county impacts associated with the implementation of chapter 338, Laws of 1997 and shall be distributed to counties as prescribed in the current consolidated juvenile services (CJS) formula.

(3) \$3,482,000 of the general fund--state appropriation for fiscal year 2014 and \$3,482,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to implement community juvenile accountability grants pursuant to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided in this subsection may be used solely for community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants.

(4) \$1,130,000 of the general fund--state appropriation for fiscal year 2014 and \$1,130,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to implement alcohol and substance abuse treatment programs for locally committed offenders. The juvenile rehabilitation administration shall award these moneys on a competitive basis to counties that submitted a plan for the provision of services approved by the division of alcohol and substance abuse. The juvenile rehabilitation administration shall develop criteria for evaluation of plans submitted and a timeline for awarding funding and shall assist counties in creating and submitting plans for evaluation.

(5) \$3,123,000 of the general fund--state appropriation for fiscal year 2014 and \$3,123,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for grants to county juvenile courts for the following programs identified by the Washington state institute for public policy (institute) in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates": Functional family therapy, multi-systemic therapy, aggression replacement training and interagency coordination programs, or other programs with a positive benefit-cost finding in the institute's report. County juvenile courts shall apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(6) \$1,537,000 of the general fund--state appropriation for fiscal year 2014 and \$1,537,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for expansion of the

following treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates": Multidimensional treatment foster care, family integrated transitions, and aggression replacement training, or other programs with a positive benefit-cost finding in the institute's report. The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(7)(a) The juvenile rehabilitation administration shall administer a block grant, rather than categorical funding, of consolidated juvenile service funds, community juvenile accountability act grants, the chemical dependency disposition alternative funds, the mental health disposition alternative, and the sentencing disposition alternative for the purpose of serving youth adjudicated in the juvenile justice system. In making the block grant, the juvenile rehabilitation administration shall follow the following formula and will prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for moderate and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency disposition alternative; and (vi) two percent for the mental health and sentencing dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the juvenile rehabilitation administration and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(b) The juvenile rehabilitation administration and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the juvenile rehabilitation administration and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be cochaired by the juvenile rehabilitation administration and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. Initial members will include one juvenile court representative from the finance committee, the community juvenile accountability act committee, the risk assessment quality assurance committee, the executive board of the Washington association of juvenile court administrators, the Washington state center for court research, and a representative of the superior court judges association; two representatives from the juvenile rehabilitation administration headquarters program oversight staff, two representatives of the juvenile rehabilitation administration regional office staff, one representative of the juvenile rehabilitation administration fiscal staff and a juvenile rehabilitation administration division director. The committee may make changes to the formula categories other than the evidence-based program and disposition alternative categories if it is determined the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost benefit savings to the state. Long-term cost benefit must be considered. Percentage

changes may occur in the evidence-based program or disposition alternative categories of the formula should it be determined the changes will increase evidence-based program or disposition alternative delivery and increase the cost benefit to the state. These outcomes will also be considered in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(c) The juvenile courts and administrative office of the courts shall be responsible for collecting and distributing information and providing access to the data systems to the juvenile rehabilitation administration and the Washington state institute for public policy related to program and outcome data. The juvenile rehabilitation administration and the juvenile courts will work collaboratively to develop program outcomes that reinforce the greatest cost benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(8) The juvenile courts and administrative office of the courts shall collect and distribute information related to program outcome and provide access to these data systems to the juvenile rehabilitation administration and Washington state institute for public policy. The agreements between administrative office of the courts, the juvenile courts, and the juvenile rehabilitation administration shall be executed to ensure that the juvenile rehabilitation administration receives the data that the juvenile rehabilitation administration identifies as needed to comply with this subsection. This includes, but is not limited to, information by program at the statewide aggregate level, individual court level, and individual client level for the purpose of the juvenile rehabilitation administration providing quality assurance and oversight for the locally committed youth block grant and associated funds and at times as specified by the juvenile rehabilitation administration as necessary to carry out these functions. The data shall be provided in a manner that reflects the collaborative work the juvenile rehabilitation administration and juvenile courts have developed regarding program outcomes that reinforce the greatest cost benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(9) \$445,000 of the general fund--state appropriation for fiscal year 2014 and \$445,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for funding of the teamchild project.

(10) \$178,000 of the general fund--state appropriation for fiscal year 2014 and \$178,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the juvenile detention alternatives initiative.

(11) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant program focused on criminal street gang prevention and intervention. The Washington state partnership council on juvenile justice may award grants under this subsection. The council shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection.

(12) \$400,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for competitive grants to community-based organizations to provide at-risk youth intervention services, including but not limited to, case management, employment services, educational services, and street outreach intervention programs. Projects funded should focus on preventing, intervening, and suppressing behavioral problems and violence while linking at-risk youth to pro-social activities. The

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

costs of administration may not exceed four percent of appropriated funding for each grant recipient. Each entity receiving funds must report to the juvenile rehabilitation administration on the number and types of youth served, the services provided, and the impact of those services upon the youth and the community.

Sec. 204. 2013 2nd sp.s. c 4 s 204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

General Fund--State Appropriation (FY 2014)	(\$327,467,000))
.....	\$328,527,000
General Fund--State Appropriation (FY 2015)	(\$308,723,000))
.....	\$329,208,000
General Fund--Federal Appropriation	(\$561,394,000))
.....	\$666,113,000
General Fund--Private/Local Appropriation.....	\$17,864,000
TOTAL APPROPRIATION	(\$1,215,448,000))
.....	\$1,341,712,000

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

(a) \$104,999,000 of the general fund--state appropriation for fiscal year 2014 and (~~(\$85,895,000))~~ \$88,895,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. This is a reduction in flexible nonmedicaid funding of \$4,343,000 for fiscal year 2014 and (~~(\$23,446,000))~~ \$20,446,000 for fiscal year 2015. This reduction reflects offsets in state funding related to services that will now be funded with federal dollars through the affordable care act medicaid expansion. This reduction shall be distributed as follows:

(i) The \$4,343,000 reduction in fiscal year 2014 and (~~(\$11,723,000))~~ \$10,223,000 of the reduction in fiscal year 2015 must be distributed among regional support networks based on a formula that equally weights each regional support networks proportion of individuals who become newly eligible and enroll in medicaid under the expansion provisions of the affordable care act in fiscal year 2014 and each regional support network's spending of flexible nonmedicaid funding on services that would be reimbursable for federal medicaid matching funds if provided to medicaid enrollees in the 2011-2013 fiscal biennium.

(ii) The remaining (~~(\$11,723,000))~~ \$10,223,000 reduction in fiscal year 2015 must be distributed among regional support networks based on each regional support network's proportion of individuals who become newly eligible and enroll in medicaid under the expansion provisions of the affordable care act through fiscal year 2015.

(b) \$6,590,000 of the general fund--state appropriation for fiscal year 2014, \$6,590,000 of the general fund--state appropriation for fiscal year 2015, and \$7,620,000 of the general fund--federal appropriation are provided solely for the department and regional support networks to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to regional support networks with PACT teams, the department shall consider the differences between regional support networks in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The department may allow regional support networks which have nonmedicaid reimbursable costs that are higher than the

nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under section 204(1)(a) of this act. The department and regional support networks shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(c) \$5,850,000 of the general fund--state appropriation for fiscal year 2014, \$5,850,000 of the general fund--state appropriation for fiscal year 2015, and \$1,300,000 of the general fund--federal appropriation are provided solely for the western Washington regional support networks to provide either community- or hospital campus-based services for persons who require the level of care previously provided by the program for adaptive living skills (PALS) at western state hospital.

(d) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by regional support networks at western state hospital shall be 557 per day.

(e) From the general fund--state appropriations in this subsection, the secretary of social and health services shall assure that regional support networks reimburse the aging and disability services administration for the general fund--state cost of medicaid personal care services that enrolled regional support network consumers use because of their psychiatric disability.

(f) The department is authorized to continue to contract directly, rather than through contracts with regional support networks, for children's long-term inpatient facility services.

(g) \$750,000 of the general fund--state appropriation for fiscal year 2014 and \$750,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to continue performance-based incentive contracts to provide appropriate community support services for individuals with severe mental illness who were discharged from the state hospitals as part of the expanding community services initiative. These funds will be used to enhance community residential and support services provided by regional support networks through other state and federal funding.

(h) \$1,125,000 of the general fund--state appropriation for fiscal year 2014 and \$1,125,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Spokane regional support network to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane regional support network shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(i) \$1,529,000 of the general fund--state appropriation for fiscal year 2014 and \$1,529,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(j) Regional support networks may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to

provide medicaid state plan or waiver services to medicaid clients. Additionally, regional support networks may use a portion of the state funds allocated in accordance with (a) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(k) \$3,436,000 of the general fund--state appropriation for fiscal year 2014 and \$2,291,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement.

(l) \$523,000 of the general fund--state appropriation for fiscal year 2014, \$775,000 of the general fund--state appropriation for fiscal year 2015, and \$854,000 of the general fund--federal appropriation are provided solely for implementation of sections 3 through 5 of chapter 289, Laws of 2013 (E2SHB 1114). Regional support networks must use this funding for the development of intensive community programs that allow individuals to be diverted or transitioned from the state hospitals in accordance with plans approved by the department.

(m) \$5,986,000 of the general fund--state appropriation for fiscal year 2014, \$11,592,000 of the general fund--state appropriation for fiscal year 2015, and \$10,160,000 of the general fund--federal appropriation are provided solely for implementation of chapter 335, Laws of 2013 (ESSB 5480). Regional support networks must use this funding for the development of intensive community programs that allow individuals to be diverted or transitioned from the state hospitals in accordance with plans approved by the department.

(n) Due to recent approval of federal medicaid matching funds for the disability lifeline and the alcohol and drug abuse treatment support act programs, the department shall charge regional support networks for only the state share rather than the total cost of community psychiatric hospitalization for persons enrolled in those programs.

(o) The legislature finds that the circumstances of the Chelan-Douglas regional support network (CD-RSN) make it necessary for CD-RSN to undergo restructuring in order to provide mental health services essential to the health and wellness of the citizens within its service area. The legislature intends to provide additional temporary financial relief to the CD-RSN while it undergoes internal restructuring or negotiates a merger with another regional support network.

The department shall negotiate relief for outstanding fiscal year 2013 reimbursements owed by CD-RSN to the state provided that the CD-RSN has a plan in place that is approved by the department by August 1, 2013, that demonstrates how CD-RSN will maintain financial viability and stability or will merge with another regional support network.

For the period of July 1, 2013, through December 31, 2013, the department may alter collection of reimbursement from CD-RSN for overuse of state hospital beds. To receive a reduction to the required reimbursement for overuse of state hospital beds, CD-RSN must continue to prioritize services that reduce its utilization and census at eastern state hospital and be actively implementing an approved plan to maintain financial viability or pursuing a future merger with another regional support network. Up to \$298,000 of the general fund--state appropriation for fiscal year 2014 is for the department to provide payments to regional support networks in eastern Washington which have used less than their allocated or contracted patient days of care at the state hospital to replace the share of the reimbursements from CD-RSN that the regional support networks would have received under RCW 71.24.320.

(p) \$266,000 of the general fund--state appropriation for fiscal year 2014 ~~((*))~~ and \$1,500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to maintain services for the King county regional support network as it works to transition services to settings that are eligible for federal participation for individuals covered under the medicaid program.

(q) Within the amounts appropriated in this section, funding is provided for the department to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(r) \$7,281,000 of the general fund--state appropriation for fiscal year 2015 and \$4,589,000 of the general fund--federal appropriation are provided solely for enhancement of community mental health services. The department must contract these funds for the operation of community programs in which the department determines there is a need for capacity that allows individuals to be diverted or transitioned from the state hospitals including but not limited to: (i) Community hospital or free standing evaluation and treatment services providing short-term detention and commitment services under the involuntary treatment act to be located in the geographic areas of the King regional support network, the Spokane regional support network outside of Spokane county, and the Thurston Mason regional support network; (ii) one new full program of an assertive community treatment team in the King regional support network and two new half programs of assertive community treatment teams in the Spokane regional support network and the Pierce regional support network; and (iii) three new recovery support services programs in the Grays Harbor regional support network, the greater Columbia regional support network, and the north sound regional support network. In contracting for community evaluation and treatment services, the department may not use these resources in facilities that meet the criteria to be classified under federal law as institutions for mental diseases. If the department is unable to come to a contract agreement with a designated regional support network for any of the services identified above, it may consider contracting for that service in another regional support network that has the need for such service.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2014)	(\$135,246,000))
.....	\$137,913,000
General Fund--State Appropriation (FY 2015)	(\$131,863,000))
.....	\$130,754,000
General Fund--Federal Appropriation	(\$150,863,000))
.....	\$158,952,000
General Fund--Private/Local Appropriation.....	(\$63,097,000))
.....	\$58,844,000
TOTAL APPROPRIATION	(\$481,069,000))
.....	\$486,463,000

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

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$231,000 of the general fund--state appropriation for fiscal year 2014 and \$231,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood.

(c) \$45,000 of the general fund--state appropriation for fiscal year 2014 and \$45,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for payment to the city of

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$20,000,000 of the general fund--state appropriation for fiscal year 2014 and \$20,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to maintain staffed capacity to serve an average daily census in forensic wards at western state hospital of 270 patients per day.

(e) ~~(\$2,068,000)~~ \$2,994,000 of the general fund--state appropriation for fiscal year 2014, ~~(\$2,066,000)~~ \$5,266,000 of the general fund--state appropriation for fiscal year 2015, and \$240,000 of the general fund--federal appropriation are provided solely for the state psychiatric hospitals to plan, procure, and implement the core elements of an electronic medical record system that is compliant with the international classification of diseases (ICD-10) by October 1, 2014. These funds must only be used for an electronic medical record system that meets federal criteria for electronic sharing of patient information and clinical care summaries with doctors' offices, hospitals, and health systems which use federally certified electronic health record systems. The procurement and implementation shall be conducted to allow for these services to be expanded to the department of corrections. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(3) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2014)	(\$1,609,000))
.....	\$1,612,000
General Fund--State Appropriation (FY 2015)	(\$1,610,000))
.....	\$452,000
General Fund--Federal Appropriation	\$6,286,000
TOTAL APPROPRIATION	(\$9,505,000))
.....	\$8,350,000

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

(a) \$1,161,000 of the general fund--state appropriation for fiscal year 2014 ~~(and \$1,161,000 of the general fund--state appropriation for fiscal year 2015 are)~~ is provided solely for children's evidence-based mental health services.

(b) \$446,000 of the general fund--state appropriation for fiscal year 2014, \$446,000 of the general fund--state appropriation for fiscal year 2015, and \$178,000 of the general fund--federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the department to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The institute and the department must submit this plan to the office of financial management and the fiscal committees of the legislature by December 1, 2013.

(4) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2014)	(\$5,287,000))
.....	\$5,807,000
General Fund--State Appropriation (FY 2015)	(\$4,777,000))
.....	\$7,418,000
General Fund--Federal Appropriation	(\$7,711,000))
.....	\$10,030,000
General Fund--Private/Local Appropriation.....	\$502,000
TOTAL APPROPRIATION	(\$18,277,000))
.....	\$23,757,000

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

(a) In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2014 and 2015 to support the costs

of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(b) \$74,000 of the general fund--state appropriation for fiscal year 2014, \$74,000 of the general fund--state appropriation for fiscal year 2015, and \$78,000 of the general fund--federal appropriation are provided solely for implementation of chapter 335, Laws of 2013 (ESSB 5480).

(c) \$160,000 of the general fund--state appropriation for fiscal year 2014 and \$80,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of chapter 284, Laws of 2013 (ESSB 5551).

(d) In developing the new medicaid managed care rates under which the public mental health managed care system will operate, the department must seek to estimate the reasonable and necessary cost of efficiently and effectively providing a comparable set of medically necessary mental health benefits to persons of different acuity levels regardless of where in the state they live. The department must report to the office of financial management and to the relevant fiscal and policy committees of the legislature on its proposed new mental health managed care rate-setting approach by August 1, 2013, and again at least sixty days prior to implementation of new capitation rates.

(e) \$349,000 of the general fund--state appropriation for fiscal year 2014, \$212,000 of the general fund--state appropriation for fiscal year 2015, and \$302,000 of the general fund--federal appropriation are provided solely to implement chapter 320, Laws of 2013 (ESHB 1519) and chapter 338, Laws of 2013 (2SSB 5732).

(f) The department shall work cooperatively with the health care authority to explore the feasibility of incentivizing small, rural hospitals to convert, in part or fully, some of their beds to psychiatric treatment beds. No later than December 31, 2014, the department shall report to the appropriate fiscal committees of the legislature on the feasibility of such conversion. The report shall consider rate enhancements and the ability to claim federal medicaid matching funds on converted beds.

(g) \$75,000 of the general fund--state appropriation for fiscal year 2014 and \$21,000 of the general fund--federal appropriation are provided for implementation of section 9, chapter 197, Laws of 2013 (ESHB 1336). The department must utilize these funds for mental health first aid training targeted at teachers and educational staff in accordance with the training model developed by the department of psychology in Melbourne, Australia.

(h) Within the amounts appropriated in this section, funding is provided for the department to continue to develop the child adolescent needs and strengths assessment tool and build workforce capacity to provide evidence based wraparound services for children, consistent with the ~~(anticipated)~~ settlement agreement in *T.R. v. Dreyfus and Porter*.

(i) \$144,000 of the general fund--state appropriation for fiscal year 2014, \$466,000 of the general fund--state appropriation for fiscal year 2015, and \$687,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Substitute Senate Bill No. 6312 (mental health, chemical dependency) and Engrossed Substitute House Bill No. 2315 (suicide prevention). If Substitute Senate Bill No. 6312 (mental health, chemical dependency) is not enacted by June 30, 2014, the amounts

provided in this subsection shall lapse.

(j) \$120,000 of the general fund--state appropriation for fiscal year 2014, \$780,000 of the general fund--state appropriation for fiscal year 2015, and \$900,000 of the general fund--federal appropriation are provided solely for contracted actuarial services required for integrating treatment services into managed care contracts in accordance with Second Substitute Senate Bill No. 6312 (mental health, chemical dependency). This includes the development of integrated rates for mental health and chemical dependency services that can be used for contracts with behavioral health and recovery organizations effective April 1, 2016, and for integrated physical health and behavioral health contracts with early adopters. The department shall collaborate with the health care authority, the office of the state actuary, and legislative staff on the establishment of these rates. Contracts for these actuarial services must require the contractors to provide information in response to questions from the health care authority, the office of the state actuary, and legislative staff. By November 1, 2014, the department shall provide a preliminary progress report on the rate setting process to the behavioral health task force established in chapter 338, Laws of 2013, and to the appropriate policy and fiscal committees of the legislature. The department shall provide an updated report to the same entities by June 30, 2015.

Sec. 205. 2013 2nd sp.s. c 4 s 205 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund--State Appropriation (FY 2014)	(((\$439,963,000))
.....	\$444,370,000
General Fund--State Appropriation (FY 2015)	(((\$458,131,000))
.....	\$470,359,000
General Fund--Federal Appropriation	(((\$820,769,000))
.....	\$835,386,000
General Fund--Private/Local Appropriation.....	(((\$21,000))
.....	\$535,000
TOTAL APPROPRIATION	(((\$1,718,884,000))
.....	\$1,750,650,000

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

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to Medicaid clients.

(i) The current annual renewal license fee for adult family homes shall be increased to \$225 per bed beginning in fiscal year 2014 and \$225 per bed beginning in fiscal year 2015. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(ii) The current annual renewal license fee for assisted living facilities shall be increased to \$106 per bed beginning in fiscal year 2014 and \$106 per bed beginning in fiscal year 2015.

(iii) The current annual renewal license fee for nursing facilities shall be increased to \$359 per bed beginning in fiscal year 2014 and \$359 per bed beginning in fiscal year 2015.

(c) \$13,301,000 of the general fund--state appropriation for fiscal year 2014, \$20,607,000 of the general fund--state

appropriation for fiscal year 2015, and \$33,910,000 of the general fund--federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw through an interest arbitration decision under the provisions of chapters 74.39A and 41.56 RCW for the 2013-2015 fiscal biennium.

(d) \$6,244,000 of the general fund--state appropriation for fiscal year 2014 and \$6,244,000 of the general fund--state appropriation for fiscal year 2015 are appropriated solely for the individual and family support program. Within these amounts, the department shall expand the current number of clients receiving services and focus on extending services to individuals with developmental disabilities who are not otherwise receiving paid services from the department.

(e) The department shall reimburse with the exceptional care rate adult family homes that provided care solely to clients with HIV/AIDS on or before January 1, 2000, and continue to provide care solely to clients with HIV/AIDS. The department shall not reduce the exceptional care rate from the rate paid on October 1, 2013.

(f) ~~(((\$1,547,000))~~ \$774,000 of the general fund--state appropriation for fiscal year 2015, and ~~(((\$4,790,000))~~ \$2,395,000 of the general fund--federal appropriation are provided solely for a payment system that satisfies Medicaid requirements regarding time reporting for W-2 providers. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(g) \$1,707,000 of the general fund--state appropriation for fiscal year 2014, \$2,670,000 of the general fund--state appropriation for fiscal year 2015, and \$4,376,000 of the general fund--federal appropriation are provided solely for the homecare agency parity impacts of the service employees international union healthcare 775nw arbitration award.

(h) The department is authorized to establish limited exemption criteria in rule to address RCW 74.39A.325 when a landline phone is not available to the employee.

(i) \$91,000 of the general fund--state appropriation for fiscal year 2015 is provided solely to implement Substitute House Bill No. 2310 (provider safety equipment). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(j) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(k) The department of social and health services shall increase the benchmark rates for community residential service businesses providing supported living, group home, and licensed staff residential services for people with developmental disabilities by thirty cents starting July 1, 2014.

(l) By January 1, 2015, the developmental disabilities administration of the department of social and health services shall identify stakeholders to participate in work groups, at their own expense, to complete the following and report to the appropriate committees of the legislature on issues raised in the July 31, 2013, state auditor's report which includes:

(i) Providing various community funding scenarios to phase in erving the fifteen thousand people on the no paid services waitlist caseload;

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(ii) Developing strategies to expand data gathered during the initial developmental disabilities application process to improve waitlist management;

(iii) Identifying ways to streamline the eligibility and assessment processes that ensure fairness for services provided by the developmental disabilities administration;

(iv) Providing different options that address the need for more community crisis and respite support for individuals and families;

(v) Identifying the resources and models needed to expand community peer support networks so that they can provide greater support to people receiving limited services or waiting for services;

(vi) Reviewing how other states use shared support hours for community living;

(vii) Identifying additional community residential options;

(viii) Identifying strategies to increase employment hours and wages for individuals employed;

(ix) Reviewing current community access rules and identifying ways to increase hours of service;

(x) Developing strategies to address retaining an adequate workforce;

(xi) Identifying ways to streamline the developmental disabilities system to make it easier and more accessible to navigate;

(xii) Identifying mechanisms for improved contract monitoring and quality assurance;

(xiii) Researching and analyzing moving the developmental disabilities system to a managed care approach and to more self-direction; and

(xiv) Identifying the various medicaid waiver and state plan options that could make better use of state funds while making the service delivery system more accessible to people in need of the services.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2014)(((\$85,261,000))\$86,005,000

General Fund--State Appropriation (FY 2015)(((\$84,980,000))\$84,806,000

General Fund--Federal Appropriation.....(((\$160,021,000))\$160,310,000

General Fund--Private/Local Appropriation.....\$23,041,000

TOTAL APPROPRIATION(((\$353,303,000))\$354,162,000

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

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$721,000 of the general fund--state appropriation for fiscal year 2014 and \$721,000 of the general fund--state appropriation for fiscal year 2015 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(3) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2014)(((\$1,943,000))\$1,975,000

General Fund--State Appropriation (FY 2015)(((\$1,993,000))\$2,074,000

General Fund--Federal Appropriation(((\$1,957,000))\$2,102,000

TOTAL APPROPRIATION(((\$5,893,000))\$6,151,000

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

(a) \$68,000 of the general fund--state appropriation for fiscal year 2015 and \$46,000 of the general fund--federal appropriation are provided solely for the purposes of designing and implementing the community first choice option benefit pursuant to either Engrossed Substitute House Bill No. 2746 (medicaid personal care) or Substitute Senate Bill No. 6387 (eliminating waiting for individuals with developmental disabilities). If neither of these bills is enacted by June 30, 2014, the amounts provided in this subsection (3)(a) shall lapse.

(b) It is the intent of the legislature to use savings from the community first choice option to make needed investments in home and community-based services for seniors and people with disabilities, including potential investments recommended by the joint legislative executive committee on aging and disability and a development and implementation council that the department of social and health services must convene prior to submitting the proposed community first choice option to the centers for medicare and medicaid services. At a minimum, the final report to the legislature from the joint legislative executive committee on aging and disability must explore the cost and benefit of rate enhancements for providers of long-term services and supports, restoration of hours for in-home clients, additional investment in the family caregiver support program, and additional investment in the individual and family services program or other medicaid services to support individuals with developmental disabilities.

(4) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2014)(((\$1,400,000))\$1,403,000

General Fund--State Appropriation (FY 2015)(((\$1,400,000))\$1,403,000

General Fund--Federal Appropriation(((\$1,200,000))\$1,206,000

TOTAL APPROPRIATION(((\$4,000,000))\$4,012,000

Sec. 206. 2013 2nd sp.s. c 4 s 206 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)(((\$869,628,000))\$860,198,000

General Fund--State Appropriation (FY 2015)(((\$923,218,000))\$913,984,000

General Fund--Federal Appropriation(((\$1,934,089,000))\$1,898,401,000

General Fund--Private/Local Appropriation(((\$30,122,000))\$33,471,000

Traumatic Brain Injury Account--State Appropriation.....(((\$3,393,000))\$3,392,000

Skilled Nursing Facility Safety Net Trust Account--State Appropriation.....(((\$88,000,000))\$110,681,000

TOTAL APPROPRIATION(((\$3,848,450,000))\$3,820,127,000

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

(1) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$171.35 for fiscal year 2014 and shall not exceed ~~(((\$171.58))~~ \$178.82 for fiscal year 2015, including the rate add-ons described in (a) ~~(and)~~, (b), and (g) of this subsection. However, if the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment is for any reason disapproved, the weighted average nursing facility payment rate shall not exceed \$162.43 for fiscal year 2014 and shall not exceed

\$163.58 for fiscal year 2015. There will be no adjustments for economic trends and conditions in fiscal years 2014 and 2015. The economic trends and conditions factor or factors defined in the biennial appropriations act shall not be compounded with the economic trends and conditions factor or factors defined in any other biennial appropriations acts before applying it to the component rate allocations established in accordance with chapter 74.46 RCW. When no economic trends and conditions factor for either fiscal year is defined in a biennial appropriations act, no economic trends and conditions factor or factors defined in any earlier biennial appropriations act shall be applied solely or compounded to the component rate allocations established in accordance with chapter 74.46 RCW.

(a) For fiscal year 2014 and 2015 within the funds provided, the department shall continue to provide an add-on per medicaid resident day per facility not to exceed \$1.57. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$15 in calendar year 2008, according to cost report data. The add-on may also be used to address resulting wage compression for related job classes immediately affected by wage increases to low-wage workers. For fiscal year 2015 within funds provided, the department shall provide an additional add-on per medicaid resident day per facility not to exceed the industry weighted average rate of \$2.44. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$17 in calendar year 2012, according to cost report data. The department shall continue reporting requirements and a settlement process to ensure that the funds are spent according to this subsection.

(b) The department shall do a comparative analysis of the facility-based payment rates calculated on July 1, ~~((2013))~~ 2014, using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the low wage worker add-on found in (a) of this subsection, the rate add-ons for direct care, support services, and therapy care found in (g) of this subsection, the comparative add-on, acuity add-on, and safety net reimbursement, to the facility-based payment rates in effect June 30, 2010. If the facility-based payment rate calculated on July 1, ~~((2013))~~ 2014, is smaller than the facility-based payment rate on June 30, 2010, then the difference shall be provided to the individual nursing facilities as an add-on payment per medicaid resident day.

(c) During the comparative analysis performed in subsection (b) of this section, if it is found that the direct care rate for any facility calculated using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the low wage worker add-on found in (a) of this subsection, the rate add-ons for direct care, support services, and therapy care found in (g) of this subsection, the comparative add-on, acuity add-on, and safety net reimbursement, is greater than the direct care rate in effect on June 30, 2010, then the facility shall receive a ten percent direct care rate add-on to compensate that facility for taking on more acute clients than they have in the past.

(d) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(e) The rate add-on provided in (c) of this subsection is subject to the reconciliation and settlement process provided in RCW 74.46.022(6).

(f) If the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment is for any reason disapproved, (b), (c), ~~((and))~~ (d), (g), and the fiscal year 2015 additional add-on in (a) of this subsection do not apply.

(g) For fiscal year 2015, the department shall provide the following rate add-ons per medicaid resident day:

(i) A direct care rate add-on of \$3.63 per medicaid resident day;

(ii) A support services rate add-on of \$1.12 per medicaid resident day; and

(iii) A therapy care rate add-on of \$0.05 per patient day.

This subsection (1)(g) is subject to the reconciliation and settlement process provided in RCW 74.46.022(6).

(2) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2014 and no new certificates of capital authorization for fiscal year 2015 and shall grant no rate add-ons to payment rates for capital improvements not requiring a certificate of need and a certificate of capital authorization for fiscal years 2014 and 2015.

(3) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes shall be increased to \$225 per bed beginning in fiscal year 2014 and \$225 per bed beginning in fiscal year 2015. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(b) The current annual renewal license fee for assisted living facilities shall be increased to \$106 per bed beginning in fiscal year 2014 and \$106 per bed beginning in fiscal year 2015.

(c) The current annual renewal license fee for nursing facilities shall be increased to \$359 per bed beginning in fiscal year 2014 and \$359 per bed beginning in fiscal year 2015.

(4) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

(5) \$30,640,000 of the general fund--state appropriation for fiscal year 2014, \$48,633,000 of the general fund--state appropriation for fiscal year 2015, and \$79,273,000 of the general fund--federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw through an interest arbitration decision under the provisions of chapters 74.39A and 41.56 RCW for the 2013-2015 fiscal biennium.

(6) \$1,840,000 of the general fund--state appropriation for fiscal year 2014 and \$1,877,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(7) ~~(((\$4,894,000))~~ \$2,447,000 of the general fund--state appropriation for fiscal year 2015, and ~~(((\$15,150,000))~~ \$7,575,000 of the general fund--federal appropriation are provided solely for a payment system that satisfies medicaid requirements regarding time reporting for W-2 providers. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(8) The department is authorized to establish limited exemption criteria in rule to address RCW 74.39A.325 when a landline phone is not available to the employee.

(9) Within the amounts appropriated in this section, in a report to the appropriate fiscal committees of the legislature that must be submitted by December 1, 2013, the department of social and health services must describe the process for establishing medicaid rates for assisted living and adult family homes. The report must include information about licensing and physical plant standards, contracting provisions, and per capita and biennial expenditures for assisted living and adult family homes.

(10) \$10,800,000 of the general fund--state appropriation for fiscal year 2014, \$17,768,000 of the general fund--state appropriation for fiscal year 2015, and \$28,567,000 of the general fund--federal appropriation are provided solely for the homecare agency parity impacts of the service employees international union healthcare 775nw arbitration award.

(11) \$33,000 of the general fund--state appropriation for fiscal year 2014, \$17,000 of the general fund--state appropriation for fiscal year 2015, and \$50,000 of the general fund--federal appropriation are provided solely for staffing and other expenses associated with the work of the joint legislative executive committee on planning for aging and disability issues that is established by this subsection.

(a) A joint legislative executive committee on aging and disability is established, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members. Four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee; and

(v) The director of the department of retirement systems or his or her designee.

(b) The committee must convene by September 1, 2013. At the first meeting, the committee will select cochairs from among its members who are legislators. All meetings of the committee are open to the public.

(c) The purpose of the committee is to identify key strategic actions to prepare for the aging of the population in Washington, including state budget and policy options, by conducting at least, but not limited to, the following tasks:

(i) Establish a profile of Washington's current population of older people and people with disabilities and a projection of population growth through 2030;

(ii) Establish an inventory of services and supports currently available to older people and people with disabilities from the health care and long-term services and support systems and other community resources such as housing, transportation, income support, and protection for vulnerable adults;

(iii) Identify state budget and policy options to more effectively use state, federal and private resources to, over time, reduce the growth rate in state expenditures that would otherwise occur by continuing current policy in light of significant population growth;

(iv) Identify strategies to better serve the health care needs of an aging population and people with disabilities, and promote healthy living;

(v) Identify policy options to create financing mechanisms for long-term services and supports that will promote additional private responsibility for individuals and families to meet their needs for service;

(vi) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans; and

(vii) Identify policy options to help communities adapt to the aging demographic in planning for housing, land use and transportation.

(d) The committee shall consult with the office of the insurance commissioner, the caseload forecast council, health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the aging population and people with disabilities.

(e) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(f) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(g) The committee shall issue an interim report to the legislature by December 10, 2013, and issue final recommendations to the governor and relevant standing committees of the legislature by December 10, 2014.

(12) \$240,000 of the general fund--state appropriation for fiscal year 2014, \$1,342,000 of the general fund--state appropriation for fiscal year 2015, and \$1,468,000 of the general fund--federal appropriation are provided solely to implement chapter 320, Laws of 2013 (ESHB 1519) and chapter 338, Laws of 2013 (2SSB 5732).

(13) The department shall review the capital add-on rate established by RCW 74.39A.320 for effectiveness in incentivizing assisted living facilities to serve Medicaid eligible clients. Upon completing its review, the department shall submit its findings along with recommendations for alternatives to the office of financial management and the fiscal committees of the legislature by December 1, 2013. The department is encouraged to engage stakeholders in developing alternatives.

(14) \$239,000 of the general fund--state appropriation for fiscal year 2014, \$160,000 of the general fund--state appropriation for fiscal year 2015, and \$398,000 of the general fund--federal appropriation are provided solely to implement chapter 300, Laws of 2013 (SSB 5630).

(15) \$3,000 of the general fund--state appropriation for fiscal year 2015 is provided solely to implement Substitute House Bill No. 2310 (provider safety equipment). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(16) \$296,000 of the general fund--state appropriation for fiscal year 2015 and \$296,000 of the general fund--federal appropriation are provided solely for the purposes of designing and implementing the community first choice option benefit pursuant to either Engrossed Substitute House Bill No. 2746 (medicaid personal care) or Substitute Senate Bill No. 6387 (eliminating waiting for individuals with developmental disabilities). If neither of these bills is enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

(17) \$5,094,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(18) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under

RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(19) It is the intent of the legislature to use savings from the community first choice option to make needed investments in home and community-based services for seniors and people with disabilities, including potential investments recommended by the joint legislative executive committee on aging and disability and the development and implementation council that the department of social and health services must convene prior to submitting the proposed community first choice option to the centers for medicare and medicaid services. At a minimum, the final report to the legislature from the joint legislative executive committee on aging and disability must explore the cost and benefit of rate enhancements for providers of long-term services and supports, restoration of hours for in-home clients, additional investment in the family caregiver support program, and additional investment in the individual and family services program or other medicaid services to support individuals with developmental disabilities.

(20) The department shall reimburse with the exceptional care rate adult family homes that provided care solely to clients with HIV/AIDS on or before January 1, 2000, and continue to provide care solely to clients with HIV/AIDS. The department shall not reduce the exceptional care rate from the rate paid on October 1, 2013.

(21) \$30,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the department to contract with area agencies on aging to convene a work group to include first responders and companies providing life alert or other emergency alert services and to develop a proposal on how vulnerable adults who have life alert services might be made known to first responders in the event of a long-term power or telecommunications outage. The work group shall review methods for information sharing to include:

- (a) Protocols and conditions in which information would be shared;
- (b) A process whereby vulnerable life alert and emergency alert customers may provide permission for their information to be shared in the event of an emergency;
- (c) Privacy protections for participants in the program; and
- (d) Liability protections for agencies that collect, maintain, and track information.

The work group shall develop recommendations and provide them to the office of financial management and to the appropriate legislative committees by November 15, 2014.

(22) Within existing appropriations, the department is authorized to implement the fully capitated demonstration project for individuals who are dually eligible for medicare and medicaid. Savings realized from this implementation may be used to offset any general fund--state costs incurred by the department.

Sec. 207. 2013 2nd sp.s. c 4 s 207 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	(\$402,504,000))
.....	\$371,738,000
General Fund--State Appropriation (FY 2015)	(\$405,019,000))
.....	\$374,979,000
General Fund--Federal Appropriation	(\$1,211,774,000))
.....	\$1,235,362,000

General Fund--Private/Local Appropriation.....	(\$30,594,000))
.....	\$36,450,000
Administrative Contingency Account--State	
Appropriation	\$5,000,000
TOTAL APPROPRIATION	(\$2,049,891,000))
.....	\$2,023,529,000

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

(1)(a) (~~(\$178,757,000)~~) \$145,315,000 of the general fund--state appropriation for fiscal year 2014, (~~(\$172,999,000)~~) \$146,136,000 of the general fund--state appropriation for fiscal year 2015, \$5,000,000 of the administrative contingency account--state appropriation, and (~~(\$732,881,000)~~) \$770,440,000 of the general fund--federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting the new structure. The secretary of the department of social and health services, working with WorkFirst partner agencies and in collaboration with the WorkFirst oversight task force, shall develop a plan for maximizing the following outcomes and shall report back to the legislature by November 1, 2013. The outcomes to be measured are: (i) Increased employment; (ii) completion of education or post-secondary training; (iii) completion of barrier removal activity including drug and alcohol or mental health treatment; (iv) housing stability; (v) child care or education stability for the children of temporary assistance for needy families recipients; (vi) reduced rate of return after exit from the WorkFirst program; and (vii) work participation requirements.

(b) (~~(\$406,818,000)~~) \$374,455,000 of the amounts in (a) of this subsection are provided solely for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance.

(c) (~~(\$168,019,000)~~) \$171,893,000 of the amounts in (a) of this subsection are provided solely for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures.

(d) (~~(\$367,676,000)~~) \$352,085,000 of the amounts in (a) of this subsection are provided solely for the working connections child care program under RCW 43.215.135. The amounts provided in this subsection (d) are provided conditioned on the department of social and health services and the department of early learning taking additional actions to identify and reduce the backlog of overpayment cases related to public assistance programs, including the working connections child care program. The departments shall collaborate and create a plan to triage overpayment cases in a manner that identifies and prioritizes cases with large overpayments and likelihood of fraudulent activity. The departments shall provide a quarterly report to the appropriate policy and fiscal

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

committees of the legislature detailing the specific actions taken as a result of this subsection (d). The department of social and health services shall also establish an interagency agreement with the state auditor's office to conduct an independent performance audit of the office of fraud and accountability recovery. The audit shall include an analysis of the data reporting elements used by the office, current methods for determining the closing of cases, workload allocation, and issues associated with coordination between the two departments. \$300,000 of the amount provided in this subsection (d) is provided solely for this performance audit.

(e) ~~(\$142,124,000)~~ \$168,456,000 of the amounts in (a) of this subsection are provided solely for WorkFirst and working connections child care administration and overhead.

(f) The amounts in (b) through ~~((d))~~ (e) of this subsection shall be expended for the programs and in the amounts specified. However, the department may transfer up to 10 percent of funding between (b) through ~~((d))~~ (e) of this subsection ~~(, but only if the funding is available or necessary to transfer solely due to utilization, caseload changes, or underperformance in terms of client outcomes).~~ The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(2) \$1,657,000 of the general fund--state appropriation for fiscal year 2014 and \$1,657,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On December 1, 2013, and annually thereafter, the department must report to the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be no less than seventy-five percent and no more than one hundred percent of the federal supplemental nutrition assistance program benefit amount.

(6) \$18,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of section 1, chapter 337, Laws of 2013 (SSB 5595).

(7) \$4,729,000 of the general fund--state appropriation for fiscal year 2014 and \$4,729,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of the telephone assistance program and the Washington information network 211 organization pursuant to Substitute House Bill No. 1971 (communication services). Of these funds, \$500,000 of the general fund--state appropriation for fiscal year 2014 and \$500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for operational support of the Washington information network 211 organization. If Substitute House Bill

No. 1971 (communication services) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(8) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(9) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(10) \$500,000 of the general fund--state appropriation for fiscal year 2014 and \$1,500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Substitute House Bill No. 2069 (safety net benefits). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

Sec. 208. 2013 2nd sp.s. c 4 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND SUBSTANCE ABUSE PROGRAM

General Fund--State Appropriation (FY 2014)	(\$72,650,000)
.....	\$73,021,000
General Fund--State Appropriation (FY 2015)	(\$61,855,000)
.....	\$63,535,000
General Fund--Federal Appropriation	(\$277,248,000)
.....	\$279,090,000
General Fund--Private/Local Appropriation.....	(\$13,554,000)
.....	\$16,301,000
Criminal Justice Treatment Account--State Appropriation.....	(\$14,568,000)
.....	\$14,284,000
Problem Gambling Account--State Appropriation.....	(\$1,450,000)
.....	\$1,449,000
TOTAL APPROPRIATION	(\$441,325,000)
.....	\$447,680,000

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

(1) Within the amounts appropriated in this section, the department may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the department by request; (b) program modifications needed to maximize access to federal medicaid matching funds will be phased in over the course of the 2013-2015 fiscal biennium; and (c) indirect charges for administering the program shall not exceed ten percent of the total contract amount.

(2) Within the amounts appropriated in this section, the department shall continue to provide for chemical dependency treatment services for adult medicaid eligible, pregnant and parenting women, disability lifeline, and alcoholism and drug addiction treatment and support act, and medical care services clients.

(3) In accordance with RCW 70.96A.090 and 43.135.055, the department is authorized to adopt fees for the review and approval of treatment programs in fiscal years 2014 and 2015 as necessary to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined

to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(4) \$3,500,000 of the general fund--federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(5) \$2,600,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the department to transition 128 beds from settings that are considered institutions for mental diseases to facilities with no more than 16 beds that are able to claim federal match for services provided to medicaid clients or individuals covered under the department's section 1115 medicaid waiver. The department may conduct a request for proposal process to fulfill this requirement and adopt rates that are comparable to the pilot projects implemented in the 2011-13 fiscal biennium. The department may use these funds to assist with the costs of providers in setting up or converting to 16-bed facilities. This funding may also be used for providers that are developing new capacity for clients who will become eligible for services under the affordable care act medicaid expansion. The number of beds available for pregnant and parenting women must not be reduced.

(6) ~~(\$283,000)~~ \$141,000 of the ~~(criminal justice treatment account)~~ general fund--state appropriation ~~(is)~~ for fiscal year 2014 and \$142,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for transitional funding for the family drug court in Pierce county.

(7) Within the amounts appropriated in this section, the department shall review differential rates paid for alcohol and substance abuse assessment and treatment services for medicaid and nonmedicaid clients and the impact to providers as previously uninsured clients become eligible for services through the medicaid expansion under the federal patient protection and affordable care act. By December 1, 2014, the department must submit a report to the legislature which provides: (a) The estimated impact on providers for each type of medicaid reimbursable service as newly eligible clients shift from nonmedicaid to medicaid rates; (b) identification of which types of providers will be most significantly impacted by these shifts; (c) identification of the estimated annual costs for increasing rates for each level of service; and (d) a summary of federal requirements that must be considered in determining how any future rate increase must be implemented.

(8) \$33,000 of the general fund--state appropriation for fiscal year 2015 and \$29,000 of the general fund--federal appropriation are provided solely to expand access to a program located in a county with a population over 700,000 that provides case management and coordinating services for low-income women who are pregnant or parenting and have a suspected history of alcohol or drug abuse.

(9) Within existing appropriations, the department shall prioritize the prevention and treatment of intravenous, opiate-based drug use.

Sec. 209. 2013 2nd sp.s. c 4 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL REHABILITATION PROGRAM

General Fund--State Appropriation (FY 2014)	(\$16,478,000)
.....	\$16,568,000
General Fund--State Appropriation (FY 2015)	(\$16,459,000)
.....	\$11,083,000

General Fund--Federal Appropriation	(\$99,413,000)
.....	\$99,397,000
TOTAL APPROPRIATION	(\$132,350,000)
.....	\$127,048,000

The appropriations in this section are subject to the following conditions and limitations: \$5,006,000 of the general fund--state appropriation for fiscal year 2014 ~~((and \$5,094,000 of the general fund--state appropriation for fiscal year 2015 are))~~ is provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

Sec. 210. 2013 2nd sp.s. c 4 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT PROGRAM

General Fund--State Appropriation (FY 2014)	(\$36,420,000)
.....	\$37,796,000
General Fund--State Appropriation (FY 2015)	(\$35,813,000)
.....	\$36,492,000
TOTAL APPROPRIATION	(\$72,233,000)
.....	\$74,288,000

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

(1) The department of social and health services shall transfer the stewardship of McNeil Island to the department of corrections industries program, effective September 1, 2013. The transferred responsibilities shall include marine operations, waste water treatment, water treatment, road maintenance, and any other general island maintenance that is not site specific to the operations of the special commitment center or the Pierce county secure community transition facility. Facility maintenance within the perimeter of the special commitment center shall remain the responsibility of the department of social and health services. Capital repairs and maintenance necessary to maintain the special commitment center on McNeil Island shall be managed by the department of social and health services. The legislature directs both departments to enter into an interagency agreement by August 1, 2013. The office of financial management shall oversee the negotiations of the interagency agreement. The interagency agreement must describe equipment that will transfer between the departments, warehouse space that will be shared by the departments, and occupancy requirements for any shops outside the perimeter of the special commitment center. The office of financial management will make the final determination on any disagreements between the departments on the details of the interagency agreement.

