
EIGHTY NINTH DAY

House Chamber, Olympia, Friday, April 12, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lily Goldsmith and Jayden Gilmore. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rabbi Seth Goldstein, Temple Beth Hatfiloh, Olympia, Washington.

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

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

INTRODUCTIONS AND FIRST READINGHB 2029 by Representative Morris

Eliminating economic development-related agencies, boards, and commissions.

Referred to Committee on Appropriations.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

REPORTS OF STANDING COMMITTEES

April 12, 2013

HB 1088 Prime Sponsor, Representative Dunshee: Concerning state general obligation bonds and related accounts. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Appleton; Fey; Riccelli; Scott; Smith and Stonier.

April 12, 2013

HB 1089 Prime Sponsor, Representative Dunshee: Adopting the 2013-2015 capital budget. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; MacEwen, Assistant Ranking

Minority Member; Appleton; Fey; Riccelli; Scott; Smith and Stonier.

April 8, 2013

HB 1864 Prime Sponsor, Representative Clibborn: Making transportation appropriations for the 2011-2013 and 2013-2015 fiscal biennia. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Johnson; Kochmar; Moeller; Morris; Riccelli; Takko; Tarleton; Uptegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes; Klippert; Kretz; Kristiansen; O'Ban; Rodne and Shea.

April 11, 2013

ESSB 5034 Prime Sponsor, Committee on Ways & Means: Making omnibus operating appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Format changed to accommodate text:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2013, and ending June 30, 2015, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) "Fiscal year 2014" or "FY 2014" means the fiscal year ending June 30, 2014.

(b) "Fiscal year 2015" or "FY 2015" means the fiscal year ending June 30, 2015.

(c) "FTE" means full time equivalent.

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

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

PART I

GENERAL GOVERNMENT

NEW SECTION. Sec. 101. FOR THE HOUSE OF REPRESENTATIVES

General Fund--State Appropriation (FY 2014)	\$30,919,000
General Fund--State Appropriation (FY 2015)	\$31,261,000
Motor Vehicle Account--State Appropriation	\$1,765,000
TOTAL APPROPRIATION	\$63,945,000

The appropriations in this section are subject to the following conditions and limitations: \$8,000 of the general fund--state appropriation for fiscal year 2014 and \$7,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1631 (aging/population services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 102. FOR THE SENATE

General Fund--State Appropriation (FY 2014)	\$21,258,000
General Fund--State Appropriation (FY 2015)	\$23,552,000
Motor Vehicle Account--State Appropriation	\$1,514,000
TOTAL APPROPRIATION	\$46,324,000

The appropriations in this section are subject to the following conditions and limitations: \$8,000 of the general fund--state appropriation for fiscal year 2014 and \$7,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1631 (aging/population services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 103. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

General Fund--State Appropriation (FY 2014)	\$2,973,000
General Fund--State Appropriation (FY 2015)	\$3,108,000
Medical Aid Account--State Appropriation	\$332,000
Accident Account--State Appropriation	\$332,000
TOTAL APPROPRIATION	\$6,745,000

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) \$29,000 of the general fund--state appropriation for fiscal year 2014 and \$22,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Substitute House Bill No. 1558 (honey beekeepers/taxation). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(3) \$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).

(4) \$98,000 of the general fund--state appropriation for fiscal year 2014 and \$225,000 of the general fund--state appropriation for fiscal year 2015 are provided for consultant and staff costs related to the economic analysis of tax preferences as directed by chapter 43.136 RCW.

(5) Within the amounts appropriated in this section, the committee shall conduct a study of how the fiscal note process contributes to quality and accuracy in estimating the fiscal impact of proposed legislation. The study will focus on comparing processes to established cost estimating standards and reviewing the processes used in other states.

(6) \$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 implementation of section 5 of Engrossed Substitute House Bill No. 1252 (k-12 online professional development). If section 5 of the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 104. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund--State Appropriation (FY 2014)	\$1,656,000
General Fund--State Appropriation (FY 2015)	\$1,815,000

TOTAL APPROPRIATION \$3,471,000

NEW SECTION. Sec. 105. FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE

General Fund--State Appropriation (FY 2014) \$8,014,000

General Fund--State Appropriation (FY 2015) \$7,992,000

TOTAL APPROPRIATION \$16,006,000

NEW SECTION. Sec. 106. FOR THE OFFICE OF THE STATE ACTUARY

Department of Retirement Systems Expense

Account--State Appropriation \$3,540,000

NEW SECTION. Sec. 107. FOR THE STATUTE LAW COMMITTEE

General Fund--State Appropriation (FY 2014) \$3,909,000

General Fund--State Appropriation (FY 2015) \$4,123,000

TOTAL APPROPRIATION \$8,032,000

NEW SECTION. Sec. 108. FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES

General Fund--State Appropriation (FY 2014) \$3,694,000

General Fund--State Appropriation (FY 2015) \$3,700,000

TOTAL APPROPRIATION \$7,394,000

NEW SECTION. Sec. 109. LEGISLATIVE AGENCIES

In order to achieve operating efficiencies within the financial resources available to the legislative branch, the executive rules committee of the house of representatives and the facilities and operations committee of the senate by joint action may transfer funds among the house of representatives, senate, joint legislative audit and review committee, legislative evaluation and accountability program committee, joint transportation committee, office of the state actuary, joint legislative systems committee, statute law committee, and office of legislative support services.

NEW SECTION. Sec. 110. FOR THE SUPREME COURT

General Fund--State Appropriation (FY 2014) \$6,936,000

General Fund--State Appropriation (FY 2015) \$6,873,000

TOTAL APPROPRIATION \$13,809,000

NEW SECTION. Sec. 111. FOR THE LAW LIBRARY

General Fund--State Appropriation (FY 2014) \$1,488,000

General Fund--State Appropriation (FY 2015) \$1,477,000

TOTAL APPROPRIATION \$2,965,000

NEW SECTION. Sec. 112. FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund--State Appropriation (FY 2014) \$1,072,000

General Fund--State Appropriation (FY 2015) \$999,000

TOTAL APPROPRIATION \$2,071,000

NEW SECTION. Sec. 113. FOR THE COURT OF APPEALS

General Fund--State Appropriation (FY 2014) \$15,829,000

General Fund--State Appropriation (FY 2015) \$15,745,000

TOTAL APPROPRIATION \$31,574,000

NEW SECTION. Sec. 114. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund--State Appropriation (FY 2014) \$46,554,000

General Fund--State Appropriation (FY 2015) \$46,332,000

General Fund--Federal Appropriation \$2,125,000

General Fund--Private/Local Appropriation \$658,000

Judicial Information Systems Account--State

Appropriation \$45,219,000

Judicial Stabilization Trust Account--State

Appropriation \$6,691,000

TOTAL APPROPRIATION \$147,579,000

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. Amounts provided in this subsection may not be expended until the office of the chief information officer approves a plan developed by the administrative office of the courts and the judicial information systems committee to move the judicial branch 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 administrative office of the courts and the judicial information systems committee have begun implementation of the plan.

(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. Amounts provided in this subsection may not be expended until the office of the chief information officer approves a plan developed by the administrative office of the courts and the judicial information systems committee to move the judicial branch 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 administrative office of the courts and the judicial information systems committee have begun implementation of the plan.

(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.

(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.

(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 provided solely for the implementation of House Bill No. 1159 (superior court judges Whatcom county). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse. 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.

(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 provided solely for the implementation of House Bill No. 1175 (superior court judges Benton/Franklin counties). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse. 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.

(7) \$518,000 of the judicial information systems account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1651 (juvenile records access). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(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. Once a contract with the vendor is in effect, the superior court case management system project steering committee must continue to provide contract oversight, in collaboration with the judicial information system committee, through the implementation period of the project. Oversight responsibilities must include, but are not limited to, contract negotiations, 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 must operate under the same charter agreements entered into under earlier phases of the project. The superior court case management system project steering committee may solicit input from user groups as deemed appropriate. The senate ways and means committee chair, or designee, and the house appropriations committee chair, or designee, shall be added as full voting members of the judicial information system committee.

NEW SECTION. Sec. 115. FOR THE OFFICE OF PUBLIC DEFENSE

General Fund--State Appropriation (FY 2014)	\$30,464,000
General Fund--State Appropriation (FY 2015)	\$33,776,000
Judicial Stabilization Trust Account--State Appropriation	\$3,648,000
General Fund--Federal Appropriation	\$152,000
TOTAL APPROPRIATION	\$68,040,000

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 program into Asotin, Columbia, Garfield, King, Whatcom, and Whitman counties.

NEW SECTION. Sec. 116. FOR THE OFFICE OF CIVIL LEGAL AID

General Fund--State Appropriation (FY 2014)	\$10,862,000
General Fund--State Appropriation (FY 2015)	\$10,870,000
Judicial Stabilization Trust Account--State Appropriation	\$1,454,000
TOTAL APPROPRIATION	\$23,186,000

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

NEW SECTION. Sec. 117. FOR THE OFFICE OF THE GOVERNOR

General Fund--State Appropriation (FY 2014)	\$5,696,000
General Fund--State Appropriation (FY 2015)	\$5,262,000
Economic Development Strategic Reserve Account--State Appropriation	\$4,000,000
TOTAL APPROPRIATION	\$14,958,000

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) \$27,000 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 Second Substitute House Bill No. 1680 (educational opportunity gap). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) \$202,000 of the 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.

NEW SECTION. Sec. 118. FOR THE LIEUTENANT GOVERNOR

General Fund--State Appropriation (FY 2014)	\$656,000
General Fund--State Appropriation (FY 2015)	\$662,000
General Fund--Private/Local Appropriation	\$90,000

TOTAL APPROPRIATION \$1,408,000

NEW SECTION. Sec. 119. FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund--State Appropriation (FY 2014) \$2,079,000

General Fund--State Appropriation (FY 2015) \$2,011,000

TOTAL APPROPRIATION \$4,090,000

NEW SECTION. Sec. 120. FOR THE SECRETARY OF STATE

General Fund--State Appropriation (FY 2014) \$10,124,000

General Fund--State Appropriation (FY 2015) \$8,442,000

General Fund--Federal Appropriation \$7,411,000

Public Records Efficiency, Preservation, and Access

Account--State Appropriation \$7,343,000

Charitable Organization Education Account--State

Appropriation \$364,000

Local Government Archives Account--State

Appropriation \$8,471,000

Election Account--Federal Appropriation \$12,021,000

Washington State Heritage Center Account--State

Appropriation \$8,860,000

TOTAL APPROPRIATION \$63,036,000

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

(1) \$3,101,000 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) \$60,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Engrossed House Bill No. 1267 (voter registration). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 121. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund--State Appropriation (FY 2014) \$253,000

General Fund--State Appropriation (FY 2015) \$250,000

TOTAL APPROPRIATION \$503,000

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.

NEW SECTION. Sec. 122. FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund--State Appropriation (FY 2014) \$213,000

General Fund--State Appropriation (FY 2015) \$208,000

TOTAL APPROPRIATION \$421,000

NEW SECTION. Sec. 123. FOR THE STATE TREASURER

General Fund--State Appropriation (FY 2014) \$100,000

General Fund--State Appropriation (FY 2015) \$25,000

State Treasurer's Service Account--State

Appropriation \$15,585,000

TOTAL APPROPRIATION \$15,710,000

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

(1) \$100,000 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 implementation of Engrossed Second Substitute House Bill No. 1828 (local government fiscal conditions). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(2) \$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.

NEW SECTION. Sec. 124. FOR THE STATE AUDITOR

General Fund--State Appropriation (FY 2014)	\$728,000	
General Fund--State Appropriation (FY 2015)	\$733,000	
State Auditing Services Revolving Account--State Appropriation	\$9,535,000	
Performance Audit of Government Account--State Appropriation	\$46,000	
TOTAL APPROPRIATION		\$11,042,000

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

(1) Audits of school districts by the division of municipal corporations shall include findings regarding the accuracy of: (a) Student enrollment data; and (b) the experience and education of the district's certified instructional staff, as reported to the superintendent of public instruction for allocation of state funding.

(2) \$728,000 of the general fund--state appropriation for fiscal year 2014 and \$733,000 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.

(3) Within the amounts appropriated in this section, the state auditor shall continue to complete the annual audit of the state's comprehensive annual financial report and the annual federal single audit consistent with the auditing standards generally accepted in the United States and the standards applicable to financial audits contained in government auditing standards, issued by the comptroller general of the United States, and OMB circular A-133, audits of states, local governments, and nonprofit organizations.

NEW SECTION. Sec. 125. FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund--State Appropriation (FY 2014)	\$141,000	
General Fund--State Appropriation (FY 2015)	\$172,000	
TOTAL APPROPRIATION		\$313,000

NEW SECTION. Sec. 126. FOR THE ATTORNEY GENERAL

General Fund--State Appropriation (FY 2014)	\$10,086,000	
General Fund--State Appropriation (FY 2015)	\$9,774,000	
General Fund--Federal Appropriation	\$7,114,000	
New Motor Vehicle Arbitration Account--State Appropriation	\$991,000	
Legal Services Revolving Account--State Appropriation	\$191,245,000	
Tobacco Prevention and Control Account--State Appropriation	\$271,000	
Medicaid Fraud Penalty Account--State Appropriation		\$2,279,000
Public Services Revolving Account--State Appropriation	\$2,093,000	
TOTAL APPROPRIATION		\$223,853,000

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 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 the provisions of 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 and the provisions of section 944 of this act, information systems projects.

(7) \$38,000 of the legal services revolving account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1294 (flame retardants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(8) \$131,000 of the legal services revolving account--state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1302 (extended foster care). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(9) \$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.

(10) \$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.

(11) \$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.

NEW SECTION. Sec. 127. FOR THE CASELOAD FORECAST COUNCIL

General Fund--State Appropriation (FY 2014)	\$1,377,000
General Fund--State Appropriation (FY 2015)	\$1,347,000
TOTAL APPROPRIATION	\$2,724,000

The appropriations in this section are subject to the following conditions and limitations: \$115,000 of the general fund--state appropriation for fiscal year 2014 and \$115,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Engrossed House Bill No. 1900 (students/caseload forecasts). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 128. FOR THE DEPARTMENT OF COMMERCE

General Fund--State Appropriation (FY 2014)	\$77,848,000
General Fund--State Appropriation (FY 2015)	\$75,087,000
General Fund--Federal Appropriation	\$264,934,000
General Fund--Private/Local Appropriation	\$5,609,000
Public Works Assistance Account--State Appropriation	\$7,227,000
Drinking Water Assistance Administrative 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	\$30,441,000
Affordable Housing for All Account--State Appropriation	\$11,912,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account--State Appropriation	\$969,000
Low-Income Weatherization Assistance Account--State Appropriation	\$1,881,000
Community and Economic Development Fee Account--State Appropriation	\$5,298,000
Washington Housing Trust Account--State Appropriation	\$19,559,000
Prostitution Prevention and Intervention Account-- State Appropriation	\$98,000
Public Facility Construction Loan Revolving Account--State Appropriation	\$985,000
Washington Community Technology Opportunity Account-- Private/Local Appropriation	\$10,000
Liquor Revolving Account--State Appropriation	\$5,605,000
TOTAL APPROPRIATION	\$508,065,000

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 so that smaller cities receive proportionately more assistance than larger cities or counties.

(5) \$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.

(6) \$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.

(7) \$198,000 of the general fund--state appropriation for fiscal year 2014 and \$198,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington new Americans program.

(8) \$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.

(9) \$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.