(2) ~~(\$3,120,000)~~ \$3,042,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$3,120,000)~~ \$3,024,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for operational costs specific to island operations of the special commitment center and the Pierce county secure community transition facility. The department shall establish an accounting structure that enables it to track and report on costs specific to island operations.

(3) All employees of the department of social and health services engaged in performing the powers, functions, and duties transferred to the department of corrections industries program under this subsection, are transferred to the department of corrections.

(4) All classified employees of the department of social and health services assigned to the department of corrections under this subsection whose positions are within an existing bargaining unit description at the department of corrections shall become a part of the existing bargaining unit at the department of corrections and shall be considered an appropriate inclusion or modification of the existing bargaining unit under the provisions of chapter 41.80 RCW.

(5) By November 1, 2014, the department of social and health services shall provide a report to the office of financial management

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

and the appropriate fiscal and policy committees of the legislature that evaluates the department's costs for certain medical and pharmacy costs for its residents within the special commitment center. The department as part of its evaluation shall consult with the health care authority, the health benefits exchange, and the department of corrections. At a minimum, the report should look at the following items: (a) Obtaining medicaid eligibility for residents; (b) feasibility of obtaining insurance for residents through the health benefit exchange; (c) utilizing multistate consortiums for the purchase of pharmaceuticals to reduce costs; and (d) consolidating contracts for medical inpatient and outpatient services with western state hospital.

Sec. 211. 2013 2nd sp.s. c 4 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2014), General Fund--State Appropriation (FY 2015), General Fund--Federal Appropriation, General Fund--Private/Local Appropriation, and TOTAL APPROPRIATION.

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

(1) \$395,000 of the general fund--state appropriation for fiscal year 2014, \$228,000 of the general fund--state appropriation for fiscal year 2015, and \$335,000 of the general fund--federal appropriation are provided solely to implement chapter 320, Laws of 2013 (ESHB 1519) and chapter 338, Laws of 2013 (2SSB 5732).

(2) \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$300,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state mentors program to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

(3) \$82,000 of the general fund--state appropriation for fiscal year 2014, \$44,000 of the general fund--state appropriation for fiscal year 2015, and \$28,000 of the general fund--federal appropriation are provided solely to develop a report on state efforts to prevent and control diabetes. The department, the health care authority, and the department of health shall submit a coordinated report to the governor and the appropriate committees of the legislature by December 31, 2014, on the following:

(a) The financial impacts and reach that diabetes of all types and undiagnosed gestational diabetes are having on the programs administered by each agency and individuals, including children with mothers with undiagnosed gestational diabetes, enrolled in those programs. Items in this assessment must include: (i) The number of lives with diabetes and undiagnosed gestational diabetes impacted or covered by the programs administered by each agency; (ii) the number of lives with diabetes, or at risk for diabetes, and family members impacted by prevention and diabetes control programs implemented by each agency; (iii) the financial toll or impact diabetes and its complications, and undiagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs in comparison to other chronic diseases and conditions; and (iv) the financial toll or impact diabetes and its complications, and diagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs;

(b) An assessment of the benefits of implemented and existing programs and activities aimed at controlling all types of diabetes and preventing the disease. This assessment must also document the amount and source for any funding directed to each agency for the programs and activities aimed at reaching those with diabetes of all types;

(c) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all types of diabetes and its complications;

(d) The development or revision of detailed policy-related action plans and budget recommendations for battling diabetes and undiagnosed gestational diabetes that includes a range of actionable items for consideration by the legislature. The plans and budget recommendations must identify proposed action steps to reduce the impact of diabetes, prediabetes, related diabetes complications, and undiagnosed gestational diabetes. The plans and budget recommendations must also identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing all types of diabetes; and

(e) An estimate of savings, efficiencies, costs, and budgetary savings and resources required to implement the plans and budget recommendations identified in (d) of this subsection (5).

Sec. 212. 2013 2nd sp.s. c 4 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2014), General Fund--State Appropriation (FY 2015), General Fund--Federal Appropriation, and TOTAL APPROPRIATION.

Sec. 213. 2013 2nd sp.s. c 4 s 213 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2014), General Fund--State Appropriation (FY 2015), General Fund--Federal Appropriation, General Fund--Private/Local Appropriation, Emergency Medical Services and Trauma Care Systems Trust Account--State Appropriation, Hospital Safety Net Assessment Fund--State Appropriation, Health Benefit Exchange Account--State Appropriation, State Health Care Authority Administration Account--State Appropriation, Medical Aid Account--State Appropriation, Medicaid Fraud Penalty Account--State Appropriation, and TOTAL APPROPRIATION.

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

(1) (~~(\$1,143,994,000)~~) \$1,900,484,000 of the general fund--federal appropriation is provided solely to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII), subject to the conditions and limitations in this subsection. If the federal medical assistance percentage for the medicaid expansion falls below the percentages in section 1905(y) of the social security act as of July 1, 2013, the authority shall ensure that the state does not incur any additional state costs above what would have been incurred had the federal medical assistance percentages remained at the percentages in section 1905(y) as of July 1, 2013. The director is authorized to make any necessary program adjustments to comply with this requirement, including adding or adjusting premiums, modifying benefits, or reducing optional programs. To the extent a waiver is needed to accomplish this, the director shall promptly apply for such waiver. If a necessary waiver is not approved, the medicaid expansion program shall be terminated upon appropriate notification to the legislature and enrollees.

(2) The requirements of this subsection apply to the basic health plan. This subsection is null and void and has no further effect upon implementation of the medicaid expansion under subsection (1) of this section.

(a) Within amounts appropriated in this section and sections 205 and 206 of this act, the health care authority shall continue to provide an enhanced basic health plan subsidy for foster parents licensed under chapter 74.15 RCW and workers in state-funded home care programs. Under this enhanced subsidy option, foster parents eligible to participate in the basic health plan as subsidized enrollees and home care workers with family incomes below 200 percent of the federal poverty level shall be allowed to enroll in the basic health plan at the minimum premium amount charged to enrollees with incomes below sixty-five percent of the federal poverty level.

(b) The health care authority shall require organizations and individuals that are paid to deliver basic health plan services and that choose to sponsor enrollment in the subsidized basic health plan to pay 133 percent of the premium amount which would otherwise be due from the sponsored enrollees.

(c) The administrator shall take at least the following actions to assure that persons participating in the basic health plan are eligible for the level of assistance they receive: (a) Require submission of (i) income tax returns, and recent pay history, from all applicants, or (ii) other verifiable evidence of earned and unearned income from those persons not required to file income tax returns; (b) check employment security payroll records at least once every twelve months on all enrollees; (c) require enrollees whose income as indicated by payroll records exceeds that upon which their subsidy is based to document their current income as a condition of continued eligibility; (d) require enrollees for whom employment security payroll records cannot be obtained to document their current income at least once every six months; (e) not reduce gross family income for self-employed persons by noncash-flow expenses such as, but not limited to, depreciation, amortization, and home office deductions, as defined by the United States internal revenue service; and (f) pursue repayment and civil penalties from persons who have received excessive subsidies, as provided in RCW 70.47.060(9).

(d) Enrollment in the subsidized basic health plan shall be limited to only include persons who qualify as subsidized enrollees as defined in RCW 70.47.020 and who (a) qualify for services under 1115 medicaid demonstration project number 11-W-00254/10; or (b) are foster parents licensed under chapter 74.15 RCW.

(3) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality

services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(5) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(6) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(7) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(8) \$4,261,000 of the general fund--state appropriation for fiscal year 2014, \$4,261,000 of the general fund--state appropriation for fiscal year 2015, and \$8,522,000 of the general fund--federal appropriation are provided solely for low-income disproportionate share hospital payments.

(9) \$400,000 of the general fund--state appropriation for fiscal year 2014, (~~(\$400,000)~~) \$200,000 of the general fund--state appropriation for fiscal year 2015, and (~~(\$800,000)~~) \$600,000 of the general fund--federal appropriation are provided solely for disproportionate share hospital payments to rural hospitals certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2013, with less than one hundred fifty acute care licensed beds in fiscal year 2011 that do not participate in the certified public expenditures program. The authority shall discontinue these payments on January 1, 2015.

(10) \$100,000 of the general fund--state appropriation for fiscal year 2014 and (~~(\$100,000)~~) \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for grants to rural hospitals in Clallam county that were certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2013, with less than one hundred fifty acute care licensed beds in fiscal year 2011. The authority shall discontinue these payments on January 1, 2015.

(11) \$100,000 of the general fund--state appropriation for fiscal year 2015 and \$100,000 of the general fund--federal appropriation are provided solely for disproportionate share hospital payments beginning on January 1, 2015, to rural hospitals in Lewis county that were certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2013, with less than one hundred fifty acute care licensed beds in fiscal year 2011. The authority shall discontinue these payments after June 30, 2015.

(12) \$150,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for grants to rural public hospitals in Grant county that were certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2013, with less than one hundred fifty acute care licensed beds in fiscal year 2011. The authority shall discontinue these payments after June 30, 2015.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

~~((42))~~ (14) \$6,000,000 of the general fund--federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

~~((43))~~ (15) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2013-2015 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2013, and by November 1, 2014, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2014 and fiscal year 2015, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2013-2015 biennial operating appropriations act and in effect on July 1, 2013, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2013-2015 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for

which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. ~~(\$3,860,000)~~ \$11,928,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$1,437,000)~~ \$14,821,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for state grants for the participating hospitals.

~~((44))~~ (16) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

~~((45))~~ (17) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

~~((46))~~ (18) \$170,000 of the general fund--state appropriation for fiscal year 2014, \$121,000 of the general fund--state appropriation for fiscal year 2015, and \$292,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute House Bill No. 1519 (service coordination organizations) and Second Substitute Senate Bill No. 5732 (behavioral health services). If neither of the bills is enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

~~((47))~~ (19) \$57,000 of the general fund--state appropriation for fiscal year 2014, \$40,000 of the general fund--state appropriation for fiscal year 2015, and \$55,000 of the general fund--federal appropriation are provided solely to develop a report on state efforts to prevent and control diabetes. The authority, the department of social and health services, and the department of health shall submit a coordinated report to the governor and the appropriate committees of the legislature by December 31, 2014, on the following:

(a) The financial impacts and reach that diabetes of all types and undiagnosed gestational diabetes are having on the programs administered by each agency and individuals, including children with mothers with undiagnosed gestational diabetes, enrolled in those programs. Items in this assessment must include: (i) The number of lives with diabetes and undiagnosed gestational diabetes impacted or covered by the programs administered by each agency; (ii) the number of lives with diabetes, or at risk for diabetes, and family members impacted by prevention and diabetes control programs implemented by each agency; (iii) the financial toll or impact diabetes and its complications, and undiagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs in comparison to other chronic diseases and conditions; and (iv) the financial toll or impact diabetes and its complications, and

diagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs;

(b) An assessment of the benefits of implemented and existing programs and activities aimed at controlling all types of diabetes and preventing the disease. This assessment must also document the amount and source for any funding directed to each agency for the programs and activities aimed at reaching those with diabetes of all types;

(c) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all types of diabetes and its complications;

(d) The development or revision of detailed policy-related action plans and budget recommendations for battling diabetes and undiagnosed gestational diabetes that includes a range of actionable items for consideration by the legislature. The plans and budget recommendations must identify proposed action steps to reduce the impact of diabetes, prediabetes, related diabetes complications, and undiagnosed gestational diabetes. The plans and budget recommendations must also identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing all types of diabetes; and

(e) An estimate of savings, efficiencies, costs, and budgetary savings and resources required to implement the plans and budget recommendations identified in (d) of this subsection (17).

~~((18))~~ (20) Within the amounts appropriated in this section, the authority shall identify strategies to improve patient adherence to treatment plans for diabetes and implement these strategies as a pilot through one health home program to be identified by the authority. The authority shall report to the governor and the legislature in December 2014 on the progress of strategy implementation. The authority shall report to the governor and legislature in December 2015 on patient outcomes and cost savings derived from new adherence strategies in the health home model and make recommendations for improving the strategies.

~~((19))~~ (21) Effective January 1, 2014, managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

~~((20))~~ (22) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--federal appropriation are provided solely for the development of recommendations for funding integrated school nursing and outreach services. The authority shall collaborate with the office of the superintendent of public instruction to develop recommendations for increasing federal financial participation for providing nursing services in schools with the goals of integrating nursing and outreach services and supporting one nurse for every four hundred fifty students in elementary schools and one nurse for every seven hundred fifty students in secondary schools. In developing these recommendations, the authority shall inquire with the federal centers for medicare and medicaid services about state plan amendment or waiver options for receiving additional federal matching funds for school nursing services provided to children enrolled in apple health for kids. The recommendations shall include proposals for funding training and reimbursement for nurses that provide outreach services to help eligible students enroll in apple health for kids and other social services programs. The authority and the office of the superintendent of public instruction shall provide these recommendations to the governor and the legislature by December 1, 2013.

~~((21))~~ (23) \$430,000 of the general fund--state appropriation for fiscal year 2014 and \$500,000 of the general fund--federal appropriation are provided solely to complete grant requirements for the health information exchange.

~~((22))~~ (24) \$143,000 of the medicaid fraud penalty account--state appropriation and \$423,000 of the general fund--federal appropriation are provided solely for the rebasing of outpatient and inpatient payment methods.

~~((23))~~ (25) \$1,163,000 of the medicaid fraud penalty account--state appropriation and \$9,710,000 of the general fund--federal appropriation are provided solely to implement the conversion to the tenth version of the world health organization's international classification of diseases.

~~((24))~~ (26) \$111,000 of the general fund--state appropriation for fiscal year 2014, \$35,000 of the general fund--state appropriation for fiscal year 2015, and \$359,000 of the general fund--federal appropriation are provided solely to update the medicaid information technology architecture state self-assessment and to develop the five year road map for the medicaid information technology architecture architect.

~~((25))~~ (27) \$62,000 of the general fund--state appropriation for fiscal year 2014, \$62,000 of the general fund--state appropriation for fiscal year 2015, and \$126,000 of the general fund--federal appropriation are provided solely to support the Robert Bree collaborative's efforts to disseminate evidence-based best practices for preventing and treating health problems.

~~((26))~~ (28) Within the amounts appropriated in this section, the authority shall increase reimbursement rates for primary care services provided by independent nurse practitioners to medicare levels for the period from July 1, 2013, to December 31, 2014.

~~((27))~~ (29) The authority shall seek a medicaid state plan amendment to create a professional services supplemental payment managed care program for professional services delivered to managed care recipients by University of Washington medicine and other public professional providers. This program shall be effective as soon as administratively possible and shall operate concurrently with the existing professional services supplemental payment program. The authority shall apply federal rules for identifying the difference between average commercial rates and fee-for-service medicaid payments. This difference will be multiplied by the number of managed care encounters and incorporated into the managed care plan capitation rates by a certified actuary. The managed care plans will pay the providers the difference attributable to the increased capitation rate. Participating providers shall be solely responsible for providing the local funds required to obtain federal matching funds. Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating providers. Participating providers shall retain the full amount of supplemental payments provided under this program, net of any costs related to the program that are disallowed due to audits or litigation against the state.

~~((28))~~ (30) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit beginning January 1, 2014.

~~((29))~~ (31) To the extent allowed under federal law, the authority shall require an adult client to enroll in full medicaid coverage instead of family planning-only coverage unless the client is at risk of domestic violence.

~~((30))~~ (32) The authority shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the authority and its contractors. Prior to open enrollment, the authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for the

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

medicaid expansion but are enrolled in coverage that will be eliminated in the transition to the medicaid expansion.

~~((34))~~ (33) \$90,000 of the general fund--state appropriation for fiscal year 2014, \$90,000 of the general fund--state appropriation for fiscal year 2015, and \$180,000 of the general fund--federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

~~((32))~~ (34) Within the amounts appropriated in this section, the authority shall reduce premiums for children with family incomes above 200 percent of the federal poverty level in the state-funded children's health program who are not eligible for coverage under the federal children's health insurance program. Premiums in the state and federal children's health insurance program shall be equal.

~~((33))~~ (35) The appropriations in this section reflect savings and efficiencies by transferring children receiving medical care provided through fee-for-service to medical care provided through managed care.

~~((34))~~ (36) \$150,000 of the general fund--state appropriation for fiscal year 2014, \$436,000 of the general fund--state appropriation for fiscal year 2015, and \$170,561,000 of the general fund--federal appropriation are provided solely for the provider incentive program and other initiatives related to the health information technology medicaid plan.

(37) ~~(\$1,531,000)~~ \$1,528,000 of the general fund--state appropriation for fiscal year 2014, ~~(\$280,000)~~ \$2,206,000 of the general fund--state appropriation for fiscal year 2015, and ~~(\$10,803,000)~~ \$17,912,000 of the general fund--federal appropriation are provided solely to implement phase two of the project to create a single provider payment system that consolidates medicaid medical and social services payments and replaces the social service payment system. The amounts provided in this subsection are conditioned on the authority satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(38) Within the amounts appropriated in this section, the health care authority and the department of social and health services shall implement the state option to provide health homes for enrollees with chronic conditions under section 2703 of the federal affordable care act. The total state match for enrollees who are dually-eligible for both medicare and medicaid and not enrolled in managed care shall be no more than the net savings to the state from the enhanced match rate for its medicaid-only managed care enrollees under section 2703.

(39) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(40) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(41) Within amounts appropriated, the health care authority shall conduct a review of its management and staffing structure to identify efficiencies and opportunities to reduce full time equivalent employees and other administrative costs. A report summarizing the review and the authority's recommendations to reduce costs and full time equivalent employees must be submitted to the governor and legislature by November 1, 2013.

(42) ~~(\$17,279,000)~~ \$16,580,000 of the health benefit exchange account--state appropriation and ~~(\$2,721,000)~~ \$3,409,000 of the general fund--federal appropriation are provided solely to support the operations of the Washington health benefit exchange from January 1, 2015, to June 30, 2015. The Washington state health insurance pool administrator shall transfer \$20,838,000 of pool contributions to the treasurer for deposit into the health benefit exchange account in calendar year 2014. The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures. Within the amounts provided in this subsection, \$321,000 of the health benefit exchange account--state appropriation and \$688,000 of the general fund--federal appropriation are provided solely for print services and postage for modified adjusted gross income medicaid eligibility correspondence sent from the health benefit exchange.

(43) Within the amounts appropriated in this section, the authority shall continue to provide coverage after December 31, 2013, for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(44) (Upon implementation of the medicaid expansion under subsection (1) of this section, the breast and cervical cancer treatment program is eliminated. To maintain continuity of coverage, the authority shall offer the option to stay in a fee-for-service program to clients that are already enrolled in the breast and cervical cancer treatment program and will be transitioned into the new adult group upon implementation of the medicaid expansion. The authority will continue to provide coverage to clients that are already enrolled in the breast and cervical cancer treatment program at the time of program elimination until their courses of treatment are completed) Sufficient amounts are appropriated in this section to restore medicaid coverage under the breast and cervical cancer treatment program.

(45) \$40,000 of the general fund--state appropriation for fiscal year 2014 and \$40,000 of the general fund--federal appropriation are provided solely for the authority to create a new position to provide adequate oversight and assistance to managed care organizations, rural health clinics, and federally qualified health centers under a new administratively streamlined payment methodology. Effective July 1, 2013, or upon obtaining any necessary federal approval, but in no case during the first quarter of a calendar year, the authority shall implement an administratively streamlined payment methodology for federally qualified health centers and rural health clinics. The authority's payments to managed care organizations shall include the full encounter payment comprised of both the standard and enhancement payments for federally qualified health centers and rural health clinics as defined in the medicaid state plan and in accordance with section 1902(bb) of the social security act (42 U.S.C. 1396a(bb)). At no time will a managed care organization be at risk for or have any claim to the supplemental payment portion of the rate which will be reconciled to ensure accurate payment and full pass through of the obligated funds. For any services eligible for encounter

payments, as defined in the medicaid state plan, managed care organizations shall be required to pay at least the full published encounter rates directly to each clinic or center, and payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority. At the option of any clinic, the enhancement payment can be received from the managed care organization on a per member per month basis for all assigned managed care enrollees in an amount prescribed by the authority. Nothing in this section is intended to disrupt mutually agreeable contractual arrangements between managed care organizations and clinics that impact how the standard payment for services is paid. The authority will require participating managed care organizations to reimburse federally qualified health centers and rural health clinics for clean claims in strict adherence to the timeliness of payment standards established under contract and specified for the medicaid fee-for-service program in section 1902(a)(37) of the social security act (42 U.S.C. 1396a(a)(37)), 42 C.F.R. Sec. 447.46, and specified for health carriers in WAC 284-43-321. The authority shall exercise all necessary options under its existing sanctions policy to enforce timely payment of claims. The authority shall ensure necessary staff and resources are identified to actively monitor and enforce the timeliness and accuracy of payments to federally qualified health centers and rural health clinics. By January 1, 2014, and after collaboration with federally qualified health centers, rural health clinics, managed care plans, and the centers for medicare and medicaid services, the authority will produce a report that provides options for a new payment methodology that rewards innovation and outcomes over volume of services delivered, and which maintains the integrity of the rural health clinic and federally qualified health center programs as outlined under federal law. The report will detail necessary federal authority for implementation and provide the benefits and drawbacks of each option.

(46) \$3,605,000 of the general fund--state appropriation for fiscal year 2014 is provided solely to proportionally reduce the amounts that rural health clinics owe the state under the calendar year 2009 recoupment.

(47) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the current medicaid benefit plan beginning January 1, 2014. ~~(The authority shall monitor the costs of the rehabilitative benefit as part of the forecasting process but shall not provide this benefit in the current medicaid benefit plan without a direct appropriation in the omnibus appropriations act.)~~

(48) The appropriations in this section reflect savings and efficiencies achieved by modifying dispensing methods of contraceptive drugs. The authority must make arrangements for all medicaid programs offered through managed care plans or fee-for-service programs to require dispensing of contraceptive drugs with a one-year supply provided at one time unless a patient requests a smaller supply or the prescribing physician instructs that the patient must receive a smaller supply. Contracts with managed care plans must allow on-site dispensing of the prescribed contraceptive drugs at family planning clinics. Dispensing practices must follow clinical guidelines for appropriate prescribing and dispensing to ensure the health of the patient while maximizing access to effective contraceptive drugs.

(49)(a) \$75,000 of the general fund--state appropriation for fiscal year 2014 and \$75,000 of the general fund--federal appropriation are provided solely for preparing options with an expert consultant for possible implementation of a targeted premium assistance program and possible implementation of the federal basic health option. \$75,000 of the amounts appropriated in this subsection is provided solely for the development of options related

to the targeted premium assistance program. The authority shall develop options for a waiver request to the federal centers for medicare and medicaid services to implement a targeted premium assistance program for the expansion adults, identified in section 1902(a)(10)(A)(i)(VIII) of the social security act, with incomes above one hundred percent of the federal poverty level, and for children covered in the children's health insurance program with incomes above two hundred percent of the federal poverty level, with a goal of providing seamless coverage through the health benefit exchange and improving opportunities for families to be covered in the same health plans. The options must include the possibility of applying premiums for individuals and cost-sharing that may exceed the five percent of family income cap under federal law, and the options must include recommendations to make the targeted premium assistance program cost neutral. The authority shall submit a report on the options to the legislature and the governor by January 1, 2014. The authority is encouraged to be creative, use subject matter experts, and exhaust all possible options to achieve cost neutrality. The report shall also include a detailed plan and timeline. \$75,000 of the amounts appropriated in this subsection is provided solely for the development of options related to the federal basic health option. The authority shall prepare options for implementing the federal basic health option as federal guidance becomes available. The authority shall submit a report on the options to the legislature and the governor by January 1, 2014, or ninety days following the release of federal guidance. The report must include a comparison of the premiums and cost-sharing under the federal basic health option with the premium assistance options described in this subsection, options for implementing the federal basic health option in combination with a premium assistance program, a detailed fiscal analysis for each coverage approach, including the estimated costs for system design and implementation, and information about impacted populations.

(b) Where possible, the authority shall leverage the same expert consultants to review each proposal and compare and contrast the approaches to ensure seamless coordination with the health benefit exchange.

(c) The authority shall collaborate with the joint select committee on health care oversight in the development of these options.

(50) \$171,000 of the general fund--state appropriation for fiscal year 2015 and \$145,000 of the general fund--federal appropriation are provided solely to implement Second Substitute Senate Bill No. 6312 (mental health, chemical dependency) and Engrossed Second Substitute House Bill No. 2315 (suicide prevention). If Second Substitute Senate Bill No. 6312 (mental health, chemical dependency) is not enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

(51) \$604,000 of the general fund--state appropriation for fiscal year 2014, \$597,000 of the general fund--state appropriation for fiscal year 2015, and \$18,320,000 of the general fund--federal appropriation are provided solely to implement Engrossed Second Substitute House Bill No. 2572 (health care purchasing, delivery). If the bill is not enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

(52) \$306,000 of the general fund--state appropriation for fiscal year 2015 and \$306,000 of the general fund--federal appropriation are provided solely to implement Substitute House Bill No. 2310 (provider safety equipment). If the bill is not enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

(53) \$390,000 of the general fund--state appropriation for fiscal year 2015 and \$3,510,000 of the general fund--federal appropriation are provided solely for medicaid clients to select the medicaid managed care organization of their choice within the Washington healthplanfinder online marketplace.

(54) \$561,000 of the general fund--state appropriation for fiscal

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

year 2015, \$2,000 of the general fund--local appropriation, and \$693,000 of the general fund--federal appropriation are provided solely for the authority to add autism screenings for children age eighteen months beginning July 1, 2014.

(55) By December 1, 2014, the authority shall report to the legislative fiscal committees with options for reducing payments to hospital owned physician practices or clinics that are higher than the maximum resource based relative value scale fee rates received by nonhospital owned physician practices or clinics for the same procedures. The authority shall include options for exempting certain hospital owned clinics from the reductions and the fiscal impacts of those options. The authority shall not enter into or renew any contracts under RCW 74.60.160 that would restrict the authority's ability to implement any of these options in the 2015-2017 fiscal biennium.

(56) The appropriations to the authority in this act shall be expended for the purposes and in the amounts specified in this act. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecasts and utilization assumptions, the authority, after May 1, 2014, may transfer general fund--state appropriations for fiscal year 2014 that are provided solely for a specified purpose. The authority shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

Sec. 214. 2013 2nd sp.s. c 4 s 214 (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund--State Appropriation (FY 2014)	(\$2,077,000))
.....	\$2,059,000
General Fund--State Appropriation (FY 2015)	(\$1,996,000))
.....	\$2,027,000
General Fund--Federal Appropriation	(\$2,185,000))
.....	\$2,171,000
TOTAL APPROPRIATION	(\$6,258,000))
.....	\$6,257,000

The appropriations in this section are subject to the following conditions and limitations: \$218,000 of the general fund--federal appropriation is provided for additional financial resources from the U.S. department of housing and urban development for the investigation of discrimination cases involving service animals.

Sec. 215. 2013 2nd sp.s. c 4 s 215 (uncodified) is amended to read as follows:

FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right-to-Know Account--State	
Appropriation.....	\$10,000
Accident Account--State Appropriation	(\$19,763,000))
.....	\$19,678,000
Medical Aid Account--State Appropriation	(\$19,763,000))
.....	\$19,678,000
TOTAL APPROPRIATION	(\$39,536,000))
.....	\$39,366,000

Sec. 216. 2013 2nd sp.s. c 4 s 216 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund--State Appropriation (FY 2014)	(\$14,257,000))
.....	\$14,535,000

General Fund--State Appropriation (FY 2015)	(\$14,159,000))
.....	\$14,062,000
General Fund--Private/Local Appropriation.....	(\$3,059,000))
.....	\$4,380,000
Death Investigations Account--State Appropriation.....	\$148,000
Municipal Criminal Justice Assistance Account--	
State Appropriation.....	\$460,000
Washington Auto Theft Prevention Authority Account--	
State Appropriation.....	\$8,597,000
TOTAL APPROPRIATION	(\$40,680,000))
.....	\$42,182,000

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

(1) \$5,000,000 of the general fund--state appropriation for fiscal year 2014 and \$5,000,000 of the general fund--state appropriation for fiscal year 2015, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) (~~(\$340,000)~~) \$408,000 of the general fund--local appropriation is provided solely to purchase ammunition for the basic law enforcement academy. Jurisdictions shall reimburse to the criminal justice training commission the costs of ammunition, based on the average cost of ammunition per cadet, for cadets that they enroll in the basic law enforcement academy.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a school safety program. The commission, in collaboration with the school safety center advisory committee, shall provide the school safety training for all school administrators and school safety personnel hired after the effective date of this section.

(5) \$96,000 of the general fund--state appropriation for fiscal year 2014 and \$96,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the school safety center within the commission. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, and review and approve manuals and curricula used for school safety models and training. Through an interagency agreement, the commission shall provide funding for the office of the superintendent of public instruction to continue to develop and maintain a school safety information web site. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety, for all school safety personnel. The commission shall provide research-related programs in school safety and security issues beneficial to both law enforcement and schools.

(6) \$123,000 of the general fund--state appropriation for fiscal year 2014 and \$123,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the costs of providing statewide advanced driving training with the use of a driving simulator.

(7) \$165,000 of the general fund--state appropriation for fiscal year 2014 and \$165,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for crisis intervention training for peace officers. The commission shall incorporate eight hours of crisis intervention curriculum into its basic law enforcement academy and shall offer an eight-hour in-service crisis intervention training course.

(8) \$35,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for a study to collect data on the

number of reserve officers statewide. By December 31, 2014, the commission shall report to the legislature on the number of reserve peace officers who are employed at each local law enforcement agency in Washington.

(9) \$70,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the commission to design and initiate, in partnership with Seattle university criminal justice department, the first year of a five-year study to research the effectiveness of its crisis intervention training. By November 1, 2014, the commission shall provide a report to the office of financial management and the appropriate fiscal and policy committees of the legislature that sets forth the proposed benchmarks and outcomes to be evaluated by the study. The commission shall provide an annual report of its evaluation to date by June 30th of each fiscal year during the study.

Sec. 217. 2013 2nd sp.s. c 4 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund--State Appropriation (FY 2014)	(\$17,158,000)
.....	\$17,216,000
General Fund--State Appropriation (FY 2015)	(\$17,733,000)
.....	\$17,663,000
General Fund--Federal Appropriation	\$11,876,000
Asbestos Account--State Appropriation	(\$366,000)
.....	\$363,000
Electrical License Account--State Appropriation	(\$37,124,000)
.....	\$40,072,000
Farm Labor Contractor Account--State Appropriation	\$28,000
Worker and Community Right-to-Know Account-- State Appropriation	(\$903,000)
.....	\$897,000
Public Works Administration Account--State Appropriation	(\$6,252,000)
.....	\$7,202,000
Manufactured Home Installation Training Account-- State Appropriation	(\$353,000)
.....	\$350,000
Accident Account--State Appropriation	(\$258,440,000)
.....	\$257,709,000
Accident Account--Federal Appropriation	\$13,626,000
Medical Aid Account--State Appropriation	(\$278,697,000)
.....	\$277,845,000
Medical Aid Account--Federal Appropriation	\$3,186,000
Plumbing Certificate Account--State Appropriation	(\$1,732,000)
.....	\$1,734,000
Pressure Systems Safety Account--State Appropriation	(\$4,193,000)
.....	\$4,170,000
TOTAL APPROPRIATION	(\$651,667,000)
.....	\$653,937,000

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

(1) Pursuant to RCW 43.135.055, the department is authorized to increase elevator fees by up to 13.1 percent during the 2013-2015 fiscal biennium. This increase is necessary to support expenditures authorized in this section, consistent with chapter 70.87 RCW.

(2) \$1,336,000 of the medical aid account--state appropriation is provided solely for implementation of Substitute Senate Bill No. 5362 (workers' compensation/vocational rehabilitation). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(3) \$279,000 of the public works administration account--state appropriation, \$4,000 of the medical aid account--state appropriation, and \$4,000 of the accident account--state appropriation are provided solely for implementation of Substitute House Bill No. 1420 (transportation improvement projects). If the

bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) (~~(\$104,000 of the general fund)~~) \$94,000 of the accident account--state appropriation (~~(for fiscal year 2014)~~) and (~~(\$104,000 of the general fund)~~) \$17,000 of the medical aid account--state appropriation (~~(for fiscal year 2015)~~) are provided solely to implement Substitute Senate Bill No. 5123 (farm (~~internships~~) internship program). If the bill is not enacted by June 30, (~~2013~~) 2014, the amount provided in this subsection shall lapse.

(~~(6)~~) (5) \$210,000 of the medical aid account--state appropriation and \$630,000 of the accident account--state appropriation are provided solely for the contract costs and one staff position at the department for the purpose of implementing the logging safety initiative in an effort to reduce the frequency and severity of injuries in manual, or nonmechanized, logging. The department shall reduce \$840,000 of workers compensation funding used for the safety and health investment project to maintain cost neutrality. Additional costs for the implementation of the logging safety initiative shall be accomplished by the department within existing resources to include the assignment of two full-time auditors specifically for this purpose. The department is directed to include \$420,000 of these costs in its calculation of workers' compensation premiums for the forest products industry for 2014, 2015, and 2016 rates. The department shall report to the legislature by December 31, 2014, an approach for using a third party safety certification vendor, accomplishments of the taskforce, accomplishments on this effort to-date, and future plans. The report must identify options for future funding and make recommendations for permanent funding for this program.

(6) \$132,000 of the accident account--state appropriation and \$130,000 of the medical aid account--state appropriation are provided solely to implement Substitute Senate Bill No. 5360 (unpaid wages collection). If the bill is not enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

Sec. 218. 2013 2nd sp.s. c 4 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund--State Appropriation (FY 2014)	(\$1,996,000)
.....	\$1,995,000
General Fund--State Appropriation (FY 2015)	(\$1,900,000)
.....	\$1,878,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State Appropriation	\$10,000
TOTAL APPROPRIATION	(\$3,906,000)
.....	\$3,883,000

(2) FIELD SERVICES

General Fund--State Appropriation (FY 2014)	(\$5,340,000)
.....	\$5,348,000
General Fund--State Appropriation (FY 2015)	(\$5,316,000)
.....	\$5,305,000
General Fund--Federal Appropriation	(\$3,455,000)
.....	\$3,442,000
General Fund--Private/Local Appropriation	(\$4,418,000)
.....	\$4,523,000
Veteran Estate Management Account--Private/Local Appropriation	(\$1,104,000)
.....	\$1,098,000
TOTAL APPROPRIATION	(\$19,633,000)
.....	\$19,716,000

The appropriations in this subsection are subject to the following conditions and limitations: \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$300,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to provide crisis and emergency relief and education, training,

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

and employment assistance to veterans and their families in their communities through the veterans innovation program.

(3) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2014)	(\$102,000)
.....	\$239,000
General Fund--State Appropriation (FY 2015)	(\$20,000)
.....	\$156,000
General Fund--Federal Appropriation	(\$68,981,000)
.....	\$69,188,000
General Fund--Private/Local Appropriation.....	(\$39,355,000)
.....	\$25,447,000
TOTAL APPROPRIATION	(\$108,458,000)
.....	\$95,030,000

Sec. 219. 2013 2nd sp.s. c 4 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund--State Appropriation (FY 2014)	(\$60,230,000)
.....	\$59,915,000
General Fund--State Appropriation (FY 2015)	(\$59,198,000)
.....	\$62,889,000
General Fund--Federal Appropriation	(\$536,074,000)
.....	\$534,989,000
General Fund--Private/Local Appropriation.....	(\$139,455,000)
.....	\$139,011,000
Hospital Data Collection Account--State Appropriation	(\$222,000)
.....	\$221,000
Health Professions Account--State Appropriation	(\$104,722,000)
.....	\$105,228,000
Aquatic Lands Enhancement Account--State Appropriation	
.....	\$604,000
Emergency Medical Services and Trauma Care Systems	
Trust Account--State Appropriation	(\$12,319,000)
.....	\$11,194,000
Safe Drinking Water Account--State Appropriation.....	(\$5,267,000)
.....	\$5,233,000
Drinking Water Assistance Account--Federal	
Appropriation	(\$14,806,000)
.....	\$14,697,000
Waterworks Operator Certification--State	
Appropriation	(\$1,560,000)
.....	\$1,554,000
Drinking Water Assistance Administrative Account--	
State Appropriation	(\$339,000)
.....	\$336,000
Site Closure Account--State Appropriation	(\$159,000)
.....	\$158,000
Biotoxin Account--State Appropriation.....	\$1,323,000
State Toxics Control Account--State Appropriation.....	(\$3,949,000)
.....	\$3,913,000
Medical Test Site Licensure Account--State	
Appropriation	(\$4,737,000)
.....	\$4,722,000
Youth Tobacco Prevention Account--State Appropriation	
.....	\$1,512,000
Public Health Supplemental Account--Private/Local	
Appropriation	\$3,236,000
Accident Account--State Appropriation	(\$304,000)
.....	\$302,000
Medical Aid Account--State Appropriation	\$50,000
Medicaid Fraud Penalty Account--State	
Appropriation.....	\$987,000
TOTAL APPROPRIATION	(\$951,053,000)
.....	\$952,074,000

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

(1)(a) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) The joint administrative rules review committee shall review the new or amended rules pertaining to primary and secondary school facilities under (a) of this subsection. The review committee shall determine whether (i) the rules are within the intent of the legislature as expressed by the statute that the rule implements, (ii) the rule has been adopted in accordance with all applicable provisions of law, or (iii) that the agency is using a policy or interpretive statement in place of a rule. The rules review committee shall report to the appropriate policy and fiscal committees of the legislature the results of committee's review and any recommendations that the committee deems advisable.

(2) In accordance with RCW 43.70.250 and 43.135.055, the department is authorized to establish and raise fees in fiscal year 2014 as necessary to meet the actual costs of conducting business and the appropriation levels in this section. This authorization applies to fees required for newborn screening, and fees associated with the following professions: Agency affiliated counselors; certified counselors; and certified advisors.

(3) \$150,000 of the state toxics control account--state appropriation is provided solely to provide water filtration systems for low-income households with individuals at high public health risk from nitrate-contaminated wells in the lower Yakima basin.

(4)(a) \$64,000 of the medicaid fraud penalty account--state appropriation is provided solely for the department to integrate the prescription monitoring program into the coordinated care electronic tracking program developed in response to section 213, chapter 7, Laws of 2012, 2nd sp. sess., commonly referred to as the seven best practices in emergency medicine.

(b) The integration must provide prescription monitoring program data to emergency department personnel when the patient registers in the emergency department. Such exchange may be a private or public joint venture, including the use of the state health information exchange.

(c) As part of the integration, the department shall request insurers and third-party administrators that provide coverage to residents of Washington state to provide the following to the coordinated care electronic tracking program:

(i) Any available information regarding the assigned primary care provider, and the primary care provider's telephone and fax numbers. This information is to be used for real-time

communication to an emergency department provider when caring for a patient; and

(ii) Information regarding any available care plans or treatment plans for patients with higher utilization of services on a regular basis. This information is to be provided to the treating provider.

(5) (~~(\$270,000)~~) \$180,000 of the general fund--state appropriation for fiscal year 2014 (~~(*)~~) and \$150,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington autism alliance to assist autistic individuals and families with autistic children during the transition to federal health reform.

(6) \$6,000 of the general fund--state appropriation for fiscal year 2014 and \$5,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to convene a work group to study and recommend language for standardized clinical affiliation agreements for clinical placements associated with the education and training of physicians licensed under chapter 18.71 RCW, osteopathic physicians and surgeons licensed under chapter 18.57 RCW, and nurses licensed under chapter 18.79 RCW. The work group shall develop one recommended standardized clinical affiliation agreement for each profession or one recommended standardized clinical affiliation agreement for all three professions.

(a) When choosing members of the work group, the department shall consult with the health care personnel shortage task force and shall attempt to ensure that the membership of the work group is geographically diverse. The work group must, at a minimum, include representatives of the following:

- (i) Two-year institutions of higher education;
- (ii) Four-year institutions of higher education;
- (iii) The University of Washington medical school;
- (iv) The college of osteopathic medicine at the Pacific Northwest University of Health Sciences;
- (v) The health care personnel shortage task force;
- (vi) Statewide organizations representing hospitals and other facilities that accept clinical placements;
- (vii) A statewide organization representing physicians;
- (viii) A statewide organization representing osteopathic physicians and surgeons;
- (ix) A statewide organization representing nurses;
- (x) A labor organization representing nurses; and
- (xi) Any other groups deemed appropriate by the department in consultation with the health care personnel shortage task force.

(b) The work group shall report its findings to the governor and the appropriate standing committees of the legislature no later than November 15, 2014.

(7) \$65,000 of the general fund--state appropriation for fiscal year 2014 and \$65,000 of the general fund--state appropriation for fiscal year 2015 are for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than five hundred twenty-five dollars annually for new or renewed licenses for the midwifery program.

(8) During the 2013-2015 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(9) \$654,000 of the health professions account--state appropriation is provided solely for the implementation of Engrossed Senate Bill No. 5206 (health sciences library). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(10) \$35,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1003 (health professions licensees). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(11) \$10,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1270 (board of denturists). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(12) \$10,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1271 (denturism). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(13) \$11,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1330 (dental hygienists, assistants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(14) (~~(\$1,008,000)~~) \$1,008,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1343 (nurses surcharge). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(15)) \$34,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1376 (suicide assessment training). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(~~(16))~~) (15) \$10,000 of the health professions account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1515 (medical assistants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(~~(17))~~) (16) \$2,185,000 of the health professions account--state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1518 (disciplinary authorities). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(~~(18))~~) (17) \$141,000 of the general fund--private/local appropriation is provided solely for the implementation of Substitute House Bill No. 1525 (birth certificates). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(~~(19))~~) (18) \$220,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1534 (impaired dentist program). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(~~(20))~~) (19) \$51,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1609 (board of pharmacy). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(~~(21))~~) (20) \$12,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1629 (home care aide continuing education). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(~~(22))~~) (21) \$18,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1737 (physician assistants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(~~(23))~~) (22) \$77,000 of the general fund--state appropriation for fiscal year 2014 and \$38,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to develop a report on state efforts to prevent and control diabetes. The department, the health care authority, and the department of social and health services shall submit a coordinated report to the governor and the appropriate committees of the legislature by December 31, 2014, on the following:

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(a) The financial impacts and reach that diabetes of all types and undiagnosed gestational diabetes are having on the programs administered by each agency and individuals, including children with mothers with undiagnosed gestational diabetes, enrolled in those programs. Items in this assessment must include: (i) The number of lives with diabetes and undiagnosed gestational diabetes impacted or covered by the programs administered by each agency; (ii) the number of lives with diabetes, or at risk for diabetes, and family members impacted by prevention and diabetes control programs implemented by each agency; (iii) the financial toll or impact diabetes and its complications, and undiagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs in comparison to other chronic diseases and conditions; and (iv) the financial toll or impact diabetes and its complications, and diagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs;

(b) An assessment of the benefits of implemented and existing programs and activities aimed at controlling all types of diabetes and preventing the disease. This assessment must also document the amount and source for any funding directed to each agency for the programs and activities aimed at reaching those with diabetes of all types;

(c) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all types of diabetes and its complications;

(d) The development or revision of detailed policy-related action plans and budget recommendations for battling diabetes and undiagnosed gestational diabetes that includes a range of actionable items for consideration by the legislature. The plans and budget recommendations must identify proposed action steps to reduce the impact of diabetes, prediabetes, related diabetes complications, and undiagnosed gestational diabetes. The plans and budget recommendations must also identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing all types of diabetes; and

(e) An estimate of savings, efficiencies, costs, and budgetary savings and resources required to implement the plans and budget recommendations identified in (d) of this subsection (23).

~~((24))~~ (23) Within the general fund--state amounts appropriated in this section, the department of health will develop and administer the certified home care aide examination translated into at least seven languages in addition to the languages in which the examination is available on the effective date of this act. The purpose of offering the examination in additional languages is to encourage an adequate supply of certified home care aides to meet diverse long-term care client needs.

(24)(a) \$350,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the department of health to support Washington's healthiest next generation efforts by partnering with the office of the superintendent of public instruction, department of early learning, and other public and private partners as appropriate to do the following:

(i) Expand programs across Washington that have demonstrated success in increasing physical activity and access to healthy food and drinking water;

(ii) Provide toolkits and mentoring for early learning and school professionals with strategies to encourage children to be active, eat healthy food, and have access to drinking water;

(iii) Enhance performance standards for the early childhood education and assistance program to include best practices on healthy eating and physical activity, nutrition education activities in

written curriculum plans, and the incorporation of healthy eating, physical activity, and screen time education into parent education;

(iv) Revise statewide guidelines for schools for quality health and fitness education; and

(v) Establish performance metrics.

(b) The department shall collaborate with the governor or the governor's designee, chairs or designees of the appropriate legislative committees, the state agencies listed in (a) of this subsection, other necessary state or local agencies and private businesses, and community organizations or individuals with expertise in child health, nutrition, and fitness to submit reports to the governor and the appropriate committees of the legislature by December 31, 2014, and June 30, 2015, that include:

(i) An update and a summary of the current and expected impacts of the activities listed in (a) of this subsection;

(ii) An identification and description of other programs designed to prevent childhood obesity, including programs with a focus on reducing child-related health disparities in specific population groups and programs for preventing and stopping tobacco and substance use; and

(iii) An analysis and identification of potential programs, policy, and funding recommendations for consideration by the legislature.

(25) \$68,000 of the health professions account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2160 (physical therapists). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(26) \$251,000 of the health professions account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2315 (suicide prevention). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(27)(a) Within the appropriations provided in this section, the department shall update its hepatitis C strategic plan for the state to include recommended actions pertaining to, at a minimum:

(i) Using prevalence data to determine the number of undiagnosed hepatitis C patients in the state;

(ii) How to best reach undiagnosed patients, with special consideration to people born between 1945 and 1965, and new infections;

(iii) The status of the more than sixty thousand state residents who have already been diagnosed with hepatitis C;

(iv) A framework for improving hepatitis C testing and linkage to medical care; and

(v) A framework for the prevention of hepatitis C.

(b) The department of health shall present its updated strategic hepatitis C plan to the appropriate committees of the legislature by September 15, 2014.

(28) Moneys appropriated in this section are sufficient to maintain and operate the marine biotoxin information hotline and the department shall not suspend or reduce its operation.

(29) \$1,500,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for tobacco, marijuana, and e-cigarette prevention activities that serve youth and populations with a high incidence of smoking. For activities that serve youth, the department must partner with the office of the superintendent of public instruction to fund effective tobacco, marijuana, and e-cigarette prevention programs at middle and high schools. For activities that serve populations with a high incidence of smoking, the department must contract with community based organizations that serve populations that have a high incidence of smoking tobacco, marijuana, or e-cigarettes. The legislature intends to fund tobacco and e-cigarette prevention programs in future biennia based on the Washington state institute for public policy report in section 609 of this act. The department shall work with the institute and shall develop a budget request for the 2015-2017 fiscal biennium based on the institute's report.

(30) \$2,143,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the implementation of Engrossed Third Substitute Senate Bill No. 5887 (medical and recreational marijuana). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

Sec. 220. 2013 2nd sp.s. c 4 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

The appropriations to the department of corrections in this act must be expended for the programs and in the amounts specified in this section. However, after May 1, 2014, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund--state appropriations for fiscal year 2014 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund--State Appropriation (FY 2014)	(\$6,437,000)
.....	\$56,330,000
General Fund--State Appropriation (FY 2015)	(\$54,779,000)
.....	\$54,430,000
Data Processing Revolving Account--State	
Appropriation.....	\$1,249,000
TOTAL APPROPRIATION	(\$112,465,000)
.....	\$112,009,000

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

(a) \$35,000 of the general fund--state appropriation for fiscal year 2014 and \$35,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council will investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(b) \$150,000 of the general fund--state appropriation for fiscal year 2014 and \$75,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to contract with a consultant who can facilitate and provide project expertise on the implementation of community and prison based offender programming that follows the risk-needs-responsivity model.

(i) By September 1, 2013, the department shall provide to the consultant an inventory of all existing programming both in prisons and in community operations. The department shall consult with the Washington state institute for public policy (WSIPP) to determine whether programs are evidence-based or research-based using definitions provided by WSIPP and shall include this information on the inventory.

(ii) By (~~October 1, 2013~~) March 1, 2014, the consultant shall report to the department, the office of financial management, and legislative fiscal committees on the department's current plans and processes for managing offender programming including processes for phasing-out ineffective programs and implementing

evidence-based or research-based programs. All department programs should be considered by the consultant regardless of whether they are included on the most recent list of WSIPP approved identifiable evidence-based practices in (b)(i) of this subsection.

(iii) The WSIPP, in consultation with the department, shall systematically review selected programs to determine the effectiveness of these programs at reducing recidivism or other outcomes. The WSIPP shall conduct a benefit-cost analysis of these programs when feasible and shall report to the legislature by December 1, 2013.

(iv) Based on the report provided by the consultant and the WSIPP review of programs, the department shall work collaboratively with the consultant to develop and complete a written comprehensive implementation plan by (~~January 15, 2014~~) June 30, 2014. The implementation plan must clearly identify the types of programs to be included, the recommended locations where the programs will be sited, an implementation timeline, and a phasing of the projected number of participants needed to meet the threshold of available program funds.

(v) Using the written implementation plan as a guide, the department must have programs in place and fully phased-in no later than (~~June 30, 2015~~) January 1, 2016.

(vi) The department shall hold the consultant on retainer to assist the department as needed throughout the implementation process. The consultant shall review quarterly the actual implementation compared to the written implementation plan and shall provide a report to the secretary of the department. The department shall provide reports to the office of financial management and legislative fiscal committees as follows:

(A) The written comprehensive implementation plan shall be provided by (~~January 15, 2014~~) July 15, 2014; and

(B) Written progress updates shall be provided by (~~July~~) December 1, 2014, and by (~~December 1, 2014~~) June 1, 2015.

(2) CORRECTIONAL OPERATIONS

General Fund--State Appropriation (FY 2014)	(\$605,039,000)
.....	\$594,207,000
General Fund--State Appropriation (FY 2015)	(\$604,704,000)
.....	\$594,052,000
General Fund--Federal Appropriation	(\$3,322,000)
.....	\$3,356,000
Washington Auto Theft Prevention Authority Account--	
State Appropriation.....	(\$7,585,000)
.....	\$7,582,000
Environmental Legacy Stewardship Account--State	
Appropriation.....	\$105,000
County Criminal Justice Assistance Account--State	
Appropriation.....	\$390,000
TOTAL APPROPRIATION	(\$1,221,145,000)
.....	\$1,199,692,000

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

(a) During the 2013-2015 fiscal biennium, when contracts are established or renewed for offender pay phone and other telephone services provided to inmates, the department shall select the contractor or contractors primarily based on the following factors:

(i) The lowest rate charged to both the inmate and the person paying for the telephone call; and (ii) the lowest commission rates paid to the department, while providing reasonable compensation to cover the costs of the department to provide the telephone services to inmates and provide sufficient revenues for the activities funded from the institutional welfare betterment account.

(b) \$501,000 of the general fund--state appropriation for fiscal year 2014 and \$501,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as

SIXTIETH DAY, MARCH 13, 2014

the maple lane school in Rochester. The department may not house incarcerated offenders at the maple lane site until specifically directed to do so by the legislature.

(c) By ~~((December 1, 2013))~~ March 31, 2014, the department of corrections shall provide a report to the office of financial management and the appropriate fiscal and policy committees of the legislature that evaluates the department's inmate intake processes and expenditures and makes recommendations for improvements. The evaluation must include an analysis of lean management processes that, if adopted, could improve the efficiency and cost effectiveness of inmate intake.

(d) By December 1, 2013, the department of corrections shall provide a report to the office of financial management and the appropriate fiscal and policy committees of the legislature that evaluates the department's use of partial confinement and work release programs and makes recommendations for improving public safety and decreasing recidivism through increasing participation in partial confinement re-entry and work release programs. In making its recommendations, the department shall identify:

(i) Options for increasing the capacity of work release beds to meet the number of eligible offenders;

(ii) Potential cost savings to the state through contracting for or building new work release capacity;

(iii) Options for expanding eligibility for partial confinement, including creation of a structured re-entry program that includes stable housing, mandatory participation in evidence-based programs, and intensive supervision; and

(iv) Potential cost savings to the state from creation of a structured re-entry program.

(e) By December 1, 2013, the department of corrections shall provide a report to the office of financial management and the appropriate fiscal and policy committees of the legislature that evaluates the department's community parenting alternative program, and makes recommendations for increasing participation in the program with the goals of increasing public safety and decreasing recidivism. The evaluation shall include recommendations for increasing the placement of eligible offenders into the program and increasing eligibility to other populations. In making its recommendations, the department shall identify the percent of the eligible population currently entering the program, outcomes to-date for program participants, and potential cost savings from increasing placement of offenders into the program.

(f) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders who violate the terms of their community supervision. A contract shall not have a cost of incarceration in excess of \$85 per day per offender. A contract shall not have a year-to-year increase in excess of three percent per year. The contracts may include rates for the medical care of offenders which exceed the daily cost of incarceration and the limitation on year-to-year increase, provided that medical payments conform to the department's offender health plan, pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff.

(g)(i) The legislature finds that it has taken several steps to mitigate the demand for prison capacity including funding evidence-based programming for offenders which is proven to reduce recidivism, funding evidence-based treatment alternatives to incarceration for drug-addicted offenders, standardizing inconsistencies in the drug sentencing grid, and authorizing the department to rent local jail beds. These steps will also assist the department's implementation of additional operational efficiencies by reducing costs related to offender intake, processing, and transportation.

(ii) Up to \$1,119,000 of the general fund--state appropriation for fiscal year 2014 and up to \$1,322,000 of the general fund--state

2014 REGULAR SESSION

appropriation for fiscal year 2015 may be used by the department to rent jail capacity for short-term offenders. In contracting for jail beds for short-term offenders, the department shall rent capacity from local and tribal governments to house offenders with an earned release date of less than one hundred twenty days remaining on his or her sentence at the time the offender would otherwise be transferred to a state correctional facility. The contracted daily costs for these offenders shall not exceed \$70 per offender including medical costs.

(h) The department of corrections shall issue a competitive solicitation by August 1, 2013, to contract with local jurisdictions for the use of inmate bed capacity in lieu of prison beds operated by the state. The department may contract for up to 300 beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The duration of the contracts may be for up to four years. The department shall not pay a rate greater than \$65 per day per offender for all costs associated with the offender while in the local correctional facility to include programming and health care costs, or the equivalent of \$65 per day per bed including programming and health care costs for full units. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as medium or lower security offenders. Programming provided for inmates held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders will be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meet standards set by the department. The local jail will provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop for an inmate while at a jail facility the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer will be the responsibility of the jail. The department will report to legislative fiscal committees and the office of financial management by November 1, 2013, to provide a status update on implementation.

(i) The department shall convene a work group to develop health care cost containment strategies at local jail facilities. The work group shall identify cost containment strategies in place at the department and at local jail facilities, identify the costs and benefits of implementing strategies in jail health-care facilities, and make recommendations on implementing beneficial strategies. The work group shall submit a report on its findings and recommendations to the fiscal committees of the legislature by October 1, 2013. The work group shall include jail administrators, representatives from health care facilities at the local jail level and the state prisons level, and other representatives as deemed necessary.

(j) ~~(((\$1,026,000))~~ \$526,000 of the general fund--state appropriation for fiscal year 2014 and \$781,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to expand the piloted risk-needs-responsivity model to include the use of cognitive behavioral therapy with evidence-based programming at two minimum security prison facilities and at the Monroe correctional complex.

(k) ~~(((\$23,653,000))~~ \$23,453,000 of the general fund--state appropriation for fiscal year 2014 and \$24,919,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for offender programming. Pursuant to section 220(1) of this act, the department shall develop and implement a written comprehensive plan for offender programming that prioritizes programs which

follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(l) \$36,000 of the general fund--state appropriation for fiscal year 2014 and \$36,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Engrossed Senate Bill No. 5484 (assault in the third-degree). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(m) \$48,000 of the general fund--state appropriation for fiscal year 2014 and \$48,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Engrossed Substitute House Bill No. 1383 (stalking protection orders). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(n) \$36,000 of the general fund--state appropriation for fiscal year 2014 and \$36,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Senate Bill No. 5149 (crimes against pharmacies). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(o) \$24,000 of the general fund--state appropriation for fiscal year 2014 and \$24,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5669 (trafficking). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(p) \$24,000 of the general fund--state appropriation for fiscal year 2014 and \$24,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Engrossed Senate Bill No. 5053 (vehicle prowling). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(q) \$96,000 of the county criminal justice assistance--state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5105 (rental vouchers for offenders). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(r) \$94,000 of the general fund--state appropriation for fiscal year 2014, and \$1,494,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to contract with Yakima county for the use of female inmate bed capacity in lieu of prison beds operated by the state. The department shall rent jail beds through contracts established under (h) of this subsection to house female offenders beginning no later than May 1, 2014.

(s) The department shall assess possible uses for the Yakima county jail facility, including but not limited to, housing for short-term offenders; housing for community supervision violators or absconders; housing for offenders with special program needs such as offenders with mental health issues; and housing for older or infirm offenders. The department shall report to the appropriate policy and fiscal committees of the legislature by December 1, 2014, with findings, cost estimates, and recommendations for the use of the facility.

(3) COMMUNITY SUPERVISION

General Fund--State Appropriation (FY 2014)	(\$130,568,000))
.....	\$148,788,000
General Fund--State Appropriation (FY 2015)	(\$131,973,000))
.....	\$151,715,000
County Criminal Justice Assistance Account--State	\$2,249,000
Ignition Interlock Device Revolving Account--State	\$2,200,000
TOTAL APPROPRIATION	(\$266,990,000))
.....	\$304,952,000

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

(a) \$1,906,000 of the county criminal justice assistance account--state appropriation and \$2,200,000 of the ignition interlock device revolving account--state appropriation are provided solely for the department to contract for additional residential drug offender sentencing alternative treatment slots. By December 1, 2013, the department shall provide a report to the appropriate fiscal committees of the house of representatives and the senate on the use of the additional treatment slots.

(b) \$4,186,000 of the general fund--state appropriation for fiscal year 2014 and \$6,362,000 of the general fund--state appropriation for fiscal year 2015 must be expended on evidence-based programs that follow the risk-needs-responsivity model. The department is authorized to use up to ten percent of these funds as necessary to secure physical space as needed to maximize program delivery of evidence-based treatment to all high-risk, high-need offenders in community supervision. Funding may be prioritized by the department to any program recognized as evidence-based for adult offenders by the Washington state institute for public policy.

(c) (~~(\$16,513,000))~~ \$15,363,000 of the general fund--state appropriation for fiscal year 2014 and \$16,527,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for offender programming. Pursuant to section 220 (1) of this act, the department shall develop and implement a written comprehensive plan for offender programming that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(d) \$107,000 of the county criminal justice--state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5105 (rental vouchers for offenders). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(e) Within the amounts provided in this section, funding is sufficient to implement Senate Bill No. 6327 (expanding the categories of offenses eligible for the community parenting alternative program within the department of corrections).

(4) CORRECTIONAL INDUSTRIES

General Fund--State Appropriation (FY 2014)	(\$6,780,000))
.....	\$6,830,000
General Fund--State Appropriation (FY 2015)	(\$7,182,000))
.....	\$7,174,000
TOTAL APPROPRIATION	(\$13,962,000))
.....	\$14,004,000

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

(a) \$3,293,000 of the general fund--state appropriation for fiscal year 2014 and \$3,707,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the stewardship of McNeil island. The department shall assume responsibility of all island maintenance excluding site specific maintenance operations for the special commitment center and the Pierce county secure transitional facility. The department shall as part of its industries program provide job skills to offenders while providing the minimum maintenance and preservation necessary for the state to remain in compliance with the federal deed for McNeil island. The department shall report on efficiencies and potential cost reductions to the office of financial management and legislative fiscal committees by December 15, 2013.

(b)(i) The department of social and health services shall transfer the stewardship of McNeil Island to the department of corrections industries program, effective September 1, 2013. The transferred responsibilities shall include marine operations, waste water treatment, water treatment, road maintenance, and any other general island maintenance that is not site specific to the operations of the

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

special commitment center or the Pierce county secure community transition facility. Facility maintenance within the perimeter of the special commitment center shall remain the responsibility of the department of social and health services. Capital repairs and maintenance necessary to maintain the special commitment center on McNeil Island shall be managed by the department of social and health services. The legislature directs both departments to enter into an interagency agreement by August 1, 2013. The office of financial management shall oversee the negotiations of the interagency agreement. The interagency agreement must describe equipment that will transfer between the departments, warehouse space that will be shared by the departments, and occupancy requirements for any shops outside the perimeter of the special commitment center. The office of financial management will make the final determination on any disagreements between the departments on the details of the interagency agreement.

(ii) All employees of the department of social and health services engaged in performing the powers, functions, and duties transferred to the department of corrections industries program under this subsection, are transferred to the department of corrections.

(iii) All classified employees of department of social and health services assigned to the department of corrections under this subsection whose positions are within an existing bargaining unit description at the department of corrections shall become a part of the existing bargaining unit at the department of corrections and shall be considered an appropriate inclusion or modification of the existing bargaining unit under the provisions of chapter 41.80 RCW.

(5) INTERAGENCY PAYMENTS

General Fund--State Appropriation (FY 2014)	(\$35,345,000))
.....	\$41,667,000
General Fund--State Appropriation (FY 2015)	(\$32,115,000))
.....	\$38,200,000
TOTAL APPROPRIATION	(\$67,460,000))
.....	\$79,867,000

The appropriations in this subsection are subject to the following conditions and limitations: The state prison medical facilities may use funds appropriated in this subsection to purchase goods and supplies through hospital or other group purchasing organizations when it is cost effective to do so.

Sec. 221. 2013 2nd sp.s. c 4 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund--State Appropriation (FY 2014)	(\$2,242,000))
.....	\$2,225,000
General Fund--State Appropriation (FY 2015)	(\$2,197,000))
.....	\$2,182,000
General Fund--Federal Appropriation	(\$21,060,000))
.....	\$20,937,000
General Fund--Private/Local Appropriation.....	\$60,000
TOTAL APPROPRIATION	(\$25,559,000))
.....	\$25,404,000

Sec. 222. 2013 2nd sp.s. c 4 s 222 (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund--Federal Appropriation	(\$269,977,000))
.....	\$269,546,000
General Fund--Private/Local Appropriation.....	(\$34,206,000))
.....	\$34,095,000
Unemployment Compensation Administration Account--	
Federal Appropriation.....	(\$320,006,000))
.....	\$330,594,000
Administrative Contingency Account--State	
Appropriation.....	(\$22,728,000))
.....	\$17,872,000

Employment Service Administrative Account--State	
Appropriation.....	(\$35,567,000))
.....	\$41,451,000
TOTAL APPROPRIATION	(\$682,484,000))
.....	\$693,558,000

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

(1) \$5,000,000 of the unemployment compensation administration account--federal appropriation is from amounts made available to the state by section 903(g) of the social security act (Reed act). This amount is provided solely for continuing current unemployment insurance functions and department services to employers and job seekers.

(2) (~~(\$12,386,000))~~ \$23,585,000 of the unemployment compensation administration account--federal appropriation is from amounts made available to the state by section 903(g) of the social security act (Reed act). This amount is provided solely for the replacement of the unemployment insurance tax information system for the employment security department. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(3) \$3,735,000 of the unemployment compensation account--federal appropriation is from amounts made available to the state by section 903(g) of the social security act (Reed act). This amount is provided solely for the replacement of call center technology to improve the integration of the telephone and computing systems to increase efficiency and improve customer service.

(4) \$182,000 of the employment services administrative account--state appropriation is provided for costs associated with the second stage of the review and evaluation of the training benefits program as directed in section 15(2), chapter 4, Laws of 2011 (unemployment insurance program). This second stage shall be developed and conducted by the joint legislative audit and review committee and shall consist of further work on the process study and net-impact/cost-benefit analysis components of the evaluation.

(5) \$240,000 of the administrative contingency account--state appropriation is provided solely for the employment security department to contract with a center for workers in King county. The amount appropriated in this subsection shall be used by the contracted center for workers to support initiatives that generate high-skill, high-wage jobs; improve workforce and training systems; improve service delivery for dislocated workers; and build alliances with community and environmental organizations.

(6) The department is prohibited from expending amounts appropriated in this section for implementation of chapter 49.86 RCW.

(7) The employment security department shall collaborate with the workforce training and education coordinating board, the state board for community and technical colleges, the economic service administration, and the local workforce development councils to coordinate a consolidated report on short-term and long-term employment and training related outcomes and funding of WorkFirst and workforce investment act Title IB workforce training programs, including but not limited to the information described in this subsection. The employment security department shall prepare a single report and submit it to the governor and appropriate committees of the legislature by December 1, 2014. Specifically:

(a) The state board for community and technical colleges and the economic services administration shall report jointly on training outcomes for WorkFirst funded programs by activity (basic education, vocational education iBest, life skills, and any other related activities that are provided for WorkFirst clients), including

but not limited to:

- (i) The number and percent of individuals that complete educational activities;
- (ii) The number and percent of individuals employed within one quarter after program completion and their median quarterly hours and wage and median annualized earnings;
- (iii) The number and percent of individuals employed within three quarters after program completion and their median quarterly hours and wage and median annualized earnings;
- (iv) The number of students enrolled in certificate programs by certificate type;
- (v) The number of students who accumulate at least forty-five credits and a college award; and
- (vi) The amount of WorkFirst funds spent.

The report shall also include recommendations for improving student retention and completion rates and any other system improvement recommendations.

(b) The employment security department shall work with the workforce training and education coordinating board, the state board for community and technical colleges, and the local workforce development councils to map the flow of federal workforce investment act funds from initial receipt by the employment security department to final expenditure. The report must include:

- (i) The total amount spent on direct training provided by the community and technical colleges from workforce investment act funds;
- (ii) The total amount spent by the employment security department on direct service provision;
- (iii) The number of students who enroll in certificate programs;
- (iv) The number and percent of students who earn certificates; and
- (v) The number and percent of students who accumulate at least forty-five credits and an industry recognized credential.

(8) \$3,809,000 of the unemployment compensation administration account--federal appropriation is from amounts made available to the state by section 903(g) of the social security act (Reed act). This amount is provided solely for the replacement of the unemployment insurance benefit system for the employment security department. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(9) \$50,000 of the administrative contingency account--state appropriation is provided solely for the employment security department to convene and provide support to a work group on agricultural and agricultural labor-related issues.

(a) The goals of the work group are the following:

- (i) To educate participants on relevant areas of regulation, business practices, and other labor issues of interest to the stakeholders in Washington agriculture;
- (ii) To identify labor-related issues of importance to participants, including but not limited to, housing, workplace standards, and agricultural labor supply; and
- (iii) To foster substantive, respectful, problem-solving oriented communication among stakeholders in and affected by the agricultural industry on the identified issues.

(b) The work group is charged with finding mutual points of interest and concern and with collaborating to find, where possible, administrative solutions to issues affecting agriculture.

(c) The work group must consist of ten members appointed by the governor with balanced and diverse representation that must include representatives from growers, agricultural industries, farmworker advocates, and labor.

(d) State agencies including the department of agriculture, the employment security department, the department of labor and industries, the department of health, and the commission on

Hispanic affairs must each identify a representative to participate on the work group as an ex officio member. The work group may invite other agencies to participate as needed.

(e) The employment security department must coordinate no more than six meetings in 2014, with the final number of meetings to be determined by the work group.

(f) The work group may use a facilitator to assist the group in achieving the goals in (a) of this subsection.

(g) The employment security department must submit a report by December 1, 2014, to the office of financial management and to the appropriate fiscal and policy committees of the legislature. The report must include the following:

- (i) The list of work group members;
- (ii) The list of issues identified by the work group; and
- (iii) Any work plan, recommendations, or actions taken that have been agreed upon by the work group.

(h) Work group members are entitled to be reimbursed for travel expenses under RCW 43.03.050, 43.03.060, and 43.03.049.

(End of part)

**PART III
NATURAL RESOURCES**

Sec. 301. 2013 2nd sp.s. c 4 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2014)	(\$445,000))
.....	\$442,000
General Fund--State Appropriation (FY 2015)	(\$446,000))
.....	\$450,000
General Fund--Federal Appropriation	\$31,000
General Fund--Private/Local Appropriation.....	(\$874,000))
.....	\$875,000
TOTAL APPROPRIATION	(\$1,796,000))
.....	\$1,798,000

Sec. 302. 2013 2nd sp.s. c 4 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2014)	(\$25,929,000))
.....	\$25,942,000
General Fund--State Appropriation (FY 2015)	(\$25,506,000))
.....	\$25,065,000
General Fund--Federal Appropriation	(\$105,230,000))
.....	\$102,926,000
General Fund--Private/Local Appropriation.....	(\$16,912,000))
.....	\$16,857,000
Reclamation Account--State Appropriation	(\$3,735,000))
.....	\$3,982,000
Flood Control Assistance Account--State	
Appropriation	(\$1,985,000))
.....	\$1,976,000
State Emergency Water Projects Revolving	
Account--State Appropriation.....	\$40,000
Waste Reduction/Recycling/Litter Control--State	
Appropriation.....	(\$9,722,000))
.....	\$9,689,000
State Drought Preparedness Account--State Appropriation	
.....	\$204,000
State and Local Improvements Revolving Account	
(Water Supply Facilities)--State Appropriation.....	(\$426,000))
.....	\$423,000
Environmental Legacy Stewardship Account--State	
Appropriation.....	(\$43,748,000))
.....	\$44,852,000
Aquatic Algae Control Account--State Appropriation	\$513,000

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

Water Rights Tracking System Account--State	
Appropriation.....	\$46,000
Site Closure Account--State Appropriation.....	(\$556,000))
.....	\$553,000
Wood Stove Education and Enforcement Account--State	
Appropriation.....	(\$612,000))
.....	\$608,000
Worker and Community Right-to-Know Account--State	
Appropriation.....	(\$1,701,000))
.....	\$1,690,000
Water Rights Processing Account--State Appropriation....	\$135,000
State Toxics Control Account--State Appropriation.....	
.....	(\$124,238,000))
.....	\$125,248,000
State Toxics Control Account--Private/Local	
Appropriation.....	(\$979,000))
.....	\$976,000
Local Toxics Control Account--State Appropriation .	(\$3,774,000))
.....	\$3,745,000
Water Quality Permit Account--State Appropriation	
.....	(\$40,982,000))
.....	\$41,661,000
Underground Storage Tank Account--State	
Appropriation.....	(\$3,347,000))
.....	\$3,331,000
Biosolids Permit Account--State Appropriation.....	(\$1,848,000))
.....	\$2,136,000
Hazardous Waste Assistance Account--State	
Appropriation.....	(\$6,037,000))
.....	\$6,009,000
Air Pollution Control Account--State Appropriation .	(\$3,128,000))
.....	\$3,124,000
Oil Spill Prevention Account--State Appropriation....	(\$5,684,000))
.....	\$6,312,000
Air Operating Permit Account--State Appropriation..	(\$3,132,000))
.....	\$3,137,000
Freshwater Aquatic Weeds Account--State	
Appropriation.....	(\$1,409,000))
.....	\$1,405,000
Oil Spill Response Account--State Appropriation.....	\$7,076,000
Water Pollution Control Revolving Account--State	
Appropriation.....	(\$356,000))
.....	\$352,000
Water Pollution Control Revolving Account--Federal	
Appropriation.....	(\$1,505,000))
.....	\$1,491,000
Water Pollution Control Revolving Administration	
Account--State Appropriation.....	\$1,021,000
Radioactive Mixed Waste Account--State	
Appropriation.....	(\$13,800,000))
.....	\$14,336,000
TOTAL APPROPRIATION	(\$455,316,000))
.....	\$456,861,000

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

- (1) \$170,000 of the oil spill prevention account--state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.
- (2) Pursuant to RCW 43.135.055, the department is authorized to increase the following fees as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Wastewater discharge permit, not more than 4.55 percent in fiscal year 2014 and 4.63 percent in fiscal year 2015; mixed waste

management service charge authorized in RCW 70.105.280, not more than 1.82 percent in fiscal year 2014 and 0.62 percent in fiscal year 2015; and reasonably available control technology fee.

(3) \$1,981,000 of the state toxics control account--state appropriation is for the department to provide training regarding the benefits of low-impact development including, but not limited to, when the use of low-impact development is appropriate and feasible, and the design, installation, maintenance, and best practices of low-impact development. The department will consult with Washington State University extension low-impact development technical center and others in the development of the low-impact technical training. As appropriate, the department may contract with the Washington State University extension low-impact development technical center, private sector vendors, associations, and others to deliver the technical training. The training must be provided free of cost to phase I and phase II permittees and the private development community including builders, engineers, and other industry professionals. The training must be sequenced geographically and provided in time for local jurisdictions to comply with RCW 90.48.260 and 36.70A.130(5). By August 1, 2013, the department of ecology shall provide the governor and appropriate legislative committees a plan for how low-impact development training funds will be spent during fiscal years 2014 through 2017.

(4) \$440,000 of the state toxics control account--state appropriation is provided solely for administering the water pollution control facilities financial assistance program authorized in chapter 90.50A RCW.

(5) \$350,000 of the state toxics control account--state appropriation is provided solely for the Spokane river regional toxics task force to support their efforts to address elevated levels of polychlorinated biphenyls in the Spokane river. Funding will be used to determine the extent of the cleanup required, implement cleanup actions to meet applicable water quality standards, and prevent recontamination.

(6) \$516,000 of the state toxics control account--state appropriation is provided solely for the department to support an ultrafine particulate study to determine how, if at all, the biomass cogeneration facilities in Port Townsend and Port Angeles may impact air quality and the health of citizens in the region.

(7) \$65,000 of the water quality permit account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1245 (derelict and abandoned vessels). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

((9) The department shall collaborate with the middle snake river watershed, WRIA 35 planning unit in implementing its watershed plan.) (8) \$40,000 of the environmental legacy stewardship account--state appropriation is provided solely for the middle snake river watershed, WRIA 35 planning unit in implementing its watershed plan in collaboration with the department.

~~((10))~~ (9)(a) \$14,000,000 of the general fund--state appropriation for fiscal year 2014 and \$14,000,000 of the general fund--state appropriation for fiscal year 2015 are for activities within the water resources program.

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for processing water right permit applications only if the department of ecology issues at least five hundred water right decisions in fiscal year 2014, and if the department of ecology does not issue at least five hundred water right decisions in fiscal year 2014 the amount provided in this subsection shall lapse and remain unexpended. Permit decisions for the Columbia river basin count toward the five hundred water rights decisions under this subsection.

The department of ecology shall submit a report to the office of financial management and the state treasurer by June 30, 2014, that documents whether five hundred water right decisions were issued in fiscal year 2014. For the purposes of this subsection, applications that are voluntarily withdrawn by an applicant do not count towards the five hundred water right decision requirement. For the purposes of water budget-neutral requests under chapter 173-539A WAC, multiple domestic connections authorized within a single water budget-neutral decision are considered one decision for the purposes of this subsection.

~~((+))~~ (10) The department of ecology, in consultation with the office of financial management, shall prepare a facilities plan to reduce the agency's facilities obligation and the agency's cost per FTE for its facilities by 2017 to align with comparable state agencies. The plan must be submitted to the office of financial management and the appropriate legislative fiscal committees by November 1, 2013. The plan must include: (a) An inventory of all currently owned and leased buildings, consistent with the data provided through the state's facilities inventory process prescribed by the office of financial management annually by September 1st; (b) a list of facilities solutions that will reduce costs with an emphasis on consolidation, collocation, and alternative space solutions such as shared workspace and mobile work; and (c) a department-wide coordinated process and plan for regularly evaluating facility needs.

(11) \$25,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the protection of groundwater aquifers that are the sole drinking water source as prescribed in RCW 90.54.140 specifically for the protection of artesian groundwater aquifers in a county with a population greater than one million five hundred thousand that are being detrimentally impacted by development. If the amount provided in this subsection is not sufficient for this purpose, the department must use existing funds to implement this subsection.

(12) \$50,000 of the environmental legacy stewardship account--state appropriation is provided solely to fund the Bertrand watershed improvement district's development of a conceptual groundwater model for water right permitting and mitigation efforts in the Lynden, Everson, Nooksack, and Sumas (LENS) aquifer study area. The conceptual groundwater model shall be developed in cooperation with the WRIA 1 watershed planning joint board.

(13) Within the environmental legacy stewardship account--state appropriation in this section, the department must use a portion of the funds to:

(a) Review tetrabromobisphenol A, chemical abstracts service number 79-94-7 and antimony, chemical abstracts service number 7440-36-0 and their use in children's products and furniture as flame retardants. The department must consider available information on the hazards, uses, exposures, potential health and environmental concerns, safer alternatives, existing regulatory programs, and information from other governments or authoritative bodies. By December 31, 2014, the department must provide to the appropriate committees of the legislature a summary of the data reviewed and recommendations on whether to ban or restrict antimony and tetrabromobisphenol A flame retardants in children's products and furniture; and

(b) Test for the presence of flame retardants in children's products and furniture. By December 31, 2014, the department must report to the appropriate legislative committees on test results, available information on hazards, uses, exposures, safer alternatives, existing regulatory programs, potential health and environmental concerns, information from other governmental or authoritative bodies, and recommendations on whether to restrict or ban the flame retardants in children's products and furniture.

(14) \$300,000 of the state toxics control account--state appropriation is provided solely for the department to conduct a

study of oil shipment through the state. The purpose of the study is to assess public health and safety as well as environmental impacts associated with oil transport. The study must provide data and analysis of statewide risks, gaps, and options for increasing public safety and improving spill prevention and response readiness. The department shall conduct the study in consultation with the department of transportation, the emergency management division of the military department, the utilities and transportation commission, tribes, appropriate local, state, and federal agencies, impacted industry groups, and stakeholders. The department must provide an update to the governor and the legislature by December 1, 2014, and a final report by March 1, 2015.

Sec. 303. 2013 2nd sp.s. c 4 s 303 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund--State Appropriation (FY 2014)	(\$4,254,000)
.....	\$4,271,000
General Fund--State Appropriation (FY 2015)	(\$4,254,000)
.....	\$4,415,000
General Fund--Federal Appropriation	(\$6,014,000)
.....	\$6,001,000
Winter Recreation Program Account--State	
Appropriation	(\$2,065,000)
.....	\$2,463,000
ORV and Nonhighway Vehicle Account--State	
Appropriation	(\$215,000)
.....	\$214,000
Snowmobile Account--State Appropriation	(\$4,859,000)
.....	\$4,856,000
Aquatic Lands Enhancement Account--State Appropriation	
.....	\$363,000
Parks Renewal and Stewardship Account--State	
Appropriation	(\$103,065,000)
.....	\$105,159,000
Parks Renewal and Stewardship Account--Private/Local	
Appropriation	\$300,000
Waste Reduction/Recycling/Litter Control Account--State	
Appropriation	\$1,700,000
TOTAL APPROPRIATION	(\$127,089,000)
.....	\$129,742,000

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

(1) \$79,000 of the general fund--state appropriation for fiscal year 2014 and \$79,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) Prior to closing any state park, the commission must notify all affected local governments and relevant nonprofit organizations of the intended closure and provide an opportunity for the notified local governments and nonprofit organizations to elect to acquire, or enter into, a maintenance and operating contract with the commission that would allow the park to remain open.

(3) The commission shall prepare a report on its efforts to increase revenue from all sources, including the discover pass. The report shall also include a status update on the fiscal health of the state parks system, and shall be submitted to the office of financial management and the appropriate committees of the legislature by October 28, 2013.

(4) \$25,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2192 (state agency permitting). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

Sec. 304. 2013 2nd sp.s. c 4 s 304 (uncodified) is amended to read as follows:

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

FOR THE RECREATION AND CONSERVATION FUNDING BOARD

General Fund--State Appropriation (FY 2014)	(((\$823,000))
.....	\$833,000
General Fund--State Appropriation (FY 2015)	(((\$815,000))
.....	\$903,000
General Fund--Federal Appropriation	(((\$3,425,000))
.....	\$3,411,000
General Fund--Private/Local Appropriation.....	(((\$24,000))
.....	\$124,000
Aquatic Lands Enhancement Account--State Appropriation	
.....	\$480,000
Park Land Trust Revolving Account--State Appropriation ..	\$34,000
State Wildlife Account--State Appropriation	\$33,000
Parks Renewal and Stewardship Account--State	
Appropriation	\$33,000
Firearms Range Account--State Appropriation	\$37,000
Recreation Resources Account--State Appropriation.....	(((\$3,086,000))
.....	\$3,153,000
NOVA Program Account--State Appropriation	(((\$964,000))
.....	\$961,000
TOTAL APPROPRIATION	(((\$9,654,000))
.....	\$10,002,000

The appropriations in this section are subject to the following conditions and limitations: \$34,000 of the park land trust revolving fund--state appropriation, \$33,000 of the state parks renewal and stewardship account--state appropriation, and \$33,000 of the state wildlife account--state appropriation are provided solely for the recreation and conservation office to contract with a consultant to provide a study that quantifies the economic contribution to the state economy from the state's public lands and that quantifies the economic contribution from statewide outdoor recreation to the state's economy. A report is due to the appropriate committees of the legislature by January 1, 2015.

Sec. 305. 2013 2nd sp.s. c 4 s 305 (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund--State Appropriation (FY 2014)	(((\$2,227,000))
.....	\$2,210,000
General Fund--State Appropriation (FY 2015)	(((\$2,147,000))
.....	\$2,151,000
TOTAL APPROPRIATION	(((\$4,374,000))
.....	\$4,361,000

Sec. 306. 2013 2nd sp.s. c 4 s 306 (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

General Fund--State Appropriation (FY 2014)	(((\$6,841,000))
.....	\$6,819,000
General Fund--State Appropriation (FY 2015)	(((\$6,738,000))
.....	\$6,708,000
General Fund--Federal Appropriation	\$2,301,000
State Toxics Control Account--State Appropriation.....	(((\$1,100,000))
.....	\$1,050,000
TOTAL APPROPRIATION	(((\$16,880,000))
.....	\$16,878,000

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

(1) Within the amounts appropriated in this section, the conservation commission, in consultation with conservation districts, must submit to the office of financial management and legislative fiscal committees by December 10, 2013, a report outlining opportunities to minimize districts' overhead costs, including consolidation of conservation districts within counties in which there is more than one district. The report must include

details on the anticipated future savings that could be expected from implementing these efficiencies starting on July 1, 2014.

(2) \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$246,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to implement the voluntary stewardship program in Thurston and Chelan counties. These amounts may not be used to fund agency indirect and administrative expenses.

(3) \$1,000,000 of the general fund--federal appropriation is provided solely to implement the voluntary stewardship program statewide. The commission shall place the appropriation in this subsection in unallotted status, and may not allot any of these funds until the federal government has provided funding to the commission for the purpose of implementing the voluntary stewardship program.

(4) The conservation commission must evaluate the current system for the election of conservation district board supervisors and recommend improvements to ensure the highest degree of public involvement in these elections. The commission must engage with stakeholder groups and conservation districts to gather a set of options for improvement to district elections, which must include an option aligning district elections with state and local general elections. The commission must submit a report detailing the options to the office of financial management and appropriate committees of the legislature by December 10, 2013.

(5) \$50,000 of the state toxics control account--state appropriation is provided solely for the Whatcom agricultural district coalition to educate and inform agricultural landowners on regulatory compliance issues relating to groundwater quality issues including nitrates, fecal coliform, and pesticide contamination within WRIA 1 and to organize watershed improvement districts to implement environmental regulatory compliance strategies.

(6) The state conservation commission may provide additional funding to a conservation district if the conservation district conducts elections at such times as and consistent with the general election law, chapter 29A.04 RCW.

Sec. 307. 2013 2nd sp.s. c 4 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund--State Appropriation (FY 2014)	(((\$30,321,000))
.....	\$30,747,000
General Fund--State Appropriation (FY 2015)	(((\$28,999,000))
.....	\$30,094,000
General Fund--Federal Appropriation	(((\$107,585,000))
.....	\$107,198,000
General Fund--Private/Local Appropriation.....	(((\$58,784,000))
.....	\$58,359,000
ORV and Nonhighway Vehicle Account--State	
Appropriation	(((\$397,000))
.....	\$390,000
Aquatic Lands Enhancement Account--State	
Appropriation	(((\$15,919,000))
.....	\$15,873,000
Recreational Fisheries Enhancement--State	
Appropriation	(((\$2,590,000))
.....	\$2,603,000
Environmental Legacy Stewardship Account--State	
Appropriation	\$1,224,000
Warm Water Game Fish Account--State Appropriation	
.....	(((\$2,507,000))
.....	\$2,490,000
Eastern Washington Pheasant Enhancement Account--State	
Appropriation	\$849,000
Aquatic Invasive Species Enforcement Account--State	
Appropriation	(((\$209,000))

.....	\$228,000
Aquatic Invasive Species Prevention Account--State Appropriation.....	(((\$737,000))
.....	\$761,000
State Wildlife Account--State Appropriation	(((\$103,460,000))
.....	\$103,229,000
Special Wildlife Account--State Appropriation.....	(((\$2,405,000))
.....	\$2,399,000
Special Wildlife Account--Federal Appropriation.....	\$500,000
Special Wildlife Account--Private/Local Appropriation.....	(((\$3,446,000))
.....	\$3,440,000
Wildlife Rehabilitation Account--State Appropriation.....	\$259,000
Hydraulic Project Approval Account--State Appropriation.....	(((\$674,000))
.....	\$966,000
Regional Fisheries Enhancement Salmonid Recovery Account--Federal Appropriation.....	\$5,001,000
Oil Spill Prevention Account--State Appropriation.....	(((\$917,000))
.....	\$912,000
Oyster Reserve Land Account--State Appropriation.....	(((\$773,000))
.....	\$771,000
TOTAL APPROPRIATION	(((\$367,556,000))
.....	\$368,293,000

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

(1) (~~(\$130,000)~~) \$675,000 of the general fund--state appropriation for fiscal year 2014 and \$130,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(2) Prior to submitting its 2015-2017 biennial operating and capital budget request related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review this request. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost effective manner. The department shall provide a copy of the HSRG review to the office of financial management with their agency budget proposal.

(3) \$400,000 of the general fund--state appropriation for fiscal year 2014 and \$400,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the U.S. army corps of engineers.

(4) Within the amounts appropriated in this section, the department shall identify additional opportunities for partnerships in order to keep fish hatcheries operational. Such partnerships shall aim to maintain fish production and salmon recovery with less reliance on state operating funds.

(5) During the 2013-2015 fiscal biennium, the department must retain ownership and continue to occupy the downtown Olympia office building at 600 Capitol Way.

(6) \$1,000,000 of the state wildlife account--state appropriation is provided solely to the department for resources that serve to promote and engage nonlethal deterrence methods relating to wolf and livestock interaction with a priority given to funding cooperative agreements with livestock producers, and of this amount, \$250,000 in fiscal year 2014 is provided solely for compensation for injury or loss of livestock caused by wolves as prescribed in chapter 77.36 RCW.

(7) \$100,000 of the state wildlife account--state appropriation is provided solely for the transfer of trout from the Clarks creek hatchery to the Lakewood hatchery.

(8) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the production of steelhead, coho, and Chinook salmon at the Clarks creek hatchery.

(9) \$200,000 of the state wildlife account--state appropriation, \$50,000 of the general fund--state appropriation for fiscal year 2014, and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to increase production of juvenile fall Chinook on the Cowlitz river. The funds provided may be used to match or leverage funds from private or public sources for the same purpose.

(10) \$596,000 of the general fund--state appropriation for fiscal year 2014 and \$596,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for weed assessments and for payments in lieu of real property taxes to counties that elect to receive the payments for department owned game lands within the county.

(11) \$10,000 of the aquatic lands enhancement account--state appropriation is provided solely for development of an aquatic invasive species passport program to improve the efficiency and effectiveness of watercraft inspections by expediting aquatic invasive species watercraft inspections for watercraft at low risk of transmitting invasive species and prioritizing the use of available resources for the inspection of high risk vessels.

(12) Within the amounts appropriated in this section, the department must deploy additional wildlife conflict specialists to provide landowner assistance and address wildlife conflicts, with at least one additional specialist primarily assigned to each of the following areas: Administrative region six of the department; Okanogan and Chelan counties in administrative region two of the department; and Whatcom and Skagit counties in administrative region four of the department.

(13) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1112 (science and public policy). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(14) Within the amounts appropriated in this section the department shall work with the regional fisheries enhancement groups to identify a revenue source or sources capable of providing long-term funding to support the community-based salmon restoration work of regional fisheries enhancement groups. The department shall work with the regional fisheries enhancement group coalition to submit a report to the office of financial management and the appropriate legislative committees by December 1, 2013, with the outcomes and recommendations.

(15) \$150,000 of the general fund--state appropriation for fiscal year 2015 is provided solely to conduct a study of the Lake Washington basin sockeye salmon to evaluate the impact of predation on juvenile sockeye by several species of fish that inhabit the lake, and develop management actions by the state to increase the returns of adult sockeye to the lake.

(16) \$30,000 of the aquatic invasive species prevention account--state appropriation and \$20,000 of the aquatic invasive species enforcement account--state appropriation are provided solely to the department for a contract, that includes performance measures and requires reporting on outcomes, with the Pacific northwest economic region nonprofit organization to support regional coordination of invasive species prevention activities in the Pacific northwest.