(10) \$39,527,000 of the general fund--state appropriation for fiscal year 2014 and \$39,527,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the essential needs and housing support program created in chapter 36, 2011 1st sp. sess. The department of commerce shall contract for these services with counties or community-based organizations involved in providing essential needs and housing supports to low-income persons who meet eligibility pursuant to chapter 36, 2011 1st sp. sess. The department shall limit the funding used for administration of the program to no more than five percent. Counties and community providers shall limit the funding used for administration of the program to no more than seven percent.

(a) Of the amounts provided in this subsection, \$5,000,000 is provided solely for essential needs to clients who meet the eligibility established in chapter 36, 2011 1st sp. sess. Counties and community-based organizations shall distribute basic essential products in a manner that prevents abuse. To the greatest extent possible, the counties or community-based organizations shall leverage local or private funds, and volunteer support to acquire and distribute the basic essential products.

(b) Of the amounts provided in this subsection, \$74,000,000 is provided solely for housing support services to individuals who are homeless or who may become homeless, and are eligible for services under this program pursuant to chapter 36, 2011 1st sp. sess.

(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) Through a competitive process, the department must contract with an entity with statewide tourism experience that has a principal office located in Washington. Expenditure of state moneys is contingent upon the contractor providing a dollar for dollar cash 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 18 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 December 1, 2015, to the economic development committees of the legislature.

(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 the purposes of expanding foreign trade offices and providing sector-based export assistance to businesses. The department must engage Oregon, Idaho, Montana, Alaska, Hawaii, British Columbia, Alberta, Saskatchewan, and Yukon as well as associate development organizations, the small business development centers export readiness centers, the export finance assistance center of Washington, chambers of commerce, international trade organizations, and ports to leverage the funds provided and maximize the investment in foreign outreach. 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. The department must develop performance metrics and measure at a minimum, business hand-offs between partners for the provision of additional services, the number of assisted businesses, the number of assisted businesses that export, and the amount of assisted export sales. The measurements must also include an analysis of the sectors served and results.

(14) \$2,304,000 of the general fund--state appropriation for fiscal year 2014 and \$2,306,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for facilitating technology transfer and commercialization activities, and supporting business growth in technology sectors.

(a) Through a competitive process, the department must contract with an entity with a principal office located in Washington with experience facilitating interaction between the state's higher education institutions and the states technology-based companies on commercialization and technology transfer activities. Expenditure of state moneys must be provided for following services:

(i) Supporting 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;

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

(iii) Working 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;

- (iv) Administering technology and innovation grant and loan programs including bridge funding programs for the state's technology sector;
- (v) Working with impact Washington to ensure that customers have ready access to each other's services; and
- (vi) Reaching out to firms operating in the state's innovation partnership zones.

(b) The department may not use more than 18 percent of the funds to administer, monitor, and report the outcomes of the services provided. The department must electronically submit performance metrics by January 1, 2014, and report the outcomes of the services by December 1, 2014, to the economic development committees of the legislature.

(15) \$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 to the northwest agriculture business center. Expenditure of state moneys is contingent upon the northwest agriculture business center providing a fifty percent cash match for each state dollar.

(16) \$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.

(17) \$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.

(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 for implementation of Engrossed Substitute House Bill No. 1819 (digital infrastructure maps). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(19) \$100,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the department to conduct an economic cluster analysis of the policies impacting the financial services sector with the objective of building and strengthening the industry's presence in Washington. The department shall examine regulatory, workforce, tax and infrastructure issues and determine strategies to encourage the industry, including private equity, wealth management, and hedge firms and related entities from other states and internationally to locate in Washington. The department shall report to the legislature by December 1, 2013, with recommendations for legislative action.

(20) \$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 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.

(21) \$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.

(22) \$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.

(23) \$7,500,000 of the home security fund is provided solely for expenditure into the transitional housing operating and rent account.

(24) \$892,000 of the general fund--state appropriation for fiscal year 2014 and \$894,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for community mobilization grants to counties.

(25) \$4,000,000 of the general fund--state appropriation for fiscal year 2014 and \$850,000 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 Hospital campus 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.

NEW SECTION. Sec. 129. FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund--State Appropriation (FY 2014) \$765,000

General Fund--State Appropriation (FY 2015) \$804,000

Lottery Administrative Account--State Appropriation \$50,000

TOTAL APPROPRIATION \$1,619,000

NEW SECTION. Sec. 130. FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund--State Appropriation (FY 2014) \$19,831,000

General Fund--State Appropriation (FY 2015) \$19,918,000

General Fund--Federal Appropriation \$31,342,000

General Fund--Private/Local Appropriation \$370,000

Economic Development Strategic Reserve Account--State

Appropriation \$289,000

Department of Personnel Services--State

Appropriation \$8,629,000

Data Processing Revolving Account--State

Appropriation \$6,031,000

Higher Education Personnel Services Account--State

Appropriation \$1,497,000

TOTAL APPROPRIATION \$87,907,000

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

(1) \$31,000 of the general fund--state appropriation for fiscal year 2014 and \$29,000 of the general fund--state appropriation for fiscal year 2015 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.

(2) \$38,000 of the general fund--state appropriation for fiscal year 2014 and \$15,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1680 (educational opportunity gap). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(3) \$39,000 of the general fund--state appropriation for fiscal year 2014 and \$7,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1631 (aging/population services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) \$175,000 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.

(5) \$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 to increase the number of state volunteers and improve the effectiveness of volunteer engagement, consistent with a state plan for implementing volunteerism. The funds shall be distributed to nonprofits and volunteer centers through a competitive grant process by the office of financial management. Consideration shall be given to proposals that carry out state goals in areas such as drop-out prevention, respite care for families, improving reading scores, and the engagement of veterans, boomers, and high school students. The nonprofit community shall be consulted about criteria for awarding grants, minimizing administration burden on nonprofits, and to encouraging participation throughout the state. The office of financial management may consult with or contract with the state commission promoting volunteer service in carrying out this subsection.

NEW SECTION. Sec. 131. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Account--State

Appropriation \$37,749,000

Minority and Women's Business Enterprises

Account--State Appropriation \$75,000

TOTAL APPROPRIATION \$37,824,000

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

(1) \$75,000 of the minority and women's business enterprises account--state appropriation is provided for adjudicative services related to implementation of Substitute House Bill No. 1674 (increasing regulatory oversight). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(2) \$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 and the provisions of section 944 of this act, information systems projects.

NEW SECTION. Sec. 132. FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account--State

Appropriation \$25,594,000

NEW SECTION. Sec. 133. FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund--State Appropriation (FY 2014) \$238,000

General Fund--State Appropriation (FY 2015) \$236,000

TOTAL APPROPRIATION \$474,000

NEW SECTION. Sec. 134. FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund--State Appropriation (FY 2014) \$233,000

General Fund--State Appropriation (FY 2015) \$225,000

TOTAL APPROPRIATION \$458,000

NEW SECTION. Sec. 135. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS

Department of Retirement Systems Expense

Account--State Appropriation \$50,269,000

The appropriation in this section is subject to the following conditions and limitations: \$72,000 of the department of retirement systems expense account--state appropriation is provided solely for the administrative costs associated with implementation of Substitute House Bill No. 2018 (regarding additional contribution rates for employers of the Washington state retirement systems). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 136. FOR THE DEPARTMENT OF REVENUE

General Fund--State Appropriation (FY 2014) \$108,486,000

General Fund--State Appropriation (FY 2015) \$110,855,000

Timber Tax Distribution Account--State Appropriation \$6,079,000

Waste Reduction/Recycling/Litter Control--State

Appropriation \$132,000

State Toxics Control Account--State Appropriation \$91,000

Master License Fund--State Appropriation \$18,606,000

TOTAL APPROPRIATION \$244,249,000

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) \$605,000 of the general fund--state appropriation for fiscal year 2014, \$4,650,000 of the general fund--state appropriation for fiscal year 2015, and \$6,348,000 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 and the provisions of section 944 of this act.

NEW SECTION. Sec. 137. FOR THE BOARD OF TAX APPEALS

General Fund--State Appropriation (FY 2014)	\$1,428,000
General Fund--State Appropriation (FY 2015)	\$1,390,000
TOTAL APPROPRIATION	\$2,818,000

The appropriations in this section are subject to the following conditions and limitations: \$210,000 of the general fund--state appropriation for fiscal year 2014 and \$210,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to support additional hearings officers to address the backlog in appeals cases and to improve services to taxpayers and taxing authorities.

NEW SECTION. Sec. 138. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account--State Appropriation \$4,660,000

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

(1) \$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. 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) \$570,000 of the minority and women's business enterprises account--state appropriation is provided to implement Substitute House Bill No. 1674 (increasing regulatory oversight). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 139. FOR THE INSURANCE COMMISSIONER

General Fund--State Appropriation (FY 2014)	\$600,000
General Fund--State Appropriation (FY 2015)	\$600,000
General Fund--Federal Appropriation	\$4,492,000
Health Benefit Exchange Account--State Appropriation	\$676,000
Insurance Commissioners Regulatory Account--State Appropriation	\$49,324,000
TOTAL APPROPRIATION	\$55,692,000

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

NEW SECTION. Sec. 140. FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account--State
Appropriation \$35,961,000

NEW SECTION. Sec. 141. FOR THE LIQUOR CONTROL BOARD

Liquor Revolving Account--State Appropriation	\$65,934,000
General Fund--Federal Appropriation	\$945,000
General Fund--Private/Local Appropriation	\$25,000
TOTAL APPROPRIATION	\$66,904,000

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) Within the amounts appropriated in this section from the liquor revolving account--state appropriation, the liquor control board must work with the department of revenue, the department of health, and affected stakeholders to develop proposed legislation regarding the integration of a regulated medical marijuana market with the recreational marijuana market.

At minimum, the proposed legislation should address the following:

- Agency requirements to regulate medical marijuana and health care providers and administer and collect taxes;
- Licensing and regulation provisions for medical marijuana producers, processors, and retailers;
- Regulations regarding the oversight of health care professionals that authorize the use of medical marijuana for their patients;
- Rules regarding collective gardens, possession amounts, and age limits; and
- Implementation of a tax structure for the medical marijuana market.

The board shall submit the proposed legislation to the legislature by December 15, 2013.

NEW SECTION. Sec. 142. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

General Fund--Federal Appropriation	\$150,000
General Fund--Private/Local Appropriation	\$11,224,000
Public Service Revolving Account--State Appropriation	\$29,698,000
Pipeline Safety Account--State Appropriation	\$4,480,000
Pipeline Safety Account--Federal Appropriation	\$1,932,000
TOTAL APPROPRIATION	\$47,484,000

The appropriations in this section are subject to the following conditions and limitations: 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 a compact that protects essential services while increasing regulatory effectiveness and efficiencies through economies of scale. The compact shall become operative immediately upon approval by the respective legislatures.

NEW SECTION. Sec. 143. FOR THE MILITARY DEPARTMENT

General Fund--State Appropriation (FY 2014)	\$7,314,000
General Fund--State Appropriation (FY 2015)	\$7,249,000

General Fund--Federal Appropriation	\$140,082,000
Enhanced 911 Account--State Appropriation	\$48,668,000
Disaster Response Account--State Appropriation	\$14,525,000
Disaster Response Account--Federal Appropriation	\$53,253,000
Military Department Rent and Lease Account--State Appropriation	\$615,000
Worker and Community Right-to-Know Account--State Appropriation	\$2,993,000
TOTAL APPROPRIATION	\$274,699,000

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

(1) \$14,525,000 of the disaster response account--state appropriation and \$53,253,000 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 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) \$81,000 of the general fund--state appropriation for fiscal year 2014 and \$80,000 of the general fund--state appropriation for year 2015 are provided solely to implement Second Substitute House Bill No. 1158 (annexation/military purposes). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) \$200,000 of worker and community right-to-know--state appropriation is provided solely to establish one FTE to initiate and coordinate a statewide continuity of operations program for state government.

NEW SECTION. Sec. 144. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund--State Appropriation (FY 2014)	\$1,966,000
General Fund--State Appropriation (FY 2015)	\$2,026,000
Higher Education Personnel Services Account--State Appropriation	\$519,000
Department of Personnel Service Account--State Appropriation	\$3,289,000
TOTAL APPROPRIATION	\$7,800,000

NEW SECTION. Sec. 145. FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account--State Appropriation	\$2,702,000
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NEW SECTION. Sec. 146. FOR THE FORENSIC INVESTIGATION COUNCIL

Death Investigations Account--State Appropriation	\$498,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) \$250,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(2) \$210,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

NEW SECTION. Sec. 147. FOR THE HORSE RACING COMMISSION

Horse Racing Commission Operating Account--State Appropriation	\$3,566,000
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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.

NEW SECTION. Sec. 148. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund--State Appropriation (FY 2014)	\$3,849,000
General Fund--State Appropriation (FY 2015)	\$3,635,000
Building Code Council Account--State Appropriation	\$1,576,000
TOTAL APPROPRIATION	\$9,060,000

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)(a) 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.

(b) As provided in House Bill No. 1618, there is imposed a fee of five dollars and fifty cents on each building permit issued by a county or a city, plus an additional surcharge of two dollars for each residential unit, but not including the first unit, on each building containing more than one residential unit, and a fee of eight dollars for each nonresidential permit issued.

(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.

(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.

(6) The department shall adjust billings for self-insurance premiums to transportation agencies to reflect rate reductions assumed in this act.

(7) \$200,000 of the general fund--state appropriation for fiscal year 2014 is provided solely to conduct a boundary survey and appraisal of parcel number one and surrounding property on McNeil Island related to maintaining the secure sex offender facility, real estate transactional work for the deeds between the state and federal government involving McNeil Island, and transition planning to move toward decision-making to realign conveyances for state ownership of McNeil Island.

(8) \$2,400,000 of the data processing revolving account 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.

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 and the provisions of section 944 of this act, information systems projects.

(9) \$8,013,000 of the data processing revolving account 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 and the provisions of section 944 of this act, information systems projects.

(10) 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 of \$2,330,000 in fiscal year 2014 and \$2,330,000 in fiscal year 2015.

NEW SECTION. Sec. 149. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers'

Administrative Account--State Appropriation \$1,054,000

NEW SECTION. Sec. 150. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund--State Appropriation (FY 2014) \$1,341,000

General Fund--State Appropriation (FY 2015) \$1,239,000

General Fund--Federal Appropriation \$1,937,000

General Fund--Private/Local Appropriation \$14,000

TOTAL APPROPRIATION \$4,531,000

The appropriations in this section are subject to the following conditions and limitations: \$50,000 of the general fund--state appropriation for fiscal year 2014 is provided solely to study the role of cultural resources assessment as part of the state and local governmental environmental review, planning, and permitting process. The agency will create a public outreach process with affected governmental entities, businesses, and stakeholders. The agency will review state laws from around the country on cultural resources. The agency will deliver its report with legislative recommendations to the legislature by November 30, 2013.

(End of part)

PART II

HUMAN SERVICES

NEW SECTION. Sec. 201. 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 medicare integrated care project (MICP), the health care authority 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.

NEW SECTION. Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	\$298,349,000
General Fund--State Appropriation (FY 2015)	\$303,015,000
General Fund--Federal Appropriation	\$493,292,000
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	\$4,977,000
TOTAL APPROPRIATION	\$1,112,968,000

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) \$1,251,000 of the general fund--state appropriation for fiscal year 2014, \$2,314,000 of the general fund--state appropriation for fiscal year 2015, and \$1,073,000 of the general fund--federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1302 (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.

NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE REHABILITATION PROGRAM

General Fund--State Appropriation (FY 2014)	\$89,371,000
General Fund--State Appropriation (FY 2015)	\$89,936,000
General Fund--Federal Appropriation	\$3,464,000

General Fund--Private/Local Appropriation	\$1,976,000	
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		\$188,127,000

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. Consistent with chapter 13.50 RCW, all confidentiality agreements necessary to implement this information-sharing shall be approved within 30 days of the effective date of this section. 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) \$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 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.

NEW SECTION. Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

General Fund--State Appropriation (FY 2014)	\$328,363,000
General Fund--State Appropriation (FY 2015)	\$316,471,000
General Fund--Federal Appropriation	\$553,751,000
General Fund--Private/Local Appropriation	\$17,864,000
TOTAL APPROPRIATION	\$1,216,449,000

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

(a) \$105,265,000 of the general fund--state appropriation for fiscal year 2014 and \$85,895,000 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 \$4,077,000 for fiscal year 2014 and \$23,446,000 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 \$4,077,000 reduction in fiscal year 2014 and \$11,723,000 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 in the 2011-2013 fiscal biennium.

(ii) The remaining \$11,723,000 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 Engrossed Second Substitute House Bill No. 1114 (criminal incompetency/commitment). 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. If Engrossed Second Substitute House Bill No. 1114 (criminal incompetency/commitment) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(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 Second Substitute House Bill No. 1777 (involuntary commitment). 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. If Second Substitute House Bill No. 1777 (involuntary commitment) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2014)	\$132,222,000
General Fund--State Appropriation (FY 2015)	\$129,294,000
General Fund--Federal Appropriation	\$149,486,000
General Fund--Private/Local Appropriation	\$63,097,000
TOTAL APPROPRIATION	\$474,099,000

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 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.

(3) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2014)	\$1,163,000
General Fund--State Appropriation (FY 2015)	\$1,164,000
General Fund--Federal Appropriation	\$6,108,000
TOTAL APPROPRIATION	\$8,435,000

The appropriations in this subsection are subject to the following conditions and limitations: \$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 provided solely for children's evidence-based mental health services.

(4) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2014)	\$5,209,000
General Fund--State Appropriation (FY 2015)	\$4,783,000
General Fund--Federal Appropriation	\$7,692,000
General Fund--Private/Local Appropriation	\$502,000
TOTAL APPROPRIATION	\$18,186,000

(a) The appropriations in this subsection are subject to the following conditions and limitations: 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 Second Substitute House Bill No. 1777 (involuntary commitment). If Second Substitute House Bill No. 1777 (involuntary commitment) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(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 Second Substitute House Bill No. 1627 (competency to stand trial). If Second Substitute House Bill No. 1627 (competency to stand trial) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(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 Engrossed Substitute House Bill No. 1519 (service coordination organizations) and Engrossed Second Substitute House Bill No. 1522 (behavioral health services). If neither of the bills is enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund--State Appropriation (FY 2014)	\$443,253,000
General Fund--State Appropriation (FY 2015)	\$461,654,000
General Fund--Federal Appropriation	\$828,521,000
General Fund--Private/Local Appropriation	\$965,000
TOTAL APPROPRIATION	\$1,734,393,000

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 \$250 per bed beginning in fiscal year 2014 and \$320 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 \$113 per bed beginning in fiscal year 2014 and \$114 per bed beginning in fiscal year 2015.

(iii) The current annual renewal license fee for nursing facilities shall be increased to \$389 per bed beginning in fiscal year 2014 and \$403 per bed beginning in fiscal year 2015.

(c) \$817,000 of the general fund--private/local appropriation and \$817,000 of the general fund--federal appropriation are provided solely to implement Substitute House Bill No. 1574 (residential services and supports). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse. In accordance with Substitute House Bill No. 1574, the department is authorized to increase supported living fees as

necessary to support the actual costs of conducting the certification, inspection, and regulatory programs. The certification 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 certification fee attributed to medicaid clients. The annual certification fee for supported living shall be increased up to \$215 per client beginning in fiscal year 2014 and up to \$240 per client beginning in fiscal year 2015.

(d) \$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.

(e) \$6,500,000 of the general fund--state appropriation for fiscal year 2014 and \$6,500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the individual and family services program. In order to maximize the number of clients served by the program, the department must utilize past experience about award utilization to guide the number of authorized awards, and must change the maximum annual dollar amount awarded to each service priority level. Changes to the award levels must be designed to limit the average annual award for clients in the program during the 2013-2015 fiscal biennium to 60 percent of the average annual cost for clients in the 2011-2013 fiscal biennium. Clients who are not receiving paid services from the department, who are on the wait list for individual and family services, and who are ineligible for medicaid personal care may be added to the individual and family services program during the 2013-2015 fiscal biennium, provided the projected expenditures for the ensuing biennium do not exceed \$13,000,000 of general fund--state. The department must ensure that award levels are consistent for clients in the individual and family services program and clients receiving a state supplementary payment in lieu of individual and family services. The department shall adopt rules to implement the terms of this subsection. The department must electronically report to the appropriate committees of the legislature within 45 days following each fiscal year quarter, the number of persons served by the program, the average cost of persons served by the program, the services received by persons in the program, and the number of clients who had not previously received paid services who have been added to the program.

(f) No later than December 31, 2013, the department shall report to the appropriate fiscal committees of the legislature with a strategy to reduce the rate disparity between urban and suburban residential service providers. The report shall include a proposal for a rate component that recognizes differences in costs as they relate to the geographical location of the provider; however, the proposed component shall use a geographical variable that is more granular than the provider's county.

(g) \$774,000 of the general fund--state appropriation for fiscal year 2014, \$1,547,000 of the general fund--state appropriation for fiscal year 2015, and \$7,185,000 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 and the provisions of section 944 of this act, information systems projects.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2014)	\$84,919,000
General Fund--State Appropriation (FY 2015)	\$84,811,000
General Fund--Federal Appropriation	\$159,265,000
General Fund--Private/Local Appropriation	\$23,041,000
TOTAL APPROPRIATION	\$352,036,000

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

(3) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2014)	\$1,942,000
General Fund--State Appropriation (FY 2015)	\$1,996,000
General Fund--Federal Appropriation	\$1,957,000
TOTAL APPROPRIATION	\$5,895,000

(4) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2014)	\$1,400,000
General Fund--State Appropriation (FY 2015)	\$1,400,000
General Fund--Federal Appropriation	\$1,200,000
TOTAL APPROPRIATION	\$4,000,000

NEW SECTION. Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	\$879,992,000
General Fund--State Appropriation (FY 2015)	\$935,154,000
General Fund--Federal Appropriation	\$1,947,532,000
General Fund--Private/Local Appropriation	\$38,195,000
Traumatic Brain Injury Account--State Appropriation	\$3,393,000
Skilled Nursing Facility Safety Net Trust Account--State Appropriation	\$88,000,000
TOTAL APPROPRIATION	\$3,892,266,000

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 for fiscal year 2015, including the rate add-ons described in (a) and (b) 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) 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. 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, using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding 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, 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 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) of this subsection do not apply.

(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 \$250 per bed beginning in fiscal year 2014 and \$320 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 \$113 per bed beginning in fiscal year 2014 and \$114 per bed beginning in fiscal year 2015.

(c) The current annual renewal license fee for nursing facilities shall be increased to \$389 per bed beginning in fiscal year 2014 and \$403 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) \$36,000 of the general fund--state appropriation for fiscal year 2014, \$17,000 of the general fund--state appropriation for fiscal year 2015, and \$45,000 of the general fund--federal appropriation are provided solely to implement House Bill No. 1631 (aging population services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(7) \$57,000 of the general fund--state appropriation for fiscal year 2014, \$324,000 of the general fund--private/local appropriation, and \$381,000 of the general fund--federal appropriation are provided solely to implement Engrossed Second Substitute House Bill No. 1727 (assisted living facilities). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(8) \$73,000 of the general fund--state appropriation for fiscal year 2014, \$36,000 of the general fund--state appropriation for fiscal year 2015, and \$108,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute House Bill No. 1519 (service coordination organizations) and Engrossed Second Substitute House Bill No. 1522 (behavioral health services). If neither of the bills are enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(9) \$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.

(10) \$823,000 of the general fund--private/local appropriation and \$823,000 of the general fund--federal appropriation are provided solely to implement Substitute House Bill No. 1574 (residential services and supports). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse. In accordance with Substitute House Bill No. 1574, the department is authorized to increase supported living fees as necessary to support the actual costs of conducting the certification, inspection, and regulatory programs. The certification 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 certification fee attributed to medicaid clients. The annual certification fee for supported living shall be increased up to \$215 per client beginning in fiscal year 2014 and up to \$240 per client beginning in fiscal year 2015.

(11) \$2,446,000 of the general fund--state appropriation for fiscal year 2014, \$4,894,000 of the general fund--state appropriation for fiscal year 2015, and \$22,725,000 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 and the provisions of section 944 of this act, information systems projects.

(12) 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.

(13) 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.

NEW SECTION. Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	\$428,236,000
General Fund--State Appropriation (FY 2015)	\$433,456,000
General Fund--Federal Appropriation	\$1,207,398,000
General Fund--Private/Local Appropriation	\$30,594,000
TOTAL APPROPRIATION	\$2,099,684,000

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

(1)(a) \$212,973,000 of the general fund--state appropriation for fiscal year 2014, \$211,938,000 of the general fund--state appropriation for fiscal year 2015, and \$730,098,000 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) \$463,665,000 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) \$173,019,000 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) \$376,178,000 of the amounts in (a) of this subsection are provided solely for the working connections child care program under RCW 43.215.135.

(e) The amounts in (b) through (d) 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) 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.

(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, 2011, 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 fifty percent of the federal supplemental nutrition assistance program benefit amount.

(6) Within the appropriations in this section, specific funding is provided to implement Substitute House Bill No. 1027 (child support).

(7) Within the appropriations in this section, specific funding is provided to implement House Bill No. 1145 (child support/veterans' benefits).

(8) \$18,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Second Substitute House Bill No. 1671 (child care reform). If Second Substitute House Bill No. 1671 (child care reform) is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(9) \$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 Substitute House Bill No. 1971 (communication services). Of these funds, \$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 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.

(10) 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.

(11) 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.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND SUBSTANCE ABUSE PROGRAM

General Fund--State Appropriation (FY 2014)	\$72,815,000
General Fund--State Appropriation (FY 2015)	\$63,392,000
General Fund--Federal Appropriation	\$241,590,000
General Fund--Private/Local Appropriation	\$13,541,000
Criminal Justice Treatment Account--State Appropriation	\$14,568,000
Problem Gambling Account--State Appropriation	\$1,450,000
TOTAL APPROPRIATION	\$407,356,000

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 of the criminal justice treatment account appropriation is provided solely for transitional funding for the family drug court in Pierce county.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL REHABILITATION PROGRAM

General Fund--State Appropriation (FY 2014)	\$16,276,000
General Fund--State Appropriation (FY 2015)	\$16,306,000
General Fund--Federal Appropriation	\$99,413,000
TOTAL APPROPRIATION	\$131,995,000

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 provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT PROGRAM

General Fund--State Appropriation (FY 2014)	\$39,769,000
General Fund--State Appropriation (FY 2015)	\$39,715,000
TOTAL APPROPRIATION	\$79,484,000

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	\$30,021,000
General Fund--State Appropriation (FY 2015)	\$29,260,000
General Fund--Federal Appropriation	\$37,182,000
General Fund--Private/Local Appropriation	\$654,000
TOTAL APPROPRIATION	\$97,117,000

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

(1) \$196,000 of the general fund--state appropriation for fiscal year 2014, \$142,000 of the general fund--state appropriation for fiscal year 2015, and \$74,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute House Bill No. 1753 (interpreter services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(2) \$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 Engrossed Substitute House Bill No. 1519 (service coordination organizations) and Engrossed Second Substitute House Bill No. 1522 (behavioral health services). If neither of the bills is enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(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 implement House Bill No. 1795 (diabetes epidemic). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(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 mentors program to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

(5) \$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).

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund--State Appropriation (FY 2014)	\$60,734,000
General Fund--State Appropriation (FY 2015)	\$59,740,000
General Fund--Federal Appropriation	\$55,044,000
TOTAL APPROPRIATION	\$175,518,000

NEW SECTION. Sec. 213. FOR THE STATE HEALTH CARE AUTHORITY

General Fund--State Appropriation (FY 2014)	\$2,162,522,000
General Fund--State Appropriation (FY 2015)	\$2,199,083,000
General Fund--Federal Appropriation	\$7,192,712,000
General Fund--Private/Local Appropriation	\$57,811,000
Emergency Medical Services and Trauma Care Systems	
Trust Account--State Appropriation	\$15,082,000
Hospital Safety Net Assessment Fund--State	
Appropriation	\$668,967,000
Health Benefit Exchange Account--State Appropriation	\$111,237,000
State Health Care Authority Administration Account--	

State Appropriation	\$34,748,000
Medical Aid Account--State Appropriation	\$528,000
Medicaid Fraud Penalty Account--State Appropriation	\$18,400,000
TOTAL APPROPRIATION	\$12,461,090,000

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

(1) Within the amounts appropriated in this section, the authority shall implement the medicaid expansion defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(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) \$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.

(10) 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. \$5,319,000 of the general fund--state appropriation for fiscal year 2014, of which \$6,570,000 is appropriated in section 204(1) of this act, and \$1,141,000 of the general fund--state appropriation for fiscal year 2015, of which \$6,570,000 is appropriated in section 204(1) of this act, are provided solely for state grants for the participating hospitals.

(11) 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.

(12) 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.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$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 Engrossed Second Substitute House Bill No. 1522 (behavioral health services). If neither of the bills is enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(15) \$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 (15).

(16) \$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.

(17) \$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.

(18) \$143,000 of the general fund--state appropriation for fiscal year 2014 and \$423,000 of the general fund--federal appropriation are provided solely for the rebasing of outpatient and inpatient payment methods.

(19) \$822,000 of the general fund--state appropriation for fiscal year 2014, \$341,000 of the general fund--state appropriation for fiscal year 2015, 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.

(20) \$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.

(21) \$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.

(22) 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.

(23) 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.

(24) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit beginning January 1, 2014.

(25) Sufficient amounts are appropriated in this section to provide the same benefits for clients enrolled in an eligibility category under the current medicaid program as the benefits provided under the alternative benefit plan provided to clients enrolling in the medicaid expansion under subsection (1) of this section. This includes removing the mental health visit limit and coverage of the shingles vaccine, habilitative services, and screening, brief intervention, and referral to treatment services.

(26) 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.

(27) \$600,000 of the general fund--state appropriation for fiscal year 2014, \$600,000 of the general fund--state appropriation for fiscal year 2015, and \$1,200,000 of the general fund--federal appropriation are provided solely to develop and implement a comprehensive communication plan for the medicaid expansion under subsection (1) of this section.

(28) 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 medicaid expansion but are enrolled in coverage that will be eliminated in the transition to the medicaid expansion.

(29) \$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.

(30) 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.

(31) \$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.

(32) The authority shall purchase a brand name drug when it determines that the cost of the brand name drug after rebates is less than the cost of generic alternatives and that purchase of the brand rather than generic version can save at least \$250,000. The authority may purchase generic alternatives when changes in market prices make the price of the brand name drug after rebates more expensive than the generic alternatives.

(33) The authority shall not subject antiretroviral drugs used to treat HIV/AIDS, anticancer medications used to kill or slow the growth of cancerous cells, antihemophilic drugs, or transplant drugs to the preferred drug list, a drug formulary, or to any new access limitations.