Sec. 308. 2013 2nd sp.s. c 4 s 308 (uncodified) is amended to read as follows:

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund--State Appropriation (FY 2014)	(\$42,515,000)
.....	\$48,655,000
General Fund--State Appropriation (FY 2015)	(\$45,092,000)
.....	\$44,694,000
General Fund--Federal Appropriation	(\$26,963,000)
.....	\$26,937,000
General Fund--Private/Local Appropriation.....	\$2,372,000
Forest Development Account--State Appropriation	(\$49,054,000)
.....	\$50,418,000
ORV and Nonhighway Vehicle Account--State Appropriation.....	(\$4,494,000)
.....	\$4,468,000
Surveys and Maps Account--State Appropriation.....	(\$2,170,000)
.....	\$1,667,000
Aquatic Lands Enhancement Account--State Appropriation.....	(\$3,634,000)
.....	\$3,578,000
Snowmobile Account--State Appropriation	\$100,000
Environmental Legacy Stewardship Account--State Appropriation.....	\$3,948,000
Resources Management Cost Account--State Appropriation.....	(\$111,073,000)
.....	\$116,006,000
Surface Mining Reclamation Account--State Appropriation.....	(\$3,972,000)
.....	\$3,951,000
Disaster Response Account--State Appropriation	\$5,000,000
Forest and Fish Support Account--State Appropriation.....	(\$11,759,000)
.....	\$11,755,000
Aquatic Land Dredged Material Disposal Site Account--State Appropriation.....	(\$843,000)
.....	\$462,000
Natural Resources Conservation Areas Stewardship Account--State Appropriation.....	\$34,000
Marine Resources Stewardship Trust Account--State Appropriation.....	(\$3,700,000)
.....	\$4,122,000
State Toxics Control Account--State Appropriation.....	\$80,000
Forest Practices Application Account--State Appropriation.....	\$1,697,000
Air Pollution Control Account--State Appropriation	(\$785,000)
.....	\$782,000
NOVA Program Account--State Appropriation	(\$950,000)
.....	\$946,000
Derelict Vessel Removal Account--State Appropriation.....	(\$1,770,000)
.....	\$1,767,000
Agricultural College Trust Management Account--State Appropriation.....	(\$2,712,000)
.....	\$2,699,000
TOTAL APPROPRIATION	(\$324,717,000)
.....	\$336,138,000

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

(1) \$1,389,000 of the general fund--state appropriation for fiscal year 2014 and \$1,323,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(2) ~~(\$19,099,000)~~ \$25,271,000 of the general fund--state appropriation for fiscal year 2014, \$19,099,000 of the general fund--state appropriation for fiscal year 2015, and \$5,000,000 of the

disaster response account--state appropriation are provided solely for emergency fire suppression. None of the general fund and disaster response account amounts provided in this subsection may be used to fund agency indirect and administrative expenses. Agency indirect and administrative costs shall be allocated among the agency's remaining accounts and appropriations. The department of natural resources shall submit a quarterly report to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from the disaster response account. This work shall be done in coordination with the military department.

(3) \$5,000,000 of the forest and fish support account--state appropriation is provided solely for outcome-based, performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse.

(4) \$518,000 of the forest and fish support account--state appropriation is provided solely for outcome-based performance contracts with nongovernmental organizations to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect cost set at or below a rate of eighteen percent.

(5) \$717,000 of the forest and fish support account--state appropriation is provided solely to fund interagency agreements with the department of ecology and the department of fish and wildlife as part of the adaptive management process.

(6) \$440,000 of the state general fund--state appropriation for fiscal year 2014 and \$440,000 of the state general fund--state appropriation for fiscal year 2015 are provided solely for forest work crews that support correctional camps and are contingent upon continuing operations of Naselle youth camp.

(7) \$2,382,000 of the resource management cost account--state appropriation is for addressing the growing backlog of expired aquatic leases and new aquatic lease applications. The department shall implement a Lean process to improve the lease review process and further reduce the backlog, and submit a report on its progress in addressing the backlog and implementation of the Lean process to the governor and the appropriate committees of the legislature by October 1, 2013.

(8) \$1,948,000 of the environmental legacy stewardship account--state appropriation is provided solely for the department to pay a portion of the costs to complete remedial investigation work at Whitmarsh landfill and Mill site A and perform final-year maintenance of the Olympic view triangle site in Commencement Bay.

(9) \$265,000 of the resources management cost account--state appropriation is provided solely for implementation of Second Substitute House Bill No. 1764 (geoduck diver licenses). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(10) \$425,000 of the derelict vessel removal account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1245 (derelict and abandoned vessels). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(11) \$3,700,000 of the marine resources stewardship trust account--state appropriation is provided solely for implementation of priority marine management planning efforts including mapping activities, ecological assessment, data tools, stakeholder engagement, and all other work identified in Engrossed Senate Bill No. 5603 (marine advisory councils) during the 2013-2015 fiscal biennium.

(12) Within the amounts appropriated in this section, the department may purchase an extraordinary sensing device for the express purpose of firefighting and fire prevention.

Sec. 309. 2013 2nd sp.s. c 4 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund--State Appropriation (FY 2014)	(\$15,300,000))
.....	\$15,270,000
General Fund--State Appropriation (FY 2015)	(\$15,294,000))
.....	\$15,950,000
General Fund--Federal Appropriation	(((\$23,098,000))
.....	\$22,979,000
General Fund--Private/Local Appropriation.....	\$192,000
Aquatic Lands Enhancement Account--State	
Appropriation.....	(((\$2,837,000))
.....	\$2,827,000
State Toxics Control Account--State Appropriation...	(((\$5,203,000))
.....	\$5,188,000
Water Quality Permit Account--State Appropriation	(\$70,000))
.....	\$73,000
TOTAL APPROPRIATION	(((\$61,994,000))
.....	\$62,479,000

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

(1) \$5,308,445 of the general fund--state appropriation for fiscal year 2014 and ~~(\$5,302,905)~~ \$6,102,905 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementing the food assistance program as defined in RCW 43.23.290.

(2) Pursuant to RCW 43.135.055 and 16.57.220, the department is authorized to institute livestock inspection fees in the 2013-2015 fiscal biennium for calves less than thirty days old.

(3) Pursuant to RCW 43.135.055 and 16.36.150, the department is authorized to establish a fee for the sole purpose of purchasing and operating a database and any other technology or software needed to administer animal disease traceability activities for cattle sold or slaughtered in the state or transported out of the state.

(4) Within the amounts appropriated in this section, the department of agriculture must convene and facilitate a work group with appropriate stakeholders to review fees supporting programs within the department that are also supported with state general fund. In developing strategies to make the program work more self-supporting, the workgroup will consider, at minimum, the length of time since the last fee increase, similar fees that exist in neighboring states, and fee increases that will ensure reasonable competitiveness in the respective industries. The workgroup must submit a report containing recommendations that will make each of the fee supported programs within the department less reliant on state general fund to the office of financial management and legislative fiscal committees by December 1, 2013.

Sec. 310. 2013 2nd sp.s. c 4 s 310 (uncodified) is amended to read as follows:

FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Pollution Liability Insurance Program Trust	
Account--State Appropriation.....	(((\$987,000))
.....	\$994,000

Sec. 311. 2013 2nd sp.s. c 4 s 311 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

General Fund--State Appropriation (FY 2014)	(((\$2,416,000))
.....	\$2,398,000
General Fund--State Appropriation (FY 2015)	(((\$2,318,000))
.....	\$2,427,000
General Fund--Federal Appropriation	(((\$11,570,000))
.....	\$11,582,000

Aquatic Lands Enhancement Account--State Appropriation	\$1,920,000
State Toxics Control Account--State Appropriation.....	(((\$676,000))
.....	\$675,000
TOTAL APPROPRIATION	(((\$18,900,000))
.....	\$19,002,000

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

(1) \$788,000 of the aquatic lands enhancement account--state appropriation is provided solely for coordinating a study of Puget Sound juvenile steelhead marine survival conducted by the department of fish and wildlife and based on a study plan developed in cooperation with federal, tribal, and nongovernmental entities.

(2) By October 1, 2014, the Puget Sound partnership shall provide the governor a single, prioritized list of state agency 2015-2017 capital and operating budget requests related to Puget Sound restoration.

(3) \$71,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the Puget Sound partnership to collaborate with interested parties to review the roles of local watershed and salmon recovery organizations implementing the action agenda and provide legislative, budgetary, and administrative recommendations to streamline and strengthen Puget Sound recovery efforts. In conducting this work, the partnership must coordinate with the following interested parties: The Hood Canal coordinating council, marine resources committees, including the Northwest straits initiative, regional fisheries enhancement groups, local integrating organizations, lead entities, and other county watershed councils, as well as representatives of federal, state, tribal, and local government agencies. Recommendations must be provided to the appropriate legislative committees by December 1, 2014.

(End of part)

**PART IV
TRANSPORTATION**

Sec. 401. 2013 2nd sp.s. c 4 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2014)	(((\$1,103,000))
.....	\$1,097,000
General Fund--State Appropriation (FY 2015)	(((\$1,341,000))
.....	\$1,354,000
Architects' License Account--State Appropriation	(((\$902,000))
.....	\$898,000
Professional Engineers' Account--State	
Appropriation.....	(((\$3,558,000))
.....	\$3,529,000
Real Estate Commission Account--State Appropriation	(((\$9,929,000))
.....	\$9,885,000
Uniform Commercial Code Account--State	
Appropriation.....	(((\$3,154,000))
.....	\$3,132,000
Real Estate Education Program Account--State	
Appropriation.....	\$276,000
Real Estate Appraiser Commission Account--State	
Appropriation.....	(((\$1,703,000))
.....	\$1,700,000
Business and Professions Account--State	
Appropriation.....	(((\$17,454,000))
.....	\$17,390,000
Funeral and Cemetery Account--State Appropriation	\$5,000
Landscape Architects' License Account--State Appropriation	

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

.....	\$4,000
Appraisal Management Company Account--State	
Appropriation.....	\$4,000
Real Estate Research Account--State Appropriation.....	\$415,000
Wildlife Account--State Appropriation.....	\$32,000
Geologists' Account--State Appropriation.....	\$52,000
Derelict Vessel Removal Account--State Appropriation.....	\$31,000
TOTAL APPROPRIATION.....	(\$39,963,000))
.....	\$39,804,000

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

(1) \$566,000 of the business and professions account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1552 (scrap metal theft reduction). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(2) \$166,000 of the business and professions account--state appropriation in fiscal year 2014 only is provided solely for the implementation of Substitute House Bill No. 1779 (esthetics). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(3) \$592,000 of the business and professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1822 (debt collection practices). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(4) \$32,000 of the state wildlife account--state appropriation is provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5193 (wolf conflict management). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(5) \$19,000 of the general fund--state appropriation for fiscal year 2014 and \$48,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a pilot identicard program to assist and prepare offenders for release from prison and reentry into the community. The goal of the pilot identicard program is to provide proper state identification to offenders to facilitate access to services, employment, housing, and various other opportunities upon release to the community. By September 1, 2014, the department of licensing, working in conjunction with the department of corrections, must implement the pilot identicard program in accordance with the following:

(a) The pilot program must provide an original, renewal, or replacement identicard to offenders that: (i) Prove their identity as required by RCW 46.20.035; (ii) are under the custody of the department of corrections; (iii) have been sentenced to an incarceration period exceeding one year and one day; and (iv) are incarcerated within the Monroe correctional complex and within two months of release.

(b) For purposes of verifying an offender's identity and eligibility for the program, a valid identification card issued by the department of corrections serves as sufficient proof of identity and residency for an offender to apply for and obtain a Washington state identicard.

(c) For the purposes of the pilot program, the department of licensing must (i) set an expiration date for an identicard issued under the pilot program for the first anniversary of the offender's birthdate after issuance; and (ii) not charge any fee to an applicant for an identicard issued as part of the pilot program.

(d) The department of licensing, in consultation with the department of corrections, must report to the governor and the appropriate committees of the legislature on the results of the pilot identicard program and any recommendations for improvement by June 30, 2015.

Sec. 402. 2013 2nd sp.s. c 4 s 402 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund--State Appropriation (FY 2014)	(\$34,653,000))
.....	\$35,561,000
General Fund--State Appropriation (FY 2015)	(\$32,485,000))
.....	\$31,337,000
General Fund--Federal Appropriation	(\$16,189,000))
.....	\$15,860,000
General Fund--Private/Local Appropriation.....	(\$3,020,000))
.....	\$3,019,000
Death Investigations Account--State Appropriation.....	(\$9,956,000))
.....	\$9,925,000
Enhanced 911 Account--State Appropriation.....	\$3,480,000
County Criminal Justice Assistance Account--State	
Appropriation.....	(\$3,332,000))
.....	\$3,310,000
Municipal Criminal Justice Assistance Account--State	
Appropriation.....	(\$1,351,000))
.....	\$1,340,000
Fire Service Trust Account--State Appropriation.....	\$131,000
Disaster Response Account--State Appropriation	\$8,000,000
Fire Service Training Account--State	
Appropriation.....	(\$9,797,000))
.....	\$9,774,000
Aquatic Invasive Species Enforcement Account--State	
Appropriation.....	\$54,000
State Toxics Control Account--State Appropriation.....	(\$516,000))
.....	\$513,000
Fingerprint Identification Account--State	
Appropriation.....	(\$10,747,000))
.....	\$12,184,000
Vehicle License Fraud Account--State Appropriation	(\$447,000))
.....	\$334,000
TOTAL APPROPRIATION	(\$134,158,000))
.....	\$134,822,000

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

(1) \$200,000 of the fire service training account--state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) \$8,000,000 of the disaster response account--state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(3) \$700,000 of the fire service training account--state appropriation is provided solely for the firefighter apprenticeship training program.

(4) \$3,480,000 of the enhanced 911 account--state appropriation is provided solely for upgrades to the Washington state identification system and the Washington crime information center. Amounts provided in this subsection may not be expended until the office of the chief information officer approves a plan to move the Washington state patrol's servers and data center equipment into the state data center in the 1500 Jefferson building, and the office of the chief information officer certifies that the

Washington state patrol has begun the move. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(5) \$154,000 of the fingerprint identification account--state appropriation is provided solely for implementation of Substitute House Bill No. 1612 (firearms offenders). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(End of part)

**PART V
EDUCATION**

Sec. 501. 2013 2nd sp.s. c 4 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2014)	(\$27,264,000)
.....	\$27,273,000
General Fund--State Appropriation (FY 2015)	(\$26,041,000)
.....	\$26,966,000
General Fund--Federal Appropriation	(\$63,826,000)
.....	\$70,931,000
General Fund--Private/Local Appropriation.....	(\$4,005,000)
.....	\$4,003,000
Performance Audits of Government Account--State Appropriation.....	\$200,000
TOTAL APPROPRIATION	(\$121,336,000)
.....	\$129,373,000

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

(1) A maximum of ~~(\$16,881,000)~~ \$16,996,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$16,602,000)~~ \$17,401,000 of the general fund--state appropriation for fiscal year 2015 is for state agency operations.

(a) ~~(\$8,846,000)~~ \$8,961,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$8,910,000)~~ \$8,639,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) Within the amounts provided in this subsection (1)(a), the superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(iii) By September of each year, the office of the superintendent of public instruction shall produce an annual status report of the budget provisos in sections 501 and 513 of this act. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of staff, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, and proviso outcomes and achievements.

(iv) The superintendent of public instruction shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

((vi) Appropriations in this section are sufficient for the office of the superintendent of public instruction to conduct ongoing consolidated program reviews of alternative learning experience

programs and dropout reengagement programs established under chapter 20, Laws of 2010. The office of the superintendent of public instruction shall include alternative learning education and dropout reengagement programs in their ongoing consolidated program reviews, as well as provide outreach and training to school districts regarding implementation of the programs. Findings from the program reviews will be used to support and prioritize office of the superintendent outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.)

(b) \$1,017,000 of the general fund--state appropriation for fiscal year 2014 and \$1,017,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for activities associated with the implementation of new school finance systems required by chapter 236, Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009 (state's education system), including technical staff, systems reprogramming, and workgroup deliberations, including the quality education council and the data governance working group.

(c)(i) \$1,012,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$1,012,000)~~ \$1,034,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities. Of these amounts, \$161,000 of the general fund--state appropriation for fiscal year 2014 and \$161,000 of the general fund--state appropriation for fiscal year 2015 are provided for implementation of Initiative Measure No. 1240 (charter schools).

(ii) \$22,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the purpose of implementing provisions of Engrossed Second Substitute Senate Bill No. 6552 (student hour and graduation requirements) related to career and college ready graduation requirements. If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(d) \$1,325,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$1,325,000)~~ \$1,477,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to the professional educator standards board for the following:

(i) \$1,050,000 in fiscal year 2014 and \$1,050,000 in fiscal year 2015 are for the operation and expenses of the Washington professional educator standards board;

(ii) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are for mentor stipends provided through the alternative routes to certification program administered by the professional educator standards board, including the pipeline for paraeducators program and the retooling to teach conditional loan programs. Funding within this subsection (1)(d)(ii) is also provided for the recruiting Washington teachers program; ~~(and)~~

(iii) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (A) Include both written assessment and performance assessment; (B) be offered by a national organization of professional sign language interpreters and transliterators; and (C) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use;

(iv) \$24,000 of the general fund--state appropriation for fiscal

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

year 2015 is provided solely for the professional educator standards board to: (A) Disseminate information about principles of language acquisition as a critical knowledge and skill for educators in support of instruction for English language learners; and (B) in conjunction with the office of the superintendent of public instruction, revise the model framework and curriculum for high school career and technical education courses related to careers in education to incorporate standards of cultural competence, new research on educator preparation, and curriculum and activities from the recruiting Washington teacher program; and

(v) \$128,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for implementation of Substitute Senate Bill No. 6129 (paraeducator development). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(e) \$133,000 of the general fund--state appropriation for fiscal year 2014 and (~~(\$133,000)~~) \$266,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(f) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(g) \$45,000 of the general fund--state appropriation for fiscal year 2014 and \$45,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(h) \$131,000 of the general fund--state appropriation for fiscal year 2014 and \$131,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Initiative Measure No. 1240 (charter schools).

(i) \$1,826,000 of the general fund--state appropriation for fiscal year 2014 and \$1,802,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(j) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for project citizen, a program sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle school students.

(k) \$1,500,000 of the general fund--state appropriation for fiscal year 2014 and \$1,500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for collaborative schools for innovation and success authorized under chapter 53, Laws of 2012. The office of the superintendent of public instruction shall award \$500,000 per year in funding for each collaborative school for innovation and success selected for participation in the pilot program during 2012.

(l) \$123,000 of the general fund--state appropriation for fiscal year 2014 and \$123,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(m) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(n) \$93,000 of the general fund--state appropriation for fiscal year 2014 and \$93,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for chapter 185, Laws of 2011 (bullying prevention, which requires the office of the superintendent of public instruction to convene an ongoing workgroup on school bullying and harassment prevention. Within the amounts provided, \$140,000 is for youth suicide prevention activities.

(o) \$138,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of House Bill No. 1336 (troubled youth in school). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(p) \$68,000 of the general fund--state appropriation for fiscal year 2014 and \$14,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1134 (state-tribal education compacts). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(q) \$62,000 of the general fund--state appropriation for fiscal year 2014 and \$62,000 of the general fund--state appropriation for fiscal year 2015 are for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(r) \$27,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of House Bill No. 1556 (cardiac arrest education).

(s) \$50,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the development of recommendations for funding integrated school nursing and outreach services. The office of the superintendent of public instruction shall collaborate with the health care authority to develop recommendations for increasing federal financial participation for providing nursing services in schools with the goals of integrating nursing and outreach services and supporting one nurse for every four-hundred fifty students in elementary schools and one nurse for every seven-hundred fifty students in secondary schools. The recommendations shall include proposals for funding training and reimbursement for nurses that provide outreach services to help eligible students enroll in apple health for kids and other social services programs. The authority and the office of the superintendent of public instruction shall provide these recommendations to the governor and the legislature by December 1, 2013.

(t) \$50,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the office of the superintendent of public instruction to contract with an organization to develop a model plan for evaluating the outcomes of state funded pilot education programs, including guidelines for standard data that must be gathered throughout any education pilot program, as well as guidance for data and evaluation methods depending on the design of the program and the target population. The contract must also include a provision to provide guidance for the evaluation of existing pilot programs.

(u) \$10,000 of the general fund--state appropriation for fiscal year 2014 and \$10,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the superintendent of public instruction to convene a committee for the selection and recognition of Washington innovative schools. The committee shall select and recognize Washington innovative schools based on the selection criteria established by the office of the superintendent of public instruction, in accordance with chapter 202, Laws of 2011 (innovation schools--recognition) and chapter 260, Laws of 2011 (innovation schools and zones).

(v) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(w) \$28,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the office of the superintendent of public instruction to create a clearinghouse of research-based best practices for school districts to provide academic and nonacademic support for students while they are subject to disciplinary action and after their reengagement in school.

(x) \$49,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the office of the superintendent of public instruction, in collaboration with the educational opportunity gap oversight and accountability committee, the professional educator standards board, colleges of education, and representatives from diverse communities and community-based organizations, to develop a content outline for professional development and training in cultural competence for school staff, which educational service districts and school districts are encouraged to use.

(y) \$117,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the office of the superintendent of public instruction to convene a task force to design a performance-based assistance and accountability system for the transitional bilingual instruction program. The office must submit a report with recommendations from the task force to the education and fiscal committees of the legislature by January 15, 2016.

(z) \$134,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the office of the superintendent of public instruction to perform on-going program reviews of alternative learning experience programs and dropout reengagement programs. The amounts provided in this subsection are sufficient for the office of the superintendent of public instruction to conduct ongoing consolidated program reviews of alternative learning experience programs and dropout reengagement programs established under chapter 20, Laws of 2010. The office of the superintendent of public instruction shall include alternative learning education and dropout reengagement programs in its ongoing consolidated program reviews, as well as provide outreach and training to school districts regarding implementation of the programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(aa) \$287,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the purpose of implementing provisions of Engrossed Second Substitute Senate Bill No. 6552 (student hour and graduation requirements) related to career and technical education equivalencies. If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(bb) \$148,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for implementation of Substitute Senate Bill No. 6431 (youth suicide prevention). If the bill is not

enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(2) \$200,000 of the performance audits of government account--state appropriation is provided solely for a one-time workload increase to address additional audit resolutions and appeals in the alternative learning experience programs.

(3) \$10,277,000 of the general fund--state appropriation for fiscal year 2014 and \$9,565,000 of the general fund--state appropriation for fiscal year 2015 are for statewide programs.

(a) HEALTH AND SAFETY

(i) \$2,541,000 of the general fund--state appropriation for fiscal year 2014 and \$2,541,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(ii) \$135,000 of the general fund--state appropriation for fiscal year 2014 and \$135,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a nonviolence and leadership training program provided by the institute for community leadership.

(b) TECHNOLOGY

\$1,221,000 of the general fund--state appropriation for fiscal year 2014 and \$1,221,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) GRANTS AND ALLOCATIONS

(i) \$1,875,000 of the general fund--state appropriation for fiscal year 2014 and \$1,875,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state achievers scholarship program. The funds shall be used to support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars.

(ii) \$1,000,000 of the general fund--state appropriation for fiscal year 2014 and \$1,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007.

(iii) \$1,000,000 of the general fund--state appropriation for fiscal year 2014 and \$1,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for dropout prevention, intervention, and reengagement programs, including the jobs for America's graduates (JAG) program and the building bridges statewide program. Starting in school year 2014-15, students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program. The office of the superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention.

(iv) \$2,112,000 of the general fund--state appropriation for fiscal year 2014 and \$1,400,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 340, Laws of 2011 and chapter 51, Laws of 2012. This includes the development and implementation of the Washington kindergarten inventory of developing skills (WaKIDS).

(v) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to subsidize advanced

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

placement exam fees and international baccalaureate class fees and exam fees for low-income students. To be eligible for the subsidy, a student must be either enrolled or eligible to participate in the federal free or reduced price lunch program, and the student must have maximized the allowable federal contribution. The office of the superintendent of public instruction shall set the subsidy in an amount so that the advanced placement exam fee does not exceed \$15.00 and the combined class and exam fee for the international baccalaureate does not exceed \$14.50.

(vi) \$293,000 of the general fund--state appropriation for fiscal year 2014 and \$293,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the office of the superintendent of public instruction to support ~~((the dissemination of the navigation 101 curriculum to all districts))~~ district implementation of comprehensive guidance and planning programs consistent with RCW 28A.600.045.

Sec. 502. 2013 2nd sp.s. c 4 s 502 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT	
General Fund--State Appropriation (FY 2014) ...(((\$5,395,289,000))	
.....	\$5,386,820,000
General Fund--State Appropriation (FY 2015) ...(((\$5,581,336,000))	
.....	\$5,599,423,000
Education Legacy Trust Account--State	
Appropriation.....(((\$328,563,000))	
.....	\$381,563,000
TOTAL APPROPRIATION	(((\$11,305,188,000))
.....	\$11,367,806,000

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

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2013-14 and 2014-15 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary schedules in sections 502 and 503 of this act, excluding (c) of this subsection.

General education class size:

Grade	RCW 28A.150.260	2013-14 School Year	2014-15 School Year
Grades K-3	25.23	25.23
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

The superintendent shall base allocations for laboratory science, career and technical education (CTE) and skill center programs average class size as provided in RCW 28A.150.260.

(ii) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

(A) General education class size in high poverty schools:

Grade	RCW 28A.150.260
-------	-----------------

(c) From July 1, 2013, to August 31, 2013, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 50, Laws of 2011 1st sp. sess., as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2013-14 and 2014-15 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260, except that the allocation for guidance counselors in a middle school shall be 1.216 for the 2013-14 and 2014-15 school years and the allocation for guidance counselors in a high school shall be 2.009 for the 2013-14 school year, which enhancements are within the program of basic education. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

Grade 2	.....	24.10
Grade 3	.....	24.10
Grade 4	.....	27.00
Grades 5-6	.....	27.00
Grades 7-8	.....	28.53
Grades 9-12	.....	28.74

(B) For grades K-1, class size of 20.85 is provided for high poverty schools for the 2013-14 school year;

(C) For grades K through 1, the superintendent shall, at a minimum, allocate funding to high-poverty schools for the 2014-15 school year based on an average class size of 24.10 full-time equivalent students per teacher. The superintendent shall provide enhanced funding for class size reduction in grades K through 1 to the extent of, and proportionate to, the school's demonstrated actual average class size up to a class size of 20.30 full-time equivalent students per teacher. The office of the superintendent of public instruction shall develop rules to implement the enhanced funding authorized under (ii)(C) of this subsection and shall distribute draft rules for review no later than December 1, 2013. The office of the superintendent of public instruction shall report the draft rules and proposed methodology to the governor and the appropriate policy and fiscal committees of the legislature by December 1, 2013.

(D) The enhancement in this subsection (2)(c)(ii) is within the program of basic education.

(iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iv) ((Laboratory science,)) Advanced placement((s)) and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and (a) of this subsection and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student((s)) full-time equivalent enrollment:

((Career and Technical Education
 students 2.02 per 1000 student FTE's
 Skill Center students 2.36 per 1000 student FTE's))

	<u>2013-14 School</u>	<u>2014-15 School</u>
	<u>Year</u>	<u>Year</u>
<u>Career and</u>	<u>2.02</u>	<u>2.72</u>
<u>Technical</u>		
<u>Education</u>		
<u>Skill Center</u>	<u>2.36</u>	<u>3.06</u>

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2013-14 and 2014-15 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistance principals, and other certificated building level administrators:

Prototypical School Building:

Elementary School	.....	1.253
Middle School	.....	1.353
High School	.....	1.880

(4) CLASSIFIED STAFF ALLOCATIONS

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors: Career and Technical Education students 1.025
 Skill Center students 1.198

Allocations for classified staff units providing school building-level and district-wide support services for the 2013-14 and 2014-15 school years are determined using the formula-generated staff units provided in RCW 28A.150.260, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade, except that the allocation for

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

parent involvement coordinators in an elementary school shall be 0.0825, which enhancement is within the program of basic education.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2013-14 and 2014-15 school year for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 1.71 percent in the 2013-14 school year and ~~((2.00))~~ 0.90 percent in the 2014-15 school year for career and technical education students, and ~~((21.60))~~ 21.57 percent in the 2013-14 school year and ~~((15.98))~~ 17.29 percent in the 2014-15 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 18.68 percent in the 2013-14 school year and 18.68 percent in the 2014-15 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 20.95 percent in the 2013-14 school year and 20.95 percent in the 2014-15 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purposes of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2013-14 SCHOOL YEAR	2014-15 SCHOOL YEAR
Technology	\$77.46	((82.16)) <u>\$89.13</u>
Utilities and Insurance	\$210.46	((223.23)) <u>\$242.17</u>
Curriculum and Textbooks	\$83.17	((88.21)) <u>\$95.69</u>
Other Supplies and Library Materials	\$176.56	((187.27)) <u>\$203.16</u>
Instructional Professional Development for Certificated and Classified Staff	\$12.86	((13.64)) <u>\$14.80</u>
Facilities Maintenance	\$104.27	((110.59)) <u>\$119.97</u>
Security and Central Office	\$72.24	((76.62)) <u>\$83.12</u>
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$737.02	((781.72)) <u>\$848.04</u>

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,244.25 for the 2013-14 school year and ~~((1,262.92))~~ \$1,260.41 for the 2014-15 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate a per student MSOC allocation of \$1,399.30 for the 2013-14 school year and ~~((1,420.29))~~ \$1,417.48 for the 2014-15 school year.

(d) Students in ~~((laboratory science courses generate per student FTE MSOC allocations which equal the per student FTE rate for general education students established in (a) of this subsection.))~~ grades 9-12 generate per student FTE MSOC allocations in addition to the allocation provided in (a) of this subsection at the following rate:

2014-15 School Year	
Technology	\$36.35
Curriculum and Textbooks	\$39.02
Other Supplies and Library Materials.....	\$82.84
Instructional Professional Development for Certificated and Classified Staff.....	\$6.04
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$164.25

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2013-14 and 2014-15 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2013, to August 31, 2013, are adjusted to reflect provisions of chapter 34, Laws of 2011 1st sp. sess. (allocation of funding for funding for students enrolled in alternative learning experiences).

(b) Amounts provided in this section beginning September 1, 2013, are adjusted to reflect modifications to alternative learning experience courses in Engrossed Substitute Senate Bill No. 5946 (student educational outcomes).

(c) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact, starting with the 2014-15 school year. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund voluntary full day kindergarten programs in qualifying high poverty schools, pursuant to RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls for the voluntary full-day program in a qualifying school shall count as one-half of one full-time equivalent student for purpose of making allocations under this section. Funding in this section provides full-day kindergarten programs for 43.75 percent of kindergarten enrollment in the 2013-14 school year and 43.75 percent in the 2014-15 school year, which enhancement is within the program of basic education.

((12) INCREASED INSTRUCTIONAL HOURS FOR GRADES SEVEN THROUGH TWELVE

(a) School districts shall implement the increased instructional hours for the instructional program of basic education required under the provisions of RCW 28A.150.220(2)(a) beginning with the 2014-15 school year, which enhancement is within the program of basic education.

(b) Amounts provided in this section are sufficient to fund increased instructional hours in grades seven through twelve. For the 2014-15 school year, the superintendent shall allocate funding to school districts for increased instructional hours. In calculating the allocations, the superintendent shall assume the following averages: (a) Additional instruction of 2.2222 hours per week per full-time equivalent student in grades seven through twelve in school year 2014-15; (b) the general education average class sizes specified in section 502(2)(c); (c) 36 instructional weeks per year; (d) 900 instructional hours per teacher; and (e) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.)

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small

school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (12) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2014 and 2015 as follows:

(a) \$605,000 of the general fund--state appropriation for fiscal year 2014 and (~~(\$614,000)~~) \$613,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund--state appropriation for fiscal year 2014 and \$436,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) \$214,000 of the general fund--state appropriation for fiscal year 2014 and (~~(\$217,000)~~) \$216,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for school district emergencies as certified by the superintendent of public instruction. At the close of the fiscal year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

(17) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment. In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the student achievement council, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (12) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the

number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (12) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed 15 percent of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

(21) \$1,991,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the purpose of Engrossed Second Substitute House Bill No. 2207 (federal forest revenue). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

Sec. 503. 2013 2nd sp.s. c 4 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION	
General Fund--State Appropriation (FY 2014)	((\$365,120,000))
.....	\$365,048,000
General Fund--State Appropriation (FY 2015)	((\$427,408,000))
.....	\$429,312,000
TOTAL APPROPRIATION	((\$792,528,000))
.....	\$794,360,000

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

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section for school year 2014-15 constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) For the 2014-15 school year, the superintendent shall allocate funding for approved and operating charter schools as provided in RCW 28A.710.220(3). Per-student allocations for pupil transportation must be calculated using the allocation for the previous school year to the school district in which the charter school is located and the number of eligible students in the district, and must be distributed to the charter school based on the number of eligible students.

~~((b))~~ (c) From July 1, 2013 to August 31, 2013, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 50, Laws of 2011 1st sp. sess., as amended.

(3) \$558,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for pupil transportation expected cost funding formula adjustments as provided under this subsection. School districts whose efficiency rating is at least ninety-five

percent and whose actual prior year costs exceed the expected cost allocations provided through the pupil transportation funding formula due to exceptional circumstances may apply to the superintendent of public instruction to receive a supplemental funding adjustments for a one-year period to offset the excess costs in whole or in part. The superintendent shall adopt criteria for review of applications, which may include exceptional issues related to geography, student demographics, or other one-time circumstances that are not otherwise addressed in the expected cost model. Differences in costs related to district philosophy, service delivery choice, or accounting practices are not a legitimate basis for transportation adjustments. School districts that receive adjustments under this subsection are not guaranteed adjustments in future years and must reapply. Adjustments may not exceed the total appropriation provided in this subsection for fiscal year 2015. Adjustments also may not exceed the difference between the district's school year 2013-14 allocation and the district's expected cost allocation.

((3)) (4) A maximum of \$892,000 of this fiscal year 2014 appropriation and a maximum of \$892,000 of the fiscal year 2015 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

((4)) (5) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

((5)) (6) The superintendent of public instruction shall base depreciation payments for school district buses on the pre-sales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

((6)) (7) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

((7)) (8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

Sec. 504. 2013 2nd sp.s. c 4 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE PROGRAMS	
General Fund--State Appropriation (FY 2014)	\$7,111,000
General Fund--State Appropriation (FY 2015)	\$7,111,000
General Fund--Federal Appropriation	(\$473,326,000))
TOTAL APPROPRIATION	\$501,326,000
.....	(\$487,548,000))
.....	\$515,548,000

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

(1) \$7,111,000 of the general fund--state appropriation for fiscal year 2014 and \$7,111,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades kindergarten through third grade who are eligible for reduced price lunch;

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in (a), (b), and (c) of this subsection.

Sec. 505. 2013 2nd sp.s. c 4 s 507 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS	
General Fund--State Appropriation (FY 2014)	(\$702,149,000))
.....	\$693,894,000
General Fund--State Appropriation (FY 2015)	(\$738,043,000))
.....	\$742,343,000
General Fund--Federal Appropriation	(\$462,022,000))
.....	\$476,122,000
Education Legacy Trust Account--State Appropriation	\$46,151,000
TOTAL APPROPRIATION	(\$1,948,365,000))
.....	\$1,958,510,000

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

(1) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations ~~((for increased instructional hours for grades seven through twelve as))~~ provided under section 502((12)(b), which enhancement is)) for parent involvement coordinators in prototypical elementary schools as provided under section 502(4); and guidance counselors in prototypical middle and high schools as provided under section 502(2)(a), which enhancements are within the program of basic education.

(b) From July 1, 2013 to August 31, 2013, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 50, Laws of 2011 1st sp. sess., as amended.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund--state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) (~~(\$22,263,000)~~) \$17,578,000 of the general fund--state appropriation for fiscal year 2014, (~~(\$34,392,000)~~) \$29,948,000 of the general fund--state appropriation for fiscal year 2015, and \$29,574,000 of the general fund--federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2013-14 and 2014-15 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$678,000 may be expended from the general fund--state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund--state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$252,000 of the general fund--state appropriation for fiscal year 2014 and \$252,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund--state appropriation for fiscal year 2014 (~~(\$50,000 of the general fund--state appropriation for fiscal year 2015,)~~) and (~~(\$100,000)~~) \$50,000 of the general fund--federal appropriation shall be expended to support a special education ombudsman program within the office of superintendent of public instruction.

(13) Beginning in fiscal year 2015, the superintendent of public instruction must enter into an interagency agreement with the office

of the education ombuds to provide special education ombuds services. Up to \$50,000 of the general fund--federal appropriation may be used for this purpose.

Sec. 506. 2013 2nd sp.s. c 4 s 508 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS	
General Fund--State Appropriation (FY 2014)	(\$8,143,000))
.....	\$8,121,000
General Fund--State Appropriation (FY 2015)	(\$8,151,000))
.....	\$8,124,000
TOTAL APPROPRIATION	(\$16,294,000))
.....	\$16,245,000

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

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

Sec. 507. 2013 2nd sp.s. c 4 s 509 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE	
General Fund--State Appropriation (FY 2014)	(\$311,174,000))
.....	\$311,882,000
General Fund--State Appropriation (FY 2015)	(\$335,533,000))
.....	\$340,444,000
TOTAL APPROPRIATION	(\$646,707,000))
.....	\$652,326,000

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 4.914 percent from the 2012-13 school year to the 2013-14 school year and 4.914 percent from the 2013-14 school year to the 2014-15 school year.

Sec. 508. 2013 2nd sp.s. c 4 s 510 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS	
General Fund--State Appropriation (FY 2014)	(\$15,291,000))
.....	\$13,968,000
General Fund--State Appropriation (FY 2015)	(\$15,493,000))
.....	\$13,964,000
TOTAL APPROPRIATION	(\$30,784,000))
.....	\$27,932,000

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

(1) Each general fund--state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) ~~(\$1,070,000)~~ \$569,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$1,070,000)~~ \$569,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

Sec. 509. 2013 2nd sp.s. c 4 s 511 (uncodified) is amended to read as follows:

FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund--State Appropriation (FY 2014)	(\$9,555,000))
.....	\$9,539,000
General Fund--State Appropriation (FY 2015)	(\$9,677,000))
.....	\$9,685,000
TOTAL APPROPRIATION	(\$19,232,000))
.....	\$19,224,000

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

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c). In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 50, Laws of 2011 1st sp. sess., as amended.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2014 and \$85,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the centrum program at Fort Worden state park.

Sec. 510. 2013 2nd sp.s. c 4 s 512 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS--NO CHILD LEFT BEHIND ACT

General Fund--Federal Appropriation	(\$4,052,000))
.....	\$4,302,000

Sec. 511. 2013 2nd sp.s. c 4 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM PROGRAMS

General Fund--State Appropriation (FY 2014)	(\$121,840,000))
.....	\$114,340,000
General Fund--State Appropriation (FY 2015)	(\$104,524,000))
.....	\$101,537,000
General Fund--Federal Appropriation	(\$206,234,000))
.....	\$217,806,000
General Fund--Private/Local Appropriation.....	\$4,002,000
Education Legacy Trust Account--State Appropriation .....	.....
.....	(\$1,599,000))
.....	\$1,597,000
TOTAL APPROPRIATION	(\$438,199,000))
.....	\$439,282,000

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

(1)(a) ~~(\$44,575,000)~~ \$38,031,000 of the general fund--state appropriation for fiscal year 2014, ~~(\$27,134,000)~~ \$22,806,000 of the general fund--state appropriation for fiscal year 2015, \$1,350,000 of the education legacy trust account--state appropriation, and \$15,868,000 of the general fund--federal appropriation are provided solely for development and implementation of the Washington state assessment system, including: (i) Development and implementation of retake assessments for high school students who are not successful in one or more content areas and (ii) development and implementation of alternative assessments or appeals procedures to implement the certificate of academic achievement. The superintendent of public instruction shall report quarterly on the progress on development and implementation of alternative assessments or appeals procedures. Within these amounts, the superintendent of public instruction shall contract for the early return of 10th grade student assessment results, on or around June 10th of each year. State funding to districts shall be limited to one collection of evidence payment per student, per content-area assessment.

(b) The superintendent of public instruction shall modify the statewide student assessment system and implement assessments developed with a multistate consortium beginning in the 2014-15 school year to assess student proficiency on the standards adopted under RCW 28A.655.071 and including the provisions of House Bill No. 1450.

(c) Within the amounts provided in this section, the superintendent of public instruction shall develop and administer the biology collection of evidence.

(d) Within the amounts provided in this section, the superintendent of public instruction shall create an alternative assessment for students with the most significant cognitive challenges that is aligned to the common core state standards.

(2) \$356,000 of the general fund--state appropriation for fiscal year 2014 and \$356,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities coordinated at the Pacific science center, including instructional material purchases, teacher and principal professional development, and school and community engagement events.

(3) \$5,851,000 of the general fund--state appropriation for fiscal year 2014 and \$3,935,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of a new

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(4)(a) (~~(\$45,263,000)~~) \$44,879,000 of the general fund--state appropriation for fiscal year 2014 and (~~(\$49,673,000)~~) \$48,746,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$5,090 per teacher in the 2013-14 and 2014-15 school years;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (a)(ii) of this subsection for less than one full school year receive bonuses in a pro-rated manner. All bonuses in (a)(i) and (ii) of this subsection will be paid in July of each school year. Bonuses in (a)(i) and (ii) of this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2013-14 and 2014-15 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary schedule and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after three years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(5) \$477,000 of the general fund--state appropriation for fiscal year 2014 and \$477,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(6) \$950,000 of the general fund--state appropriation for fiscal year 2014 and \$950,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to low-performing schools and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(7) \$810,000 of the general fund--state appropriation for fiscal year 2014 and \$810,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(8) \$2,000,000 of the general fund--state appropriation for fiscal year 2014 and \$2,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT certification and software training opportunities for students and staff in public schools.

(9) \$1,277,000 of the general fund--state appropriation for fiscal year 2014 and \$1,277,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008. If equally matched by private donations, \$300,000 of the 2014 appropriation and \$300,000 of the 2015 appropriation shall be used to support FIRST robotics programs. Of the amounts in this subsection, \$100,000 of the fiscal year 2014 appropriation and \$100,000 of the fiscal year 2015 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(10) \$125,000 of the general fund--state appropriation for fiscal year 2014 and \$125,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(11) \$135,000 of the general fund--state appropriation for fiscal year 2014 and \$135,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(12) \$1,000,000 of the general fund--state appropriation for fiscal year 2014 and (~~(\$1,000,000)~~) \$3,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a beginning educator support program. School districts and/or regional consortia may apply for grant funding. The superintendent shall implement this program in 5 to 15 school districts and/or regional consortia. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. \$250,000 may be used to provide statewide professional development opportunities for mentors and beginning educators.

(13) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2014,

a high school must have offered a foundational project lead the way course during the 2012-13 school year. The 2014 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2013-14 school year. To be eligible for funding in 2015, a high school must have offered a foundational project lead the way course during the 2013-14 school year. The 2015 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2014-15 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(14) \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$300,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for annual start-up grants for aerospace and manufacturing technical programs housed at four skill centers. The grants are provided for start-up equipment and curriculum purchases. To be eligible for funding, the skill center must agree to provide regional high schools with access to a technology laboratory, expand manufacturing certificate and course offerings at the skill center, and provide a laboratory space for local high school teachers to engage in professional development in the instruction of courses leading to student employment certification in the aerospace and manufacturing industries. Once a skill center receives a start-up grant, it is ineligible for additional start-up funding in the following school year. The office of the superintendent of public instruction shall administer the grants in consultation with the center for excellence for aerospace and advanced materials manufacturing.

(15) \$150,000 of the general fund--state appropriation for fiscal year 2014 and \$150,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for annual start-up grants to six high schools to implement the aerospace assembler program. Participating high schools must agree to offer the aerospace assembler training program to students by spring semester of school year 2013-14. Once a high school receives a start-up grant, it is ineligible for additional start-up funding in the following school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(16) \$10,000,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$5,000,000)~~ \$5,027,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the provision of training for teachers in the performance-based teacher principal evaluation program. Of the amounts appropriated in this subsection, \$5,000,000 for fiscal year 2014 is a one-time appropriation, and \$27,000 for fiscal year 2015 is a one-time appropriation provided solely for the office of the superintendent of public instruction to include foundational elements of cultural competence that are aligned with standards developed by the professional educator standards board within the content of the training.

(17) \$3,600,000 of the general fund--state appropriation for fiscal year 2014 and \$6,681,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Engrossed Second Substitute Senate Bill No. 5329 (persistently failing schools). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(18) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to promote the financial literacy of students. The effort will be coordinated through the financial literacy public-private partnership.

(19) \$109,000 of the general fund--state appropriation for fiscal year 2014 and \$99,000 of the general fund--state appropriation for

fiscal year 2015 are provided solely for the office of the superintendent of public instruction to implement a youth dropout prevention program that incorporates partnerships between community-based organizations, schools, food banks and farms or gardens. The office of the superintendent of public instruction shall select one school district that must partner with an organization that is operating an existing similar program and that also has the ability to serve at least 40 students. Of the amount appropriated in this subsection, up to \$10,000 may be used by the office of the superintendent of public instruction for administration of the program.

(20) ~~(\$2,399,000)~~ \$1,827,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$2,035,000)~~ \$2,194,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to implement Engrossed Substitute Senate Bill No. 5946 (strengthening student educational outcomes). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(21) \$1,110,000 of the general fund--state appropriation for fiscal year 2014 and \$1,061,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for chapter 184, Laws of 2013 (Second Substitute House Bill No. 1642) (academic acceleration). Of the amount appropriated in this section, forty-nine thousand is provided as one-time funding.

(22) \$44,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for Substitute Senate Bill No. 6074 (homeless student educational outcomes). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(23) \$83,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for Second Substitute Senate Bill No. 6163 (expanded learning). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

(24) \$21,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for Senate Bill No. 6424 (bilingual seal). If the bill is not enacted by June 30, 2014, the amount provided in this subsection shall lapse.

Sec. 512. 2013 2nd sp.s. c 4 s 514 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS	
General Fund--State Appropriation (FY 2014)	(\$95,500,000)
.....	\$97,796,000
General Fund--State Appropriation (FY 2015)	(\$106,120,000)
.....	\$110,084,000
General Fund--Federal Appropriation	(\$71,016,000)
.....	\$72,116,000
TOTAL APPROPRIATION	(\$272,636,000)
.....	\$279,996,000

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

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through twelve in school years 2013-14 and 2014-15; (ii) additional instruction of 3.0000 hours per week in school year 2013-14 for the head count number of students who have exited the transitional bilingual instruction program within the previous school

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

year based on their performance on the English proficiency assessment; (iii) additional instruction of 3.0000 hours per week in school year 2014-15 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iv) fifteen transitional bilingual program students per teacher; (v) 36 instructional weeks per year; (vi) 900 instructional hours per teacher; and (vii) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 50, Laws of 2011 1st sp. sess., as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: ~~((4.76))~~ 1.70 percent for school year 2013-14 and ~~((4.59))~~ 1.53 percent for school year 2014-15.

(4) The general fund--federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund--state appropriation for fiscal year 2014 and \$35,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to track current and former transitional bilingual program students.

Sec. 513. 2013 2nd sp.s. c 4 s 515 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM

General Fund--State Appropriation (FY 2014)	((196,356,000))
.....	\$194,728,000
General Fund--State Appropriation (FY 2015)	((218,335,000))
.....	\$214,877,000
General Fund--Federal Appropriation	((448,434,000))
.....	\$450,534,000
TOTAL APPROPRIATION	((863,125,000))
.....	\$860,139,000

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

(1) The general fund--state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a), except that the allocation for the additional instructional hours shall be enhanced as provided in this section, which enhancements are within the program of the basic education. In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2013-14 school year and the 2014-15 school year; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 50, Laws of 2011 1st sp. sess., as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced price lunch in the prior school year. Starting with the allocation for the 2014-15 school year, the prior school year's October headcount enrollment for free and reduced price lunch shall be as reported in the comprehensive education data and research system.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund--federal appropriation in this section is provided for Title I Part A allocations of the no child left behind act of 2001.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund--state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

Sec. 514. 2013 2nd sp.s. c 4 s 516 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as expressly provided in subsection (4) of this section.

(4) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2014, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2014 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable; and learning assistance programs.

(5) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

(6) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

NEW SECTION. Sec. 515. A new section is added to 2013 2nd sp.s. c 4 (uncodified) to read as follows:

FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION

General Fund--State Appropriation (FY 2014)	\$466,000
General Fund--State Appropriation (FY 2015)	\$556,000
Charter School Oversight Account--State Appropriation.....	\$17,000
TOTAL APPROPRIATION	\$1,039,000

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

- (1) \$125,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the office of the attorney general costs related to *League of Women Voters v. State of Washington*.
- (2) \$137,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for charter school evaluation and oversight.

(End of part)

**PART VI
HIGHER EDUCATION**

Sec. 601. 2013 2nd sp.s. c 4 s 602 (uncodified) is amended to read as follows:

(1) Within the amounts appropriated in this act and chapter 1, Laws of 2013 3rd sp. sess. (aerospace industry appropriations), each institution of higher education is expected to enroll and educate at least the following numbers of full-time equivalent state-supported students per academic year:

	2013-14 Annual Average	2014-15 Annual Average
University of Washington	37,162	37,162
Washington State University	22,228	((22,228)) <u>22,538</u>
Central Washington University	9,105	9,105
Eastern Washington University	8,734	8,734
The Evergreen State College	((4,335)) <u>4,213</u>	((4,335)) <u>4,213</u>
Western Washington University	((42,740)) <u>11,762</u>	((42,740)) <u>11,762</u>
State Board for Community & Technical Colleges		
Adult Students	139,237	((139,237)) <u>139,927</u>
Running Start Students	11,558	11,558

(2) In achieving or exceeding these enrollment targets, each institution shall seek to:

- (a) Maintain and to the extent possible increase enrollment opportunities at branch campuses;
- (b) Maintain and to the extent possible increase enrollment opportunities at university centers and other partnership programs that enable students to earn baccalaureate degrees on community college campuses; and
- (c) Eliminate and consolidate programs of study for which there is limited student or employer demand, or that are not areas of core academic strength for the institution, particularly when such programs duplicate offerings by other in-state institutions.

(3) For purposes of monitoring and reporting statewide enrollment, the University of Washington and Washington State University shall notify the office of financial management of the number of full-time student equivalent enrollments budgeted for each of their campuses.

Sec. 602. 2013 2nd sp.s. c 4 s 603 (uncodified) is amended to read as follows:

PUBLIC BACCALAUREATE INSTITUTIONS

(1) In order to operate within the state funds appropriated in this act, the governing boards of the state research universities, the state regional universities, and The Evergreen State College are authorized to adopt and adjust tuition and fees for the 2013-14 and 2014-15 academic years as provided in this section.

(2) For the purposes of chapter 28B.15 RCW, the omnibus appropriations act assumes no increase of tuition levels for resident undergraduate students over the amounts charged to resident undergraduate students for the prior year.

(3) Appropriations in sections 606 through 611 of this act are sufficient to maintain resident undergraduate tuition levels at the levels charged to resident undergraduate students during the 2012-13 academic year. As a result, for the 2013-14 and 2014-15 academic years, the institutions of higher education shall not adopt resident undergraduate tuition levels that are greater than the tuition levels assumed in subsection (2) of this section. ~~((For the 2014-15 academic year, the institutions of higher education are authorized to adopt tuition levels for resident undergraduate students that are less than, equal to, or greater than tuition levels assumed in the omnibus appropriations act in subsection (2) of this section. However, to the extent that tuition levels exceed the tuition levels assumed in subsection (2) of this section the institution of higher education shall be subject to the conditions and limitations provided in RCW 28B.15.102.))~~

(4) Each governing board is authorized to increase tuition charges to graduate and professional students, and to nonresident undergraduate students, by amounts judged reasonable and necessary by the governing board.

(5) Each governing board is authorized to increase summer quarter or semester tuition fees for resident and nonresident undergraduate, graduate, and professional students pursuant to RCW 28B.15.067.

(6) Each governing board is authorized to adopt or increase charges for fee-based, self-sustaining degree programs, credit courses, noncredit workshops and courses, and special contract courses by amounts judged reasonable and necessary by the governing board.

(7) Each governing board is authorized to adopt or increase services and activities fees for all categories of students as provided in RCW 28B.15.069.

(8) Each governing board is authorized to adopt or increase technology fees as provided in RCW 28B.15.069.

(9) Each governing board is authorized to adopt or increase special course and lab fees, and health and counseling fees, to the extent necessary to cover the reasonable and necessary exceptional cost of the course or service.

(10) Each governing board is authorized to adopt or increase administrative fees such as, but not limited to, those charged for application, matriculation, special testing, and transcripts by amounts judged reasonable and necessary by the governing board.

(11) The state universities, the regional universities, and The Evergreen State College must accept the transfer of college-level courses taken by running start students if a student seeking a transfer of the college-level courses has been admitted to the state university, the regional university, or The Evergreen State College, and if the college-level courses are recognized as transferrable by the admitting institution of higher education.

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

(12) Appropriations in sections 606 through 611 of this act are sufficient to implement 2013-2015 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW. The institutions may also use these funds for any other purpose including restoring prior compensation reductions, increasing compensation, and implementing other collective bargaining agreements.

Sec. 603. 2013 2nd sp.s. c 4 s 604 (uncodified) is amended to read as follows:

STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

(1) In order to operate within the state funds appropriated in this act, the state board is authorized to adopt and adjust tuition and fees for the 2013-14 and 2014-15 academic years as provided in this section.

(2) For the purposes of chapter 28B.15 RCW, appropriations in the omnibus appropriations act assumes no increase in tuition levels for resident undergraduate students over the amounts charged to resident undergraduate students for the prior year. ~~((For the 2014-15 academic year, the state board is authorized to adopt tuition levels for resident undergraduate students that are less than, equal to, or greater than tuition levels assumed in the omnibus appropriations act in this subsection. However, to the extent that tuition levels exceed the tuition levels assumed in this subsection, the state board shall retain an additional one percent of operating fees above what is already retained pursuant to RCW 28B.15.031 for the purposes of RCW 28B.15.820. For the 2013-2015 fiscal biennium, when expending this additional retained amount, the community and technical colleges are subject to the conditions and limitations in RCW 28B.15.102.))~~ Appropriations in section 604 of this act are sufficient to maintain resident undergraduate tuition levels at the levels charged to resident undergraduate students during the 2012-13 academic year.

(3) For the 2013-14 and 2014-15 academic years, the state board may increase tuition fees charged to resident undergraduates enrolled in upper division applied baccalaureate programs as specified in subsection (2) of this section.

(4) Appropriations in section 605 include the restoration of the three percent reduction in compensation costs taken in the 2011-2013 fiscal biennium. This funding is sufficient to implement 2013-2015 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW. The colleges may also use the restored funds for any other purpose including restoring prior compensation reductions, increasing compensation, and implementing other collective bargaining agreements.

(5) The state board may increase the tuition fees charged to nonresident students by amounts judged reasonable and necessary by the board.

(6) The trustees of the technical colleges are authorized to either (a) increase operating fees by no more than the percentage increases authorized for community colleges by the state board; or (b) fully adopt the tuition fee charge schedule adopted by the state board for community colleges.

(7) For academic years 2013-14 and 2014-15, the trustees of the technical colleges are authorized to increase building fees by an amount judged reasonable in order to progress toward parity with the building fees charged students attending the community colleges.

(8) The state board is authorized to increase the maximum allowable services and activities fees as provided in RCW 28B.15.069. The trustees of the community and technical colleges are authorized to increase services and activities fees up to the maximum level authorized by the state board.

(9) The trustees of the community and technical colleges are authorized to adopt or increase charges for fee-based, self-sustaining programs such as summer session, international student contracts, and special contract courses by amounts judged reasonable and necessary by the trustees.

(10) The trustees of the community and technical colleges are authorized to adopt or increase special course and lab fees to the extent necessary to cover the reasonable and necessary exceptional cost of the course or service.

(11) The trustees of the community and technical colleges are authorized to adopt or increase administrative fees such as but not limited to those charged for application, matriculation, special testing, and transcripts by amounts judged reasonable and necessary by the trustees.

Sec. 604. 2013 2nd sp.s. c 4 s 605 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund--State Appropriation (FY 2014)	(\$570,262,000))
.....	\$569,679,000
General Fund--State Appropriation (FY 2015)	(\$568,999,000))
.....	\$554,963,000
Community/Technical College Capital Projects	
Account--State Appropriation.....	\$17,548,000
Education Legacy Trust Account--State	
Appropriation.....	(\$95,373,000))
.....	\$95,197,000
TOTAL APPROPRIATION	(\$1,252,182,000))
.....	\$1,237,387,000

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

(1) \$33,261,000 of the general fund--state appropriation for fiscal year 2014 and \$33,261,000 of the general fund--state appropriation for fiscal year 2015 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2014 and at least 7,170 full-time equivalent students in fiscal year 2015.

(2) \$5,450,000 of the education legacy trust account--state appropriation is provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(4) \$181,000 of the general fund--state appropriation for fiscal year 2014 and \$181,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the opportunity center for employment and education internet technology integration project at north Seattle community college.

(5) \$255,000 of the general fund--state appropriation for fiscal year 2014 and \$255,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of a maritime industries training program at south Seattle community college.

(6) \$5,250,000 of the general fund--state appropriation for fiscal year 2014 and \$5,250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the student achievement initiative.

(7) \$500,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Second Substitute Senate Bill No. 5624 (STEM or career and tech ed). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(8) \$350,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for a pilot project to embed the year up model within community college campuses.

(9) \$13,000 of the general fund--state appropriation for fiscal year 2014 and \$168,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Substitute Senate Bill No. 6129 (paraeducator development). If the bill is not enacted by June 30, 2014, the amounts provided in this subsection shall lapse.

(10) \$410,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the mathematics engineering science achievement community college programs.

~~((8))~~ (11) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

~~((9))~~ (12) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

Sec. 605. 2013 2nd sp.s. c 4 s 606 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund--State Appropriation (FY 2014)	(\$246,897,000))
.....	\$247,063,000
General Fund--State Appropriation (FY 2015)	(\$245,200,000))
.....	\$239,472,000
Geoduck Aquaculture Research Account--State	
Appropriation.....	\$300,000
Education Legacy Trust Account--State Appropriation	\$13,998,000
Economic Development Strategic Reserve Account--	
State Appropriation.....	\$3,000,000
Biotoxin Account--State Appropriation.....	\$390,000
Accident Account--State Appropriation	(\$6,741,000))
.....	\$6,702,000
Medical Aid Account--State Appropriation	(\$6,546,000))
.....	\$6,528,000
Aquatic Land Enhancement Account--State Appropriation.....	
.....	\$700,000
State Toxics Control Account--State Appropriation.....	\$1,120,000
TOTAL APPROPRIATION	(\$524,892,000))
.....	\$519,273,000

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

(1) \$300,000 of the geoduck aquaculture research account--state appropriation is provided solely for the University of Washington sea grant program to commission scientific research studies that examine possible negative and positive effects, including the cumulative effects and the economic contribution, of evolving shellfish aquaculture techniques and practices on Washington's economy and marine ecosystems. The research conducted for the

studies is not intended to be a basis for an increase in the number of shellfish harvesting permits available and should be coordinated with any research efforts related to ocean acidification. The University of Washington must submit an annual report detailing any findings and outline the progress of the study, consistent with RCW 43.01.036, to the appropriate legislative committees by December 1st of each year.

(2) \$52,000 of the general fund--state appropriation for fiscal year 2014 and \$52,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the center for international trade in forest products in the college of forest resources.

(3) \$4,459,000 of the general fund--state appropriation for fiscal year 2014 and \$4,459,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

(4) \$3,000,000 of the general fund--state appropriation for fiscal year 2014 and \$3,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for creation of a clean energy institute. The institute shall integrate physical sciences and engineering with a research focus on energy storage and solar energy.

(5) \$3,000,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

(6) Within existing resources the University of Washington may: (a) Form and implement an integrated innovation institute and research, planning, and outreach initiatives at the Olympic national resources center; and (b) accredit a four-year undergraduate forestry program from the society of American foresters. Accreditation may occur in conjunction with reaccreditation of the master of forest resources program.

(7) \$700,000 of the aquatic lands enhancement account--state appropriation and \$1,120,000 of the state toxics control account--state appropriation are provided solely for the center on ocean acidification and related work necessary to implement the recommendations of the governor's blue ribbon task force on ocean acidification. The university shall provide staffing for this purpose.

(8) \$1,000,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the institute of protein design to support the commercialization of translational projects.

(9) \$400,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the University of Washington-Tacoma to develop a law school.

~~((8))~~ (10) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

Sec. 606. 2013 2nd sp.s. c 4 s 607 (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund--State Appropriation (FY 2014)	(\$156,616,000))
.....	\$156,867,000
General Fund--State Appropriation (FY 2015)	(\$157,701,000))
.....	\$154,106,000
Education Legacy Trust Account--State Appropriation	\$33,995,000
TOTAL APPROPRIATION	(\$348,312,000))

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

.....\$344,968,000

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

(1) Within existing resources, Washington State University shall establish an accredited forestry program.

(2) \$2,856,000 of the general fund--state appropriation for fiscal year 2014 and \$2,857,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

(3) \$25,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the Ruckelshaus center to collaborate with local governments, the media, and representatives of the public regarding public record requests made to local government. The center shall facilitate meetings and discussions and report to the appropriate committees of the legislature. The report shall include information on:

- (a) Recommendations related to balancing open public records with concerns of local governments related to interfering with the work of the local government;
- (b) Resources necessary to accommodate requests;
- (c) Potential harassment of government employees;
- (d) Potential safety concerns of people named in the record;
- (e) Potentially assisting criminal activity; and
- (f) Other issues brought forward by the participants.

The center shall report to the appropriate committees of the legislature by December 15, 2013.

(4) \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$300,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington State University agricultural research center to conduct public outreach and education related to nonlethal methods of mitigating conflicts between livestock and large wild carnivores. Of the amounts provided in this subsection, \$200,000 of the general fund--state appropriation for fiscal year 2014 and \$200,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to the center to conduct a detailed analysis of such methods. The amounts appropriated in this subsection may not be subject to an administrative fee or charge, and must be used for costs directly associated with the research and analysis.

(5) \$2,400,000 of the general fund--state appropriation for fiscal year 2014 and \$3,600,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for expansion of medical education and biomedical research in Spokane.

(6) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for state match requirements related to the federal aviation administration grant.

~~((6))~~ (7) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

Sec. 607. 2013 2nd sp.s. c 4 s 608 (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY
General Fund--State Appropriation (FY 2014)(((\$31,674,000))

.....\$31,386,000

General Fund--State Appropriation (FY 2015)(((\$31,619,000))

Education Legacy Trust Account--State

Appropriation.....(((\$15,470,000))

.....\$14,941,000

TOTAL APPROPRIATION(((\$78,763,000))

.....\$78,135,000

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

(1) At least \$200,000 of the general fund--state appropriation for fiscal year 2014 and at least \$200,000 of the general fund--state appropriation for fiscal year 2015 shall be expended on the Northwest autism center.

(2) \$1,000,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the expansion of engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2015, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2013-2014 academic year baseline.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

Sec. 608. 2013 2nd sp.s. c 4 s 609 (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund--State Appropriation (FY 2014)(((\$29,719,000))

.....\$29,733,000

General Fund--State Appropriation (FY 2015).....(((\$29,533,000))

.....\$29,487,000

Education Legacy Trust Account--State Appropriation \$19,076,000

TOTAL APPROPRIATION(((\$78,328,000))

.....\$78,296,000

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

(1) \$25,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the college of education to conduct a study identifying the duties encompassed in a state-funded teacher's typical work day. The study must include an estimate of the percent of a teacher's typical day that is spent on teaching related duties and the percentage of the teacher's day that is spent on duties that are not directly related to teaching. The university shall submit a report to the appropriate committees of the legislature by December 1, 2013.

(2) Amounts appropriated in this section are sufficient for the university to develop a plan to create an online degree granting entity that awards degrees based on an alternative credit model. The university shall submit a final plan by December 1, 2013, to the higher education committees of the legislature.

(3) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) \$1,000,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2015, and each September 1st thereafter, the university shall provide a report

that provides the specific detail on how these amounts were spent in the preceding fiscal year, including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2013-2014 academic year baseline.

Sec. 609. 2013 2nd sp.s. c 4 s 610 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund--State Appropriation (FY 2014)	(\$18,563,000))
.....	\$18,351,000
General Fund--State Appropriation (FY 2015)	(\$17,911,000))
.....	\$17,371,000
Education Legacy Trust Account--State Appropriation ..	\$5,450,000
TOTAL APPROPRIATION	(\$41,924,000))
.....	\$41,172,000

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

((3)) (1) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state institute for public policy to conduct a comprehensive retrospective outcome evaluation and return on investment analysis of the early learning childhood program pursuant to Senate Bill No. 5904 (high quality early learning). This evaluation is due December 15, 2014. If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

((4)) (2) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state institute for public policy to develop a risk assessment instrument for patients committed for involuntary treatment in Washington state.

((5)) (3) \$58,000 of the general fund--state appropriation for fiscal year 2014 and \$27,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state institute for public policy to prepare an inventory of evidence-based and research-based effective practices, activities, and programs for use by school districts in the learning assistance program pursuant to Engrossed Second Substitute Senate Bill No. 5946 (student educational outcomes), including partnerships with community-based organizations that deliver academic and nonacademic supports to students who are significantly at-risk of not being successful in school, such as one-to-one services to overcome barriers of success at school and school-wide afterschool academic support. The initial inventory is due by August 1, 2014, and shall be updated every two years thereafter. If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

((6)) (4) \$50,000 of the general fund--state appropriation for fiscal year 2014 are provided solely for the Washington state institute for public policy to provide expertise to the department of corrections on the implementation of programming that follows the risk needs responsivity model. In consultation with the department of corrections, the institute will systematically review selected programs for outcome measures.

(5) The Washington state institute for public policy shall examine the drug offender sentencing alternative for offenders sentenced to residential treatment in the community. The institute shall examine its effectiveness on recidivism and conduct a benefit-cost analysis. The institute shall report its findings by December 1, 2014.

(6) \$75,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for Washington state institute for public policy to complete a comprehensive assessment of the utilization

and capacity needs of crisis mental health services provided by the department of social and health services. The study shall include, but not be limited to:

(a) An update to statewide utilization and capacity figures for evaluation and treatment facilities, inpatient psychiatric beds, and regional support network-funded crisis facilities, including an estimate of the effect of the implementation of chapter 280, Laws of 2010 and chapter 335, Laws of 2013 on the capacity of the involuntary commitment system. The department shall work with the institute as needed on data collection procedures necessary to identify commitments associated with newly implemented standards;

(b) A longitudinal study of outcomes and public costs for adults receiving regional support network-funded crisis response services compared to adults evaluated for involuntary commitment who are not subsequently committed, and adults who receive a seventy-two hour involuntary commitment. Outcomes may include subsequent jail bookings or convictions, use of publicly funded medical care, and deaths; and

(c) A review of practices in other states regarding third-party initiation of a civil commitment petition, and an assessment of the comparative effectiveness of this change compared to other alternative practices for which comprehensive studies are available.

A preliminary report must be provided by December 1, 2015, and a final report by December 1, 2016.

(7) \$50,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for Washington state institute for public policy to conduct a comprehensive study of tobacco and e-cigarette prevention programs that will yield the highest public health benefit and reduce tobacco use. In conducting this study, the institute shall identify: (a) The most effective population-based approaches and what targeted populations will yield the greatest return on investment; and (b) other state models, including the "Friday night light" program in California, that yield the greatest likelihood of reducing state health care costs. The institute shall work with the department of health to determine which programs can be brought to scale most efficiently. The institute shall report its findings to the appropriate committees of the legislature by December 31, 2014.

(8) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(9) Notwithstanding other provisions in this section, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2013-2015 work plan as necessary to efficiently manage workload.

(10) The Evergreen State College shall not use funds appropriated in this section to support intercollegiate athletics programs.

Sec. 610. 2013 2nd sp.s. c 4 s 611 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund--State Appropriation (FY 2014)	(\$44,542,000))
.....	\$44,521,000
General Fund--State Appropriation (FY 2015)	(\$44,377,000))
.....	\$43,341,000
Education Legacy Trust Account--State	
Appropriation.....	(\$13,050,000))
.....	\$12,895,000
TOTAL APPROPRIATION	(\$101,969,000))
.....	\$100,757,000

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

(1) \$1,497,000 of the general fund--state appropriation for fiscal year 2014 and \$1,498,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the expansion of computer science and engineering enrollments. The university will

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

Sec. 611. 2013 2nd sp.s. c 4 s 612 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL--POLICY COORDINATION AND ADMINISTRATION

General Fund--State Appropriation (FY 2014)	(\$5,307,000))
.....	\$5,320,000
General Fund--State Appropriation (FY 2015)	(\$5,318,000))
.....	\$5,287,000
General Fund--Federal Appropriation	(\$4,817,000))
.....	\$4,811,000
TOTAL APPROPRIATION	(\$15,442,000))
.....	\$15,418,000

The appropriations in this section are subject to the following conditions and limitations: The student achievement council is authorized to increase or establish fees for initial degree authorization, degree authorization renewal, degree authorization reapplication, new program applications, and new site applications pursuant to RCW 28B.85.060.

Sec. 612. 2013 2nd sp.s. c 4 s 613 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund--State Appropriation (FY 2014)	(\$245,122,000))
.....	\$245,124,000
General Fund--State Appropriation (FY 2015)	(\$244,674,000))
.....	\$244,666,000
General Fund--Federal Appropriation	(\$11,648,000))
.....	\$11,639,000
General Fund--Private/Local Appropriation.....	(\$34,000))
.....	\$334,000
Education Legacy Trust Account--State Appropriation	(\$36,036,000))
.....	\$79,651,000
Washington Opportunity Pathways Account--State Appropriation.....	(\$147,000,000))
.....	\$141,000,000
TOTAL APPROPRIATION	(\$684,514,000))
.....	\$722,414,000

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

(1) \$237,454,000 of the general fund--state appropriation for fiscal year 2014, \$237,455,000 of the general fund--state appropriation for fiscal year 2015, \$6,000,000 of the education legacy trust account--state appropriation, and (\$147,000,000) \$141,000,000 of the Washington opportunity pathways account--state appropriation are provided solely for student financial aid payments under the state need grant and state work study programs including up to four percent administrative allowance for the state work study program. Of the amounts provided in this subsection, \$100,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the council

to develop an alternative financial aid application system to implement Senate Bill No. 6523 (higher education opportunities).

(2) Changes made to the state need grant program in the 2011-2013 fiscal biennium are continued in the 2013-2015 fiscal biennium including aligning increases in awards given to private institutions with the annual tuition increases for public research institutions or the private institution's average annual tuition increase experience of 3.5 percent per year, whichever is less, ~~and reducing the awards for students who first enrolled as a new student in for-profit institutions as of the 2011-2012 academic year or thereafter by fifty percent, except that one half of the fifty percent reduction shall be restored on July 1, 2013, for students attending regionally accredited for-profit institutions).~~ For the 2015-2017 fiscal biennium, it is the intent of the legislature to reconsider grant awards for students at private four-year institutions.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2013-2015 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) Within the funds appropriated in this section, eligibility for the state need grant shall include students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. Awards for all students shall be adjusted by the estimated amount by which Pell grant increases exceed projected increases in the noninstructional costs of attendance. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(5)(a) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program if the students have applied by the institution's priority financial aid deadline and have completed their financial aid file in a timely manner. These eligible college bound students whose family incomes are in the 0-65 median family income ranges shall be awarded the maximum state need grant for which they are eligible under state policies and may not be denied maximum state need grant funding due to institutional policies or delayed awarding of college bound scholarship students.

(b) In calculating the college bound award, public institutions of higher education shall be subject to the conditions and limitations in RCW 28B.15.102 and shall not utilize college bound funds to offset tuition costs from rate increases in excess of levels authorized in section 603, chapter 50, Laws of 2011 and those assumed in section 602 or 603 of this act.

(6) ~~(\$36,036,000)~~ \$48,297,000 of the education legacy trust account--state appropriation is provided solely for the college bound scholarship program and may support scholarships for summer session. This amount assumes that college bound scholarship recipients will receive priority for state need grant awards in fiscal year 2014 and fiscal year 2015. If this policy of prioritization is not fully achieved, it is the intent of this legislation to provide supplemental appropriations in the 2014 supplemental operating budget.

(7) \$2,236,000 of the general fund--state appropriation for fiscal year 2014 and \$2,236,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the passport to college program. The maximum scholarship award shall be \$5,000. The board shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2014 and 2015 for this purpose.

(8) \$25,354,000 of the education legacy trust account--state appropriation is provided solely to meet state match requirements associated with the opportunity scholarship program.

(9) In developing the skilled and educated workforce report pursuant to RCW 28B.77.080(3), the council shall use the bureau of labor statistics analysis of the education and training requirements of occupations, in addition to any other method the council may choose to use, to assess the number and type of higher education and training credentials required to match employer demand for a skilled and educated workforce.

Sec. 613. 2013 2nd sp.s. c 4 s 614 (uncodified) is amended to read as follows:

FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund--State Appropriation (FY 2014)	(\$1,582,000))
.....	\$1,556,000
General Fund--State Appropriation (FY 2015)	(\$1,478,000))
.....	\$1,424,000
General Fund--Federal Appropriation	(\$54,260,000))
.....	\$54,797,000
General Fund--Private/Local	\$44,000
TOTAL APPROPRIATION	(\$57,320,000))
.....	\$57,821,000

The appropriations in this section are subject to the following conditions and limitations: For the 2013-2015 fiscal biennium the board shall not designate recipients of the Washington award for vocational excellence or recognize them at award ceremonies as provided in RCW 28C.04.535.

Sec. 614. 2013 2nd sp.s. c 4 s 615 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EARLY LEARNING

General Fund--State Appropriation (FY 2014)	(\$34,253,000))
.....	\$30,605,000
General Fund--State Appropriation (FY 2015)	(\$48,689,000))
.....	\$52,336,000
General Fund--Federal Appropriation	(\$293,652,000))
.....	\$295,177,000
General Fund--Private/Local	\$50,000
Opportunity Pathways Account--State Appropriation...	\$80,000,000
Home Visiting Services Account--State Appropriation ..	\$2,868,000
Home Visiting Services Account--Federal Appropriation	(\$22,756,000))
.....	\$22,753,000
Children's Trust Account--State Appropriation	\$180,000
TOTAL APPROPRIATION	(\$482,398,000))
.....	\$483,969,000

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

(1) \$20,229,000 of the general fund--state appropriation for fiscal year 2014, \$36,474,000 of the general fund--state appropriation for fiscal year 2015, and \$80,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education assistance program services. Of these amounts, \$10,284,000 is a portion of the biennial amount of state maintenance of effort dollars required to receive federal child care and development fund grant dollars.

(2) \$638,000 of the general fund--state appropriation for fiscal year 2014, and \$638,000 of the general fund--state appropriation for

fiscal year 2015 are provided solely for child care resource and referral network services.

(3) \$200,000 of the general fund--state appropriation for fiscal year 2014 and \$200,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(4) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department of early learning.

(5) \$1,434,000 of the general fund--state appropriation for fiscal year 2014, \$1,434,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for expenditure into the home visiting services account. This funding is intended to meet federal maintenance of effort requirements and to secure private matching funds.

(6)(a) \$153,717,000 of the general fund--federal appropriation is provided solely for the working connections child care program under RCW 43.215.135.

(b) In addition to groups that were given prioritized access to the working connections child care program effective March 1, 2011, the department shall also give prioritized access into the program to families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center.

(c) Within the amounts provided in (a) of this subsection, the department is authorized to serve up to 20 percent of the working connections households through contracted slots. The department may achieve this by contracting with the working connections child care providers and with early childhood education assistance program providers to braid funding between working connection child care program and the education assistance program to support a full-day preschool experience for eligible children.

(7) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report quarterly enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(8) (~~(\$1,025,000)~~) \$1,194,000 of the general fund--state appropriation for fiscal year 2014, (~~(\$1,025,000)~~) \$1,738,000 of the general fund--state appropriation for fiscal year 2015, and \$13,424,000 of the general fund--federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(9) (~~(\$3,572,000)~~) \$4,438,000 of the general fund--state appropriation for fiscal year 2014, (~~(\$2,522,000)~~) \$4,674,000 of the general fund--state appropriation for fiscal year 2015, and (~~(\$4,304,000)~~) \$236,000 of the general fund--federal appropriation are provided solely for the medicaid treatment child care (MTCC) program. The department shall contract for MTCC services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department of social and health services children's administration. In addition to referrals made by children's administration, the department shall authorize services for children referred to the

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

MTCC program, as long as the children meet the eligibility requirements as outlined in the Washington state plan for the MTCC program.

(a) Of the amounts appropriated in this subsection, \$60,000 per fiscal year may be used by the department for administering the MTCC program, if needed.

(b) Of the amounts provided in this subsection, ~~(\$1,050,000)~~ \$1,916,000 of the general fund--state appropriation for fiscal year 2014 is provided solely to continue providing services in the event of losing federal funding for the MTCC program. To the extent that the moneys provided in this subsection (9)(b) are not necessary for this purpose, the amounts provided shall lapse.

(10) \$150,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$150,000)~~ \$200,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(11) \$721,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the department to complete development work of the electronic benefits transfer system.

(12) ~~(\$793,000)~~ \$221,000 of the general fund--state appropriation for fiscal year 2014 and ~~(\$796,000)~~ \$1,234,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of an electronic benefits transfer system. To the maximum extent possible, the department shall work to integrate this system with the department of social and health services payment system. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer.

(13) \$32,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Second Substitute Senate Bill No. 5595 (child care reform). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(14)(a)(i) The department of early learning is required to provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(ii) The ECEAP early learning professionals must enter qualifications into the department's professional development registry during the 2013-14 school year. By October 2015, the department must provide ECEAP early learning professional data to the education research data center.

(iii) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(iv) The education research and data center must provide a report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data by November 2013 for the school year ending in 2012 and again in March 2014 for the school year ending in 2013.

(b) The department, in consultation with the department of social and health services, must withhold payment for services to

early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular facility.

(15) \$2,369,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for the department to implement early achievers tiered reimbursement for child care center providers. The department shall establish tiered reimbursement pilot projects for providers in levels III, IV, and V of early achievers. The tiered reimbursement rates shall be implemented equitably across provider types. The department shall base the rates for tiered reimbursement on the child care cost model study completed in 2013 and factor in any increases in the base subsidy rate in establishing the tier reimbursement rates.

Sec. 615. 2013 2nd sp.s. c 4 s 616 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

General Fund--State Appropriation (FY 2014)	(\$6,032,000)
.....	\$5,975,000
General Fund--State Appropriation (FY 2015)	(\$5,805,000)
.....	\$5,752,000
General Fund--Private/Local Appropriation.....	(\$15,000)
.....	\$5,000
TOTAL APPROPRIATION	(\$11,852,000)
.....	\$11,732,000

Sec. 616. 2013 2nd sp.s. c 4 s 617 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund--State Appropriation (FY 2014)	(\$8,615,000)
.....	\$8,758,000
General Fund--State Appropriation (FY 2015)	(\$8,591,000)
.....	\$8,528,000
TOTAL APPROPRIATION	(\$17,206,000)
.....	\$17,286,000

Sec. 617. 2013 2nd sp.s. c 4 s 618 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund--State Appropriation (FY 2014)	(\$1,125,000)
.....	\$1,093,000
General Fund--State Appropriation (FY 2015)	(\$1,101,000)
.....	\$1,093,000
General Fund--Federal Appropriation	(\$2,074,000)
.....	\$2,071,000
General Fund--Private/Local Appropriation.....	(\$12,000)
.....	\$29,000
TOTAL APPROPRIATION	(\$4,312,000)
.....	\$4,286,000

Sec. 618. 2013 2nd sp.s. c 4 s 619 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund--State Appropriation (FY 2014)	(\$2,123,000)
.....	\$2,134,000
General Fund--State Appropriation (FY 2015)	(\$2,150,000)
.....	\$2,129,000
TOTAL APPROPRIATION	(\$4,273,000)
.....	\$4,263,000

Sec. 619. 2013 2nd sp.s. c 4 s 620 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund--State Appropriation (FY 2014)	(\$1,600,000)
.....	\$1,624,000
General Fund--State Appropriation (FY 2015)	(\$1,530,000)
.....	\$1,558,000
TOTAL APPROPRIATION	(\$3,130,000)
.....	\$3,182,000

(End of part)

**PART VII
SPECIAL APPROPRIATIONS**

Sec. 701. 2013 2nd sp.s. c 4 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund--State Appropriation (FY 2014)	(\$741,362,000)
.....	\$830,140,000
General Fund--State Appropriation (FY 2015)	(\$1,060,322,000)
.....	\$973,235,000
State Building Construction Account--State Appropriation	(\$4,297,000)
.....	\$8,164,000
Columbia River Basin Water Supply Development Account--State Appropriation	(\$269,000)
.....	\$473,000
State Taxable Building Construction Account--State Appropriation	(\$211,000)
.....	\$2,621,000
Debt-Limit Reimbursable Bond Retire Account--State Appropriation	\$2,320,000
Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation	\$1,000
Columbia River Basin Taxable Bond Water Supply Development Account--State Appropriation	\$182,000
TOTAL APPROPRIATION	(\$1,808,781,000)
.....	\$1,817,136,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2014 shall be expended into the debt-limit general fund bond retirement account by June 30, 2014.

Sec. 702. 2013 2nd sp.s. c 4 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED BY ENTERPRISE ACTIVITIES

Accident Account--State Appropriation	(\$4,138,000)
.....	\$4,139,000
Medical Aid Account--State Appropriation	(\$4,138,000)
.....	\$4,139,000
TOTAL APPROPRIATION	(\$8,276,000)
.....	\$8,278,000

Sec. 703. 2013 2nd sp.s. c 4 s 703 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund--State Appropriation (FY 2014)	\$25,636,000
General Fund--State Appropriation (FY 2015)	(\$16,102,000)
.....	\$16,103,000
Nondebt-Limit Reimbursable Bond Retirement Account--State	

Appropriation	(\$140,215,000)
.....	\$139,953,000
TOTAL APPROPRIATION	(\$181,953,000)
.....	\$181,692,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2014 shall be expended into the nondebt-limit general fund bond retirement account by June 30, 2014.

Sec. 704. 2013 2nd sp.s. c 4 s 704 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2014)	(\$1,726,000)
.....	\$1,401,000
General Fund--State Appropriation (FY 2015)	(\$1,726,000)
.....	\$1,401,000
State Building Construction Account--State Appropriation	(\$867,000)
.....	\$2,156,000
Columbia River Basin Water Supply Development Account--State Appropriation	(\$57,000)
.....	\$66,000
State Taxable Building Construction Account--State Appropriation	(\$45,000)
.....	\$324,000
Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation	\$1,000
Columbia River Basin Taxable Bond Water Supply Development Account--State Appropriation	\$18,000
TOTAL APPROPRIATION	(\$4,421,000)
.....	\$5,367,000

Sec. 705. 2013 2nd sp.s. c 4 s 706 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--DISASTER RESPONSE ACCOUNT

General Fund--State Appropriation (FY 2014)	(\$5,100,000)
.....	\$3,600,000
General Fund--State Appropriation (FY 2015)	(\$2,500,000)
.....	\$1,000,000
TOTAL APPROPRIATION	(\$7,600,000)
.....	\$4,600,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the disaster response account for emergency fire suppression by the department of natural resources and to complete projects necessary to recover from previously declared disasters.

Sec. 706. 2013 2nd sp.s. c 4 s 710 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--COUNTY PUBLIC HEALTH ASSISTANCE

General Fund--State Appropriation (FY 2014)	\$36,386,000
General Fund--State Appropriation (FY 2015)	\$36,386,000
TOTAL APPROPRIATION	\$72,772,000

The appropriations in this section are subject to the following conditions and limitations: The state treasurer shall distribute the appropriations to the following counties and health districts in the amounts designated to support public health services, including public health nursing:

Health District	FY 2014	FY 2015	2013-15 Biennium
Adams County Health District	\$121,213	\$121,213	\$242,426

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

Asotin County Health District	\$159,890	\$159,890	\$319,780
Benton-Franklin Health District	\$1,614,337	\$1,614,337	\$3,228,674
Chelan-Douglas Health District	\$399,634	\$399,634	\$799,268
Clallam County Health and Human Services Department	\$291,401	\$291,401	\$582,802
Clark County Health District	\$1,767,341	\$1,767,341	\$3,534,682
Skamania County Health Department	\$111,327	\$111,327	\$222,654
Columbia County Health District	\$119,991	\$119,991	\$239,982
Cowlitz County Health Department	\$477,981	\$477,981	\$955,962
Garfield County Health District	\$93,154	\$93,154	\$186,308
Grant County Health District	\$297,761	\$297,762	\$595,523
Grays Harbor Health Department	\$335,666	\$335,666	\$671,332
Island County Health Department	\$255,224	\$225,224	\$510,448
Jefferson County Health and Human Services	\$184,080	\$184,080	\$368,160
Seattle-King County Department of Public Health	\$10,558,598	(\$10,558,598)	(\$21,117,196)
		<u>\$12,685,521</u>	<u>\$23,244,119</u>
Bremerton-Kitsap County Health District	\$997,476	\$997,476	\$1,994,952
Kittitas County Health Department	\$198,979	\$198,979	\$397,958
Klickitat County Health Department	\$153,784	\$153,784	\$307,568
Lewis County Health Department	\$263,134	\$263,134	\$526,268
Lincoln County Health Department	\$113,917	\$113,917	\$227,834
Mason County Department of Health Services	\$227,448	\$227,448	\$454,896
Okanogan County Health District	\$169,882	\$169,882	\$339,764
Pacific County Health Department	\$169,075	\$169,075	\$338,150
Tacoma-Pierce County Health Department	\$4,143,169	\$4,143,169	\$8,286,338
San Juan County Health and Community Services	\$2,253,493	(\$2,253,493)	(\$4,506,986)
		<u>\$126,569</u>	<u>\$2,380,062</u>
Skagit County Health Department	\$449,745	\$449,745	\$899,490
Snohomish Health District	\$3,433,291	\$3,433,291	\$6,866,582
Spokane County Health District	\$2,877,318	\$2,877,318	\$5,574,636
Northeast Tri-County Health District	\$249,303	\$249,303	\$498,606
Thurston County Health Department	\$1,046,897	\$1,046,897	\$2,093,794
Wahkiakum County Health Department	\$93,181	(\$9,180)	(\$186,361)
		<u>\$93,181</u>	<u>\$186,362</u>
Walla Walla County-City Health Department	\$302,173	\$302,173	\$604,346
Whatcom County Health Department	\$1,214,301	\$1,214,301	\$2,428,602
Whitman County Health Department	\$189,355	\$189,355	\$378,710

Yakima Health District	\$1,052,482	\$1,052,482	\$2,104,964
TOTAL APPROPRIATIONS	\$36,386,001	\$36,386,001	\$72,772,002

Sec. 707. 2013 2nd sp.s. c 4 s 714 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--LEAN MANAGEMENT STRATEGIES EFFICIENCY SAVINGS

General Fund--State Appropriation (FY 2015)(((\$30,000,000))) (\$40,000,000)

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

(1) The legislature is committed to promoting a state government culture that makes sustained improvement a habitual behavior from front-line staff to agency leadership.

(2) The office of financial management must develop a strategic lean management action plan to drive efficiencies in state spending and to increase productivity of state employees while improving and increasing state services for taxpayers. The action plan must determine the specific agencies and programs that would benefit most from application of the action plan, and the plan must target resources accordingly.

(3) The office of financial management must integrate lean principles into all performance management efforts.

(4) The office of financial management and the office of the chief information officer must integrate lean principles into all major information technology initiatives.

(5) The office of financial management must develop and implement a lean practitioner fellowship program to train state agency staff. Agency staff participating in the fellowship will be assigned to work on statewide efforts that streamline and improve processes across agencies.

(6) Agencies must report to the office of financial management at least twice per fiscal year process improvements and efficiencies gained through tools such as the lean strategy. The office of financial management must compile and transmit these reports to the appropriate fiscal committees of the legislature at least every six months, beginning January 1, 2014.

(7) The office of financial management must report to the legislature by December 2014 on the viability of the lean/performance management program becoming a self-funding program.

(8) The office of financial management must reduce allotments for affected state agencies by ~~(((\$30,000,000)))~~ \$40,000,000 from the state general fund for fiscal year 2015 in this act to reflect fiscal year 2015 savings resulting from application of the lean management and performance management strategies required by this section.

NEW SECTION. Sec. 708. A new section is added to 2013 2nd sp.s. c 4 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE COSTS

General Fund--State Appropriation (FY 2014) \$590,000

The appropriation in this section is subject to the following conditions and limitations: The director of financial management shall distribute \$500,000 to Clallam county, \$72,000 to Mason county, and \$18,000 to Klickitat county for extraordinary criminal justice costs pursuant to RCW 43.330.190.

NEW SECTION. Sec. 709. A new section is added to 2013 2nd sp.s. c 4 (uncodified) to read as follows:

FOR SUNDRY CLAIMS

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2014, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of the department of

enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

- (1) Tony M. Noble, claim number 99970075.....\$5,670
- (2) Patrick Earl, claim number 99970076.....\$2,799
- (3) Stephen J. Felice, claim number 99970076.....\$17,275
- (4) Michael Felice, claim number 99970076.....\$93,809
- (5) Noe Angel Aranda Hernandez, claim number 99970077\$12,500
- (6) Anderson Durham, claim number 99970071.....\$11,000
- (7) Chase Balzer, claim number 99970078\$5,953
- (8) Kent Wescott, claim number 99970079.....\$13,447
- (9) Tommy Villanueva, claim number 99970080\$70,099

NEW SECTION. Sec. 710. A new section is added to 2013 2nd sp.s. c 4 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--COMMON SCHOOL CONSTRUCTION ACCOUNT

General Fund--State Appropriation (FY 2015)\$444,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the common school construction account--state on July 1, 2015, for an interest payment pursuant to RCW 90.38.130.