(34) \$1,531,000 of the general fund--state appropriation for fiscal year 2014, \$280,000 of the general fund--state appropriation for fiscal year 2015, and \$10,803,000 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 and the provisions of section 944 of this act, information system projects.

(35) 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.

(36) 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.

(37) \$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 to establish a hospital residency program in Clark county. This one-time funding will support hiring one doctor for the design and implementation of the residency program.

(38) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(39) 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.

(40) \$19,819,000 of the health benefit exchange account--state appropriation and \$2,181,000 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.

(41) The authority shall integrate the prescription monitoring program into the coordinated care electronic tracking program developed in section 213, chapter 7, Laws of 2012, 2nd sp. sess., commonly referred to as the seven best practices in emergency medicine. 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.

NEW SECTION. Sec. 214. FOR THE HUMAN RIGHTS COMMISSION

General Fund--State Appropriation (FY 2014)	\$2,073,000
General Fund--State Appropriation (FY 2015)	\$1,990,000
General Fund--Federal Appropriation	\$2,179,000
TOTAL APPROPRIATION	\$6,242,000

The appropriations in this section are subject to the following conditions and limitations: \$208,000 of 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.

NEW SECTION. Sec. 215. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right-to-Know Account--State Appropriation	\$10,000
Accident Account--State Appropriation	\$19,616,000
Medical Aid Account--State Appropriation	\$19,617,000
TOTAL APPROPRIATION	\$39,243,000

NEW SECTION. Sec. 216. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund--State Appropriation (FY 2014)	\$14,942,000
General Fund--State Appropriation (FY 2015)	\$14,846,000
General Fund--Private/Local Appropriation	\$3,059,000
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	\$42,052,000

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 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) \$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 for grants to counties enforcing illegal drug laws and which have been underserved by federally funded state narcotics task forces. The Washington association of sheriffs and police chiefs, the Washington association of prosecuting attorneys, and the Washington

association of county officials shall jointly develop funding allocations for the offices of the county sheriff, county prosecutor, and county clerk in qualifying counties. The commission shall not impose an administrative cost on this program.

(7) \$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.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund--State Appropriation (FY 2014)	\$17,115,000
General Fund--State Appropriation (FY 2015)	\$17,838,000
General Fund--Federal Appropriation	\$11,876,000
Asbestos Account--State Appropriation	\$367,000
Electrical License Account--State Appropriation	\$36,812,000
Farm Labor Contractor Account--State Appropriation	\$28,000
Worker and Community Right-to-Know Account-- State Appropriation	\$903,000
Public Works Administration Account--State Appropriation	\$7,719,000
Manufactured Home Installation Training Account-- State Appropriation	\$351,000
Accident Account--State Appropriation	\$258,378,000
Accident Account--Federal Appropriation	\$13,626,000
Medical Aid Account--State Appropriation	\$277,018,000
Medical Aid Account--Federal Appropriation	\$3,186,000
Plumbing Certificate Account--State Appropriation	\$1,723,000
Pressure Systems Safety Account--State Appropriation	\$4,173,000
TOTAL APPROPRIATION	\$651,113,000

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 Engrossed House Bill No. 1470 (workers' compensation/vocational rehabilitation). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(3) \$304,000 of the accident account--state appropriation and \$302,000 of the medical aid account--state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1467 (unpaid wages collection). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) \$1,468,000 of the public works administration account--state appropriation is provided solely for implementation of Engrossed House Bill No. 1473 (construction service payments). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(5) \$64,000 of the accident account--state appropriation and \$63,000 of the medical aid account--state appropriation are provided solely for implementation of Substitute House Bill No. 1884 (occupational diseases). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(6) \$357,000 of the medical aid account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1753 (interpreter services). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(7) \$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.

(8) \$198,000 of the accident account--state appropriation and \$34,000 of the medical aid account--state appropriation are provided solely for implementation of Engrossed House Bill No. 1891 (employee protections). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund--State Appropriation (FY 2014)	\$1,986,000
General Fund--State Appropriation (FY 2015)	\$1,892,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State Appropriation	\$10,000
TOTAL APPROPRIATION	\$3,888,000

(2) FIELD SERVICES

General Fund--State Appropriation (FY 2014)	\$5,333,000
General Fund--State Appropriation (FY 2015)	\$5,307,000
General Fund--Federal Appropriation	\$3,463,000
General Fund--Private/Local Appropriation	\$4,418,000
Veteran Estate Management Account--Private/Local Appropriation	\$1,103,000
TOTAL APPROPRIATION	\$19,624,000

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, 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)	\$101,000
General Fund--State Appropriation (FY 2015)	\$16,000
General Fund--Federal Appropriation	\$68,619,000
General Fund--Private/Local Appropriation	\$39,004,000
TOTAL APPROPRIATION	\$107,740,000

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF HEALTH

General Fund--State Appropriation (FY 2014)	\$74,520,000
General Fund--State Appropriation (FY 2015)	\$73,962,000
General Fund--Federal Appropriation	\$535,540,000
General Fund--Private/Local Appropriation	\$139,126,000
Hospital Data Collection Account--State Appropriation	\$220,000
Health Professions Account--State Appropriation	\$103,731,000
Aquatic Lands Enhancement Account--State Appropriation	\$604,000
Emergency Medical Services and Trauma Care Systems Trust Account--State Appropriation	\$12,318,000
Safe Drinking Water Account--State Appropriation	\$5,239,000
Drinking Water Assistance Account--Federal Appropriation	\$14,724,000
Waterworks Operator Certification--State Appropriation	\$1,553,000
Drinking Water Assistance Administrative Account--State Appropriation	\$337,000
Site Closure Account--State Appropriation	\$159,000
Biotoxin Account--State Appropriation	\$1,323,000
State Toxics Control Account--State Appropriation	\$3,760,000
Medical Test Site Licensure Account--State Appropriation	\$4,724,000
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
Medical Aid Account--State Appropriation	\$50,000
Medicaid Fraud Penalty Account--State Appropriation	\$973,000
TOTAL APPROPRIATION	\$977,915,000

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

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) 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)(a) \$50,000 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.

(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.

(4) \$270,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the Washington autism alliance to assist autistic individuals and families with autistic children during the transition to federal health reform.

(5) \$1,931,000 of the general fund--state appropriation for fiscal year 2014 and \$1,931,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the tobacco prevention and control program in accordance with evidence-based guidelines from the centers for disease control and prevention.

(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) \$57,000 of the general fund--state appropriation for fiscal year 2014 and \$58,000 of the general fund--state appropriation for fiscal year 2015 are for the midwifery licensure and regulatory program to supplement revenue from fees. Current annual fees for new or renewed licenses for the midwifery program, except for online access to HEAL-WA, may increase by no more than the rate of inflation as measured by the consumer price index. The department shall convene the midwifery advisory committee on a quarterly basis to address issues related to licensed midwifery.

(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) \$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.

(10) \$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.

(11) \$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.

(12) \$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.

(13) \$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.

(14) \$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.

(15) \$14,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1409 (allopathic physicians). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(16) \$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) \$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) \$141,000 of the general fund--private/local appropriation is provided solely for the implementation of Substitute House Bill No. 1525 (birth certificates and information). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(19) \$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) \$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) \$12,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1629 (home care continuing education). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(22) \$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) \$10,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the implementation of Engrossed Substitute House Bill No. 1773 (midwifery). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(24) \$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:

(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 (24).

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF CORRECTIONS

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund--State Appropriation (FY 2014)	\$56,873,000
General Fund--State Appropriation (FY 2015)	\$55,226,000
TOTAL APPROPRIATION	\$112,099,000

The appropriations in this subsection are subject to the following conditions and limitations: \$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.

(2) CORRECTIONAL OPERATIONS

General Fund--State Appropriation (FY 2014)	\$604,469,000
General Fund--State Appropriation (FY 2015)	\$603,470,000
General Fund--Federal Appropriation	\$3,322,000
Washington Auto Theft Prevention Authority Account-- State Appropriation	\$7,586,000
State Toxics Control--State Appropriation	\$105,000
TOTAL APPROPRIATION	\$1,218,952,000

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) 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 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.

(c) 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.

(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 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.

(e) 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.

(f) The department of corrections shall issue a request for proposal 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 shall contract for up to 300 beds statewide to the extent that it is at no net cost to the department. The contracts shall be for beds in western Washington and eastern Washington. The duration of the contracts shall be for up to four years. The department shall not pay a rate greater than \$65 per day for all costs associated with the offender while in the local correctional facility to include programming and health care costs. The capacity provided at local correctional facilities must be for offenders who the department of corrections defines as medium security offenders. Local jurisdictions must provide health care to offenders that meet standards set by the department. 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.

(g) 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.

(3) COMMUNITY SUPERVISION

General Fund--State Appropriation (FY 2014)	\$132,992,000
General Fund--State Appropriation (FY 2015)	\$132,198,000
TOTAL APPROPRIATION	\$265,190,000

The appropriations in this subsection are subject to the following conditions and limitations: \$2,071,000 of the general fund--state appropriation for fiscal year 2014 and \$2,073,000 of the general fund--state appropriation for fiscal year 2015 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.

(4) CORRECTIONAL INDUSTRIES

General Fund--State Appropriation (FY 2014)	\$3,488,000
General Fund--State Appropriation (FY 2015)	\$3,478,000
TOTAL APPROPRIATION	\$6,966,000

(5) INTERAGENCY PAYMENTS

General Fund--State Appropriation (FY 2014)	\$35,241,000
General Fund--State Appropriation (FY 2015)	\$31,488,000
TOTAL APPROPRIATION	\$66,729,000

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.

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund--State Appropriation (FY 2014)	\$2,234,000
General Fund--State Appropriation (FY 2015)	\$2,185,000
General Fund--Federal Appropriation	\$20,954,000
General Fund--Private/Local Appropriation	\$60,000
TOTAL APPROPRIATION	\$25,433,000

NEW SECTION. Sec. 222. FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund--Federal Appropriation	\$269,786,000
General Fund--Private/Local Appropriation	\$34,161,000
Unemployment Compensation Administration Account-- Federal Appropriation	\$319,246,000
Administrative Contingency Account--State Appropriation	\$22,731,000
Employment Service Administrative Account--State Appropriation	\$35,802,000
TOTAL APPROPRIATION	\$681,726,000

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

(1) \$12,386,000 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 and the provisions of section 944 of this act.

(2) \$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.

(3) \$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.

(4) \$86,000 of the administrative contingency account--state appropriation is provided solely for implementation of House Bill No. 1872 (science, technology, engineering, and math). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(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.

(End of part)

PART III

NATURAL RESOURCES

NEW SECTION. Sec. 301. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2014)	\$446,000
General Fund--State Appropriation (FY 2015)	\$448,000
General Fund--Federal Appropriation	\$31,000
General Fund--Private/Local Appropriation	\$877,000
TOTAL APPROPRIATION	\$1,802,000

NEW SECTION. Sec. 302. FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2014)	\$30,655,000
General Fund--State Appropriation (FY 2015)	\$30,205,000
General Fund--Federal Appropriation	\$104,564,000
General Fund--Private/Local Appropriation	\$16,912,000
Reclamation Account--State Appropriation	\$3,719,000
Flood Control Assistance Account--State Appropriation	\$1,972,000
State Emergency Water Projects Revolving Account--State Appropriation	\$40,000
Waste Reduction/Recycling/Litter Control--State Appropriation	\$9,709,000
State Drought Preparedness Account--State Appropriation	\$204,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	\$425,000
Aquatic Algae Control Account--State Appropriation	\$513,000
Water Rights Tracking System Account--State Appropriation	\$46,000
Site Closure Account--State Appropriation	\$551,000
Wood Stove Education and Enforcement Account--State Appropriation	\$608,000
Worker and Community Right-to-Know Account--State Appropriation	\$1,697,000
Water Rights Processing Account--State Appropriation	\$135,000
State Toxics Control Account--State Appropriation	\$148,070,000
State Toxics Control Account--Private/Local Appropriation	\$977,000
Local Toxics Control Account--State Appropriation	\$27,299,000
Water Quality Permit Account--State Appropriation	\$40,724,000
Underground Storage Tank Account--State Appropriation	\$3,330,000
Biosolids Permit Account--State Appropriation	\$1,837,000
Hazardous Waste Assistance Account--State Appropriation	\$5,989,000

Air Pollution Control Account--State Appropriation	\$3,124,000
Oil Spill Prevention Account--State Appropriation	\$5,667,000
Air Operating Permit Account--State Appropriation	\$3,152,000
Freshwater Aquatic Weeds Account--State Appropriation	\$1,410,000
Oil Spill Response Account--State Appropriation	\$7,076,000
Water Pollution Control Revolving Account--State Appropriation	\$354,000
Water Pollution Control Revolving Account--Federal Appropriation	\$1,494,000
Water Pollution Control Revolving Administration--State Appropriation	\$1,021,000
TOTAL APPROPRIATION	\$453,479,000

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; 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) \$216,000 of the state toxics control account--state appropriation is provided solely for the department to administer and implement a local matching grant program to monitor and collect bacteria data and notify the public when results exceed standards at public marine beaches in the department's beach environmental assessment, communication, and health program. Grant recipients may include local health jurisdictions, local governments, tribal governments, universities, nonprofit organizations, and private organizations. Grant recipients must provide matching funds equal to the size of the grant.

(7) \$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.

(8) \$38,000 of the air operating permit account--state appropriation and \$36,000 of the general fund--private/local appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1374 (energy facility site evaluation council). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(9) \$152,000 of the state toxics control account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1294 (flame retardants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(10) \$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.

NEW SECTION. Sec. 303. FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund--State Appropriation (FY 2014)	\$11,929,000
General Fund--State Appropriation (FY 2015)	\$11,929,000
General Fund--Federal Appropriation	\$5,959,000
Winter Recreation Program Account--State Appropriation	\$2,064,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$215,000
Snowmobile Account--State Appropriation	\$4,855,000
Aquatic Lands Enhancement Account--State Appropriation	\$363,000
Parks Renewal and Stewardship Account--State Appropriation	\$92,556,000
Parks Renewal and Stewardship Account--Private/Local Appropriation	\$300,000
TOTAL APPROPRIATION	\$130,170,000

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.

NEW SECTION. Sec. 304. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

General Fund--State Appropriation (FY 2014)	\$814,000
General Fund--State Appropriation (FY 2015)	\$802,000
General Fund--Federal Appropriation	\$3,419,000
General Fund--Private/Local Appropriation	\$24,000
Aquatic Lands Enhancement Account--State Appropriation	\$478,000
Vessel Response Account--State Appropriation	\$2,000
Firearms Range Account--State Appropriation	\$37,000
Recreation Resources Account--State Appropriation	\$3,049,000
NOVA Program Account--State Appropriation	\$963,000
TOTAL APPROPRIATION	\$9,588,000

NEW SECTION. Sec. 305. FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund--State Appropriation (FY 2014)	\$2,247,000
General Fund--State Appropriation (FY 2015)	\$2,169,000
General Fund--Private/Local Appropriation	\$120,000
TOTAL APPROPRIATION	\$4,536,000

The appropriations in this section are subject to the following conditions and limitations: \$14,000 of the general fund--state appropriation for fiscal year 2014, \$14,000 of the general fund--state appropriation for fiscal year 2015, and \$120,000 of the general fund-- private/local appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1374 (energy facility site evaluation council). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 306. FOR THE CONSERVATION COMMISSION

General Fund--State Appropriation (FY 2014)	\$6,847,000
General Fund--State Appropriation (FY 2015)	\$6,744,000
General Fund--Federal Appropriation	\$2,301,000
TOTAL APPROPRIATION	\$15,892,000

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 containing proposals for the 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 would be expected from consolidating districts 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.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund--State Appropriation (FY 2014)	\$30,919,000
General Fund--State Appropriation (FY 2015)	\$29,843,000
General Fund--Federal Appropriation	\$108,740,000
General Fund--Private/Local Appropriation	\$58,670,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$395,000
Aquatic Lands Enhancement Account--State Appropriation	\$15,852,000
Recreational Fisheries Enhancement--State Appropriation	\$2,587,000
Warm Water Game Fish Account--State Appropriation	\$2,488,000
Eastern Washington Pheasant Enhancement Account--State Appropriation	\$849,000
Aquatic Invasive Species Enforcement Account--State Appropriation	\$209,000
Aquatic Invasive Species Prevention Account--State	

Appropriation	\$732,000	
State Wildlife Account--State Appropriation		\$102,018,000
Special Wildlife Account--State Appropriation		\$2,397,000
Special Wildlife Account--Federal Appropriation		\$500,000
Special Wildlife Account--Private/Local Appropriation		\$3,440,000
Wildlife Rehabilitation Account--State Appropriation	\$259,000	
State Toxics Control Account--State Appropriation		\$1,224,000
Hydraulic Project Approval Account--State Appropriation		\$674,000
Regional Fisheries Enhancement Salmonid Recovery Account--Federal Appropriation	\$5,001,000	
Oil Spill Prevention Account--State Appropriation	\$905,000	
Oyster Reserve Land Account--State Appropriation	\$772,000	
TOTAL APPROPRIATION	\$368,474,000	

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

(1) \$130,000 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) \$450,000 of the general fund--state appropriation for fiscal year 2014 and \$450,000 of the general fund--state appropriation for fiscal year 2015 are 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.

(7) \$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 to the department for the transfer of trout from the Clark's Creek hatchery to the Lakewood hatchery and for the production of Steelhead, Coho, and Chinook at the Clark's Creek hatchery.

(8) \$300,000 of the state wildlife account--state appropriation is 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.

(9) \$100,000 of the state wildlife account--state appropriation and \$38,000 of the wolf interaction conflict account--state appropriation are provided solely for implementation of Substitute House Bill No. 1501 (wolf conservation and management). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(10) \$524,000 of the state wildlife account--state appropriation is provided solely for Engrossed Substitute House Bill No. 1999 (hunter safety). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(11) \$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.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund--State Appropriation (FY 2014)	\$41,735,000
General Fund--State Appropriation (FY 2015)	\$44,343,000
General Fund--Federal Appropriation	\$26,951,000
General Fund--Private/Local Appropriation	\$2,372,000
Forest Development Account--State Appropriation	\$48,836,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$4,479,000
Surveys and Maps Account--State Appropriation	\$2,164,000
Aquatic Lands Enhancement Account--State Appropriation	\$4,301,000
Resources Management Cost Account--State Appropriation	\$111,001,000
Surface Mining Reclamation Account--State Appropriation	\$3,956,000
Disaster Response Account--State Appropriation	\$5,000,000
Forest and Fish Support Account--State Appropriation	\$11,761,000
Aquatic Land Dredged Material Disposal Site Account--State Appropriation	\$843,000
Natural Resources Conservation Areas Stewardship Account--State Appropriation	\$34,000

State Toxics Control Account--State Appropriation	\$3,028,000
Forest Practices Application Account--State Appropriation	\$1,697,000
Air Pollution Control Account--State Appropriation	\$780,000
NOVA Program Account--State Appropriation	\$648,000
Derelict Vessel Removal Account--State Appropriation	\$1,770,000
Agricultural College Trust Management Account--State Appropriation	\$2,703,000
TOTAL APPROPRIATION	\$318,402,000

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

(1) \$1,383,000 of the general fund--state appropriation for fiscal year 2014 and \$1,320,000 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 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) \$4,500,000 of the forest and fish support account--state appropriation is provided solely for outcome-based, performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. 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 state toxics control 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.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF AGRICULTURE

General Fund--State Appropriation (FY 2014)	\$15,262,000
General Fund--State Appropriation (FY 2015)	\$15,260,000
General Fund--Federal Appropriation	\$23,066,000
General Fund--Private/Local Appropriation	\$192,000
Aquatic Lands Enhancement Account--State Appropriation	\$2,842,000
State Toxics Control Account--State Appropriation	\$5,174,000
Water Quality Permit Account--State Appropriation	\$67,000
TOTAL APPROPRIATION	\$61,863,000

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 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 the food safety program. In developing strategies to make the food safety program more self-supporting, the department will consider 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 department must submit a report containing recommendations that will make

the food safety program less reliant on the state general fund to the office of financial management and legislative fiscal committees by December 1, 2013.

NEW SECTION. Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Pollution Liability Insurance Program Trust

Account--State Appropriation \$986,000

NEW SECTION. Sec. 311. FOR THE PUGET SOUND PARTNERSHIP

General Fund--State Appropriation (FY 2014) \$2,421,000

General Fund--State Appropriation (FY 2015) \$2,325,000

General Fund--Federal Appropriation \$11,585,000

Aquatic Lands Enhancement Account--State Appropriation \$1,920,000

State Toxics Control Account--State Appropriation \$677,000

TOTAL APPROPRIATION \$18,928,000

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.

(End of part)

PART IV

TRANSPORTATION

NEW SECTION. Sec. 401. FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2014) \$1,106,000

General Fund--State Appropriation (FY 2015) \$1,345,000

Architects' License Account--State Appropriation \$904,000

Professional Engineers' Account--State

Appropriation \$3,568,000

Real Estate Commission Account--State Appropriation \$9,961,000

Uniform Commercial Code Account--State

Appropriation \$3,158,000

Real Estate Education Account--State Appropriation \$276,000

Real Estate Appraiser Commission Account--State

Appropriation \$1,710,000

Business and Professions Account--State

Appropriation \$17,504,000

Funeral and Cemetery Account--State Appropriation \$5,000

Landscape Architects Account--State Appropriation \$4,000

Appraisal Management Company Account--State

Appropriation \$4,000

Real Estate Research Account--State Appropriation \$415,000

Geologists' Account--State Appropriation \$52,000

Derelict Vessel Removal Account--State Appropriation \$31,000

TOTAL APPROPRIATION \$40,043,000

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.

NEW SECTION. Sec. 402. FOR THE STATE PATROL

General Fund--State Appropriation (FY 2014) \$34,556,000

General Fund--State Appropriation (FY 2015) \$32,392,000

General Fund--Federal Appropriation \$16,183,000

General Fund--Private/Local Appropriation \$3,020,000

Death Investigations Account--State Appropriation \$9,948,000

County Criminal Justice Assistance Account--State

Appropriation \$3,320,000

Municipal Criminal Justice Assistance Account--State	
Appropriation	\$1,344,000
Fire Service Trust Account--State Appropriation	\$131,000
Disaster Response Account--State Appropriation	\$8,000,000
Fire Service Training Account--State Appropriation	\$10,090,000
Aquatic Invasive Species Enforcement Account--State	
Appropriation	\$54,000
State Toxics Control Account--State Appropriation	\$514,000
Fingerprint Identification Account--State	
Appropriation	\$13,950,000
Vehicle License Fraud Account--State Appropriation	\$448,000
TOTAL APPROPRIATION	\$133,950,000

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) \$1,000,000 of the fire service training account--state appropriation is provided solely for the firefighter apprenticeship training program.

(4) \$3,480,000 of the fingerprint identification 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 and the provisions of section 944 of this act, information systems projects.

(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.

(6) In accordance with RCW 43.135.055 and 43.43.742, the state patrol is authorized to increase the following fees in fiscal year 2014 as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Electronic and paper-based fingerprint and name and date of birth background checks.

(End of part)

PART V

EDUCATION

NEW SECTION. Sec. 501. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2014)	\$28,337,000
General Fund--State Appropriation (FY 2015)	\$27,277,000
General Fund--Federal Appropriation	\$63,826,000
General Fund--Private/Local Appropriation	\$4,003,000
TOTAL APPROPRIATION	\$123,443,000

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

(1) A maximum of \$18,043,000 of the general fund--state appropriation for fiscal year 2014 and \$16,983,000 of the general fund--state appropriation for fiscal year 2015 is for state agency operations.

(a) \$9,102,000 of the general fund--state appropriation for fiscal year 2014 and \$8,944,000 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.

(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) \$851,000 of the general fund--state appropriation for fiscal year 2014 and \$851,000 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.

(ii) \$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 solely to the state board of education for implementation of Initiative Measure No. 1240 (charter schools).

(d) \$1,494,000 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 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) \$419,000 of the general fund--state appropriation for fiscal year 2014 and \$419,000 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.

(e) \$133,000 of the general fund--state appropriation for fiscal year 2014 and \$133,000 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. For fiscal year 2014, these funds support one collaborative school for innovation and success to develop an approved innovation and success plan and for three collaborative schools for innovation and success to implement an approved innovation and success plan. For fiscal year 2015, these funds support implementation of four collaborative schools for innovation and success approved plans.

(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) \$4,000 of the general fund--state appropriation for fiscal year 2014 and \$4,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1173 (financial education partnership). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(p) \$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.

(q) \$118,000 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.

(r) \$504,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of House Bill No. 1424 (K-12 dropout prevention). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(s) \$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 provided solely for implementation of House Bill No. 1472 (computer science education). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(t) \$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). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(u) \$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.

(v) \$229,000 of the general fund--state appropriation for fiscal year 2014 and \$224,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1872 (STEM education). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(w) \$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.

(x) \$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).

(y) \$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 implementation of section 2 of House Bill No. 1252 (online professional development). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(2) \$10,294,000 of the general fund--state appropriation for fiscal year 2014 and \$10,294,000 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) \$3,425,000 of the general fund--state appropriation for fiscal year 2014 and \$3,425,000 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) \$337,000 of the general fund--state appropriation for fiscal year 2014 and \$337,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of the building bridges statewide program for comprehensive dropout prevention, intervention, and reengagement strategies.

(iv) \$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 dropout prevention programs at the office of the superintendent of public instruction, including the jobs for America's graduates (JAG) program.

(v) \$1,400,000 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).

(vi) \$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 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.

NEW SECTION. Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT

General Fund--State Appropriation (FY 2014) \$5,437,939,000

General Fund--State Appropriation (FY 2015)	\$5,568,220,000
Education Legacy Trust Account--State Appropriation	\$668,182,000
TOTAL APPROPRIATION	\$11,674,341,000

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.

(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 through sections 502 and 503 of the 2013 omnibus supplemental operating appropriations act.

(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. 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:

General education class size:

Grade	RCW 28A.150.260	2013-14 School Year	2014-15 School Year
Grades K-3		23.58	21.94
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 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:

General education class size in high poverty school:	2013-14 School Year	2014-15 School Year
Grades K-3	22.68	21.26
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

(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, and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) 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 students:

Career and Technical Education

students 2.02 per 1000 student FTE's

Skill Center students 2.36 per 1000 student FTE's

(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

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors: Career and Technical Education students 1.025
Skill Center students 1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 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.

(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 1.77 percent in the 2013-14 school year and 1.57 percent in the 2014-15 school year for career and technical education students, and 20.43 percent in the 2013-14 school year and 18.98 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	\$76.23	\$94.88
Utilities and Insurance	\$207.11	\$257.79
Curriculum and Textbooks	\$81.84	\$101.86
Other Supplies and Library Materials		\$216.26
Instructional Professional Development for Certificated and Classified Staff	\$12.66	\$15.75
Facilities Maintenance	\$102.60	\$127.71
Security and Central Office	\$71.08	\$88.48
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$725.26	\$902.73

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,249.17 for the 2013-14 school year and \$1,270.41 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 \$1,404.84 for the 2013-14 school year and \$1,428.72 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.

(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 provisions of Senate Bill No. 5794 (alternative learning experience courses).

(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) 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 37.6 percent of kindergarten enrollment in the 2013-14 school year and 53.2 percent in the 2014-15 school year.

(12) INCREASED INSTRUCTIONAL HOURS FOR GRADES SEVEN THROUGH TWELVE

Amounts provided in this section are sufficient to fund increased instructional hours in grades seven through twelve. For the 2013-14 and 2014-15 school years, 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 0.4444 hours per week per full-time equivalent student in grades seven through twelve in school year 2013-14 and 0.8888 hours per week 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 section 503 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 one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2014 and 2015 as follows:

(a) \$607,000 of the general fund--state appropriation for fiscal year 2014 and \$617,000 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 \$218,000 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 higher education coordinating board, 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 (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed 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.

NEW SECTION. Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.280 and under section 502 of this act:

(a) Salary allocations for certificated instructional staff units are determined for each district by multiplying the district's certificated instructional total base salary shown on LEAP Document 2 by the district's average staff mix factor for certificated instructional staff in that school year, computed using LEAP document 1; and

(b) Salary allocations for certificated administrative staff units and classified staff units for each district are determined based on the district's certificated administrative and classified salary allocation amounts shown on LEAP Document 2.

(2) For the purposes of this section:

(a) "LEAP Document 1" means the staff mix factors for certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on March 31, 2013 at 15:31 hours; and

(b) "LEAP Document 2" means the school year salary allocations for certificated administrative staff and classified staff and derived and total base salaries for certificated instructional staff as developed by the legislative evaluation and accountability program committee on March 31, 2013 at 15:31 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 18.04 percent for school year 2013-14 and 18.04 percent for school year 2014-15 for certificated instructional and certificated administrative staff and 17.45 percent for school year 2013-14 and 17.45 percent for the 2014-15 school year for classified staff.

(4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary allocation schedules for certificated instructional staff are established for basic education salary allocations:

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2013-14

*** Education Experience ***

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276
4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765

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5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713
8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
10			43,635	45,247	48,524	50,913	48,724	52,003	54,390
11				46,772	50,121	52,557	50,249	53,599	56,034
12				48,249	51,761	54,269	51,835	55,238	57,748
13					53,440	56,024	53,476	56,918	59,501
14					55,128	57,844	55,165	58,716	61,322
15					56,563	59,349	56,599	60,242	62,917
16 or more					57,693	60,535	57,731	61,447	64,174

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2014-15

*** Education Experience ***

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276
4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765
5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713
8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
10			43,635	45,247	48,524	50,913	48,724	52,003	54,390
11				46,772	50,121	52,557	50,249	53,599	56,034
12				48,249	51,761	54,269	51,835	55,238	57,748
13					53,440	56,024	53,476	56,918	59,501
14					55,128	57,844	55,165	58,716	61,322
15					56,563	59,349	56,599	60,242	62,917

16 or
more

57,693 60,535 57,731 61,447 64,174

- (b) As used in this subsection, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.
- (c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:
 - (i) Credits earned since receiving the masters degree; and
 - (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.
- (5) For the purposes of this section:
 - (a) "BA" means a baccalaureate degree.
 - (b) "MA" means a masters degree.
 - (c) "PHD" means a doctorate degree.
 - (d) "Years of service" shall be calculated under the same rules adopted by the superintendent of public instruction.
 - (e) "Credits" means college quarter hour credits and equivalent in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.
- (6) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in this part V, or any replacement schedules and documents, unless:
 - (a) The employee has a masters degree; or
 - (b) The credits were used in generating state salary allocations before January 1, 1992.
- (7) The salary allocation schedules established in this section are for allocation purposes only except as provided in RCW 28A.400.200(2).