NEW SECTION. Sec. 711. A new section is added to 2013 2nd sp.s. c 4 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--NATURAL RESOURCES REAL PROPERTY REPLACEMENT ACCOUNT

General Fund--State Appropriation (FY 2015)\$222,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the natural resources real property replacement account--state on July 1, 2015, for an interest payment pursuant to RCW 90.38.130.

NEW SECTION. Sec. 712. A new section is added to 2013 2nd sp.s. c 4 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--PARKLAND TRUST REVOLVING ACCOUNT

General Fund--State Appropriation (FY 2014)\$639,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the Parkland trust revolving account--state.

NEW SECTION. Sec. 713. 2013 INFORMATION TECHNOLOGY REDUCTION

2013 2nd sp.s. c 4 s 715 (uncodified) is repealed.

NEW SECTION. Sec. 714. 2013 HEALTH CARE REDUCTION

2013 2nd sp.s. c 4 s 720 (uncodified) is repealed.

(End of part)

**PART VIII
OTHER TRANSFERS AND APPROPRIATIONS**

Sec. 801. 2013 2nd sp.s. c 4 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

premium distributions	(((\$8,248,000))
.....	\$8,591,000
General Fund Appropriation for public utility district excise tax distributions.....	(((\$50,894,000))
.....	\$53,709,000
General Fund Appropriation for prosecuting attorney distributions.....	(((\$6,068,000))
.....	\$5,985,000
General Fund Appropriation for boating safety and education distributions	\$4,000,000
General Fund Appropriation for other tax distributions	\$65,000
General Fund Appropriation for habitat conservation program distributions.....	(((\$3,000,000))
.....	\$3,154,000
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies.....	\$3,158,000
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution.....	\$146,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties.....	(((\$72,120,000))
.....	\$76,932,000
County Criminal Justice Assistance Appropriation. When making the fiscal year 2015 distribution to Grant county, the state treasurer shall reduce the amount by \$140,000 and distribute the remainder to the county. This is the first of three reductions that will be made to reimburse the state for a nonqualifying extraordinary criminal justice act payment made to Grant county in fiscal year 2013.....	(((\$78,983,000))
.....	\$78,721,000
Municipal Criminal Justice Assistance Appropriation.....	(((\$30,550,000))
.....	\$30,519,000
City-County Assistance Account Appropriation for local government financial assistance distribution	(((\$17,134,000))
.....	\$19,584,000
Liquor Excise Tax Account Appropriation for liquor excise tax distribution	(((\$24,744,000))
.....	\$23,906,000
Streamlined Sales and Use Tax Mitigation Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistribution effect of the sourcing law changes.....	(((\$50,488,000))
.....	\$49,420,000
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation	(((\$7,760,000))
.....	\$7,752,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians	(((\$5,025,000))
.....	\$5,011,000
Liquor Revolving Account Appropriation for liquor profits distribution.....	\$98,876,000
TOTAL APPROPRIATION	(((\$434,259,000))
.....	\$469,529,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

Sec. 802. 2013 2nd sp.s. c 4 s 802 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driver Safety Account Appropriation	(((\$2,469,000))
.....	\$2,409,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2013-2015 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 803. 2013 2nd sp.s. c 4 s 803 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driver Safety Account Appropriation	(((\$1,646,000))
.....	\$1,606,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2013-2015 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 804. 2013 2nd sp.s. c 4 s 804 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--FEDERAL REVENUES FOR DISTRIBUTION

General Fund Appropriation for federal flood control funds distribution	\$66,000
General Fund Appropriation for federal grazing fees distribution	\$1,706,000
Forest Reserve Fund Appropriation for federal forest reserve fund distribution	(((\$5,636,000))
.....	\$24,446,000
TOTAL APPROPRIATION	(((\$7,408,000))
.....	\$26,218,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

Sec. 805. 2013 2nd sp.s. c 4 s 805 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--TRANSFERS State Treasurer's Service Account: For transfer to the state general fund, \$10,100,000 for fiscal year 2014 and \$10,100,000 for fiscal year 2015.....	\$20,200,000
Drinking Water Assistance Account: For transfer to the drinking water assistance repayment account.....	\$32,000,000

General Fund: For transfer to the streamlined sales and use tax account, ((\$25,284,000))\$24,436,000
 for fiscal year 2014 and ((\$25,204,000))\$24,984,000
 for fiscal year 2015(((\$50,488,000))
\$49,420,000
 Public Works Assistance Account: For transfer to the education legacy trust account,\$138,622,000 for fiscal year 2014 and \$138,622,000 for fiscal year 2015\$277,244,000
 Local Toxics Control Account: For transfer to the state general fund, \$9,000,000 for fiscal year 2014 and \$9,000,000 for fiscal year 2015.....\$18,000,000
 State Taxable Building Construction Account: For transfer to the Columbia River basin taxable bond water supply development account, an amount not to exceed\$32,000,000
 Employment Training Finance Account: For transfer to the state general fund, \$1,000,000 for fiscal year 2014 and \$1,000,000 for fiscal year 2015.....\$2,000,000
 Tuition Recovery Trust Account: For transfer to the state general fund, \$1,250,000 for fiscal year 2014 and \$1,250,000 for fiscal year 2015.....\$2,500,000
 General Fund: For transfer to the child and family reinvestment account, ((\$3,800,000))\$1,656,000 for fiscal year 2014 and ((\$2,691,000))\$992,000 for fiscal year 2015(((\$6,491,000))
\$2,648,000
 Flood Control Assistance Account: For transfer to the state general fund, \$1,000,000 for fiscal year 2014 and \$1,000,000 for fiscal year 2015.....\$2,000,000
 Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account.....(((\$157,221,000))
\$170,832,000
 Tobacco Settlement Account: For transfer to the state general fund from the amounts deposited in the account that are attributable to the annual strategic contribution payment received in fiscal year 2014.....\$17,000,000
 Tobacco Settlement Account: For transfer to the state general fund from the amounts deposited in the account that are attributable to the annual strategic contribution payment received in fiscal year 2015.....\$17,000,000
 Tobacco Settlement Account: For transfer to the education legacy trust account from amounts deposited in the account that are attributed to the annual strategic contribution payment received in fiscal year 2014.....\$600,000
 Tobacco Settlement Account: For transfer to the education legacy trust account from amounts deposited in the account that are attributed to the annual strategic contribution payment received in fiscal year 2015.....\$9,615,000
 It is the intent of the legislature to transfer the full amounts received as strategic contribution payments in the tobacco settlement account to the education legacy trust account in the 2015-2017 fiscal biennium.
 Tobacco Settlement Account: For transfer to the life sciences discovery fund, in an amount not to exceed the actual remaining amount of the annual strategic contribution payment to the tobacco settlement account for fiscal year 2014\$9,515,000
 ((Tobacco Settlement Account: For transfer to the life sciences discovery fund, in an amount not to exceed the actual remaining amount of the annual strategic

contribution payment to the tobacco settlement account for fiscal year 2015\$9,515,000))

The transfer to the life sciences discovery fund is subject to the following conditions:

(1) The life sciences discovery fund authority board of trustees shall begin preparing to become a self-sustaining entity capable of operating without direct state subsidy by the time the tobacco strategic contribution supplemental payments end in fiscal year 2017.

(2) \$250,000 of the appropriation in fiscal year 2014 (~~and \$250,000 of the appropriation in fiscal year 2015 are~~) is provided solely to promote the development and delivery of global health technologies and products.

(a) The life sciences discovery fund authority must either administer a grant application, review, and reward process, or contract with a qualified nonprofit organization for these services. State moneys must be provided for grants to entities for the development, production, promotion, and delivery of global health technologies and products. Grant award criteria must include:

(i) The quality of the proposed research or the proposed technical assistance in product development or production process design. Any grant funds awarded for research activities must be awarded for nonbasic research that will assist in the commercialization or manufacture of global health technologies;

(ii) The potential for the grant recipient to improve global health outcomes;

(iii) The potential for the grant to leverage additional funding for the development of global health technologies and products;

(iv) The potential for the grant to stimulate, or promote technical skills training for, employment in the development of global health technologies in the state; and

(v) The willingness of the grant recipient, when appropriate, to enter into royalty or licensing income agreements with the authority.

(b) The authority, or the contractor of the authority, must report information including the types of products and research funded, the funding leveraged by the grants, and the number and types of jobs created as a result of the grants, to the economic development committees of the legislature by December 1, 2014.

Life Sciences Discovery Fund: For transfer to the education legacy trust account,\$9,800,000 for fiscal year 2015\$9,800,000

Aquatic Lands Enhancement Account: For transfer to the geoduck aquaculture research account,\$150,000 for fiscal year 2014 and \$150,000 for fiscal year 2015\$300,000

Health Benefit Exchange Account: For transfer to the state general fund for fiscal year 2015\$21,514,000

Criminal Justice Treatment Account: For transfer to the state general fund, \$437,000 for fiscal year 2014 and \$2,746,000 for fiscal year 2015.....\$3,183,000

Resources Management Cost Account--Aquatics: For transfer to the marine resources stewardship trust account, \$1,850,000 for fiscal year 2014 and\$1,850,000 for fiscal year 2015\$3,700,000

Legal Services Revolving Account: For transfer to the state general fund, \$976,000 for fiscal year 2014 and \$1,477,000 for fiscal year 2015.....\$2,453,000

Personnel Service Account: For transfer to the state general fund, \$733,000 for fiscal year 2014 and \$733,000 for fiscal year 2015\$1,466,000

Data Processing Revolving Account: For transfer to the state general fund, \$4,069,000 for fiscal year 2014 and \$4,070,000 for fiscal year 2015.....\$8,139,000

Home Security Fund Account: For transfer to the transitional housing operating and rent account\$7,500,000

Professional Engineers' Account: For transfer to the state general fund, \$956,000 for fiscal year 2014 and

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

\$957,000 for fiscal year 2015	\$1,913,000
Electrical License Account: For transfer to the state general fund, \$1,700,000 for fiscal year 2014 and \$1,700,000 for fiscal year 2015	\$3,400,000
Business and Professions Account: For transfer to the state general fund, ((\$1,838,000)) \$2,838,000 for fiscal year 2014 and ((\$1,800,000)) \$2,800,000 for fiscal year 2015.....	(((\$3,638,000)) \$5,638,000
Energy Freedom Account: For transfer to the state general fund, ((\$1,000,000)) \$1,500,000 for fiscal year 2014 and ((\$1,000,000)) \$1,500,000 for fiscal year 2015.....	(((\$2,000,000)) \$3,000,000
Pollution Liability Insurance Program Trust Account: For transfer to the state general fund, \$2,500,000 for fiscal year 2014 and \$2,500,000 for fiscal year 2015	\$5,000,000
Real Estate Commission Account: For transfer to the state general fund, \$1,700,000 for fiscal year 2014 and \$1,700,000 for fiscal year 2015.....	\$3,400,000
State Lottery Account: For transfer to the education legacy trust account, ((\$6,050,000)) \$10,050,000 for fiscal year 2014 and \$6,050,000 for fiscal year 2015.....	(((\$12,100,000)) \$16,100,000
State Toxics Control Account: For transfer to the radioactive mixed waste account, \$2,000,000 for fiscal year 2014.....	\$2,000,000
General Fund: For transfer to the education savings account, \$387.04 for fiscal year 2014.....	\$387.04

(End of part)

**PART IX
MISCELLANEOUS**

Sec. 901. 2013 2nd sp.s. c 4 s 903 (uncodified) is amended to read as follows:

STATUTORY APPROPRIATIONS

In addition to the amounts appropriated in this act for revenues for distribution, and bond retirement and interest including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under chapters 39.94 (~~and~~), 39.96, and 39.98 RCW or any proper bond covenant made under law.

Sec. 902. 2013 2nd sp.s. c 4 s 932 (uncodified) is amended to read as follows:

COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE BENEFITS

No agreement was reached between the governor and the health care super coalition under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Appropriations in this act for fiscal year 2014 for state agencies, including institutions of higher education are sufficient to continue the provisions of the 2011-2013 collective bargaining agreement. An agreement was reached between the governor and the health care super coalition under the provisions of chapter 41.80 RCW for fiscal year 2015. The agreement includes employer contributions to premiums at 85 percent of the total weighted average of the projected health care premiums. Appropriations in this act for fiscal year 2015 for state agencies, including institutions of higher education are sufficient to fund the provisions of the fiscal year 2015 collective bargaining

agreement, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, wellness programs, and similar benefits or services for members of public employee benefits board health plans, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$782 per eligible employee for fiscal year 2014. For fiscal year 2015 the monthly employer funding rate shall not exceed (~~(\$763)~~) \$662 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require or make 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 the collective bargaining agreement and RCW 41.05.065. Beginning July 1, 2014, the board shall add a \$25 per month surcharge to the premiums due from members who use tobacco products and a surcharge of not less than \$50 per month to the premiums due from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in other 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.

(c) All savings resulting from reduced claim costs or other factors identified after December 31, 2013, must be reserved for funding employee health benefits in the 2015-2017 fiscal biennium.

(d) To the extent that the agreement between the governor and the super coalition contains terms that are effective after June 30, 2015, those terms exceed the fiscal biennium and are outside the bounds permitted by RCW 41.80.001. Nothing in this section obligates the legislature for funding after June 30, 2015.

(e) The health care authority shall 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 shall not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. The subsidy provided for calendar years 2014 and 2015 shall be up to \$150 per month.

Sec. 903. 2013 2nd sp.s. c 4 s 933 (uncodified) is amended to read as follows:

COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for represented employees outside the super coalition for health benefits, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, wellness programs, and similar benefits or services for members of public employee benefits board health plans, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$782 per eligible employee for fiscal year 2014. For fiscal year 2015 the monthly employer funding rate shall not exceed (~~(\$763)~~) \$662 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require or make 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. Beginning July 1, 2014, the board shall add a \$25

per month surcharge to the premiums due from members who use tobacco products and a surcharge of not less than \$50 per month to the premiums due from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in other 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.

(c) All savings resulting from reduced claim costs or other factors identified after December 31, 2013, must be reserved for funding employee health benefits in the 2015-2017 fiscal biennium.

(d) The health care authority shall 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 shall not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. The subsidy provided for calendar years 2014 and 2015 shall be up to \$150 per month.

Sec. 904. 2013 2nd sp.s. c 4 s 937 (uncodified) is amended to read as follows:

COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--SEIU LOCAL 925 CHILDCARE WORKERS

(1) An agreement has been reached between the governor and the service employees international union local 925 under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for increases to health care, scholarship funding and non-standard hours bonus.

(2) An agreement has been reached between the governor and the service employees international union local 925 under the provisions of chapter 41.56 RCW for fiscal year 2015. Funding is provided to increase the child care subsidy rates for licensed and exempt family child care providers by four percent on July 1, 2014, and another four percent on January 1, 2015. Two million dollars is also provided to fund an early achievers tiered reimbursement pilot project for licensed family child care providers.

Sec. 905. 2013 2nd sp.s. c 4 s 939 (uncodified) is amended to read as follows:

COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS

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, wellness programs, and similar benefits or services for members of public employee benefits board health plans, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$782 per eligible employee for fiscal year 2014. For fiscal year 2015 the monthly employer funding rate shall not exceed (~~(\$763)~~) \$662 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require or make 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. Beginning July 1, 2014, the board shall add a \$25 per month surcharge to the premiums due from members who use tobacco products and a surcharge of not less than \$50 per month to the premiums due from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to

enroll in other 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.

(c) All savings resulting from reduced claim costs or other factors identified after December 31, 2013, must be reserved for funding employee health benefits in the 2015-2017 fiscal biennium.

(d) The health care authority shall 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 shall not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. The subsidy provided for calendar years 2014 and 2015 shall be up to \$150 per month.

(3) Technical colleges, school districts, and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(a) For each full-time employee, \$64.40 per month beginning September 1, 2013, and (~~(\$70.39)~~) \$66.64 beginning September 1, 2014; and

(b) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$64.40 each month beginning September 1, 2013, and (~~(\$70.39)~~) \$66.64 beginning September 1, 2014, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection (3) shall not apply to employees of a technical college, school district, or educational service district who purchase insurance benefits through contracts with the health care authority.

Sec. 906. 2013 2nd sp.s. c 4 s 943 (uncodified) is amended to read as follows:

ACQUISITION OF INFORMATION TECHNOLOGY PROJECTS THROUGH FINANCIAL CONTRACTS

(1) Financial contracts for the acquisition of the information technology projects authorized in this section must be approved jointly by the office of the financial management and the office of the chief information officer. Information technology projects funded under this section shall meet the following requirements:

(a) The project reduces costs and achieves economies of scale by leveraging statewide investments in systems and data and other common or enterprise-wide solutions within and across state agencies;

(b) The project begins or continues replacement of legacy information technology systems and replacing these systems with modern and more efficient information technology systems;

(c) The project improves the ability of an agency to recover from major disaster;

(d) The project provides future savings and efficiencies for an agency through reduced operating costs, improved customer service, or increased revenue collections; and

(e) Preference for project approval must be given to an agency that has prior approval from the office of the chief information officer, an approved business plan, and where the primary hurdle to project funding is the lack of funding capacity.

(2) The following state agencies may enter into financial contracts to finance expenditures for the acquisition and implementation of the following information technology projects

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

for up to the respective amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW:

(a) Subject to subsection (4) of this section, (~~(\$10,000,000)~~) \$13,500,000 for the department of enterprise services time, leave, and attendance pilot project;

(b) \$3,867,000 for the Washington state patrol for continuation of the mobile office platform;

(c) (~~(\$8,500,000)~~) \$3,315,000 for the department of social and health services conversion to the tenth version of the world health organization's international classification of diseases;

(d) ~~(\$5,558,000)~~ \$3,315,000 for the department of early learning system implementation of electronic benefit transfers;

(~~(e)~~) (d) \$4,323,000 for the department of corrections for radio infrastructure upgrades.

(3) The office of financial management with assistance from the office of the chief information officer will report to the governor and fiscal committees of the legislature by November 1st of each year on the status of distributions and expenditures on information technology projects and improved statewide or agency performance results achieved by project funding.

(4) If the Washington state department of transportation enters into financial contracts pursuant to chapter 39.94 RCW for the acquisition and implementation of a time, leave, and labor distribution system, the authorization provided to the department of enterprise services in subsection (2)(a) of this section expires.

Sec. 907. 2013 2nd sp.s. c 35 s 39 (uncodified) is amended to read as follows:

The sum of one hundred seventy-six thousand dollars of the state general fund for the fiscal year ending June 30, 2014, and one hundred seventy-six thousand dollars of the state general fund for the fiscal year ending June 30, 2015, or as much thereof as may be necessary, are appropriated to the (~~(Washington traffic safety)~~) criminal justice training commission solely for the purposes of (~~(section 25 of this act)~~) RCW 36.28A.320.

NEW SECTION. Sec. 908. 2013 APPROPRIATION TO TRAFFIC SAFETY COMMISSION. 2013 2nd sp.s. c 35 s 40 (uncodified) is repealed.

NEW SECTION. Sec. 909. A new section is added to 2013 2nd sp.s. c 4 (uncodified) to read as follows:

The sum of one hundred seventy thousand dollars from the state general fund for the fiscal year ending June 30, 2014, and two hundred twenty-seven thousand dollars of the state general fund for the fiscal year ending June 30, 2015, or as much thereof as may be necessary, are appropriated for expenditure into the county criminal justice assistance account. The treasurer shall make quarterly distributions from the county criminal justice assistance account of the amounts provided in this section in accordance with RCW 82.14.310 for the purposes of reimbursing local jurisdictions for increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The first distribution for fiscal year 2014 shall include amounts from previous quarters for which distributions were not made. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

NEW SECTION. Sec. 910. A new section is added to 2013 2nd sp.s. c 4 (uncodified) to read as follows:

The sum of one hundred thousand dollars from the state general fund for the fiscal year ending June 30, 2014, and one hundred thirty-three thousand dollars from the state general fund for the fiscal year ending June 30, 2015, or as much thereof as may be necessary, are appropriated for expenditure into the municipal criminal justice assistance account. The treasurer shall make quarterly distributions from the municipal criminal justice assistance account of the amounts provided in this section in

accordance with RCW 82.14.320, for the purposes of reimbursing local jurisdictions for increased costs incurred as a result of the mandatory arrest of repeat offenders pursuant to chapter 35, Laws of 2013 2nd sp. sess. The first distribution for fiscal year 2014 shall include amounts from previous quarters for which distributions were not made. The appropriations and distributions made under this section constitute appropriate reimbursement for costs for any new programs or increased level of services for the purposes of RCW 43.135.060.

NEW SECTION. Sec. 911. A new section is added to chapter 28A.710 RCW to read as follows:

CHARTER SCHOOLS OVERSIGHT ACCOUNT. 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.

Sec. 912. RCW 36.28A.300 and 2013 2nd sp.s. c 35 s 23 are each amended to read as follows:

There is created a 24/7 sobriety program to be administered by the (~~(Washington traffic safety)~~) criminal justice training commission in conjunction with the Washington association of sheriffs and police chiefs. The program shall coordinate efforts among various local government entities for the purpose of implementing alternatives to incarceration for offenders convicted under RCW 46.61.502 or 46.61.504 with one or more prior convictions under RCW 46.61.502 or 46.61.504.

Sec. 913. RCW 36.28A.320 and 2013 2nd sp.s. c 35 s 25 are each amended to read as follows:

There is hereby established in the state treasury the 24/7 sobriety account. The account shall be maintained and administered by the (~~(Washington traffic safety)~~) criminal justice training commission to reimburse the state for costs associated with establishing the program and the Washington association of sheriffs and police chiefs for ongoing program administration costs. (~~(The Washington traffic safety)~~) criminal justice training commission may accept for deposit in the account money from donations, gifts, grants, participation fees, and user fees or payments. Expenditures from the account shall be budgeted through the normal budget process.

Sec. 914. RCW 41.05.130 and 1988 c 107 s 11 are each amended to read as follows:

The state health care authority administrative account is hereby created in the state treasury. Moneys in the account, including unanticipated revenues under RCW 43.79.270, may be spent only after appropriation by statute, and may be used only for operating expenses of the authority, and during the 2013-2015 fiscal biennium, for health care related analysis provided to the legislature by the office of the state actuary.

Sec. 915. RCW 43.19.025 and 2013 c 251 s 2 are each amended to read as follows:

The enterprise services account is created in the custody of the state treasurer and shall be used for all activities conducted by the department, except information technology services. Only the director or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW. During the 2013-2015 fiscal biennium, the director of the office of financial management may authorize expenditures from the account for the provision of small agency client services.

Sec. 916. RCW 43.43.839 and 2010 1st sp.s. c 37 s 922 are each amended to read as follows:

The fingerprint identification account is created in the custody of the state treasurer. All receipts from incremental charges of fingerprint checks requested for noncriminal justice purposes and

electronic background requests shall be deposited in the account. Receipts for fingerprint checks by the federal bureau of investigation may also be deposited in the account. Expenditures from the account may be used only for the cost of record checks. Only the chief of the state patrol or the chief's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. No appropriation is required for expenditures prior to July 1, 1997. After June 30, 1997, the account shall be subject to appropriation. During the 2009-2011 fiscal biennium, the legislature may transfer from the fingerprint identification account to the state general fund such amounts as reflect the excess fund balance of the account. During the 2013-2015 fiscal biennium, funds in the account may be used for expenditures that support the criminal records management division of the state patrol.

Sec. 917. RCW 43.79.480 and 2013 2nd sp.s. c 4 s 980 are each amended to read as follows:

(1) Moneys received by the state of Washington in accordance with the settlement of the state's legal action against tobacco product manufacturers, exclusive of costs and attorneys' fees, shall be deposited in the tobacco settlement account created in this section except as these moneys are sold or assigned under chapter 43.340 RCW.

(2) The tobacco settlement account is created in the state treasury. Moneys in the tobacco settlement account may only be transferred to the state general fund, and to the tobacco prevention and control account for purposes set forth in this section. The legislature shall transfer amounts received as strategic contribution payments as defined in RCW 43.350.010 to the life sciences discovery fund created in RCW 43.350.070. During the 2009-2011 and 2011-2013 fiscal biennia, the legislature may transfer less than the entire strategic contribution payments, and may transfer amounts attributable to strategic contribution payments into the basic health plan stabilization account. During the 2013-2015 fiscal biennium, the legislature may transfer less than the entire strategic contribution payments, and may transfer amounts attributable to strategic contribution payments into the state general fund and the education legacy trust account.

(3) The tobacco prevention and control account is created in the state treasury. The source of revenue for this account is moneys transferred to the account from the tobacco settlement account, investment earnings, donations to the account, and other revenues as directed by law. Expenditures from the account are subject to appropriation. During the 2009-2011 fiscal biennium, the legislature may transfer from the tobacco prevention and control account to the state general fund such amounts as represent the excess fund balance of the account.

Sec. 918. RCW 43.101.220 and 2009 c 146 s 2 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the 2013-2015 fiscal biennium, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3)(a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for

identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.

Sec. 919. RCW 43.350.070 and 2011 c 5 s 916 are each amended to read as follows:

The life sciences discovery fund is created in the custody of the state treasurer. Only the board or the board's designee may authorize expenditures from the fund. Expenditures from the fund may be made only for purposes of this chapter. Administrative expenses of the authority, including staff support, may be paid only from the fund. Revenues to the fund consist of transfers made by the legislature from strategic contribution payments deposited in the tobacco settlement account under RCW 43.79.480, moneys received pursuant to contribution agreements entered into pursuant to RCW 43.350.030, moneys received from gifts, grants, and bequests, and interest earned on the fund. During the ~~((2009-2011))~~ 2013-2015 fiscal biennium, the legislature may transfer to other state funds or accounts such amounts as represent the excess balance of the life sciences discovery fund.

Sec. 920. RCW 50.16.010 and 2013 c 189 s 1 are each amended to read as follows:

(1) There shall be maintained as special funds, separate and apart from all public moneys or funds of this state an unemployment compensation fund and an administrative contingency fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01.050 shall not be applicable.

(2)(a) The unemployment compensation fund shall consist of:

(i) All contributions collected under RCW 50.24.010 and payments in lieu of contributions collected pursuant to the provisions of this title;

(ii) Any property or securities acquired through the use of moneys belonging to the fund;

(iii) All earnings of such property or securities;

(iv) Any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended;

(v) All money recovered on official bonds for losses sustained by the fund;

(vi) All money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended;

(vii) All money received from the federal government as reimbursement pursuant to section 204 of the federal-state extended compensation act of 1970 (84 Stat. 708-712; 26 U.S.C. Sec. 3304);

(viii) The portion of the additional penalties as provided in RCW 50.20.070(2) that is fifteen percent of the amount of benefits overpaid or deemed overpaid; and

(ix) All moneys received for the fund from any other source.

(b) All moneys in the unemployment compensation fund shall be commingled and undivided.

(3)(a) Except as provided in (b) of this subsection, the administrative contingency fund shall consist of:

(i) All interest on delinquent contributions collected pursuant to this title;

(ii) All fines and penalties collected pursuant to the provisions of this title, except the portion of the additional penalties as provided

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

in RCW 50.20.070(2) that is fifteen percent of the amount of benefits overpaid or deemed overpaid;

(iii) All sums recovered on official bonds for losses sustained by the fund; and

(iv) Revenue received under RCW 50.24.014.

(b) All fees, fines, forfeitures, and penalties collected or assessed by a district court because of the violation of this title or rules adopted under this title shall be remitted as provided in chapter 3.62 RCW.

(c) Except as provided in (d) of this subsection, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014, shall be expended upon the direction of the commissioner, with the approval of the governor, whenever it appears to him or her that such expenditure is necessary solely for:

(i) The proper administration of this title and that insufficient federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(ii) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

(iii) The proper administration of this title for which compliance and audit issues have been identified that establish federal claims requiring the expenditure of state resources in resolution. Claims must be resolved in the following priority: First priority is to provide services to eligible participants within the state; second priority is to provide substitute services or program support; and last priority is the direct payment of funds to the federal government.

(d)(i) During the 2007-2009 fiscal biennium, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014(1)(a), shall be expended as appropriated by the legislature for: (A) The cost of the job skills or worker retraining programs at the community and technical colleges and administrative costs at the state board for community and technical colleges; and (B) reemployment services such as business and project development assistance, local economic development capacity building, and local economic development financial assistance at the department of commerce. The remaining appropriation may be expended as specified in (c) of this subsection.

(ii) During the ~~((2009-2011))~~ 2013-2015 fiscal biennium, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014(1)(a), shall be expended ~~((by))~~ as appropriated by the legislature for: (A) ~~The department of social and health services ((as appropriated by the legislature))~~ for employment and training services and programs in the WorkFirst program ~~((and for))~~; (B) the administrative costs of state agencies participating in the WorkFirst program; and (C) ~~by the commissioner for the work group on agricultural and agricultural-related issues as provided in the 2013-2015 omnibus operating appropriations act.~~ The remaining appropriation may be expended as specified in (c) of this subsection.

(4) Money in the special account created under RCW 50.24.014(1)(a) may only be expended, after appropriation, for the purposes specified in this section and RCW 50.62.010, 50.62.020, 50.62.030, 50.24.014, 50.44.053, and 50.22.010.

Sec. 921. RCW 67.70.260 and 2011 1st sp.s. c 50 s 962 are each amended to read as follows:

There is hereby created the lottery administrative account in the state treasury. The account shall be managed, controlled, and maintained by the director. The legislature may appropriate from the account for the payment of costs incurred in the operation and

administration of the lottery. During the 2001-2003 fiscal biennium, the legislature may transfer from the lottery administrative account to the state general fund such amounts as reflect the appropriations reductions made by the 2002 supplemental appropriations act for administrative efficiencies and savings. During the ~~((2011-2013))~~ 2013-2015 fiscal biennium, the lottery administrative account may also be used to fund an independent forecast of the lottery revenues conducted by the economic and revenue forecast council.

Sec. 922. RCW 77.36.170 and 2013 c 329 s 2 are each amended to read as follows:

(1) The department may pay no more than fifty thousand dollars per fiscal year from the state wildlife account created in RCW 77.12.170 for claims and assessment costs for injury or loss of livestock caused by wolves submitted under RCW 77.36.100.

(2) Notwithstanding other provisions of this chapter, the department may also accept and expend money from other sources to address injury or loss of livestock or other property caused by wolves consistent with the requirements on that source of funding.

(3) If any wildlife account expenditures authorized under subsections (1) and (4) of this section are unspent as of June 30th of a fiscal year, the state treasurer shall transfer the unspent amount to the wolf-livestock conflict account created in RCW 77.36.180.

(4) During the 2014 fiscal year, the department may pay no more than two hundred and fifty thousand dollars from the state wildlife account created in RCW 77.12.170 for claims and assessment costs for injury or loss of livestock caused by wolves submitted under RCW 77.36.100.

Sec. 923. RCW 82.08.160 and 2013 2nd sp.s. c 4 s 1003 are each amended to read as follows:

(1) On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month must be remitted to the state department of revenue, to be deposited with the state treasurer. Except as provided in subsections (2), (3), and (4) of this section, upon receipt of such moneys the state treasurer must credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the "liquor excise tax fund."

(2) During the 2012 fiscal year, 66.19 percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) must be deposited in the state general fund and the remainder collected and remitted under RCW 82.08.150 (1) and (2) must be deposited in the liquor excise tax fund.

(3) During fiscal year 2013, all funds collected under RCW 82.08.150 (1), (2), (3), and (4) must be deposited into the state general fund.

(4) During the 2013-2015 fiscal biennium, ~~((eighty-two))~~ seventy-seven and one-half percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) must be deposited in the state general fund, and the remainder collected and remitted under RCW 82.08.150 (1) and (2) must be deposited in the liquor excise tax fund. The amendments in this section are curative, clarifying, and remedial and apply retroactively to July 1, 2013.

Sec. 924. 2007 c 465 s 3 (uncodified) is amended to read as follows:

CHILD WELFARE DISPROPORTIONALITY ADVISORY COMMITTEE EXPIRATION

This act expires June 30, ~~((2014))~~ 2015.

Sec. 925. 2009 c 520 s 96 (uncodified) is amended to read as follows:

CHILD WELFARE DISPROPORTIONALITY ADVISORY COMMITTEE EXPIRATION

Section 63 of this act expires June 30, (~~2014~~) 2015.

NEW SECTION. Sec. 926. 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. 927. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of Bill)

INDEX	PAGE #
2013 HEALTH CARE REDUCTION	261
2013 INFORMATION TECHNOLOGY REDUCTION	261
ACQUISITION OF INFORMATION TECHNOLOGY PROJECTS THROUGH FINANCIAL CONTRACTS	275
ADMINISTRATOR FOR THE COURTS	9
ATTORNEY GENERAL	23
BOARD FOR VOLUNTEER FIREFIGHTERS	53
BOARD OF ACCOUNTANCY	49
BOARD OF INDUSTRIAL INSURANCE APPEALS	123
BOARD OF TAX APPEALS	43
CASELOAD FORECAST COUNCIL	26
CENTRAL WASHINGTON UNIVERSITY	238
CHILD WELFARE DISPROPORTIONALITY ADVISORY COMMITTEE EXPIRATION	286
CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS	23
COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES	
SEIU LOCAL 925 CHILDCARE WORKERS	273
COLUMBIA RIVER GORGE COMMISSION	155
COMMISSION ON AFRICAN-AMERICAN AFFAIRS	41
COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS	20
COMMISSION ON HISPANIC AFFAIRS	40
COMMISSION ON JUDICIAL CONDUCT	9
COMPENSATION	
NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS	273
REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE BENEFITS	272
REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE BENEFITS	270
CONSERVATION COMMISSION	164
COURT OF APPEALS	9
CRIMINAL JUSTICE TRAINING COMMISSION	123
DEPARTMENT OF AGRICULTURE	173
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION	53
DEPARTMENT OF COMMERCE	26
DEPARTMENT OF CORRECTIONS	139
DEPARTMENT OF EARLY LEARNING	247
DEPARTMENT OF ECOLOGY	155
DEPARTMENT OF ENTERPRISE SERVICES	50
DEPARTMENT OF FISH AND WILDLIFE	165
DEPARTMENT OF HEALTH	129
DEPARTMENT OF LABOR AND INDUSTRIES	126
DEPARTMENT OF LICENSING	176
DEPARTMENT OF NATURAL RESOURCES	169
DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS	41
DEPARTMENT OF REVENUE	41
DEPARTMENT OF SERVICES FOR THE BLIND	150

DEPARTMENT OF SOCIAL AND HEALTH SERVICES	54
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM	102
AGING AND ADULT SERVICES PROGRAM	84
ALCOHOL AND SUBSTANCE ABUSE PROGRAM	97
CHILDREN AND FAMILY SERVICES PROGRAM	57
DEVELOPMENTAL DISABILITIES PROGRAM	79
ECONOMIC SERVICES PROGRAM	93
JUVENILE REHABILITATION PROGRAM	63
MENTAL HEALTH PROGRAM	68
PAYMENTS TO OTHER AGENCIES PROGRAM	104
SPECIAL COMMITMENT PROGRAM	100
VOCATIONAL REHABILITATION PROGRAM	100
DEPARTMENT OF VETERANS AFFAIRS	128
EASTERN WASHINGTON STATE HISTORICAL SOCIETY	253
EASTERN WASHINGTON UNIVERSITY	238
ECONOMIC AND REVENUE FORECAST COUNCIL	34
EMPLOYMENT SECURITY DEPARTMENT	150
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE	163
EVERGREEN STATE COLLEGE	240
GOVERNOR'S OFFICE OF INDIAN AFFAIRS	20
HORSE RACING COMMISSION	49
HOUSE OF REPRESENTATIVES	1
HUMAN RIGHTS COMMISSION	123
INSURANCE COMMISSIONER	44
JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE	3
JOINT LEGISLATIVE SYSTEMS COMMITTEE	7
LAW LIBRARY	8
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE	7
LIEUTENANT GOVERNOR	17
LIQUOR CONTROL BOARD	45
MILITARY DEPARTMENT	47
OFFICE OF ADMINISTRATIVE HEARINGS	39
OFFICE OF CIVIL LEGAL AID	14
OFFICE OF FINANCIAL MANAGEMENT	34
COMMON SCHOOL CONSTRUCTION ACCOUNT	260
DISASTER RESPONSE ACCOUNT	256
EXTRAORDINARY CRIMINAL JUSTICE COSTS	259
LEAN MANAGEMENT STRATEGIES EFFICIENCY SAVINGS	258
NATURAL RESOURCES REAL PROPERTY REPLACEMENT ACCOUNT	260
PARKLAND TRUST REVOLVING ACCOUNT	261
OFFICE OF LEGISLATIVE SUPPORT SERVICES	8
OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES	44
OFFICE OF PUBLIC DEFENSE	13
OFFICE OF THE GOVERNOR	15
OFFICE OF THE STATE ACTUARY	7
PROGRAMS FOR HIGHLY CAPABLE STUDENTS	213
PUBLIC BACCALAUREATE INSTITUTIONS	228
PUBLIC DISCLOSURE COMMISSION	17
PUBLIC EMPLOYMENT RELATIONS COMMISSION	49
PUGET SOUND PARTNERSHIP	174
RECREATION AND CONSERVATION FUNDING BOARD	162
SECRETARY OF STATE	17
SENATE	2
STATE AUDITOR	21
STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES	229, 231
STATE HEALTH CARE AUTHORITY	104

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

STATE INVESTMENT BOARD45
STATE PARKS AND RECREATION COMMISSION 161
STATE PATROL178
STATE SCHOOL FOR THE BLIND251
STATE TREASURER21, 262
BOND RETIREMENT AND INTEREST, AND ONGOING
BOND REGISTRATION254, 255
COUNTY PUBLIC HEALTH ASSISTANCE256
FEDERAL REVENUES FOR DISTRIBUTION265
FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE
ACCOUNT263
MUNICIPAL CRIMINAL JUSTICE ASSISTANCE
ACCOUNT264
TRANSFERS265
STATUTE LAW COMMITTEE8
STATUTORY APPROPRIATIONS270
STUDENT ACHIEVEMENT COUNCIL
OFFICE OF STUDENT FINANCIAL ASSISTANCE244
POLICY COORDINATION AND ADMINISTRATION243
SUNDRY CLAIMS259
SUPERINTENDENT OF PUBLIC INSTRUCTION 181, 224
EDUCATION REFORM PROGRAMS214
EDUCATIONAL SERVICE DISTRICTS210
GENERAL APPORTIONMENT191
INSTITUTIONAL EDUCATION PROGRAMS212
LEARNING ASSISTANCE PROGRAM223
LOCAL EFFORT ASSISTANCE211
MISCELLANEOUS--NO CHILD LEFT BEHIND ACT214
PUPIL TRANSPORTATION204
SCHOOL FOOD SERVICE PROGRAMS206
SPECIAL EDUCATION PROGRAMS207
TRANSITIONAL BILINGUAL PROGRAMS221
SUPREME COURT8
UNIVERSITY OF WASHINGTON234
UTILITIES AND TRANSPORTATION COMMISSION46
WASHINGTON POLLUTION LIABILITY INSURANCE
PROGRAM174
WASHINGTON STATE ARTS COMMISSION252
WASHINGTON STATE CENTER FOR CHILDHOOD
DEAFNESS AND HEARING LOSS252
WASHINGTON STATE CHARTER SCHOOL COMMISSION
.....225
WASHINGTON STATE HISTORICAL SOCIETY252
WASHINGTON STATE LOTTERY40
WASHINGTON STATE UNIVERSITY236
WESTERN WASHINGTON UNIVERSITY242
WORK FORCE TRAINING AND EDUCATION
COORDINATING BOARD247"

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "amending RCW 36.28A.300, 36.28A.320, 41.05.130, 43.19.025, 43.43.839, 43.79.480, 43.101.220, 43.350.070, 50.16.010, 67.70.260, 77.36.170, and 82.08.160; amending 2013 2nd sp.s. c 4 ss 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 147, 148, 149, 150, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 701, 702, 703, 704, 706, 710, 714, 801, 802, 803, 804, 805, 903, 932, 933, 937, 939, and 943 (uncodified); amending 2013 2nd sp.s. c 35 s 39 (uncodified); amending 2007 c 465 s 3 (uncodified); amending 2009 c 520 s 96

(uncodified); adding new sections to 2013 2nd sp.s. c 4 (uncodified); adding a new section to chapter 28A.710 RCW; repealing 2013 2nd sp.s. c 4 ss 715 and 720 (uncodified); repealing 2013 2nd sp.s. c 35 s 40 (uncodified); making appropriations; and declaring an emergency."

And the bill do pass as recommended by the conference committee.

Signed by Senators Braun, Hargrove and Hill; Representatives Chandler, Hunter and Sullivan.

MOTION

Senator Hill moved that the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 6002 be adopted.

Senators Hill, Hargrove, Ranker, Baumgartner, Nelson, Holmquist Newbry, McAuliffe, Hobbs, Hasegawa, Bailey, Rolfes, Kline, Benton and Chase spoke in favor of passage of the motion.

Senator Liias spoke against the motion.

The President declared the question before the Senate to be the motion by Senator Hill that the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 6002 be adopted.

The motion by Senator Hill carried and the Report of the Conference Committee was adopted by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6002, as recommended by the Conference Committee.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6002, as recommended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Voting nay: Senator Liias

ENGROSSED SUBSTITUTE SENATE BILL NO. 6002, as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, the Senate advanced to the seventh order of business.

The Senate resumed consideration of Engrossed Substitute House Bill No. 2304 which had been deferred earlier in the day.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2304.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2304 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Parlette, Pedersen, Ranker, Rivers, Rolfes, Schoesler, Sheldon and Tom

Voting nay: Senators Benton, Brown, Dansel, Ericksen, Padden, Pearson and Roach

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2304, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:50 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 9:02 p.m. by President Owen.

MOTION

Senator Fain, having voted on the prevailing side, moved the rules be suspended and that the vote by which Substitute Senate Bill No. 6283 passed the Senate be immediately reconsidered.

The President declared the question before the Senate to be the motion by Senator Fain that the rules be suspended and the senate immediately reconsider the vote by which Substitute Senate Bill No. 6283 passed the Senate.

The motion by Senator Fain carried and the vote by which Substitute Senate Bill No. 6283 passed the Senate was immediately reconsidered by voice vote.

MOTION

Senator Fain, having voted on the prevailing side, moved the rules be suspended and that the vote by which the motion by Senator Becker that the Senate concur in the House amendments to Substitute Senate Bill No. 6283 carried be immediately reconsidered.

The President declared the question before the Senate to be the motion by Senator Fain that the rules be suspended and the Senate immediately reconsider the vote by which the motion by Senator Becker that the Senate concur in the House amendments to Substitute Senate Bill No. 6281 carried.

The motion by Senator Fain carried and the vote by which the motion by Senator Becker that the Senate concur in the House amendments to Substitute Senate Bill No. 6283 carried was immediately reconsidered by voice vote.

MOTION

Senator Fain moved that the Senate refuse to concur in the House amendment(s) to Substitute Senate Bill No. 6283 and ask the House to recede therefrom.

The President declared the question before the Senate to be the motion by Senator Fain that the Senate refuse to concur in the

House amendment(s) to Substitute Senate Bill No. 6283 and ask the House to recede therefrom.

The motion by Senator Fain carried and the Senate refused to concur in the House amendment(s) to Substitute Senate Bill No. 6283 and asked the House to recede therefrom by voice vote.

MOTION

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

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5045,
 SUBSTITUTE SENATE BILL NO. 5173,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5972,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6001,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6040,
 SUBSTITUTE SENATE BILL NO. 6086,
 SUBSTITUTE SENATE BILL NO. 6129,
 SENATE BILL NO. 6141,
 SENATE BILL NO. 6180,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6265,
 SECOND SUBSTITUTE SENATE BILL NO. 6312,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6388,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6440,
 ENGROSSED SENATE BILL NO. 6458,
 SENATE BILL NO. 6505,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 6518,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 6552,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6570,
 SENATE BILL NO. 6573,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1287,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2029,
 SUBSTITUTE HOUSE BILL NO. 2175,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2207,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2304,
 HOUSE BILL NO. 2798,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, the Senate reverted to the first order of business.

REPORTS OF STANDING COMMITTEES

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

March 13, 2014

EHB 2335 Prime Sponsor, Representative Roberts: Concerning extended foster care services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Assistant Ranking Member on the Operating Budget; Baumgartner, Vice Chair; Bailey; Becker; Billig; Braun; Conway; Dammeier; Fraser; Frockt; Hargrove, Ranking Member; Hasegawa; Hatfield; Hewitt; Kohl-Welles; Padden; Parlette; Rivers; Schoesler and Tom.

Passed to Committee on Rules for second reading.

March 13, 2014

ESHB 2746 Prime Sponsor, Committee on Appropriations: Refinancing of medicaid personal care services for individuals with developmental disabilities and individuals with long-term care needs through the community first choice option. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Assistant Ranking Member on the Operating Budget; Baumgartner, Vice Chair; Bailey; Becker; Billig; Braun; Conway; Dammeier; Fraser; Frockt; Hargrove, Ranking Member; Hasegawa; Hatfield; Hewitt; Kohl-Welles; Padden; Parlette; Rivers; Schoesler and Tom.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain and without objection, the rules were suspended and the measures on the Standing Committee report were placed on the day's second reading calendar.