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

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

- (1)(a) Additional salary adjustments as necessary to fund the base salaries for certificated instructional staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act. Allocations for these salary adjustments shall be provided to all districts that are not grandfathered to receive salary allocations above the statewide salary allocation schedule, and to certain grandfathered districts to the extent necessary to ensure that salary allocations for districts that are currently grandfathered do not fall below the statewide salary allocation schedule.
- (b) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for certificated administrative staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.
- (c) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for classified staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.
- (d) The appropriations in this subsection (1) include associated incremental fringe benefit allocations at 18.04 percent for the 2013-14 school year and 18.04 percent for the 2014-15 school year for certificated instructional and certificated administrative staff and 17.45 percent for the 2013-14 school year and 17.45 percent for the 2014-15 school year for classified staff.
- (e) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocation schedules and methodology in sections 502 and 503 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 502 and 503 of this act.
- (f) The appropriations in this section include no salary adjustments for substitute teachers.
- (2) The maintenance rate for insurance benefit allocations is \$768.00 per month for the 2013-14 and 2014-15 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$768.00 per month for the 2013-14 school year and \$768.00 per month for the 2014-15 school year.
- (3) The rates specified in this section are subject to revision each year by the legislature.

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION

General Fund--State Appropriation (FY 2014)	\$330,005,000
General Fund--State Appropriation (FY 2015)	\$330,842,000
Education Legacy Trust Account--State Appropriation	\$144,147,000
TOTAL APPROPRIATION	\$804,994,000

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 students as provided in RCW 28A.160.192.
- (b) 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 through section 505 of the 2013 omnibus supplemental operating appropriations act.
- (3) 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) 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) 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) 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) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

NEW SECTION. Sec. 506. 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	\$487,548,000

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.

NEW SECTION. Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2014)	\$723,348,000
General Fund--State Appropriation (FY 2015)	\$743,458,000
General Fund--Federal Appropriation	\$462,023,000
Education Legacy Trust Account--State Appropriation	\$85,078,000
TOTAL APPROPRIATION	\$2,013,907,000

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.

(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 through section 507 of the 2013 omnibus supplemental operating appropriations act.

(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) \$34,227,000 of the general fund--state appropriation for fiscal year 2014, \$35,592,000 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 of the general fund--federal appropriation shall be expended to support a special education ombudsman program within the office of superintendent of public instruction.

NEW SECTION. Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS

General Fund--State Appropriation (FY 2014)	\$8,532,000
General Fund--State Appropriation (FY 2015)	\$8,540,000
TOTAL APPROPRIATION	\$17,072,000

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. 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.

NEW SECTION. Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE

General Fund--State Appropriation (FY 2014)	\$314,451,000
General Fund--State Appropriation (FY 2015)	\$328,277,000
TOTAL APPROPRIATION	\$642,728,000

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 6.8 percent from the 2012-13 school year to the 2013-14 school year and 1.7 percent from the 2013-14 school year to the 2014-15 school year.

NEW SECTION. Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2014)	\$15,292,000
General Fund--State Appropriation (FY 2015)	\$15,495,000
TOTAL APPROPRIATION	\$30,787,000

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 of the general fund--state appropriation for fiscal year 2014 and \$1,070,000 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.

NEW SECTION. Sec. 511. FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund--State Appropriation (FY 2014)	\$9,489,000
General Fund--State Appropriation (FY 2015)	\$9,594,000
Education Legacy Trust Account--State Appropriation	\$153,000
TOTAL APPROPRIATION	\$19,236,000

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 through section 511 of the 2013 omnibus supplemental operating appropriations act.

(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.

NEW SECTION. Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS--NO CHILD LEFT BEHIND ACT

General Fund--Federal Appropriation	\$4,052,000
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NEW SECTION. Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM PROGRAMS

General Fund--State Appropriation (FY 2014)	\$138,860,000
General Fund--State Appropriation (FY 2015)	\$101,615,000
General Fund--Federal Appropriation	\$206,243,000
General Fund--Private/Local Appropriation	\$4,002,000
Education Legacy Trust Account--State Appropriation	\$1,599,000
TOTAL APPROPRIATION	\$452,319,000

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

(1) \$44,120,000 of the general fund--state appropriation for fiscal year 2014, \$28,232,000 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: (a) Development and implementation of retake assessments for high school students who are not successful in one or more content areas and (b) 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. Amounts in this subsection are adjusted to reflect savings from enacting legislation that redesigns statewide student assessments using consortium-developed assessments to align with the common core state standards and reduces the number of statewide student assessments.

(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) \$980,000 of the general fund--state appropriation for fiscal year 2014 and \$980,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for improving technology infrastructure, monitoring and reporting on school district technology development, promoting standards for school district technology, promoting statewide coordination and planning for technology development, and providing regional educational technology support centers, including state support activities, under chapter 28A.650 RCW.

(4) \$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 2014 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(5)(a) \$45,263,000 of the general fund--state appropriation for fiscal year 2014 and \$49,673,000 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.

(6) \$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.

(7) \$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.

(8) \$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.

(9) \$3,234,000 of the general fund--state appropriation for fiscal year 2014 and \$3,234,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for grants to school districts to provide a continuum of care for children and families to help children become ready to learn. Grant proposals from school districts shall contain local plans designed collaboratively with community service providers. If a continuum of care program exists in the area in which the school district is located, the local plan shall provide for coordination with existing programs to the greatest extent possible.

(10) \$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 the implementation of chapter 288, Laws of 2011 (actual student success program), including allocations to the opportunity internship program, the jobs for America's graduates program, the building bridges program, services provided by a college scholarship organization. Funding shall not be used in the 2013-15 fiscal biennium to provide awards for schools and school districts.

(11) \$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.

(12) \$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.

(13) \$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.

(14) \$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.

(15) \$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 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.

(16) \$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.

(17) \$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.

(18) \$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.

(19) \$75,000 of the general fund--state appropriation for fiscal year 2014 and \$75,000 of the general fund--state appropriation for fiscal year 2015 is provided solely to subsidize the cost of national career readiness certification testing for the state's graduates of the aerospace assembly and advanced manufacturing high school and skill center programs. To be eligible for the subsidy, a student must be enrolled or eligible to participate in the federal free or reduced price lunch program.

(20)(a) \$3,883,000 of the general fund--state appropriation for fiscal year 2014 and \$55,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1680 (educational opportunity gap). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(b) Of the amount appropriated for fiscal year 2014 under (a) of this subsection, \$1,000,000 is provided solely for implementation of section 202 of House Bill No. 1680. If section 202 of House Bill No. 1680 is not enacted by June 30, 2013, the amount provided in this subsection (20)(b) shall lapse.

(c) Of the amount appropriated for fiscal year 2014 under (a) of this subsection, \$990,000 is provided solely for implementation of section 402 of House Bill No. 1680. If section 402 of House Bill No. 1680 is not enacted by June 30, 2013, the amount provided in this subsection (20)(c) shall lapse.

(21) \$25,000,000 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 solely for the provision of training for teachers in the performance-based teacher principal evaluation program.

(22) \$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.

NEW SECTION. Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund--State Appropriation (FY 2014)	\$93,928,000
General Fund--State Appropriation (FY 2015)	\$104,316,000
General Fund--Federal Appropriation	\$71,015,000
TOTAL APPROPRIATION	\$269,259,000

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 as provided in RCW 28A.150.260(10)(b). In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six in school years 2013-14 and 2014-15; (ii) additional instruction of 5.0224 hours per week in school year 2013-14 and 5.2668 hours per week in school year 2014-15 per transitional bilingual program student in grades seven through eight; (iii) additional instruction of 5.4224 hours per week in school year 2013-14 and 6.0668 hours per week in school year 2014-15 per transitional bilingual program student in grades nine through twelve; (iv) additional instruction of 0.6000 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 year based on their performance on the English proficiency assessment; (v) additional instruction of 1.2000 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; (vi) fifteen transitional bilingual program students per teacher; (vii) 36 instructional weeks per year; (viii) 900 instructional hours per teacher; and (ix) 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 through section 512 of the 2013 omnibus supplemental operating appropriations act.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 1.56 percent for school year 2013-14 and 1.41 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.

NEW SECTION. Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM

General Fund--State Appropriation (FY 2014)	\$140,495,000
General Fund--State Appropriation (FY 2015)	\$152,956,000
General Fund--Federal Appropriation	\$448,435,000
Education Legacy Trust Account--State Appropriation	\$701,000
TOTAL APPROPRIATION	\$742,587,000

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). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 1.6125 hours per week per funded learning assistance program student for the 2013-14 school year and 1.7094 hours per week for 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 through section 513 of the 2013 omnibus supplemental operating appropriations act.

(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.

(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.

NEW SECTION. Sec. 516. 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.

(End of part)

PART VI

HIGHER EDUCATION

NEW SECTION. Sec. 601. The appropriations in sections 605 through 611 of this act are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections 605 through 611 of this act.

(2) The legislature, the office of financial management, and other state agencies need consistent and accurate personnel data from institutions of higher education for policy planning purposes. Institutions of higher education shall report personnel data to the department of personnel for inclusion in the department's data warehouse. Uniform reporting procedures shall be established by the office of financial management's office of the state human resources director for use by the reporting institutions, including provisions for common job classifications and common definitions of full-time equivalent staff. Annual contract amounts, number of contract months, and funding sources shall be consistently reported for employees under contract.

(3) In addition to waivers granted under the authority of RCW 28B.15.910, the governing boards and the state board may waive all or a portion of operating fees for any student. State general fund appropriations shall not be provided to replace tuition and fee revenue foregone as a result of waivers granted under this subsection.

(4) The institutions of higher education receiving state appropriations under sections 605 through 611 of this act shall allot anticipated state and tuition expenditures by budget program and fiscal year.

(5)(a) For institutions receiving appropriations in section 605 of this act, the only allowable salary increases provided are those with normally occurring promotions and increases related to faculty and staff retention. In fiscal year 2014 and fiscal year 2015, the state board for community and technical colleges may use salary and benefit savings from faculty turnover to provide salary increments and associated benefits for faculty who qualify through professional development and training.

(b) For employees under the jurisdiction of chapter 41.56 RCW, salary increases will be in accordance with the applicable collective bargaining agreement. However, an increase shall not be provided to any classified employee whose salary is above the approved salary range maximum for the class to which the employee's position is allocated.

(c) For each institution of higher education receiving appropriations under sections 606 through 611 of this act:

(i) The only allowable salary increases are those associated with normally occurring promotions and increases related to faculty and staff retention; and

(ii) Institutions may provide salary increases from other sources to instructional and research faculty at the universities and The Evergreen State College, exempt professional staff, teaching and research assistants, as classified by the office of financial management, and all other nonclassified staff, but not including employees under chapter 41.80 RCW. Any salary increase granted under the authority of this subsection (4)(c)(ii) shall not be included in an

institution's salary base for future state funding. It is the intent of the legislature that state general fund support for an institution shall not increase during the current or any future biennium as a result of any salary increases authorized under this subsection (4)(c)(ii).

NEW SECTION. Sec. 602. (1) Within the amounts appropriated in this act, 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
Central Washington University	8,808	8,808
Eastern Washington University	8,734	8,734
The Evergreen State College	4,213	4,213
Western Washington University	11,762	11,762
State Board for Community & Technical Colleges		
Adult Students	139,237	139,237
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.

NEW SECTION. Sec. 603. 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 increases of tuition levels for resident undergraduate students over the amounts charged to resident undergraduate students for the prior year, as follows:

University of Washington	5%
Washington State University	5%
Central Washington University	3%
Eastern Washington University	3%
The Evergreen State College	3%

(3) The governing boards of the state research universities, the state regional universities, and The Evergreen State College may exceed the tuition levels assumed 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 shall be subject to the conditions and limitations provided in chapter 28B.15 RCW as amended by chapter 10, Laws of 2011 sp. sess. (higher education opportunity act). In order to facilitate the full implementation of chapter 10, Laws of 2011 sp. sess., the institutions of higher education are authorized to adopt tuition levels that are less than, equal to, or greater than the tuition levels assumed in subsection (2) of this section.

(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.

NEW SECTION. Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

(1) The state board may increase the tuition fees charged to resident undergraduate students by no more than three percent over the amounts charged to resident undergraduates during the prior academic year. The board may increase tuition fees under this subsection differentially based on student credit hour load, provided that the overall increase in average tuition revenue per student does not exceed three percent.

(2) 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.

(3) The state board may increase the tuition fees charged to nonresident students by amounts judged reasonable and necessary by the board.

(4) The trustees of the technical colleges are authorized to either (a) increase operating fees for resident undergraduates by no more than three percent over the amounts charged to resident undergraduates during the prior academic year; or (b) fully adopt the tuition fee charge schedule adopted by the state board for community colleges.

(5) 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.

(6) 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.

(7) 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.

(8) 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.

(9) 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.

NEW SECTION. Sec. 605. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund--State Appropriation (FY 2014) \$548,495,000

General Fund--State Appropriation (FY 2015) \$549,676,000

Community/Technical College Capital Projects

Account--State Appropriation \$17,548,000

Education Legacy Trust Account--State

Appropriation \$110,469,000

TOTAL APPROPRIATION \$1,226,188,000

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

(1) When implementing the appropriations in this section, the state board and the trustees of the individual community and technical colleges shall minimize impact on academic programs, maximize reductions in administration, and shall at least maintain, and endeavor to increase, enrollment opportunities and degree and certificate production in high employer-demand fields of study at their academic year 2008-09 levels.

(2) \$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 6,200 full-time equivalent students in fiscal year 2014 and at least 6,200 full-time equivalent students in fiscal year 2015.

(3) \$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.

(4) \$3,928,000 of the education legacy trust account appropriation is provided solely for the expansion of enrollment in aerospace and STEM (science, technology, engineering and math) programs. The state board 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 state board shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the colleges, and how many students are enrolled in aerospace and STEM programs above the 2012-2013 academic year baseline.

(5) \$200,000 of the education legacy trust account appropriation is 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.

(6) \$362,000 of the education legacy trust account appropriation is provided solely for the opportunity center for employment and education internet technology integration project at north Seattle community college.

(7) \$510,000 of the education legacy trust account appropriation is provided solely for implementation of a maritime industries training program at south Seattle community college.

(8) \$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 for the labor center at the Georgetown south Seattle community college campus. \$50,000 of the amount provided in this subsection for fiscal year 2014 and \$50,000 of the amounts for 2015 are provided solely for the labor center archive project.

(9) \$10,000,000 of the education legacy trust account appropriation is provided solely for the student achievement initiative.

(10) \$75,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the implementation of Second Substitute House Bill No. 1680 (education opportunity gap). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(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.

(12) Within existing funds, boards of the trustees at the community and technical colleges shall award faculty salary step increases, pursuant to locally bargained agreements and the provisions of House Bill No. 1348 (community and tech colleges).

(13) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 606. FOR THE UNIVERSITY OF WASHINGTON

General Fund--State Appropriation (FY 2014)	\$227,004,000
General Fund--State Appropriation (FY 2015)	\$226,894,000
Geoduck Aquaculture Research Account--State Appropriation	\$300,000
Education Legacy Trust Account--State Appropriation	\$20,769,000
Economic Development Strategic Reserve Account-- State Appropriation	\$3,000,000
Biotoxin Account--State Appropriation	\$390,000
Accident Account--State Appropriation	\$6,767,000
Medical Aid Account--State Appropriation	\$6,566,000
TOTAL APPROPRIATION	\$491,690,000

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

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$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.

(3) \$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.

(4) \$2,000,000 of the education legacy trust account appropriation is provided solely for the college of engineering to support an increase in the number of engineering graduates by 425 students. By September 1, 2013, and each September 1st thereafter, the university shall provide an updated report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the college, and how many students are enrolled in engineering programs above the baseline.

(5) \$14,491,000 of the education legacy trust account appropriation 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, 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, 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.

(6) \$6,000,000 of the general fund--state appropriation for fiscal year 2014 and \$6,000,000 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.

(7) \$3,000,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

(8) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 607. FOR WASHINGTON STATE UNIVERSITY

General Fund--State Appropriation (FY 2014)	\$147,413,000
General Fund--State Appropriation (FY 2015)	\$149,072,000
Education Legacy Trust Account--State Appropriation	\$39,377,000
TOTAL APPROPRIATION	\$335,862,000

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

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$2,000,000 of the education legacy trust account appropriation is provided solely for the college of engineering to support an increase in the number of engineering graduates by 425 students. By September 1, 2013, and each September 1st thereafter, the university shall provide an updated report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the college, and how many students are enrolled in engineering programs above the baseline.

(3) \$8,389,000 of the education legacy trust account appropriation 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, 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, 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) \$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.

(5) \$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 the Washington State University agricultural research center to research and conduct a detailed analysis of nonlethal methods of mitigating conflicts between livestock and large wild carnivores. 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.

(6) \$2,915,000 of the general fund--state appropriation for fiscal year 2014 and \$3,885,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for expansion of medical education and biomedical research in Spokane.

(7) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

NEW SECTION. Sec. 608. FOR EASTERN WASHINGTON UNIVERSITY

General Fund--State Appropriation (FY 2014)	\$28,705,000
General Fund--State Appropriation (FY 2015)	\$28,756,000
Education Legacy Trust Account--State Appropriation	\$16,560,000
TOTAL APPROPRIATION	\$74,021,000

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

(1) In implementing the appropriations in this section, the president and governing board shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$2,082,000 of the education legacy trust account appropriation is provided solely for improvements in student completion and retention rates in order to increase the university's four year graduation rate. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific details on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the university, and any changes in completion and retention rates.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY

General Fund--State Appropriation (FY 2014)	\$25,964,000
General Fund--State Appropriation (FY 2015)	\$25,965,000
Education Legacy Trust Account--State Appropriation	\$19,819,000
TOTAL APPROPRIATION	\$71,748,000

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

(1) In implementing the appropriations in this section, the president and governing board shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$2,761,000 of the education legacy trust account appropriation is provided solely for improvements in student completion and retention rates in order to increase the university's four year graduation rate. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific details on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the university, and any changes in completion and retention rates.

(3) \$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.

(4) 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.

(5) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 610. FOR THE EVERGREEN STATE COLLEGE

General Fund--State Appropriation (FY 2014)	\$16,746,000
General Fund--State Appropriation (FY 2015)	\$16,537,000
Education Legacy Trust Account--State Appropriation	\$5,855,000
TOTAL APPROPRIATION	\$39,138,000

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

(1) In implementing the appropriations in this section, the president and governing board shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$1,157,000 of the education legacy trust account appropriation is provided solely for instructional support. By September 1, 2014, and each September 1st thereafter, the college shall provide a report that provides the specific details on how these amounts were spent in the preceding fiscal year and any process changes or best-practices implemented by the college.

(3) \$75,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the Washington state institution for public policy to conduct a comprehensive study of the financial incentives promoting distributed generation in Washington. Distributed generation is electric generation, often from renewable resources, connected to a utility's distribution grid and located at or near where the electricity will be used.

(a) Specifically, the institute's study shall:

(i) Include a review of the costs and benefits of net metering, the renewable energy investment cost recovery program, other tax credits, reductions, and exemptions, and the provisions of double renewable energy credits for renewable resource generation projects under five megawatts as allowed under the energy independence act;

(ii) Determine whether the incentives available to distributed generation are consistent with one another and work together in meeting the state's goals for the electric distribution system and promoting cost-effective distributed generation;

(iii) Evaluate whether the current incentive structure encourages long-term, sustainable energy and environmental benefits to the ratepayers and the citizens of Washington;

(iv) Recommend, as needed, changes to the current incentive structure or new policies based on its findings;

(v) Contain both a region specific life-cycle assessment and economic analysis of distributed generation; and

(vi) Establish a system to properly assign incentives to distributed generation on a per-technology basis, based on the costs and benefits associated with each technology type.

(b) The institute shall provide a final report to the legislature by February 1, 2014.

(4) 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.

(5) The Evergreen State College shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY

General Fund--State Appropriation (FY 2014)	\$38,025,000
General Fund--State Appropriation (FY 2015)	\$38,062,000
Education Legacy Trust Account--State Appropriation	\$14,088,000
TOTAL APPROPRIATION	\$90,175,000

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

(1) In implementing the appropriations in this section, the president and governing board shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$5,958,000 of the education legacy trust account appropriation 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, 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, 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) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 612. FOR THE STUDENT ACHIEVEMENT COUNCIL--POLICY COORDINATION AND ADMINISTRATION

General Fund--State Appropriation (FY 2014)	\$5,320,000
General Fund--State Appropriation (FY 2015)	\$5,336,000
General Fund--Federal Appropriation	\$4,820,000
TOTAL APPROPRIATION	\$15,476,000

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.

NEW SECTION. Sec. 613. FOR THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund--State Appropriation (FY 2014)	\$257,535,000
General Fund--State Appropriation (FY 2015)	\$269,729,000
General Fund--Federal Appropriation	\$11,658,000
General Fund--Private/Local Appropriation	\$34,000
Education Legacy Trust Account--State Appropriation	\$58,698,000
Washington Opportunity Pathways Account--State Appropriation	\$147,000,000
TOTAL APPROPRIATION	\$744,654,000

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

(1) \$247,392,000 of the general fund--state appropriation for fiscal year 2014, \$260,043,000 of the general fund--state appropriation, \$147,000,000 of the opportunity pathways account--state appropriation, and \$3,524,000 of the education legacy trust 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.

(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.

(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. The student achievement council shall report to the legislature by December 1, 2014, regarding the number of students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits, and their academic progress including degree completion. 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) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. Institutions must award the maximum state need grant for which the student is eligible under state policies prior to awarding a college bound scholarship for students who have applied for aid in a timely fashion.

(6) \$50,174,000 of the education legacy trust account appropriation is provided solely for the college bound scholarship program.

(7) Students who meet the qualifications pursuant to section 950 of this act are eligible to receive state need grant awards.

(8) \$5,000,000 of the education legacy trust account appropriation is provided solely for the opportunity scholarship program.

(9) \$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.

(10) 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.

(11) \$100,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the implementation of Substitute House Bill No. 1817 (higher ed financial aid). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 614. FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund--State Appropriation (FY 2014)	\$1,629,000
General Fund--State Appropriation (FY 2015)	\$1,518,000
General Fund--Federal Appropriation	\$54,254,000
TOTAL APPROPRIATION	\$57,401,000

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

(1) 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.

(2) \$52,000 of the general fund--state appropriation for fiscal year 2014 and \$42,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Substitute House Bill No. 1472 (computer science education). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 615. FOR THE DEPARTMENT OF EARLY LEARNING

General Fund--State Appropriation (FY 2014)	\$43,953,000
General Fund--State Appropriation (FY 2015)	\$55,069,000
General Fund--Federal Appropriation	\$313,982,000
Opportunity Pathways Account--State Appropriation	\$80,000,000
Home Visiting Services Account--Federal Appropriation	\$613,000
Children's Trust Account--State Appropriation	\$180,000
TOTAL APPROPRIATION	\$493,797,000

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

(1) \$30,016,000 of the general fund--state appropriation for fiscal year 2014, \$42,797,000 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, and \$22,144,000 of the general fund--federal appropriation 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.

(a) All federal funds received by the department for home visiting activities must be deposited into the home visiting services account.

(b) The department must consult with stakeholders during the development of the Washington home visiting plan and any future proposals for federal funding.

(c) No more than \$613,000 of the home visiting services account--federal appropriation may be expended for program administration in the 2013-2015 fiscal biennium pursuant to RCW 43.215.130. No other funds may be expended for that purpose.

(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.

(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.

(8) \$1,025,000 of the general fund--state appropriation for fiscal year 2014, \$1,025,000 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) \$4,122,000 of the general fund--state appropriation for fiscal year 2014, \$2,522,000 of the general fund--state appropriation for fiscal year 2015, and \$2,704,000 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 MTCC program, as long as the children meet the eligibility requirements as outlined in the Washington state plan for the MTCC program. 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.

(10) \$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 a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(11) \$793,000 of the general fund--state appropriation for fiscal year 2014 and \$796,000 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 and the provisions of section . . . of this act, information systems projects.

(12) \$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 implementation of Second Substitute House Bill No. 1671 (child care reform). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(13) \$60,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (state-tribal education compacts). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 616. FOR THE STATE SCHOOL FOR THE BLIND

General Fund--State Appropriation (FY 2014)	\$6,024,000
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General Fund--State Appropriation (FY 2015) \$5,809,000
 General Fund--Private/Local Appropriation \$18,000
 TOTAL APPROPRIATION \$11,851,000

NEW SECTION. Sec. 617. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund--State Appropriation (FY 2014) \$8,610,000
 General Fund--State Appropriation (FY 2015) \$8,604,000
 TOTAL APPROPRIATION \$17,214,000

NEW SECTION. Sec. 618. FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund--State Appropriation (FY 2014) \$1,126,000
 General Fund--State Appropriation (FY 2015) \$1,099,000
 General Fund--Federal Appropriation \$2,074,000
 General Fund--Private/Local Appropriation \$12,000
 TOTAL APPROPRIATION \$4,311,000

NEW SECTION. Sec. 619. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund--State Appropriation (FY 2014) \$2,110,000
 General Fund--State Appropriation (FY 2015) \$2,140,000
 TOTAL APPROPRIATION \$4,250,000

NEW SECTION. Sec. 620. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund--State Appropriation (FY 2014) \$1,601,000
 General Fund--State Appropriation (FY 2015) \$1,534,000
 TOTAL APPROPRIATION \$3,135,000

(End of part)

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION. Sec. 701. 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) \$973,839,000
 General Fund--State Appropriation (FY 2015) \$1,051,513,000
 State Building Construction Account--State
 Appropriation \$4,297,000
 Columbia River Basin Water Supply Development
 Account--State Appropriation \$269,000
 State Taxable Building Construction Account--State
 Appropriation \$211,000
 Debt-Limit Reimbursable Bond Retire Account--State
 Appropriation \$2,320,000
 TOTAL APPROPRIATION \$2,032,449,000

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.

NEW SECTION. Sec. 702. 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
 Medical Aid Account--State Appropriation \$4,138,000
 TOTAL APPROPRIATION \$8,276,000

NEW SECTION. Sec. 703. 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
 Nondebt-Limit Reimbursable Bond Retirement Account--State
 Appropriation \$140,215,000
 TOTAL APPROPRIATION \$181,953,000

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.

NEW SECTION. Sec. 704. 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
General Fund--State Appropriation (FY 2015)	\$1,726,000
State Building Construction Account--State Appropriation	\$867,000
Columbia River Basin Water Supply Development Account--State Appropriation	\$57,000
State Taxable Building Construction Account--State Appropriation	\$45,000
TOTAL APPROPRIATION	\$4,421,000

NEW SECTION. Sec. 705. FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY

General Fund--State Appropriation (FY 2014)	\$4,000,000
General Fund--State Appropriation (FY 2015)	\$4,000,000
TOTAL APPROPRIATION	\$8,000,000

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 to be used for any Washington state fire service resource mobilization costs incurred by the Washington state patrol in response to an emergency or disaster authorized under RCW 43.43.960 and 43.43.964.

NEW SECTION. Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT--DISASTER RESPONSE ACCOUNT

General Fund--State Appropriation (FY 2014)	\$5,100,000
General Fund--State Appropriation (FY 2015)	\$2,500,000
TOTAL APPROPRIATION	\$7,600,000

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.

NEW SECTION. Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT--EMERGENCY FUND

General Fund--State Appropriation (FY 2014)	\$850,000
General Fund--State Appropriation (FY 2015)	\$850,000
TOTAL APPROPRIATION	\$1,700,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for the governor's emergency fund for the critically necessary work of any agency.

NEW SECTION. Sec. 708. FOR THE OFFICE OF FINANCIAL MANAGEMENT--EDUCATION TECHNOLOGY REVOLVING ACCOUNT

General Fund--State Appropriation (FY 2014)	\$8,000,000
General Fund--State Appropriation (FY 2015)	\$8,000,000
TOTAL APPROPRIATION	\$16,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the education technology revolving account for the purpose of covering ongoing operational and equipment replacement costs incurred by the K-20 educational network program in providing telecommunication services to network participants.

NEW SECTION. Sec. 709. FOR THE OFFICE OF FINANCIAL MANAGEMENT--O'BRIEN BUILDING IMPROVEMENT

General Fund--State Appropriation (FY 2014)	\$2,948,000
General Fund--State Appropriation (FY 2015)	\$2,942,000
TOTAL APPROPRIATION	\$5,890,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the general administration services account for payment of principal, interest, and financing expenses associated with the certificate of participation for the O'Brien building improvement, project number 20081007.

NEW SECTION. Sec. 710. FOR THE DEPARTMENT OF HEALTH--COUNTY PUBLIC HEALTH ASSISTANCE

General Fund--State Appropriation (FY 2014)	\$24,000,000
General Fund--State Appropriation (FY 2015)	\$24,000,000
TOTAL APPROPRIATION	\$48,000,000

The appropriations in this section are subject to the following conditions and limitations: The director of the department of health 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	\$30,951	\$30,951	\$61,902
Asotin County Health District	\$67,714	\$67,714	\$135,428

Benton-Franklin Health District	\$1,165,612	\$1,165,612	\$2,331,224
Chelan-Douglas Health District	\$184,761	\$184,761	\$369,522
Clallam County Health and Human Services Department	\$141,752	\$141,752	\$283,504
Clark County Health District	\$1,057,792	\$1,057,792	\$2,115,594
Skamania County Health Department	\$26,681	\$26,681	\$53,362
Columbia County Health District	\$40,529	\$40,529	\$81,058
Cowlitz County Health Department	\$278,560	\$278,560	\$557,120
Garfield County Health District	\$15,028	\$15,028	\$30,056
Grant County Health District	\$118,595	\$118,596	\$237,191
Grays Harbor Health Department	\$183,870	\$183,870	\$367,740
Island County Health Department	\$91,892	\$91,892	\$183,784
Jefferson County Health and Human Services	\$85,782	\$85,782	\$171,564
Seattle-King County Department of Public Health	\$9,531,747	\$9,531,747	\$19,063,494
Bremerton-Kitsap County Health District	\$554,669	\$554,669	\$1,109,338
Kittitas County Health Department	\$92,499	\$92,499	\$184,998
Klickitat County Health Department	\$62,402	\$62,402	\$124,804
Lewis County Health Department	\$105,801	\$105,801	\$211,602
Lincoln County Health Department	\$29,705	\$29,705	\$59,410
Mason County Department of Health Services	\$95,988	\$95,988	\$191,976
Okanogan County Health District	\$63,458	\$63,458	\$126,916
Pacific County Health Department	\$77,427	\$77,427	\$154,854
Tacoma-Pierce County Health Department	\$2,820,590	\$2,820,590	\$5,641,180
San Juan County Health and Community Services	\$37,531	\$37,531	\$75,062
Skagit County Health Department	\$223,927	\$223,927	\$447,854
Snohomish Health District	\$2,258,207	\$2,258,207	\$4,516,414
Spokane County Health District	\$2,101,429	\$2,101,429	\$4,202,858
Northeast Tri-County Health District	\$110,454	\$110,454	\$220,908
Thurston County Health Department	\$600,419	\$600,419	\$1,200,838
Wahkiakum County Health Department	\$13,773	\$13,772	\$27,545
Walla Walla County-City Health Department	\$172,062	\$172,062	\$344,124
Whatcom County Health Department	\$855,863	\$855,863	\$1,711,726
Whitman County Health Department	\$78,733	\$78,733	\$157,466
Yakima Health District	\$623,797	\$623,797	\$1,247,594

TOTAL APPROPRIATIONS	\$24,000,000	\$24,000,000	\$48,000,000
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NEW SECTION. Sec. 711. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO RETIREMENT SYSTEMS

The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(1) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund--State Appropriation (FY 2014)	\$58,700,000
General Fund--State Appropriation (FY 2015)	\$61,600,000
TOTAL APPROPRIATION	\$120,300,000

(2) There is appropriated for contributions to the judicial retirement system:

General Fund--State Appropriation (FY 2014)	\$10,600,000
General Fund--State Appropriation (FY 2015)	\$10,600,000
TOTAL APPROPRIATION	\$21,200,000

NEW SECTION. Sec. 712. FOR THE OFFICE OF FINANCIAL MANAGEMENT--STATE EFFICIENCY AND RESTRUCTURING REPAYMENT

General Fund--State Appropriation (FY 2014)	\$4,981,000
General Fund--State Appropriation (FY 2015)	\$4,981,000
TOTAL APPROPRIATION	\$9,962,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the cleanup settlement account on July 1, 2013, and July 1, 2014, as repayment of moneys that were transferred to the state efficiency and restructuring account.