MOTION

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

SECOND SUPPLEMENTAL INTRODUCTION AND FIRST READING OF HOUSE BILLS

EHB 2397 by Representatives Seaquist, MacEwen, Orwall, Ryu, Morrell, Zeiger, Haler, Tarleton and Pollet

AN ACT Relating to Medal of Honor special license plates; amending RCW 46.18.230, 46.16A.200, and 46.18.277; and adding a new section to chapter 46.04 RCW.

MOTION

On motion of Senator Fain and without objection, Engrossed House Bill No. 2397 was placed on the second reading calendar under suspension of the rules.

MOTION

On motion of Senator Fain, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 2397, by Representatives Seaquist, MacEwen, Orwall, Ryu, Morrell, Zeiger, Haler, Tarleton and Pollet

Concerning Medal of Honor special license plates.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Engrossed House Bill No. 2397 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Eide spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2397.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2397 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Erickson, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Absent: Senator Benton

ENGROSSED HOUSE BILL NO. 2397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2335, by Representatives Roberts, Parker, Kagi, Carlyle, Freeman, Goodman, Walsh, Sawyer, Senn, Zeiger, Jinkins, Muri, Reykdal and Ormsby

Concerning extended foster care services.

The measure was read the second time.

MOTION

Senator Fain moved that the following committee amendment by the Committee on Ways & Means be adopted:

On page 2, line 3, strike "Engaged", insert "Within amounts appropriated specifically for this purpose, engaged"

On page 5, line 27, strike "Engaged", insert "Within amounts appropriated specifically for this purpose, engaged".

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Ways & Means to Engrossed House Bill No. 2335.

The motion by Senator Fain carried and the committee amendment was adopted by voice vote.

MOTION

On motion of Senator Fain, the rules were suspended, Engrossed House Bill No. 2335 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain and Lias spoke in favor of passage of the bill.

MOTION

On motion of Senator Padden, Senator Benton was excused.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2335 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2335 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist, Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

ENGROSSED HOUSE BILL NO. 2335 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1287,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2029,
SUBSTITUTE HOUSE BILL NO. 2175,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2207,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2304,
HOUSE BILL NO. 2798.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6002.

PERSONAL PRIVILEGE

Senator Fraser: "Thank you Mr. President. I too would like to say a very fine word on behalf of the Representative Roberts whose bill that we just passed, I think it was unanimously. I'd just like to say I've known her for over forty years and she's always been a person of tremendous commitment, integrity, energy,

enthusiasm and good cheer, always looking out for improving the peoples quality of life. It's very nice that her final bill is one of good quality like she always does and was so well received here in the Senate. I wish her well."

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746, by House Committee on Appropriations (originally sponsored by Representatives Green, Morrell, Tharinger, Fitzgibbon, Senn, Tarleton, Robinson, Kagi, Roberts, Ortiz-Self, Jinkins, Walsh, Habib, Bergquist, Dahlquist, Moscoso, Goodman, Riccelli, Pollet, Ormsby and Freeman)

Refinancing of medicaid personal care services for individuals with developmental disabilities and individuals with long-term care needs through the community first choice option.

The measure was read the second time.

MOTION

Senator Hill moved that the following committee amendment by the Committee on Ways & Means be adopted:

On page 2, line 32, after "implemented" strike "during the 2015-17 biennium, as soon as July 1, 2015, and no later than June 30, 2016" and insert "no later than August 30, 2015."

Senator Hill spoke in favor of adoption of the committee amendment.

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Ways & Means to Engrossed Substitute House Bill No. 2746.

The motion by Senator Hill carried and the committee amendment was adopted by voice vote.

MOTION

On motion of Senator Hill, the rules were suspended, Engrossed Substitute House Bill No. 2746 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hill spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2746 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2746 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist, Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Absent: Senator Hargrove

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746 as amended by the Senate, having received the constitutional

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

President Owen: "It's your Point of Personal Privilege sir."

MOTION

On motion of Senator Billig, Senator Hargrove was excused.

SECOND READING

HOUSE BILL NO. 2585, by Representatives Walsh and Pettigrew

Concerning income eligibility for temporary assistance for needy families benefits for a child.

The measure was read the second time.

MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2585 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2585.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2585 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senator Hargrove

HOUSE BILL NO. 2585, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, the Senate advanced to the seventh order of business.

PERSONAL PRIVILEGE

Senator Baumgartner: "Well, we have three very special members of the Senate who are unfortunately not going to be returning next year and, speaking of some of the colleagues on the other side of the aisle, and was hoping we might say a few words about each of them. I know a lot of people might like to speak and not wanting to be selfish and not wanting to take too much time. I would just say a few words about Senator Holmquist Newbry and then pass on the opportunity to others if that would be alright Mr. President?"

REPLY BY THE PRESIDENT

PERSONAL PRIVILEGE

Senator Baumgartner: "Thank you. Well, I am and many and all of us are going to greatly miss Senator Janea Holmquist Newbry. She has been both a friend and a mentor to my class to 2010. Each and every day, a bright light with a positive spirit. I think of many of us know, she's been a pretty consistent 'No' vote on any taxes and fees that come before the Legislature and I think she's just been an outstanding Senator for her district. One of the things that's really impressed me is her ability as well to pragmatically get, things done despite her strong conservative principal. So, Janea, you will be greatly missed but I know this will not be the end of your ability to impact all of us as a hopefully as a law maker and as a friend Senator Kline and Senator Eide, it's sincerely been an honor for me to serve with each of you. I don't want to take any time from your colleagues and others that would say that but thank you."

PERSONAL PRIVILEGE

Senator Hargrove: "Thank you Mr. President. Yes, we have three members that are leaving us and they're all special to me in different ways. First, Janea, I'm going to miss you a bunch and I would like to specifically mention a little bill that we worked on last year that I dropped the day before cut-off. Loggers safety initiative which you heard, passed and went clean through the Legislature. It's going to mean a huge amount to loggers that are, they get up to four bucks off their loggers safety, loggers premium at L & I. That was amazing. Drop a bill in, and poof, there it goes. Goes all the way through. I really, really appreciate you working on that. I love your cheery face and stick-to-itiveness on that 'No' on some of those things. But, believe you me, I will be calling you when you get to Congress. So, we have a few bills to get out. Adam, I served for years on Judiciary with you. It was one of the most fun committees I was ever on. I particularly liked the day that you left to testify on another bill of yours, when you came back, executive session was done. That was really fun but you had a great dedication to your issues and working those through and though some of the hearings that we had the bills weren't ever going any place but I really appreciate your hard work on those things. The way you go through detail on everything and this year we worked together on the drone bill and I really appreciate that. Tracey, sweetheart, this is going to be really hard. We have been here for a long time together. I don't know how good I had it when I was chairing a policy committee and you were floor leader and any bill I wanted went to my committee. That was really a sweet deal. So, we've had a few discussions about bill referrals this year and let me tell you, we've really stretched the envelope on some things. You know, you've really been a great friend, a great confidant. We've cried together, we've prayed together and we've shared hugs when things happy have happened and when things sad have happened. Going to miss you a whole bunch. Hopefully I'll visit you and play a little golf up at your cabin. Tracey, it's just going to be really hard to not have you around next year. Thanks for serving."

PERSONAL PRIVILEGE

Senator Sheldon: "Mr. President, I had the great pleasure of serving with all three of these members as well but in both caucuses. I have a little bit different perspective but I have to first, I'll make it quick because I know a lot of people want to speak."

Janea, Senator Holmquist Newbry, one name comes to mind when I think about your committee and what a wonderful job you have done with that committee and that is a person that a few of us served with but wish all of us could of served with and his name was Jim Madsen. A tremendous person and I got to know him as a committee Chair. It was late in his career and he was a wonderful, wonderful person. You also are a wonderful person and the way you treated everyone in the committee and the way you run that committee. Senator Eide, we served together in the House as well, over here and I've always enjoyed working with you. I can say sometimes it was a little tough to get my bill up on the floor sometimes when you were floor leader but you were always on a mission and you always strived to do the best job you could for everyone. I have to say about Senator Kline. Senator Kline, you and I have often been adversaries on the floor. And this is something that probably only Senator Kline and I both know that, if you watch TVW lately, you saw Senator Kline and what he did in his first job out of school working with individuals in Mississippi and working with the Mississippi Freedom Party. I was at the convention, the Democratic Convention in 1964 and Senator Kline had a lot of memories about that as I do too. Another unknown fact around here that Senator Kline and I both worked for Columbia Legal Services one time and we didn't know each other then. I was doing a consulting contract with Indian Tribes and Adam had just gotten here to Seattle. So, when I was going through some stuff at home I found an old roster of the personnel at Columbia Legal Services, Greg Daleara was the Director at that time and Adam and I actually worked together on liberal causes. I know you won't quit Adam, I know you'll never quit so good to all three of you. Thank you."

PERSONAL PRIVILEGE

Senator Fraser: "Thank you Mr. President. Well, this is a night of fond farewells for many of us. Two of our members who are departing I've worked with for many years and Senator Holmquist Newbry only a few but I would like to express my appreciation to her. She chaired one of the most, the busiest committees we have here, busy and complex and she always treated my limited number of bills there with respect and full consideration. I greatly appreciated that. Senator Kline, I will certainly miss, hope to see you around, and he's certainly to me the epitome of caring about justice. I think that underlies everything he does with all bills and is most appropriate that he has chaired the Law & Justice or the Judiciary Committee or whichever name we gave to it that year. So, Senator Kline, it's just been a great pleasure. Senator Eide, we've served together a long time too. You've certainly been a huge leader on education, getting the simple majority constitutional amendment through after twelve or more years and then your cell phone bills. They spawned, it's a huge achievement, but they spawned the best floor speeches we've ever had. So, I encourage everybody to look those up on TVW. Of course, transportation for all she has championed during the last couple of years. And then her years as floor leader, if you look at the photo collage we gave her. My favorite picture is the one when she was sitting in that seat over there and so many people were talking to her about I want my bill, I want my bill that somebody put crime scene tape around there to protect her space. So, that was fun. So, I thank Senator Eide, Senator Kline and Senator Holmquist Newbry for their commitment to working well here in the Senate."

PERSONAL PRIVILEGE

Senator Becker: "Thank you Mr. President. Well, I too want to say a fond farewell and I want to start with Adam Kline. You

know on the inauguration I ran into, my husband and I were walking through the building and here came Adam Kline and he said, 'How in the hell did you get elected?' He said, 'We thought no one would be in this position' and so that was introduction to Adam Kline. Then he served on the Health Care Committee and when he'd ask a question of course with all of his legal background I'd look at him and say, 'What did you just say?' So, I will miss and you've always wanted to come out to the place and talk and you are invited in your time off. You'll have time and I hope to do that. Senator Eide, Tracey Eide, we sat next to each other in Transportation my first year and I was afraid too much but under my breath I'd say something and one time they were talking about how much it was going to cost to paint the ferries and I mumbled under my breath, 'I could paint them for a lot less than that.' She said, 'Me to.' So we've laughed about that from the very beginning and I really, it was a way to get to know you and she would encourage me to say some things when I was afraid to. I really have to tell how much I appreciated that. Then comes Janea, and Janea sat next to me and the very first, I was first to vote my first two years and I had never experienced it and I said, 'I don't know what to do' and she said, 'When you want to say 'Aye' say 'Aye', when you want to say 'Nay' say 'Nay' and my first vote was 'yes.' She was my, she was the person that helped me more than anyone and I will tell a quick story and I'm not going to keep everybody but I won't forget when Senator Parlette, Senator Stevens, Senator Holmquist at that point in time and this person got in Senator Parlette's car on a break rolled down the windows, had Creedence Clearwater Revival just blaring out the window and we're all singing and we ran into all sorts of people that were waving at us and we were waving at them, you thought we were teenagers. So, Janea, I wish you the very best in your future and each and every one of you, God Bless and enjoy your retirements."

PERSONAL PRIVILEGE

Senator Padden: "Well, I just want to say a few words about each of the three that are leaving and although Senator Eide we weren't on too many committees, I don't think we were ever on a committee together but I say when I first came here in 2011 in November we had the special session and you were running the floor. I always admired how competent and what a great job you did on managing the floor which isn't an easy job. I mean we know, we have Senator Fain here, we know it's not an easy job. Anyway, you were outstanding and always pleasant to work and we shared some common interest as far as legal field in the judiciary. Then Janea, I've always admired you. Sometimes looked back to make sure there wasn't some fee bill I was voting for that I shouldn't have. Anyway, your positive outlook and spark and cheerfulness really light up a whole room, certainly are such a positive thing for me. So, we appreciate it. You have a great tradition there following Senator Hochstatter in the Thirteenth District. I think you represented your district very, very well. And then Senator Kline, we've had a unique relationship because probably there aren't too many issues we agree on but every so often you know, the left and the right meet and we met on the drone bill. I enjoyed working that bill with you very much this year and other bills and we were able to get a lot of things done both when you ran the Judiciary Committee and as a Ranking Member on Law & Justice. So, I'm going to miss all three of you and I thank you all for your service to the citizens of the state."

PERSONAL PRIVILEGE

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

Senator Conway: “Thank you. I just want to say goodbye to Janea. We have fought so many fights both in the House and Senate on so many bills that I’m going to miss her, alright. Commerce & Labor is one of those committees where you’re on one side or the other and you tend to have a lot of fights. We go back a long ways, actually to the days when Cathy McMorris was Chairing the House Commerce & Labor Committee. Certainly that’s when Janea left the Senate I think and came over here. So, it’s been great working with you here in the Senate at well. Good luck and we wish you well. Some of my other good friends here on the floor, we go back a long way to ‘93 when it was the year of the woman in the House. Of course, there are a number of women here today who were part of that group. I always remember that whole year, that was an interesting year, that someone, I’m a historian, some need to write down the memories of that particular year, 93 and 94 when there were so many women that got elected in that election. One of my fondest memories of that is we all use to end sine die, since we’re here on sine die by singing ‘Amazing Grace.’ Recall that? We all would line up and have a great, I know the President wouldn’t like that idea but it was a great event for us and I think we will always remember that. Adam, you know you and I have worked on many issues together. You and I have always fought the worker rights issues here. We’re going to miss you in many, many ways. Your championing of those issues go back a long, long ways even before you got here to Olympia so best of luck in your retirement. Thank you.”

PERSONAL PRIVILEGE

Senator Hobbs: “Mr. President, I too am going to miss these three fine Senators. Senator Holmquist, you know we’ve teamed up several times on several bills if you recall and you compromised on several of them. Thank you very much but we forged some really good legislation. We did some reforms here in the State of Washington that helped businesses out. Tracey, Senator Eide, you’re a mentor to me. I’m going to miss you. You know your transportation. I’ve got some big shoes to fill and just have your phone near you so I can call you and I won’t call while I’m driving. I won’t do that or I just won’t tell you, actually. Adam, I’m going to save the best for last because I actually have a bunch of funny stories of Adam Kline who by the way if he offers to door bell in your district, think long and hard about it. I’m glad he did to tell the truth because this is a true story, Adam, I don’t know if you remember this, I got two of them. So, one time the south part of my district and I just door belled a house of these two, they had jet skis in the front and Adam, I know your hard of hearing so your voice raises quite a bit. I coming out, he goes, ‘Jet skis, those are horrible for the environment.’ So, I just go to my voter list and go, ‘Well, I just lost those two votes there.’ Another occasion we come to this cul-de-sac and I’m talking to this couple in there. They like me because you know I voted against that liberal agenda and Adams right there. I go, ‘Well, Adam Kline a State Senator from Seattle and I vote against his liberal agenda all the time.’ Thank you for being a prop for me, I really appreciate that. So, Adam, thank you so much. You took the time to go to my district and doorbell that means a lot to me. I’m going to miss all three of you. I wish you well. Janea, I hope there’s no millionaires in your race. It’s a real downer when that happens. So, thank you very much, call me anytime. I’m going to miss you guys.”

PERSONAL PRIVILEGE

Senator Eide: “Well, it’s been eighteen years. Time flies when you’re having fun. Served with Governor Lowry, Governor Locke, Governor Gregiore, Governor Inslee and I’ve learned a lot

from each and every one of them. I can tell you something today though. I have been in Governor Inslee’s office more times than I have with all the other ones combined working on this transportation package. We tried. There are a few people that I really want to thank. Lieutenant Governor, your number one. I have learned so much from you. You were my mentor. You taught me how to run the floor. The decorum, the manners and every day that I went up to that rostrum I said good morning, you are a dear friend. You taught me everything I knew about the floor. Keith Buchholz, Tom Hoemann, I know he’s in Arizona but both of them I have to thank. Keith I know I unloaded on you a lot. I tell you what, I vented a lot but you kept me on task and you know what? I still love your swear bear. I got to find myself one of those. Heather, Heather Lewis-Lechner, Claire Hesselholt, Lyset Cadena, those three women are the smartest women I know. Heather is a parliamentary guru. Claire Hesselholt, you ask her a question about budget and she knows it. Lyset, she was my right hand woman for transportation and I could not have done it without her. Ken, I didn’t get up to speak when, Hello. When everybody else did because I had you in my notes. I know that you used to be a constituent of mine when I had Edgewood at one time. It’s been a long time ago but I tell you what, all the years sat there you smiled. Look at your smile. That’s the one thing I will never forget. It was always fun. You made it fun and I wish you the very best. Enjoy your retirement with your lovely wife and retire for good this time okay. It’s hard for you to quit. I know there’s always something you got going but I wanted to say thank you for serving and sitting up there for the longest time and saying all of our names and keeping that smile on. Mr. Peter F. Dodds. You know who he is? He’s been with me for eighteen years. He’s my LA. You never would find a more devoted individual. Somebody that works his tail off and has my back. You can’t ask for anything better than that. I can tell you what, the highest compliment I can give him is every one of my girlfriends wanted a Mr. Peter F. Dodds because I’d call him and he was always there and they’d go, ‘Can I have a Mr. Dodds?’ He’s a hard one to leave. He’s so loyal. Last but not least is my husband. He’s here tonight, my daughter was here a little bit earlier. Where are you? I would not be standing here serving the people of Washington State if it was not for that man. Joanna and Mathew, I know you’re at home watching me, love you both. I want grandchildren. I’m serious. I’m hoping I’m not going to drive Mark to distraction, drive you crazy going home. I’m looking forward to it, honey. I have to say thank you very much to my constituents of the Thirtieth District. Eighteen years I’m standing here and I am still humble and I am still honored to serve the people of the Thirtieth Legislative District. There’s no feeling like that, to know people trust you to represent them and don’t you ever forget who brought you to the dance and that’s what Senator Julia Patterson always said. Don’t forget who brought you to the dance. So, I could sit here and talk all night about every Senator but I want each and every one of you to know that it’s been an honor and a pleasure serving with each and every one of you. You have enriched my life and I thank you so much.”

REMARKS BY THE PRESIDENT

President Owen: “Mark, I know your back there getting a big hug right now. Mark, we still expect about two dozen roses every February. Four dozen then. Well, we’re not quite as important as you know who.”

PERSONAL PRIVILEGE

Senator Kohl-Welles: "Thank you Mr. President. Well, I'd also like to make a couple of comments about the departure of our three very dear friends. Its occurred to me especially this session knowing that some people are going to be leaving that we are really a family here. I mean we really get to know one another, some more than others if we've not known them as long. But, I'll tell you, I think we have a lot of characters in this body. I mean we could look at any of us and think oh my, she is really a character or he is really a character. I mean Adam. Isn't he a character? But love our characters. I'm sure I'm viewed as a character too but with Adam he's just been so much fun and all the stories we could all tell about what goes on but we really can't tell here in public air waves. But everyone of us has a heart, a soul, wonderful dedication to our constituents, we all do it in a little bit of a different way but these three fine Senators have really touched so many lives in so many ways and all of us too. Janea was my Ranking Member when I had the Senate Labor & Commerce Committee, it's now the Commerce & Labor Committee and we had totally different views on most things but we really managed to work well together and plan for the committee meetings. I just adored her. I'm just going find it so enjoyable to watch her career as she goes on to Congress. It's going to be wonderful and it's been so wonderful to see you as a new mother. It's just been so great. Adam of course as I was saying has been a wonderful friend and colleague and came to us 'Mothers Against Drunk Driving' and some of us knew him when he was a lobbyist before that before coming to us. You have just been great, I'm going to miss you terribly Adam. Tracey. Tracey and I, Lisa Brown and Julie Patterson would stay at the old Golden Gavel Hotel on Capital Way. Its named something different. Golden Navel we used to call it. I mean the times that we have had over so many years sometimes really been outrageous. But I want to show one picture of Tracey Eide. Now you know when she was Floor Leader she's always been like this, and like this and like this and somebody on staff and I'm not sure who it was made some depictions of a lot of us. I have mine in my office I think I'm a futuristic super woman. It's pretty entertaining but Tracey's was so perfect. She's in a Seahawk uniform throwing the football and this was actually a pose from the Senate floor when she was Majority Floor Leader directing all of us in terms of what's going on. So, this I think this is a real memory and I'm going to keep it. I was going to give it to you but I think I'll keep it because it's great but I love them all."

MOTION

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

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2572 and passed the bill as amended by the Senate. and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House has passed:
SENATE BILL NO. 5981,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5981.

MOTION

On motion of Senator Fain, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5875, by Senator Hill

Relating to human services. Revised for 1st Substitute: Concerning a surcharge for local homeless housing and assistance.

MOTION

On motion of Senator Angel, Substitute Senate Bill No. 5875 was substituted for Senate Bill No. 5875 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Angel moved that the following striking amendment by Senator Angel and others be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.22.179 and 2012 c 90 s 1 are each amended to read as follows:

(1) In addition to the surcharge authorized in RCW 36.22.178, and except as provided in subsection (2) of this section, an additional surcharge of ten dollars shall be charged by the county auditor for each document recorded, which will be in addition to any other charge allowed by law. ~~((From July 1, 2009, through August 31, 2012, and from July 1, 2015, through June 30, 2017, the surcharge shall be thirty dollars.))~~ From September 1, 2012, through June 30, ~~((2015))~~ 2019, the surcharge shall be forty dollars. The funds collected pursuant to this section are to be distributed and used as follows:

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

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

may use six percent for administrative costs for its homeless housing program.

(b) The auditor shall remit the remaining funds to the state treasurer for deposit in the home security fund account. The department may use twelve and one-half percent of this amount for administration of the program established in RCW 43.185C.020, including the costs of creating the statewide homeless housing strategic plan, measuring performance, providing technical assistance to local governments, and managing the homeless housing grant program. Of the remaining eighty-seven and one-half percent, at least forty-five percent must be set aside for the use of private rental housing payments, and the remainder is to be used by the department to:

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

(ii) Fund the homeless housing grant program.

(2) ((The surcharge imposed in this section applies to documents required to be recorded or filed under RCW 65.04.030(1) including, but not limited to: Full reconveyance; deeds of trust; deeds; liens related to real property; release of liens related to real property; notice of trustee sales; judgments related to real property; and all other documents pertaining to real property as determined by the department. However, the surcharge does not apply to (a) assignments or substitutions of previously recorded deeds of trust, or (b) documents recording a birth, marriage, divorce, or death or any documents otherwise exempted from a recording fee under state law.

(3) By August 31, 2012, the department shall submit to each county auditor a list of documents that are subject to the surcharge established in subsection (1) of this section.

(4) If section 2, chapter 90, Laws of 2012 is not enacted into law by July 31, 2012, section 1, chapter 90, Laws of 2012 is null and void.) The surcharge imposed in this section does not apply to (a) assignments or substitutions of previously recorded deeds of trust, (b) documents recording a birth, marriage, divorce, or death, (c) any recorded documents otherwise exempted from a recording fee or additional surcharges under state law, (d) marriage licenses issued by the county auditor, or (e) documents recording a state, county, or city lien or satisfaction of lien.

Sec. 2. RCW 43.185C.060 and 2007 c 427 s 6 are each amended to read as follows:

The home security fund account is created in the state treasury, subject to appropriation. The state's portion of the surcharge established in RCW 36.22.179 and 36.22.1791 must be deposited in the account. Expenditures from the account may be used only for homeless housing programs as described in this chapter. If an independent audit finds that the department has failed to set aside at least forty-five percent of funds received under RCW 36.22.179(1)(b) after the effective date of this section for the use of private rental housing payments, the department must submit a corrective action plan to the office of financial management within thirty days of receipt of the independent audit. The office of financial management must monitor the department's corrective action plan and expenditures from this account for the remainder of the fiscal year. If the department is not in compliance with RCW 36.22.179(1)(b) in any month of the fiscal year following submission of the corrective action plan, the office of financial management must reduce the department's allotments from this account and hold in reserve status a portion of the department's appropriation equal to the expenditures made during the month not in compliance with RCW 36.22.179(1)(b).

Sec. 3. RCW 43.185C.240 and 2012 c 90 s 2 are each amended to read as follows:

(1) As a means of efficiently and cost-effectively providing housing assistance to very-low income and homeless households:

(a) Any local government that has the authority to issue housing vouchers, directly or through a contractor, using document recording surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, or 36.22.1791 must:

(i)(A) Maintain an interested landlord list, which at a minimum, includes information on rental properties in buildings with fewer than fifty units;

(B) Update the list at least once per quarter;

(C) Distribute the list to agencies providing services to individuals and households receiving housing vouchers;

(D) Ensure that a copy of the list or information for accessing the list online is provided with voucher paperwork; and

(E) ~~((Use reasonable best efforts to))~~ Communicate and interact with landlord and tenant associations located within its jurisdiction to facilitate development, maintenance, and distribution of the list to private rental housing landlords. The department must make reasonable efforts to ensure that local providers conduct outreach to private rental housing landlords each calendar quarter regarding opportunities to provide rental housing to the homeless and the availability of funds;

(ii) Using cost-effective methods of communication, convene, on a semiannual or more frequent basis, landlords represented on the interested landlord list and agencies providing services to individuals and households receiving housing vouchers to identify successes, barriers, and process improvements. The local government is not required to reimburse any participants for expenses related to attendance;

(iii) Produce data, limited to document recording fee uses and expenditures, on a calendar year basis in consultation with landlords represented on the interested landlord list and agencies providing services to individuals and households receiving housing vouchers, that include the following: Total amount expended from document recording fees; amount expended on, number of households that received, and number of housing vouchers issued in each of the private, public, and nonprofit markets; amount expended on, number of households that received, and number of housing placement payments provided in each of the private, public, and nonprofit markets; amount expended on and number of eviction prevention services provided in the private market; and amount expended on and number of other tenant-based rent assistance services provided in the private market. If these data elements are not readily available, the reporting government may request the department to use the sampling methodology established pursuant to (c)(iii) of this subsection to obtain the data; and

(iv) Annually submit the calendar year data to the department by October 1st, with preliminary data submitted by October 1, 2012, and full calendar year data submitted beginning October 1, 2013.

(b) Any local government receiving more than three million five hundred thousand dollars during the previous calendar year from document recording surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, and 36.22.1791, must apply to the Washington state quality award program, or similar Baldrige assessment organization, for an independent assessment of its quality management, accountability, and performance system. The first assessment may be a lite assessment. After submitting an application, a local government is required to reapply at least every two years.

(c) The department must:

(i) Require contractors that provide housing vouchers to distribute the interested landlord list created by the appropriate local

government to individuals and households receiving the housing vouchers;

(ii) (Using cost-effective methods of communication, annually convene local governments issuing housing vouchers, landlord association representatives, and agencies providing services to individuals and households receiving housing vouchers to identify successes, barriers, and process improvements. The department is not required to reimburse any participants for expenses related to attendance;

(iii)) Convene a stakeholder group by March 1, 2017, consisting of landlords, homeless housing advocates, real estate industry representatives, cities, counties, and the department to meet to discuss long-term funding strategies for homeless housing programs that do not include a surcharge on document recording fees. The stakeholder group must provide a report of its findings to the legislature by December 1, 2017;

(iii) Develop a sampling methodology to obtain data required under this section when a local government or contractor does not have such information readily available. The process for developing the sampling methodology must include providing notification to and the opportunity for public comment by local governments issuing housing vouchers, landlord association representatives, and agencies providing services to individuals and households receiving housing vouchers;

(iv) Develop a report, limited to document recording fee uses and expenditures, on a calendar year basis ((#)) that may include consultation with local governments, landlord association representatives, and agencies providing services to individuals and households receiving housing vouchers, that includes the following: Total amount expended from document recording fees; amount expended on, number of households that received, and number of housing vouchers issued in each of the private, public, and nonprofit markets; amount expended on, number of households that received, and number of housing placement payments provided in each of the private, public, and nonprofit markets; amount expended on and number of eviction prevention services provided in the private market; the total amount of funds set aside for private rental housing payments as required in RCW 36.22.179(1)(b); and amount expended on and number of other tenant-based rent assistance services provided in the private market. The information in the report must include data submitted by local governments and data on all additional document recording fee activities for which the department contracted that were not otherwise reported. The data, samples, and sampling methodology used to develop the report must be made available upon request and for the audits required in this section;

(v) Annually submit the calendar year report to the legislature by December 15th, with a preliminary report submitted by December 15, 2012, and full calendar year reports submitted beginning December 15, 2013; and

(vi) Work with the Washington state quality award program, local governments, and any other organizations to ensure the appropriate scheduling of assessments for all local governments meeting the criteria described in subsection (1)(b) of this section.

(d) The office of financial management must secure an independent audit of the department's data and expenditures of state funds received under RCW 36.22.179(1)(b) on an annual basis. The independent audit must review a random sample of local governments, contractors, and housing providers that is geographically and demographically diverse. The independent auditor must meet with the department and a landlord representative to review the preliminary audit and provide the department and the landlord representative with the opportunity to include written comments regarding the findings that must be included with the audit. The first audit of the department's data and expenditures will be for calendar year 2014 and is due July 1, 2015. Each audit

thereafter will be due July 1st following the department's submission of the report to the legislature. If the independent audit finds that the department has failed to set aside at least forty-five percent of the funds received under RCW 36.22.179(1)(b) after the effective date of this section for private rental housing payments, the independent auditor must notify the department and the office of financial management of its finding. In addition, the independent auditor must make recommendations to the office of financial management and the legislature on alternative means of distributing the funds to meet the requirements of RCW 36.22.179(1)(b).

(e) The office of financial management must contract with an independent auditor to conduct a performance audit of the programs funded by document recording surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, and 36.22.1791. The audit must provide findings to determine if the funds are being used effectively, efficiently, and for their intended purpose. The audit must review the department's performance in meeting all statutory requirements related to document recording surcharge funds including, but not limited to, the data the department collects, the timeliness and quality of required reports, and whether the data and required reports provide adequate information and accountability for the use of the document recording surcharge funds. The audit must include recommendations for policy and operational improvements to the use of document recording surcharges by counties and the department. The performance audit must be submitted to the legislature by December 1, 2016.

(2) For purposes of this section:

(a) "Housing placement payments" means one-time payments, such as first and last month's rent and move-in costs, funded by document recording surcharges collected pursuant to RCW 36.22.178, 36.22.179, or 36.22.1791 that are made to secure a unit on behalf of a tenant.

(b) "Housing vouchers" means payments, including private rental housing payments, funded by document recording surcharges collected pursuant to RCW 36.22.178, 36.22.179, or 36.22.1791 that are made by a local government or contractor to secure: (i) A rental unit on behalf of an individual tenant; or (ii) a block of units on behalf of multiple tenants.

(c) "Interested landlord list" means a list of landlords who have indicated to a local government or contractor interest in renting to individuals or households receiving a housing voucher funded by document recording surcharges.

(d) "Private rental housing" means housing owned by a private landlord and does not include housing owned by a nonprofit housing entity or government entity.

(3) This section expires June 30, ((2017)) 2019.

((4) If section 1, chapter 90, Laws of 2012 is not enacted into law by July 31, 2012, this section is null and void.))"

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Angel and others to Substitute Senate Bill No. 5875.

The motion by Senator Angel carried and the striking amendment was adopted by voice vote.

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "assistance;" strike the remainder of the title and insert "amending RCW 36.22.179, 43.185C.060, and 43.185C.240; and providing an expiration date."

MOTION

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

On motion of Senator Angel, the rules were suspended, Engrossed Substitute Senate Bill No. 5875 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

March 13, 2014

Senators Angel, Hobbs, Nelson, Frockt, Liias, Darneille, Kohl-Welles and Benton spoke in favor of passage of the bill.

MOTION

Senator Hatfield demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Hatfield carried and the previous question was put by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5875.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5875 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Rolfes, Sheldon and Tom

Voting nay: Senators Braun, Brown, Dansel, Holmquist Newbry, Honeyford, Padden, Roach and Schoesler

ENGROSSED SUBSTITUTE SENATE BILL NO. 5875, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator McAuliffe: "Thank you. If the Senator from the Nineteenth District hadn't cut off the conversation you would of heard my wonderful story about this bill. So, I want to tell you, I stand in support of the bill that we just passed for the homeless and in 2005 Representative Ormsby and I joined together. Representative Ormsby had the document fee in his bill and I had the ten year homelessness plan in bill and that is where this bill came from. Now we had each county then and local government develop a ten year plan to reduce homelessness. This is 2015, ten years later, the goal was to reduce it by fifty percent. As you all know, we are now at twenty nine percent decrease in overall homelessness and seventy four decrease in unsheltered homeless. I want to share this story with you because this bill began back in 2005 as a ten year plan. Now, thanks to the effort to many of the Senators on this floor it will continue and it will help our families and it will help our communities. So, thank you so much."

MOTION

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

MESSAGE FROM THE HOUSE

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5318,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL NO. 5691,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

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

SUBSTITUTE HOUSE BILL NO. 1260,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Padden moved that Maryann J Moreno, Gubernatorial Appointment No. 9144, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Padden spoke in favor of the motion.

MOTION

On motion of Senator Billig, Senator Nelson was excused.

APPOINTMENT OF MARYANN J MORENO

The President declared the question before the Senate to be the confirmation of Maryann J Moreno, Gubernatorial Appointment No. 9144, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Maryann J Moreno, Gubernatorial Appointment No. 9144, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser,

Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senator Nelson

Maryann J Moreno, Gubernatorial Appointment No. 9144, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Padden moved that Mary Meinig, Gubernatorial Appointment No. 9212, be confirmed as a Director of the Office of the Family and Children Ombudsman.

Senator Padden spoke in favor of the motion.

APPOINTMENT OF Mary MEINIG

The President declared the question before the Senate to be the confirmation of Mary Meinig, Gubernatorial Appointment No. 9212, as a Director of the Office of the Family and Children Ombudsman.

The Secretary called the roll on the confirmation of Mary Meinig, Gubernatorial Appointment No. 9212, as a Director of the Office of the Family and Children Ombudsman and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senator Nelson

Mary Meinig, Gubernatorial Appointment No. 9212, having received the constitutional majority was declared confirmed as a Director of the Office of the Family and Children Ombudsman.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator McAuliffe moved that Charlotte Parsley, Gubernatorial Appointment No. 9154, be confirmed as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

Senator McAuliffe spoke in favor of the motion.

MOTION

On motion of Senator Fain, Senator Benton was excused.

APPOINTMENT OF CHARLOTTE PARSLEY

The President declared the question before the Senate to be the confirmation of Charlotte Parsley, Gubernatorial

Appointment No. 9154, as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

The Secretary called the roll on the confirmation of Charlotte Parsley, Gubernatorial Appointment No. 9154, as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senators Benton and Nelson

Charlotte Parsley, Gubernatorial Appointment No. 9154, having received the constitutional majority was declared confirmed as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5318,

SUBSTITUTE SENATE BILL NO. 5691.

MOTION

On motion of Senator Billig, Senator Hasegawa was excused.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dammeier moved that Barbara A Taylor, Gubernatorial Appointment No. 9184, be confirmed as a Chair of the Professional Educator Standards Board.

Senator Dammeier spoke in favor of the motion.

APPOINTMENT OF BARBARA A TAYLOR

The President declared the question before the Senate to be the confirmation of Barbara A Taylor, Gubernatorial Appointment No. 9184, as a Chair of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Barbara A Taylor, Gubernatorial Appointment No. 9184, as a Chair of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Lias, Litzow, McAuliffe, McCoy, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senators Benton, Hasegawa and Nelson

Barbara A Taylor, Gubernatorial Appointment No. 9184, having received the constitutional majority was declared

SIXTIETH DAY, MARCH 13, 2014

confirmed as a Chair of the Professional Educator Standards Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator McAuliffe moved that Jodi N Thew, Gubernatorial Appointment No. 9187, be confirmed as a member of the Professional Educator Standards Board.

Senator McAuliffe spoke in favor of the motion.

APPOINTMENT OF JODI N THEW

The President declared the question before the Senate to be the confirmation of Jodi N Thew, Gubernatorial Appointment No. 9187, as a member of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Jodi N Thew, Gubernatorial Appointment No. 9187, as a member of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senators Benton and Hasegawa

Jodi N Thew, Gubernatorial Appointment No. 9187, having received the constitutional majority was declared confirmed as a member of the Professional Educator Standards Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dammeier moved that Noah Zeichner, Gubernatorial Appointment No. 9201, be confirmed as a member of the Professional Educator Standards Board.

Senator Dammeier spoke in favor of the motion.

APPOINTMENT OF NOAH ZEICHNER

The President declared the question before the Senate to be the confirmation of Noah Zeichner, Gubernatorial Appointment No. 9201, as a member of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Noah Zeichner, Gubernatorial Appointment No. 9201, as a member of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson,

2014 REGULAR SESSION

Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senators Benton and Hasegawa

Noah Zeichner, Gubernatorial Appointment No. 9201, having received the constitutional majority was declared confirmed as a member of the Professional Educator Standards Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Darneille moved that Nancy K Fitta, Gubernatorial Appointment No. 9227, be confirmed as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

Senator Darneille spoke in favor of the motion.

APPOINTMENT OF NANCY K FITTA

The President declared the question before the Senate to be the confirmation of Nancy K Fitta, Gubernatorial Appointment No. 9227, as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

The Secretary called the roll on the confirmation of Nancy K Fitta, Gubernatorial Appointment No. 9227, as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senator Benton

Nancy K Fitta, Gubernatorial Appointment No. 9227, having received the constitutional majority was declared confirmed as a member of the Board of Trustees for the Center of Childhood Deafness and Hearing Loss.

MOTION

At 11:01 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:13 p.m. by President Owen.

MOTION

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

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6002, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED HOUSE BILL NO. 1224,
SUBSTITUTE HOUSE BILL NO. 1260,
ENGROSSED HOUSE BILL NO. 2397,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
2572,

HOUSE BILL NO. 2585,
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED HOUSE BILL NO. 1224,
SUBSTITUTE HOUSE BILL NO. 1260,
ENGROSSED HOUSE BILL NO. 2397,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
2572,

HOUSE BILL NO. 2585.

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House receded from its amendment(s) to SUBSTITUTE SENATE BILL NO. 6283. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 6283-S AMH CODY MORI 109, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 18.360.050 and 2013 c 128 s 3 are each amended to read as follows:

(1) A medical assistant-certified may perform the following duties delegated by, and under the supervision of, a health care practitioner:

(a) Fundamental procedures:

- (i) Wrapping items for autoclaving;
- (ii) Procedures for sterilizing equipment and instruments;
- (iii) Disposing of biohazardous materials; and
- (iv) Practicing standard precautions.

(b) Clinical procedures:

(i) Performing aseptic procedures in a setting other than a hospital licensed under chapter 70.41 RCW;

(ii) Preparing of and assisting in sterile procedures in a setting other than a hospital under chapter 70.41 RCW;

(iii) Taking vital signs;

(iv) Preparing patients for examination;

(v) Capillary blood withdrawal, venipuncture, and intradermal, subcutaneous, and intramuscular injections; and

(vi) Observing and reporting patients' signs or symptoms.

(c) Specimen collection:

(i) Capillary puncture and venipuncture;

(ii) Obtaining specimens for microbiological testing; and

(iii) Instructing patients in proper technique to collect urine and fecal specimens.

(d) Diagnostic testing:

(i) Electrocardiography;

(ii) Respiratory testing; and

(iii)(A) Tests waived under the federal clinical laboratory improvement amendments program on July 1, 2013. The department shall periodically update the tests authorized under this subsection (1)(d) based on changes made by the federal clinical laboratory improvement amendments program; and

(B) Moderate complexity tests if the medical assistant-certified meets standards for personnel qualifications and responsibilities in compliance with federal regulation for nonwaived testing.

(e) Patient care:

(i) Telephone and in-person screening limited to intake and gathering of information without requiring the exercise of judgment based on clinical knowledge;

(ii) Obtaining vital signs;

(iii) Obtaining and recording patient history;

(iv) Preparing and maintaining examination and treatment areas;

(v) Preparing patients for, and assisting with, routine and specialty examinations, procedures, treatments, and minor office surgeries;

(vi) Maintaining medication and immunization records; and

(vii) Screening and following up on test results as directed by a health care practitioner.

(f)(i) Administering medications. A medical assistant-certified may only administer medications if the drugs are:

(A) Administered only by unit or single dosage, or by a dosage calculated and verified by a health care practitioner. For purposes of this section, a combination or multidose vaccine shall be considered a unit dose;

(B) Limited to legend drugs, vaccines, and Schedule III-V controlled substances as authorized by a health care practitioner under the scope of his or her license and consistent with rules adopted by the secretary under (f)(ii) of this subsection; and

(C) Administered pursuant to a written order from a health care practitioner.

(ii) A medical assistant-certified may not administer experimental drugs or chemotherapy agents. The secretary may, by rule, further limit the drugs that may be administered under this subsection (1)(f). The rules adopted under this subsection must limit the drugs based on risk, class, or route.

(g) Intravenous injections. A medical assistant-certified may administer intravenous injections for diagnostic or therapeutic agents under the direct visual supervision of a health care practitioner if the medical assistant-certified meets minimum standards established by the secretary in rule. The minimum standards must be substantially similar to the qualifications for category D and F health care assistants as they exist on July 1, 2013.

(h) Urethral catheterization when appropriately trained.

(2) A medical assistant-hemodialysis technician may perform hemodialysis when delegated and supervised by a health care practitioner. A medical assistant-hemodialysis technician may also administer drugs and oxygen to a patient when delegated and supervised by a health care practitioner and pursuant to rules adopted by the secretary.

(3) A medical assistant-phlebotomist may perform:

(a) Capillary, venous, or arterial invasive procedures for blood withdrawal when delegated and supervised by a health care practitioner and pursuant to rules adopted by the secretary;

(b) Tests waived under the federal clinical laboratory improvement amendments program on July 1, 2013. The department shall periodically update the tests authorized under this section based on changes made by the federal clinical laboratory

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

improvement amendments program;

(c) Moderate and high complexity tests if the medical assistant-phlebotomist meets standards for personnel qualifications and responsibilities in compliance with federal regulation for nonwaived testing; and

(d) Electrocardiograms.

(4) A medical assistant-registered may perform the following duties delegated by, and under the supervision of, a health care practitioner:

(a) Fundamental procedures:

- (i) Wrapping items for autoclaving;
- (ii) Procedures for sterilizing equipment and instruments;
- (iii) Disposing of biohazardous materials; and
- (iv) Practicing standard precautions.

(b) Clinical procedures:

- (i) Preparing for sterile procedures;
- (ii) Taking vital signs;
- (iii) Preparing patients for examination; and
- (iv) Observing and reporting patients' signs or symptoms.

(c) Specimen collection:

- (i) Obtaining specimens for microbiological testing; and
- (ii) Instructing patients in proper technique to collect urine and fecal specimens.

(d) Patient care:

(i) Telephone and in-person screening limited to intake and gathering of information without requiring the exercise of judgment based on clinical knowledge;

- (ii) Obtaining vital signs;
- (iii) Obtaining and recording patient history;
- (iv) Preparing and maintaining examination and treatment areas;

(v) Preparing patients for, and assisting with, routine and specialty examinations, procedures, treatments, and minor office surgeries utilizing no more than local anesthetic. The department may, by rule, prohibit duties authorized under this subsection (4)(d)(v) if performance of those duties by a medical assistant-registered would pose an unreasonable risk to patient safety;

- (vi) Maintaining medication and immunization records; and
- (vii) Screening and following up on test results as directed by a health care practitioner.

(e)(i) Tests waived under the federal clinical laboratory improvement amendments program on July 1, 2013. The department shall periodically update the tests authorized under subsection (1)(d) of this section based on changes made by the federal clinical laboratory improvement amendments program.

(ii) Moderate complexity tests if the medical assistant-registered meets standards for personnel qualifications and responsibilities in compliance with federal regulation for nonwaived testing.

(f) Administering eye drops, topical ointments, and vaccines, including combination or multidose vaccines.

(g) Urethral catheterization when appropriately trained." and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Becker moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6283.

Senators Becker, Hobbs and Keiser spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6283.

The motion by Senator Becker carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6283 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6283, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6283, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senator Benton

SUBSTITUTE SENATE BILL NO. 6283, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6387 with the following amendment(s): 6387-S AMH KAGI H4553.2

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** In conjunction with recent findings from the Washington state auditor's office, the legislature finds that there are thousands of state citizens who have been determined eligible for services through the department of social and health services' developmental disability administration. For those who have asked for help but are waiting for services, families may experience financial or emotional hardships. The legislature intends to clarify and make transparent the process for accessing publicly funded services for individuals with developmental disabilities and their families. The legislature intends to significantly reduce the number of eligible individuals who are waiting for services by funding additional slots and by implementing new programs that better utilize federal funding partnerships.

Sec. 2. RCW 71A.10.020 and 2011 1st sp.s. c 30 s 3 are each amended to read as follows:

As used in this title, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Assessment" means an evaluation is provided by the department to determine:

(a) If the individual meets functional and financial criteria for medicaid services; and

(b) The individual's support needs for service determination.

(2) "Community residential support services," or "community support services," and "in-home services" means one or more of the services listed in RCW 71A.12.040.

~~((2))~~ (3) "Crisis stabilization services" means services provided to persons with developmental disabilities who are experiencing behaviors that jeopardize the safety and stability of their current living situation. Crisis stabilization services include:

(a) Temporary intensive services and supports, typically not to exceed sixty days, to prevent psychiatric hospitalization, institutional placement, or other out-of-home placement; and

(b) Services designed to stabilize the person and strengthen their current living situation so the person may continue to safely reside in the community during and beyond the crisis period.

~~((3))~~ (4) "Department" means the department of social and health services.

~~((4))~~ (5) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual. By January 1, 1989, the department shall promulgate rules which define neurological or other conditions in a way that is not limited to intelligence quotient scores as the sole determinant of these conditions, and notify the legislature of this action.

~~((5))~~ (6) "Eligible person" means a person who has been found by the secretary under RCW 71A.16.040 to be eligible for services.

~~((6))~~ (7) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and to raise their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy.

~~((7))~~ (8) "Legal representative" means a parent of a person who is under eighteen years of age, a person's legal guardian, a person's limited guardian when the subject matter is within the scope of the limited guardianship, a person's attorney-at-law, a person's attorney-in-fact, or any other person who is authorized by law to act for another person.

~~((8))~~ (9) "Notice" or "notification" of an action of the secretary means notice in compliance with RCW 71A.10.060.

~~((9))~~ (10) "Residential habilitation center" means a state-operated facility for persons with developmental disabilities governed by chapter 71A.20 RCW.

~~((10))~~ (11) "Respite services" means relief for families and other caregivers of people with disabilities, typically not to exceed ninety days, to include both in-home and out-of-home respite care on an hourly and daily basis, including twenty-four hour care for several consecutive days. Respite care workers provide supervision, companionship, and personal care services temporarily replacing those provided by the primary caregiver of the person with disabilities. Respite care may include other services needed by the client, including medical care which must be provided by a licensed health care practitioner.

~~((11))~~ (12) "Secretary" means the secretary of social and health services or the secretary's designee.

~~((12))~~ (13) "Service" or "services" means services provided by state or local government to carry out this title.

~~((13))~~ (14) "State-operated living alternative" means programs for community residential services which may include assistance with activities of daily living, behavioral, habilitative, interpersonal, protective, medical, nursing, and mobility supports to individuals who have been assessed by the department as meeting state and federal requirements for eligibility in home and community-based waiver programs for individuals with developmental disabilities. State-operated living alternatives are operated and staffed with state employees.

~~((14))~~ (15) "Supported living" means community residential services and housing which may include assistance with activities of daily living, behavioral, habilitative, interpersonal, protective, medical, nursing, and mobility supports provided to individuals with disabilities who have been assessed by the department as meeting state and federal requirements for eligibility in home and community-based waiver programs for individuals with developmental disabilities. Supported living services are provided under contracts with private agencies or with individuals who are not state employees.

~~((15))~~ (16) "Vacancy" means an opening at a residential habilitation center, which when filled, would not require the center to exceed its biennially budgeted capacity.

(17) "Service request list" means a list of eligible persons who have received an assessment for service determination and their assessment shows that they meet the eligibility requirements for the requested service but were denied access due to funding limits.

Sec. 3. RCW 71A.16.050 and 1988 c 176 s 405 are each amended to read as follows:

The determination made under this chapter is only as to whether a person is eligible for services. After the secretary has determined under this chapter that a person is eligible for services, the individual may request an assessment for eligibility for medicaid programs and specific services administered by the developmental disabilities administration. The secretary shall make a determination as to what services are appropriate for the person. The secretary shall prioritize services to medicaid eligible clients. Services may be made available to nonmedicaid eligible clients based on available funding. Services available through the state medicaid plan must be provided to those individuals who meet the eligibility criteria. The department shall establish and maintain a service request list database for individuals who are found to be eligible and have an assessed and unmet need for programs and services offered under a home and community-based services waiver, but the provision of a specific service would exceed the biennially budgeted capacity.

NEW SECTION. Sec. 4. The department of social and health services shall develop and implement a medicaid program to replace the individual and family services program for medicaid-eligible clients no later than May 1, 2015. The new medicaid program must offer services that closely resemble the services offered in fiscal year 2014 through the individual and family services program. To the extent possible, the department shall expand the client caseload on the medicaid program replacing the individual and family services program. The department is authorized in fiscal year 2015 to use general fund--state dollars previously provided for the individual and family services program to cover the cost of increasing the number of clients served in the new medicaid program.

NEW SECTION. Sec. 5. By June 30, 2017, if additional federal funds through the community first choice option are attained, then the department of social and health services shall increase the number served on the medicaid program replacing the individual and family services program by at least four thousand, and increase by at least one thousand clients receiving services on the home and community-based services basic plus waiver. For both of these programs, the department of social and health services shall expand the client caseload beginning June 30, 2015.

Sec. 6. RCW 18.88B.041 and 2012 c 164 s 302 are each amended to read as follows:

(1) The following long-term care workers are not required to become a certified home care aide pursuant to this chapter:

(a)(i)(A) Registered nurses, licensed practical nurses, certified nursing assistants or persons who are in an approved training program for certified nursing assistants under chapter 18.88A RCW, medicare- certified home health aides, or other persons who hold a similar health credential, as determined by the secretary, or persons

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010, if the secretary determines that the circumstances do not require certification.

(B) A person who was initially hired as a long-term care worker prior to January 7, 2012, and who completes all of his or her training requirements in effect as of the date he or she was hired.

(i) Individuals exempted by (a)(i) of this subsection may obtain certification as a home care aide without fulfilling the training requirements in RCW 74.39A.074(1)(d)(ii) but must successfully complete a certification examination pursuant to RCW 18.88B.031.

(b) All long-term care workers employed by community residential service businesses.

(c) An individual provider caring only for his or her biological, step, or adoptive child or parent.

(d) ~~((Prior to))~~ Until July 1, ((2014)) 2016, a person ~~((hired))~~ working as an individual provider who provides twenty hours or less of care for one person in any calendar month.

(e) Until July 1, 2016, a person working as an individual provider who only provides respite services and works less than three hundred hours in any calendar year.

(2) A long-term care worker exempted by this section from the training requirements contained in RCW 74.39A.074 may not be prohibited from enrolling in training pursuant to that section.

(3) The department shall adopt rules to implement this section.

Sec. 7. RCW 74.39A.076 and 2012 c 164 s 402 are each amended to read as follows:

(1) Beginning January 7, 2012, except for long-term care workers exempt from certification under RCW 18.88B.041(1)(a):

(a) A biological, step, or adoptive parent who is the individual provider only for his or her developmentally disabled son or daughter must receive twelve hours of training relevant to the needs of adults with developmental disabilities within the first one hundred twenty days after becoming an individual provider or within one hundred twenty calendar days after March 29, 2012, whichever is later.

(b) Individual providers identified in (b)(i) ~~((and))~~, (ii), and (iii) of this subsection must complete thirty-five hours of training within the first one hundred twenty days after becoming an individual provider or within one hundred twenty calendar days after March 29, 2012, whichever is later. Five of the thirty-five hours must be completed before becoming eligible to provide care. Two of these five hours shall be devoted to an orientation training regarding an individual provider's role as caregiver and the applicable terms of employment, and three hours shall be devoted to safety training, including basic safety precautions, emergency procedures, and infection control. Individual providers subject to this requirement include:

(i) An individual provider caring only for his or her biological, step, or adoptive child or parent unless covered by (a) of this subsection; ~~((and))~~

(ii) Until ((January 1, 2014)) July 1, 2016, a person ~~((hired))~~ working as an individual provider who provides twenty hours or less of care for one person in any calendar month; and

(iii) Until July 1, 2016, a person working as an individual provider who only provides respite services and works less than three hundred hours in any calendar year.

(2) In computing the time periods in this section, the first day is the date of hire or March 29, 2012, whichever is applicable.

(3) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(4) The department shall adopt rules to implement this section.

Sec. 8. RCW 74.39A.341 and 2013 c 259 s 3 are each amended to read as follows:

(1) All long-term care workers shall complete twelve hours of continuing education training in advanced training topics each year. This requirement applies beginning July 1, 2012.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under chapter 18.88B RCW.

(3) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsection (1) of this section does not apply to:

(a) An individual provider caring only for his or her biological, step, or adoptive child;

(b) Registered nurses and licensed practical nurses licensed under chapter 18.79 RCW;

(c) Before January 1, 2016, a long-term care worker employed by a community residential service business; ~~((or))~~

~~((Before))~~ Until July 1, ((2014)) 2016, a person ~~((hired))~~ working as an individual provider who provides twenty hours or less of care for one person in any calendar month; or

(e) Until July 1, 2016, a person working as an individual provider who only provides respite services and works less than three hundred hours in any calendar year.

(4) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(5) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

(6) The department of health shall adopt rules to implement subsection (1) of this section.

(7) The department shall adopt rules to implement subsection (2) of this section."

Correct the title.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Senator Hill moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6387.

Senator Hill spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Hill that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6387.

The motion by Senator Hill carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6387 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6387, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6387, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Tom

Excused: Senator Benton

SUBSTITUTE SENATE BILL NO. 6387, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5875, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

THIRD SUPPLEMENTAL INTRODUCTION AND FIRST READING

SCR 8410 by Senators Tom and Nelson

Returning bills to their house of origin.

SCR 8411 by Senators Tom and Nelson

Adjourning SINE DIE.

MOTION

On motion of Senator Fain and without objection, Senate Concurrent Resolution No. 8410 and Senate Concurrent Resolution No. 8411 were placed on the second reading calendar under suspension of the rules.

MOTION

On motion of Senator Fain, the Senate advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8410, by Senators Tom and Nelson

Returning bills to their house of origin.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Senate Concurrent Resolution No. 8410 was advanced to third reading,

the second reading considered the third and the resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8410.

SENATE CONCURRENT RESOLUTION NO. 8410 having received a majority was adopted by voice vote.

President Pro Tempore Senator Sheldon assumed the chair.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8411, by Senators Tom and Nelson

Adjourning SINE DIE.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Senate Concurrent Resolution No. 8411 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8411.

SENATE CONCURRENT RESOLUTION NO. 8411 having received a majority was adopted by voice vote.

MOTION

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

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION 8722

By Senators Tom and Nelson

WHEREAS, The 2014 Regular Session of the Sixty-third Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the 2014 Regular Session of the Sixty-third Legislature and the convening of the next regular session;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Facilities and Operations Committee shall have full authority and direction over the authorization and execution of any contracts or subcontracts that necessitate the expenditure of Senate appropriations, subject to all applicable budget controls and limitations; and

BE IT FURTHER RESOLVED, That the Senate Facilities and Operations Committee may, as they deem appropriate, authorize travel for which members and staff may receive therefor their actual necessary expenses, and such per diem as may be authorized by law, subject to all applicable budget controls and limitations, to be paid

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

upon receipt of their vouchers out of funds appropriated for legislative expenses; and

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

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

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Facilities and Operations Committee be, and they hereby are, authorized to approve written requests by standing committees to meet during the interim period; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized and directed to have printed a copy of the Senate Journals of the 2014 Regular Session of the Sixty-third Legislature; and

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

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers or memorials in the event of a bereavement in the legislative "family"; and

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

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8722.

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

MOTION

Senator Chase moved adoption of the following resolution:

SENATE RESOLUTION
8719

By Senators Chase and Hewitt

WHEREAS, Walla Walla Community College is realizing its vision to be one of the most innovative, professional, responsive, and successful service-oriented rural community colleges in the United States; and

WHEREAS, The Aspen Institute selected Walla Walla Community College from among the nation's more than 1,000 public community colleges to be the co-winner of the 2013 Aspen Prize for Community College Excellence, the nation's signature recognition of high achievement and performance in America's community colleges; and

WHEREAS, In the late 1990s, the town of Walla Walla was facing economic uncertainty due to the decline of the local agriculture industry; and

WHEREAS, Walla Walla Community College recognized this as an opportunity to train the workforce in a program tailored to the

local wine industry's needs and collaborated with the local industry to fund and open the Center for Enology and Viticulture in 2003; and

WHEREAS, Washington has become the third largest wine producer in the United States, and the Walla Walla Valley American Viticulture Area is one of the most awarded of the United States; and

WHEREAS, Walla Walla has become a world famous tourist destination for fine wine and fine food; and

WHEREAS, College Cellars, a vineyard and winery operated by Walla Walla Community College for workforce training, has won several gold medals at the Seattle Wine Awards and Northwest Wine Summit, the highest recognition that a winery can earn in the state for its 2011 Ice Wine, 2011 Chardonnay, 2009 Syrah, and 2008 Malbec;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Walla Walla Community College's contributions to Washington State in the areas of academic excellence, workforce training, economic development, and public service, and recognize Walla Walla Community College as a model for how a community college can innovatively tailor its academic programs to meet the needs of the local mid-market business community to organically grow a sustainable ecosystem; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to the Office of the President at Walla Walla Community College.

Senators Chase and Hewitt spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8719.

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

MOTION

At 11:34 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:50 p.m. by the President Pro Tempore, Senator Sheldon presiding.

MOTION

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

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746 and passed the bill as amended by the Senate.

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5875,
SUBSTITUTE SENATE BILL NO. 6283,
SUBSTITUTE SENATE BILL NO. 6387.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The Speaker has signed:
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5875,
 SUBSTITUTE SENATE BILL NO. 6283,
 SUBSTITUTE SENATE BILL NO. 6387,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2335 and passed the bill as amended by the Senate.
 and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The Speaker has signed:
 ENGROSSED HOUSE BILL NO. 2335,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:
 ENGROSSED HOUSE BILL NO. 2335,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746.

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The Speaker has signed:
 SENATE BILL NO. 5318,
 SUBSTITUTE SENATE BILL NO. 5691,
 SENATE BILL NO. 5981,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House has adopted:
 SENATE CONCURRENT RESOLUTION NO. 8410,
 and the same is herewith transmitted.

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The House has adopted:
 SENATE CONCURRENT RESOLUTION NO. 8411,
 and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:
 SENATE CONCURRENT RESOLUTION NO. 8410,
 SENATE CONCURRENT RESOLUTION NO. 8411.

MOTION

On motion of Senator Fain and without objections, all measures on the second and third reading calendars were returned to the Committee on Rules.

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

The Speaker has signed:
 SENATE CONCURRENT RESOLUTION NO. 8410,
 SENATE CONCURRENT RESOLUTION NO. 8411,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, the reading of the Journal for the 60th day of the 2014 Regular Session of the 63rd Legislature was dispensed with and it was approved.

MESSAGE FROM THE HOUSE

March 13, 2014

MR. PRESIDENT:

Under the provisions of SENATE CONCURRENT RESOLUTION NO. 8410, the following Senate bills are returned to the Senate:
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5020,
 ENGROSSED SENATE BILL NO. 5097,
 SENATE BILL NO. 5112,
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5127,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5138,
 SENATE BILL NO. 5158,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5199,
 SUBSTITUTE SENATE BILL NO. 5334,
 ENGROSSED SENATE BILL NO. 5430,
 ENGROSSED SENATE BILL NO. 5514,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5540,

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

SENATE BILL NO. 5633,
 SUBSTITUTE SENATE BILL NO. 5676,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5697,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5731,
 SUBSTITUTE SENATE BILL NO. 5872,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5886,
 ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 5887,
 SENATE BILL NO. 5910,
 SENATE BILL NO. 5957,
 SUBSTITUTE SENATE BILL NO. 5965,
 SENATE BILL NO. 5970,
 SUBSTITUTE SENATE BILL NO. 5975,
 SENATE BILL NO. 5979,
 SUBSTITUTE SENATE BILL NO. 5991,
 SUBSTITUTE SENATE BILL NO. 5996,
 SUBSTITUTE SENATE BILL NO. 6005,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6008,
 SENATE BILL NO. 6010,
 SENATE BILL NO. 6011,
 SUBSTITUTE SENATE BILL NO. 6017,
 SENATE BILL NO. 6022,
 SENATE BILL NO. 6025,
 SUBSTITUTE SENATE BILL NO. 6028,
 SENATE BILL NO. 6045,
 SENATE BILL NO. 6047,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6049,
 SUBSTITUTE SENATE BILL NO. 6050,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6052,
 SUBSTITUTE SENATE BILL NO. 6057,
 SUBSTITUTE SENATE BILL NO. 6058,
 SENATE BILL NO. 6059,
 SUBSTITUTE SENATE BILL NO. 6060,
 SUBSTITUTE SENATE BILL NO. 6064,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6076,
 SENATE BILL NO. 6077,
 SENATE BILL NO. 6079,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6081,
 SUBSTITUTE SENATE BILL NO. 6094,
 SECOND SUBSTITUTE SENATE BILL NO. 6096,
 SUBSTITUTE SENATE BILL NO. 6104,
 SUBSTITUTE SENATE BILL NO. 6105,
 SUBSTITUTE SENATE BILL NO. 6110,
 SENATE BILL NO. 6114,
 SENATE BILL NO. 6122,
 SENATE BILL NO. 6125,
 SENATE BILL NO. 6133,
 SENATE BILL NO. 6138,
 SENATE BILL NO. 6143,
 SUBSTITUTE SENATE BILL NO. 6150,
 SENATE BILL NO. 6157,
 SUBSTITUTE SENATE BILL NO. 6179,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6181,
 ENGROSSED SENATE BILL NO. 6194,
 SENATE BILL NO. 6206,
 SUBSTITUTE SENATE BILL NO. 6207,
 SUBSTITUTE SENATE BILL NO. 6211,
 SECOND SUBSTITUTE SENATE BILL NO. 6215,
 ENGROSSED SENATE BILL NO. 6220,
 SUBSTITUTE SENATE BILL NO. 6237,
 ENGROSSED SENATE BILL NO. 6248,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6249,
 SUBSTITUTE SENATE BILL NO. 6250,
 SUBSTITUTE SENATE BILL NO. 6259,

SUBSTITUTE SENATE BILL NO. 6280,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6286,
 SUBSTITUTE SENATE BILL NO. 6290,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6297,
 SENATE BILL NO. 6327,
 SENATE BILL NO. 6338,
 SENATE BILL NO. 6340,
 SUBSTITUTE SENATE BILL NO. 6362,
 SECOND SUBSTITUTE SENATE BILL NO. 6402,
 SUBSTITUTE SENATE BILL NO. 6418,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6423,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6430,
 SUBSTITUTE SENATE BILL NO. 6439,
 SENATE BILL NO. 6445,
 SENATE BILL NO. 6464,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6472,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6478,
 SENATE BILL NO. 6497,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6499,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6512,
 SUBSTITUTE SENATE BILL NO. 6515,
 SUBSTITUTE SENATE BILL NO. 6516,
 SENATE BILL NO. 6519,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6542,
 ENGROSSED SENATE BILL NO. 6549,
 ENGROSSED SENATE BILL NO. 6550,
 SENATE BILL NO. 6555,
 SUBSTITUTE SENATE BILL NO. 6558,
 SUBSTITUTE SENATE BILL NO. 6572,
 SENATE JOINT MEMORIAL NO. 8015,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

Under the provisions of SENATE CONCURRENT RESOLUTION NO. 8410, the following House Bills were returned to the House of Representatives:
 ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1005,
 SECOND SUBSTITUTE HOUSE BILL NO. 1170,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1484,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1674,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1769,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1820,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2002,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2149,
 SUBSTITUTE HOUSE BILL NO. 2201,
 SUBSTITUTE HOUSE BILL NO. 2244,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2306,
 SUBSTITUTE HOUSE BILL NO. 2336,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2377,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2383,
 SUBSTITUTE HOUSE BILL NO. 2410,
 SUBSTITUTE HOUSE BILL NO. 2415,
 SECOND SUBSTITUTE HOUSE BILL NO. 2517,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2540,
 HOUSE BILL NO. 2553,

ENGROSSED HOUSE BILL NO. 2558,
 SUBSTITUTE HOUSE BILL NO. 2610,
 SECOND SUBSTITUTE HOUSE BILL NO. 2643,
 SUBSTITUTE HOUSE BILL NO. 2651,
 SECOND SUBSTITUTE HOUSE BILL NO. 2694,
 SUBSTITUTE HOUSE BILL NO. 2719,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2748,
 HOUSE BILL NO. 2790,
 HOUSE BILL NO. 2794,
 ENGROSSED HOUSE BILL NO. 2797.

MOTION

Under the provisions of SENATE CONCURRENT RESOLUTION NO. 8410, the following House Bills were returned to the House of Representatives:

HOUSE BILL NO. 1008,
 ENGROSSED HOUSE BILL NO. 1011,
 ENGROSSED HOUSE BILL NO. 1013,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1017,
 SUBSTITUTE HOUSE BILL NO. 1027,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1038,
 HOUSE BILL NO. 1043,
 SUBSTITUTE HOUSE BILL NO. 1047,
 HOUSE BILL NO. 1063,
 HOUSE BILL NO. 1064,
 SECOND SUBSTITUTE HOUSE BILL NO. 1072,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1083,
 SUBSTITUTE HOUSE BILL NO. 1103,
 SUBSTITUTE HOUSE BILL NO. 1107,
 HOUSE BILL NO. 1118,
 HOUSE BILL NO. 1145,
 SUBSTITUTE HOUSE BILL NO. 1156,
 HOUSE BILL NO. 1173,
 HOUSE BILL NO. 1179,
 HOUSE BILL NO. 1185,
 HOUSE BILL NO. 1251,
 ENGROSSED HOUSE BILL NO. 1267,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1279,
 HOUSE BILL NO. 1286,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1294,
 SUBSTITUTE HOUSE BILL NO. 1298,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1313,
 HOUSE BILL NO. 1339,
 HOUSE BILL NO. 1348,
 ENGROSSED HOUSE BILL NO. 1367,
 SUBSTITUTE HOUSE BILL NO. 1402,
 SUBSTITUTE HOUSE BILL NO. 1409,
 SUBSTITUTE HOUSE BILL NO. 1413,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1448,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1467,
 HOUSE BILL NO. 1486,
 SUBSTITUTE HOUSE BILL NO. 1536,
 ENGROSSED HOUSE BILL NO. 1538,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1563,
 SECOND SUBSTITUTE HOUSE BILL NO. 1574,
 ENGROSSED HOUSE BILL NO. 1593,
 HOUSE BILL NO. 1597,
 SUBSTITUTE HOUSE BILL NO. 1635,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1654,

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1675,
 HOUSE BILL NO. 1684,
 SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1727,
 HOUSE BILL NO. 1783,
 SUBSTITUTE HOUSE BILL NO. 1805,
 SUBSTITUTE HOUSE BILL NO. 1814,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1838,
 SUBSTITUTE HOUSE BILL NO. 1843,
 SUBSTITUTE HOUSE BILL NO. 1858,
 HOUSE BILL NO. 1859,
 SECOND SUBSTITUTE HOUSE BILL NO. 1888,
 HOUSE BILL NO. 1892,
 HOUSE BILL NO. 1896,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1902,
 SECOND SUBSTITUTE HOUSE BILL NO. 1909,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1950,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1960,
 HOUSE BILL NO. 2017,
 SUBSTITUTE HOUSE BILL NO. 2018,
 SECOND SUBSTITUTE HOUSE BILL NO. 2041,
 HOUSE BILL NO. 2061,
 SUBSTITUTE HOUSE BILL NO. 2074,
 SUBSTITUTE HOUSE BILL NO. 2098,
 SUBSTITUTE HOUSE BILL NO. 2121,
 SUBSTITUTE HOUSE BILL NO. 2126,
 HOUSE BILL NO. 2127,
 SUBSTITUTE HOUSE BILL NO. 2135,
 HOUSE BILL NO. 2148,
 SUBSTITUTE HOUSE BILL NO. 2150,
 SUBSTITUTE HOUSE BILL NO. 2152,
 SUBSTITUTE HOUSE BILL NO. 2157,
 SUBSTITUTE HOUSE BILL NO. 2162,
 SUBSTITUTE HOUSE BILL NO. 2165,
 SECOND SUBSTITUTE HOUSE BILL NO. 2166,
 HOUSE BILL NO. 2169,
 HOUSE BILL NO. 2170,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2177,
 SUBSTITUTE HOUSE BILL NO. 2178,
 SUBSTITUTE HOUSE BILL NO. 2183,
 SUBSTITUTE HOUSE BILL NO. 2196,
 SUBSTITUTE HOUSE BILL NO. 2197,
 SUBSTITUTE HOUSE BILL NO. 2205,
 SUBSTITUTE HOUSE BILL NO. 2215,
 HOUSE BILL NO. 2219,
 HOUSE BILL NO. 2231,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2235,
 HOUSE BILL NO. 2254.

MOTION

Under the provisions of SENATE CONCURRENT RESOLUTION NO. 8410, the following House Bills were returned to the House of Representatives:

SUBSTITUTE HOUSE BILL NO. 2255,
 ENGROSSED HOUSE BILL NO. 2278,
 SUBSTITUTE HOUSE BILL NO. 2282,
 HOUSE BILL NO. 2285,
 HOUSE BILL NO. 2294,
 HOUSE BILL NO. 2301,
 HOUSE BILL NO. 2302,
 HOUSE BILL NO. 2329,

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

SUBSTITUTE HOUSE BILL NO. 2331,
 HOUSE BILL NO. 2332,
 SECOND SUBSTITUTE HOUSE BILL NO. 2333,
 HOUSE BILL NO. 2334,
 SUBSTITUTE HOUSE BILL NO. 2339,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2341,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2347,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2353,
 SUBSTITUTE HOUSE BILL NO. 2364,
 SUBSTITUTE HOUSE BILL NO. 2365,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2368,
 SUBSTITUTE HOUSE BILL NO. 2371,
 SUBSTITUTE HOUSE BILL NO. 2372,
 SUBSTITUTE HOUSE BILL NO. 2373,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2374,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2376,
 SUBSTITUTE HOUSE BILL NO. 2378,
 HOUSE BILL NO. 2381,
 HOUSE BILL NO. 2386,
 HOUSE BILL NO. 2404,
 HOUSE BILL NO. 2405,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2406,
 HOUSE BILL NO. 2407,
 HOUSE BILL NO. 2408,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2414,
 SUBSTITUTE HOUSE BILL NO. 2420,
 HOUSE BILL NO. 2426,
 HOUSE BILL NO. 2436,
 HOUSE BILL NO. 2437,
 HOUSE BILL NO. 2438,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2439,
 HOUSE BILL NO. 2440,
 ENGROSSED HOUSE BILL NO. 2442,
 ENGROSSED HOUSE BILL NO. 2447,
 HOUSE BILL NO. 2450,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2451,
 SUBSTITUTE HOUSE BILL NO. 2467,
 HOUSE BILL NO. 2473,
 SUBSTITUTE HOUSE BILL NO. 2474,
 HOUSE BILL NO. 2479,
 SUBSTITUTE HOUSE BILL NO. 2481,
 HOUSE BILL NO. 2482,
 SECOND SUBSTITUTE HOUSE BILL NO. 2486,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2500,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2512,
 SUBSTITUTE HOUSE BILL NO. 2518,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524,
 HOUSE BILL NO. 2527,
 HOUSE BILL NO. 2530,
 SUBSTITUTE HOUSE BILL NO. 2531,
 HOUSE BILL NO. 2534,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2535,
 SUBSTITUTE HOUSE BILL NO. 2537,
 SUBSTITUTE HOUSE BILL NO. 2541,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2543,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2546,
 SUBSTITUTE HOUSE BILL NO. 2552,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2556,
 HOUSE BILL NO. 2573,
 SUBSTITUTE HOUSE BILL NO. 2576,
 ENGROSSED HOUSE BILL NO. 2582,
 HOUSE BILL NO. 2583,
 HOUSE BILL NO. 2590,
 SUBSTITUTE HOUSE BILL NO. 2592,
 SUBSTITUTE HOUSE BILL NO. 2593,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2594,
 HOUSE BILL NO. 2598,
 SUBSTITUTE HOUSE BILL NO. 2605,
 ENGROSSED HOUSE BILL NO. 2617,
 ENGROSSED HOUSE BILL NO. 2618,
 SUBSTITUTE HOUSE BILL NO. 2624,
 SUBSTITUTE HOUSE BILL NO. 2634,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2639,
 HOUSE BILL NO. 2642,
 SUBSTITUTE HOUSE BILL NO. 2644,
 HOUSE BILL NO. 2646,
 HOUSE BILL NO. 2647,
 SUBSTITUTE HOUSE BILL NO. 2665,
 SUBSTITUTE HOUSE BILL NO. 2675,
 HOUSE BILL NO. 2682,
 ENGROSSED HOUSE BILL NO. 2684,
 SUBSTITUTE HOUSE BILL NO. 2691,
 SUBSTITUTE HOUSE BILL NO. 2698,
 SUBSTITUTE HOUSE BILL NO. 2699,
 SUBSTITUTE HOUSE BILL NO. 2705,
 SUBSTITUTE HOUSE BILL NO. 2706,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2711,
 SUBSTITUTE HOUSE BILL NO. 2722,
 SUBSTITUTE HOUSE BILL NO. 2725,
 SECOND SUBSTITUTE HOUSE BILL NO. 2743,
 ENGROSSED HOUSE BILL NO. 2752,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2759,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2762,
 HOUSE BILL NO. 2777,
 HOUSE CONCURRENT RESOLUTION NO. 4416.

MOTION

At 11:53 p.m., on motion of Senator Fain, the 2013 Regular Session of the Sixty-Third Legislature adjourned SINE DIE.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

1005-S3	Speaker Signed	128
Other Action	1294-S	
1008	Other Action	148
Other Action	1298-S	
1011	Other Action	148
Other Action	1313-S	
1013	Other Action	148
Other Action	1339	
1017-S2	Other Action	148
Other Action	1348	
1027-S	Other Action	148
Other Action	1367	
1038-S	Other Action	148
Other Action	1402-S	
1043	Other Action	148
Other Action	1409-S	
1047-S	Other Action	148
Other Action	1413-S	
1063	Other Action	148
Other Action	1448-S	
1064	Other Action	148
Other Action	1467-S	
1072-S2	Other Action	148
Other Action	1484-S2	
1083-S	Other Action	147
Other Action	1486	
1103-S	Other Action	148
Other Action	1536-S	
1107-S	Other Action	148
Other Action	1538	
1118	Other Action	148
Other Action	1563-S2	
1145	Other Action	148
Other Action	1574-S2	
1156-S	Other Action	148
Other Action	1593	
1170-S2	Other Action	148
Other Action	1597	
1173	Other Action	148
Other Action	1635-S	
1179	Other Action	148
Other Action	1654-S	
1185	Other Action	148
Other Action	1674-S	
1224	Other Action	147
Messages	1675-S	
President Signed	Other Action	148
Speaker Signed	1684	
1251	Other Action	148
Other Action	1727-S2	
1260-S	Other Action	148
Messages	1769-S	
Other Action	Other Action	147
President Signed	1783	
Second Reading	Other Action	148
Speaker Signed	1805-S	
Third Reading Final Passage	Other Action	148
1267	1814-S	
Other Action	Other Action	148
1279-S	1817-S	
Other Action	Other Action	148
1286	1820-S	
Other Action	Other Action	147
1287-S	1838-S	
President Signed	Other Action	148

1843-S		2175-S	
Other Action.....	148	Messages.....	33
1858-S		President Signed.....	130
Other Action.....	148	Speaker Signed.....	128
1859		2177-S	
Other Action.....	148	Other Action.....	148
1888-S2		2178-S	
Other Action.....	148	Other Action.....	148
1892		2183-S	
Other Action.....	148	Other Action.....	148
1896		2196-S	
Other Action.....	148	Other Action.....	148
1902-S2		2197-S	
Other Action.....	148	Other Action.....	148
1909-S2		2201-S	
Other Action.....	148	Other Action.....	147
1950-S		2205-S	
Other Action.....	148	Other Action.....	148
1960-S2		2207-S2	
Other Action.....	148	Introduction & 1 st Reading.....	1
2002-S2		Messages.....	1
Other Action.....	147	Other Action.....	1
2017		President Signed.....	130
Other Action.....	148	Second Reading.....	39
2018-S		Speaker Signed.....	128
Other Action.....	148	Third Reading Final Passage.....	39
2029-S2		2215-S	
Messages.....	33	Other Action.....	148
President Signed.....	130	2219	
Speaker Signed.....	128	Other Action.....	148
2041-S2		2231	
Other Action.....	148	Other Action.....	148
2061		2235-S	
Other Action.....	148	Other Action.....	148
2074-S		2244-S	
Other Action.....	148	Other Action.....	147
2098-S		2254	
Other Action.....	148	Other Action.....	148
2121-S		2255-S	
Other Action.....	148	Other Action.....	148
2126-S		2278	
Other Action.....	148	Other Action.....	148
2127		2282-S	
Other Action.....	148	Other Action.....	148
2135-S		2285	
Other Action.....	148	Other Action.....	148
2148		2294	
Other Action.....	148	Other Action.....	148
2149-S2		2301	
Other Action.....	147	Other Action.....	148
2150-S		2302	
Other Action.....	148	Other Action.....	148
2152-S		2304-S	
Other Action.....	148	Introduction & 1 st Reading.....	34
2157-S		Messages.....	33
Other Action.....	148	Other Action.....	34
2162-S		President Signed.....	130
Other Action.....	148	Second Reading.....	40
2165-S		Speaker Signed.....	128
Other Action.....	148	Third Reading Final Passage.....	128
2166-S2		2306-S	
Other Action.....	148	Other Action.....	147
2169		2329	
Other Action.....	148	Other Action.....	148
2170		2331-S	
Other Action.....	148	Other Action.....	149

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

2332	Other Action	149	Other Action	149
2333-S2	Other Action	149	2408	Other Action
2334	Other Action	149	2410-S	Other Action
2335	Committee Report	129	2414-S	Other Action
	Messages	146	2415-S	Other Action
	Other Action	129	2420-S	Other Action
	President Signed	146	2426	Other Action
	Second Reading	129	2436	Other Action
	Speaker Signed	146	2437	Other Action
	Third Reading Final Passage	130	2438	Other Action
2336-S	Other Action	147	2439-S	Other Action
2339-S	Other Action	149	2440	Other Action
2341-S	Other Action	149	2442	Other Action
2347-S2	Other Action	149	2447	Other Action
2353-S	Other Action	149	2450	Other Action
2364-S	Other Action	149	2451-S	Other Action
2365-S	Other Action	149	2467-S	Other Action
2368-S	Other Action	149	2473	Other Action
2371-S	Other Action	149	2474-S	Other Action
2372-S	Other Action	149	2479	Other Action
2373-S	Other Action	149	2481-S	Other Action
2374-S	Other Action	149	2482	Other Action
2376-S	Other Action	149	2486-S2	Other Action
2377-S2	Other Action	147	2500-S	Other Action
2378-S	Other Action	149	2512-S	Other Action
2381	Other Action	149	2517-S2	Other Action
2383-S2	Other Action	147	2518-S	Other Action
2386	Other Action	149	2524-S	Other Action
2397	Introduction & 1 st Reading	129	2527	Other Action
	Messages	33	2530	Other Action
	Other Action	129	2531-S	Other Action
	President Signed	140	2534	Other Action
	Second Reading	129	2406-S	Other Action
	Speaker Signed	140	2407	Other Action
	Third Reading Final Passage	129		

2537-S	Other Action.....	149	2644-S	Other Action	149
2540-S2	Other Action.....	147	2646	Other Action	149
2541-S	Other Action.....	149	2647	Other Action	149
2543-S	Other Action.....	149	2651-S	Other Action	148
2546-S	Other Action.....	149	2665-S	Other Action	149
2552-S	Other Action.....	149	2675-S	Other Action	149
2553	Other Action.....	147	2682	Other Action	149
2556-S	Other Action.....	149	2684	Other Action	149
2558	Other Action.....	148	2691-S	Other Action	149
2572-S2	Messages	134	2694-S2	Other Action	148
	Other Action.....	39	2698-S	Other Action	149
	President Signed.....	140	2699-S	Other Action	149
	Second Reading.....	34, 38, 39	2705-S	Other Action	149
	Speaker Signed.....	140	2706-S	Other Action	149
	Third Reading Final Passage.....	39	2711-S	Other Action	149
2573	Other Action.....	149	2719-S	Other Action	148
2576-S	Other Action.....	149	2722-S	Other Action	149
2582	Other Action.....	149	2725-S	Other Action	149
2583	Other Action.....	149	2743-S2	Other Action	149
2585	President Signed.....	140	2746-S	Committee Report.....	129
	Second Reading.....	131		Messages.....	145
	Speaker Signed.....	140		Other Action	130
	Third Reading Final Passage.....	131		President Signed.....	146
2590	Other Action.....	149		Second Reading	130
2592-S	Other Action.....	149		Speaker Signed	146
2593-S	Other Action.....	149		Third Reading Final Passage.....	130
2594-S	Other Action.....	149	2748-S	Other Action	148
2598	Other Action.....	149	2752	Other Action	149
2605-S	Other Action.....	149	2759-S	Other Action	149
2610-S	Other Action.....	148	2762-S	Other Action	149
2617	Other Action.....	149	2777	Other Action	149
2618	Other Action.....	149	2790	Other Action	148
2624-S	Other Action.....	149	2794	Other Action	148
2634-S	Other Action.....	149	2797	Other Action	148
2639-S2	Other Action.....	149	2798	President Signed.....	130
2642	Other Action.....	149		Speaker Signed	128
2643-S2	Other Action.....	148	4416		

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

Other Action.....	149	Messages.....	147
5020-S		5972-S	
Messages.....	146	President Signed.....	2
5045-S		Speaker Signed.....	128
Speaker Signed.....	128	5975-S	
5097		Messages.....	147
Messages.....	146	5979	
5112		Messages.....	147
Messages.....	146	5981	
5127-S		Messages.....	134
Messages.....	146	President Signed.....	134
5138-S		Speaker Signed.....	146
Messages.....	146	5991-S	
5158		Messages.....	147
Messages.....	146	5996-S	
5173-S		Messages.....	147
Speaker Signed.....	128	6001-S	
5199-S2		President Signed.....	2
Messages.....	146	Speaker Signed.....	128
5318		6002-S	
Messages.....	137	FP as rec by CC.....	127
President Signed.....	138	Messages.....	33
Speaker Signed.....	146	President Signed.....	130
5334-S		Speaker Signed.....	139
Messages.....	146	6005-S	
5430		Messages.....	147
Messages.....	146	6008-S	
5514		Messages.....	147
Messages.....	146	6010	
5540-S2		Messages.....	147
Messages.....	146	6011	
5633		Messages.....	147
Messages.....	147	6017-S	
5676-S		Messages.....	147
Messages.....	147	6020-S	
5691-S		Other Action.....	32
Messages.....	137	6022	
President Signed.....	138	Messages.....	147
Speaker Signed.....	146	6025	
5697-S		Messages.....	147
Messages.....	147	6028-S	
5731-S		Messages.....	147
Messages.....	147	6040-S	
5872-S		Final Passage as amended by House.....	16
Messages.....	147	Messages.....	2
5875		Other Action.....	16
Second Reading.....	134	President Signed.....	39
5875-S		Speaker Signed.....	128
Messages.....	144	6045	
Other Action.....	136	Messages.....	147
President Signed.....	145	6047	
Second Reading.....	134	Messages.....	147
Speaker Signed.....	146	6049-S	
Third Reading Final Passage.....	137	Messages.....	147
5886-S		6050-S	
Messages.....	147	Messages.....	147
5887-S3		6052-S	
Messages.....	147	Messages.....	147
5910		6057-S	
Messages.....	147	Messages.....	147
5957		6058-S	
Messages.....	147	Messages.....	147
5965-S		6059	
Messages.....	147	Messages.....	147
5970		6060-S	

Messages	147	Messages	147
6064-S		6249-S2	
Messages	147	Messages	147
6076-S		6250-S	
Messages	147	Messages	147
6077		6259-S	
Messages	147	Messages	147
6079		6265-S	
Messages	147	President Signed.....	2
6081-S		Speaker Signed	128
Messages	147	6280-S	
6086-S		Messages	147
Speaker Signed	128	6283-S	
6094-S		Final Passage as amended by House	33, 141
Messages	147	Messages	33, 140
6096-S2		Other Action	33, 141
Messages	147	President Signed.....	145
6104-S		Speaker Signed	146
Messages	147	6286-S	
6105-S		Messages	147
Messages	147	6290-S	
6110-S		Messages	147
Messages	147	6297-S	
6114		Messages	147
Messages	147	6312-S2	
6122		President Signed.....	2
Messages	147	Speaker Signed	128
6125		6327	
Messages	147	Messages	147
6129-S		6338	
Speaker Signed	128	Messages	147
6133		6340	
Messages	147	Messages	147
6138		6362-S	
Messages	147	Messages	147
6141		6387-S	
Speaker Signed	128	Final Passage as amended by House	144
6143		Messages	141
Messages	147	Other Action	143
6150-S		President Signed.....	145
Messages	147	Speaker Signed	146
6157		6388-S	
Messages	147	Speaker Signed	128
6179-S		6402-S2	
Messages	147	Messages	147
6180		6418-S	
Messages	1	Messages	147
President Signed	2	6423-S2	
Speaker Signed	128	Messages	147
6181-S		6430-S	
Messages	147	Messages	147
6194		6439-S	
Messages	147	Messages	147
6206		6440-S	
Messages	147	President Signed.....	2
6207-S		Speaker Signed	128
Messages	147	6445	
6211-S		Messages	147
Messages	147	6458	
6215-S2		Speaker Signed	128
Messages	147	6464	
6220		Messages	147
Messages	147	6472-S	
6237-S		Messages	147
Messages	147	6478-S	
6248		Messages	147

SIXTIETH DAY, MARCH 13, 2014

2014 REGULAR SESSION

6497
 Messages 147

6499-S
 Messages 147

6505
 Messages 1
 President Signed 2
 Speaker Signed 128

6512-S
 Messages 147

6515-S
 Messages 147

6516-S
 Messages 147

6518-S2
 Final Passage as amended by House 26
 Messages 23
 Other Action 26
 President Signed 39
 Speaker Signed 128

6519
 Messages 147

6542-S
 Messages 147

6549
 Messages 147

6550
 Messages 147

6552-S2
 Final Passage as amended by House 23
 Messages 17
 Other Action 23
 President Signed 40
 Speaker Signed 128

6555
 Messages 147

6558-S
 Messages 147

6570-S
 Speaker Signed 128

6572-S
 Messages 147

6573
 Messages 1
 President Signed 2
 Speaker Signed 128

8015
 Messages 147

8410
 Adopted 144
 Introduction & 1st Reading 144
 Messages 146
 Other Action 144
 President Signed 146
 Second Reading 144
 Speaker Signed 146

8411
 Adopted 144

Introduction & 1st Reading 144
 Messages 146
 Other Action 144
 President Signed 146
 Second Reading 144
 Speaker Signed 146

8719
 Adopted 145
 Introduced 145

8722
 Adopted 145
 Introduced 144

9114 Roy Heynderickx
 Confirmed 1

9120 Takiyah Jackson
 Confirmed 28

9144 Maryann J Moreno
 Confirmed 137

9154 Charlotte Parsley
 Confirmed 138

9184 Barbara A Taylor
 Confirmed 138

9187 Jodi N Thew
 Confirmed 139

9201 Noah Zeichner
 Confirmed 139

9212 Mary Meinig
 Confirmed 138

9227 Nancy K Fitta
 Confirmed 139

PRESIDENT OF THE SENATE
 Remarks by the President 26, 27, 133
 Reply by the President 27, 32, 40, 131

WASHINGTON STATE SENATE
 Parliamentary Inquiry, Senator Benton 40
 Parliamentary Inquiry, Senator Nelson 32
 Personal Privilege, Senator Angel 17
 Personal Privilege, Senator Baumgartner 16, 27, 131
 Personal Privilege, Senator Becker 27, 132
 Personal Privilege, Senator Benton 17, 27
 Personal Privilege, Senator Conway 133
 Personal Privilege, Senator Dammeier 27
 Personal Privilege, Senator Eide 133
 Personal Privilege, Senator Fraser 130, 132
 Personal Privilege, Senator Hargrove 26, 131
 Personal Privilege, Senator Hewitt 26
 Personal Privilege, Senator Hobbs 16, 133
 Personal Privilege, Senator Kline 17, 28
 Personal Privilege, Senator Kohl-Welles 134
 Personal Privilege, Senator McAuliffe 137
 Personal Privilege, Senator Padden 132
 Personal Privilege, Senator Pedersen 26
 Personal Privilege, Senator Roach 27
 Personal Privilege, Senator Sheldon 131
 Point of Order, Senator Fain 32
 Point of Order, Senator Padden 40
 Remarks by Senator Kohl-Welles 40