NEW SECTION. Sec. 713. FOR THE OFFICE OF FINANCIAL MANAGEMENT--COMPENSATION INCREASE - NEW STEP M

General Fund--State Appropriation (FY 2014)	\$17,988,000
General Fund--State Appropriation (FY 2015)	\$20,627,000
Special Compensation Increase Revolving Account Appropriation	\$25,751,000
TOTAL APPROPRIATION	\$64,366,000

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

(1) The appropriations in this section are provided solely to increase agency and institution appropriations to reflect compensation increases resulting from the implementation of a new step M on the salary grid for classified employees.

(2) To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer shall transfer sufficient moneys from each dedicated fund or account to the special compensation increase revolving account in accordance with schedules provided by the office of financial management.

NEW SECTION. Sec. 714. FOR THE OFFICE OF FINANCIAL MANAGEMENT--LEAN MANAGEMENT STRATEGIES EFFICIENCY SAVINGS

General Fund--State Appropriation (FY 2015)	(\$20,000,000)
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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 application 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 \$20,000,000 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. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT--ELECTRONIC MEDICAL RECORD STUDY

General Fund--State Appropriation (FY 2014)	\$2,068,000
General Fund--State Appropriation (FY 2015)	\$2,066,000
General Fund--Federal Appropriation	\$240,000
TOTAL APPROPRIATION	\$4,374,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section 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 and the provisions of section 944 of this act, information systems projects.

NEW SECTION. Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT--CONSOLIDATED TECHNOLOGY SERVICES

General Fund--State Appropriation (FY 2014)	\$2,055,000
General Fund--State Appropriation (FY 2015)	\$2,469,000
Other Appropriated Funds	\$4,462,000
TOTAL APPROPRIATION	\$8,986,000

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect expenditures associated with consolidated technology services.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document 92J-2013 dated April 7, 2013.

NEW SECTION. Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT--ATTORNEY GENERAL LEGAL SERVICES

General Fund--State Appropriation (FY 2014)	(\$401,000)
General Fund--State Appropriation (FY 2015)	(\$338,000)
Other Appropriated Funds	(\$2,759,000)
TOTAL APPROPRIATION	(\$3,498,000)

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect savings associated with attorney general legal services.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document 92E-2013 dated April 7, 2013.

NEW SECTION. Sec. 718. FOR THE OFFICE OF FINANCIAL MANAGEMENT--ADMINISTRATIVE HEARINGS

General Fund--State Appropriation (FY 2014)	\$89,000
General Fund--State Appropriation (FY 2015)	\$89,000
Other Appropriated Funds	\$284,000
TOTAL APPROPRIATION	\$462,000

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect expenditures associated with administrative hearings.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document 92G-2013 dated April 7, 2013.

NEW SECTION. Sec. 719. FOR THE OFFICE OF FINANCIAL MANAGEMENT--DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES

General Fund--State Appropriation (FY 2014)	(\$2,102,000)
General Fund--State Appropriation (FY 2015)	(\$323,000)
Other Appropriated Funds	(\$1,804,000)
TOTAL APPROPRIATION	(\$4,229,000)

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect savings associated with central services provided by the department of enterprise services.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document 92K-2013 dated April 7, 2013.

NEW SECTION. Sec. 720. FOR THE OFFICE OF THE INSURANCE COMMISSIONER--HEALTH BENEFIT EXCHANGE ACCOUNT

General Fund--State Appropriation (FY 2014)	\$676,000
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The appropriations in this section are subject to the following conditions and limitations: The amounts in this section are provided solely for expenditure into the health benefit exchange account--state and are provided as a loan to be repaid with amounts from the health benefit exchange account--state by July 30, 2015.

NEW SECTION. Sec. 721. FOR THE OFFICE OF FINANCIAL MANAGEMENT--COMMUNICATION SERVICES REFORM

General Fund--State Appropriation (FY 2014)	\$47,000
General Fund--State Appropriation (FY 2015)	\$4,953,000
TOTAL APPROPRIATION	\$5,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the universal communications services fund to implement Substitute House Bill No. 1971 (communications services). If the bill is not enacted by June 30, 2013, the appropriations provided in this section shall lapse.

NEW SECTION. Sec. 722. FOR THE OFFICE OF FINANCIAL MANAGEMENT--CONTRIBUTIONS FOR STATE EMPLOYEE HEALTH INSURANCE

General Fund--State Appropriation (FY 2014)	(\$11,096,000)
General Fund--State Appropriation (FY 2015)	(\$5,541,000)
General Fund--Federal Appropriation	(\$1,757,000)
Special Insurance Contribution Adjustment	
Revolving Account Appropriation	(\$13,348,000)
TOTAL APPROPRIATION	(\$31,742,000)

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

(1) The appropriations in this section are provided solely to reduce agency and institution appropriations to reflect the reductions in the state employer funding rate for health insurance, and decreased employer health insurance costs consistent with the contribution rates included in sections 936, 937, and 938 of this act.

(2) To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer shall transfer sufficient moneys from each dedicated fund or account to the special insurance contribution adjustment revolving account in accordance with schedules provided by the office of financial management. The office shall reduce allotments for all agencies to reflect these savings.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions	\$8,248,000
General Fund Appropriation for public utility district excise tax distributions	\$50,894,000
General Fund Appropriation for prosecuting attorney distributions	\$6,068,000
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
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
County Criminal Justice Assistance Appropriation	\$78,983,000
Municipal Criminal Justice Assistance Appropriation	\$30,550,000
City-County Assistance Account Appropriation for local government financial assistance distribution	\$17,134,000
Liquor Excise Tax Account Appropriation for liquor excise tax distribution	\$49,487,000
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
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation	\$7,760,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians	\$5,025,000
Liquor Revolving Account Appropriation for liquor profits distribution	\$98,876,000
TOTAL APPROPRIATION	\$459,002,000

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.

NEW SECTION. Sec. 802. FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driver Safety Account Appropriation	\$2,469,000
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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).

NEW SECTION. Sec. 803. FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driver Safety Account Appropriation	\$1,646,000
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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).

NEW SECTION. Sec. 804. 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
TOTAL APPROPRIATION	\$7,408,000

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.

NEW SECTION. Sec. 805. FOR THE STATE TREASURER--TRANSFERS

State Treasurer's Service Account: For transfer to the state general fund, \$10,000,000 for fiscal year 2014 and \$10,000,000 for fiscal year 2015	\$20,000,000
Waste Reduction, Recycling, and Litter Control Account: For transfer to the state general fund, \$5,850,000 for fiscal year 2014 and \$5,850,000 for fiscal year 2015	\$11,700,000
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 for fiscal year 2014 and \$25,204,000 for fiscal year 2015	\$50,488,000
Public Works Assistance Account: For transfer to the water pollution control revolving account, \$7,750,000 for fiscal year 2014 and \$7,750,000 for fiscal year 2015	\$15,500,000
Public Works Assistance Account: For transfer to the drinking water assistance account, \$4,400,000 for fiscal year 2014 and \$4,400,000 for fiscal year 2015	\$8,800,000

Public Works Assistance Account: For transfer to the state general fund, \$50,000,000 for fiscal year 2014 and \$50,000,000 for fiscal year 2015 \$100,000,000

Local Toxics Control Account: For transfer to the state general fund, \$10,000,000 for fiscal year 2014 and \$11,000,000 for fiscal year 2015 \$21,000,000

State Taxable Building Construction Account: For transfer to the Columbia River basin taxable bond water supply development account, an amount not to exceed \$30,545,000

General Fund: For transfer to the child and family reinvestment account, \$3,221,667 for fiscal year 2014 and \$1,756,058 for fiscal year 2015 \$4,977,725

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

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 \$14,000,000

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 \$14,000,000

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 2014 \$12,515,000

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 \$12,515,000

The transfer to the life sciences discovery fund is subject to the condition that \$250,000 of the appropriation in fiscal year 2014 and \$250,000 of the appropriation in fiscal year 2015 are 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.

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 \$676,000

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

(End of part)

PART IX
MISCELLANEOUS

NEW SECTION. Sec. 901. EXPENDITURE AUTHORIZATIONS

The appropriations contained in this act are maximum expenditure authorizations. Pursuant to RCW 43.88.037, moneys disbursed from the treasury on the basis of a formal loan agreement shall be recorded as loans receivable and not as expenditures for accounting purposes. To the extent that moneys are disbursed on a loan basis, the corresponding appropriation shall be reduced by the amount of loan moneys disbursed from the treasury during the 2011-2013 fiscal biennium.

NEW SECTION. Sec. 902. EMERGENCY FUND ALLOCATIONS

Whenever allocations are made from the governor's emergency fund appropriation to an agency that is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. An appropriation is not necessary to effect such repayment.

NEW SECTION. Sec. 903. STATUTORY APPROPRIATIONS

In addition to the amounts appropriated in this act for revenues for distribution, state contributions to the law enforcement officers' and fire fighters' retirement system plan 2, 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 RCW or any proper bond covenant made under law.

NEW SECTION. Sec. 904. BOND EXPENSES

In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the applicable construction or building funds and accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

NEW SECTION. Sec. 905. VOLUNTARY RETIREMENT, SEPARATION, AND DOWNSHIFTING INCENTIVES

As a management tool to reduce costs and make more effective use of resources, while improving employee productivity and morale, agencies may implement a voluntary retirement and/or separation, program that is cost neutral or results in cost savings (including costs to the state pension systems) over a two-year period following the commencement of the program, provided that such a program is approved by the director of financial management. Agencies participating in this authorization may offer voluntary retirement and/or separation incentives and options according to procedures and guidelines established by the office of financial management, in consultation with the office of the state human resources director and the department of retirement systems. The options may include, but are not limited to, financial incentives for voluntary separation or retirement. An employee does not have a contractual right to a financial incentive offered under this section. Offers shall be reviewed and monitored jointly by the office of the state human resources director and the department of retirement systems. Agencies are required to submit a report by July 30, 2015, to the legislature and the office of financial management on the outcome of their approved incentive program. The report should include information on the details of the program including the incentive payment amount for each participant, the total cost to the state, and the projected or actual net dollar savings over the two year period.

The department of retirement systems may collect from employers the actuarial cost of any incentive provided under this program, or any other incentive to retire provided by employers to members of the state's pension systems, for deposit in the appropriate pension account.

NEW SECTION. Sec. 906. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 907. COLLECTIVE BARGAINING AGREEMENTS

The following sections represent the results of the 2013-2015 collective bargaining process required under the provisions of chapters 41.80, 41.56 and 74.39A RCW. Provisions of the collective bargaining agreements contained in sections . . . through . . . of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements or the continuation of terms and conditions of the 2011-2013 agreements contained in Part IX of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 908. COLLECTIVE BARGAINING AGREEMENT--WFSE

An agreement has been reached between the governor and the Washington federation of state employees general government under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step and for backfill costs for a personal leave day. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 909. COLLECTIVE BARGAINING AGREEMENT--WPEA

An agreement has been reached between the governor and the Washington public employees association general government under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 910. COLLECTIVE BARGAINING AGREEMENT--COALITION OF UNIONS

An agreement has been reached between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 911. COLLECTIVE BARGAINING AGREEMENT--WAFWP

An agreement has been reached between the governor and the Washington association of fish and wildlife professionals under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 912. COLLECTIVE BARGAINING AGREEMENT--PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 913. COLLECTIVE BARGAINING AGREEMENT--SEIU 1199NW

An agreement has been reached between the governor and the service employees international union healthcare 1199nw under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step and for backfill costs for a personal leave day. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 914. COLLECTIVE BARGAINING AGREEMENT--TEAMSTERS LOCAL 117

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 915. COLLECTIVE BARGAINING AGREEMENT--WFSE HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington federation of state employees community college coalition under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 916. COLLECTIVE BARGAINING AGREEMENT--WPEA HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington public employees association community college coalition under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 917. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--LANGUAGE ACCESS PROVIDERS WFSE

An agreement has been reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for a rate increase of 50 cents per hour effective July 1, 2013, and rate increase of 50 cents per hour effective July 1, 2014. Funding is also provided to accommodate a change to the no-show payment rules.

NEW SECTION. Sec. 918. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--SEIU HEALTHCARE 775NW HOMECARE WORKERS

An agreement has been reached between the governor and the service employees international union healthcare 775nw through an interest arbitration decision under the provisions of chapter 74.39A and 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for increases to wages and pay differentials, mileage allowance, and healthcare contributions. Funding is also provided for a paid holiday and payment of certification and testing fees.

NEW SECTION. Sec. 919. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--SEIU LOCAL 925 CHILDCARE WORKERS

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.

NEW SECTION. Sec. 920. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--WSRCC ADULT FAMILY HOMES

An agreement has been reached between the governor and the Washington state residential care council under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for a specialty adult family home contract for community placement of clients currently in western state hospital and an increase in the daily bed hold rate (days eight through twenty).

NEW SECTION. Sec. 921. COLLECTIVE BARGAINING AGREEMENT--WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol troopers association through an interest arbitration decision under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded three percent salary increase for all bargaining unit members effective July 1, 2013, and a one percent increase to longevity pay for years five through nine effective July 1, 2014.

NEW SECTION. Sec. 922. COLLECTIVE BARGAINING AGREEMENT--WSP LIEUTENANTS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants association through an interest arbitration decision under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded three percent salary increase for all bargaining unit members effective July 1, 2014, and for parking of department issued vehicles for employees assigned vehicles at the general administration building or capital campus.

NEW SECTION. Sec. 923. COLLECTIVE BARGAINING AGREEMENT--YAKIMA VALLEY COMMUNITY COLLEGE--WPEA

An agreement has been reached between Yakima Valley Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes that economic terms and conditions replicate those specified in the agreement executed by and between the Washington state higher education coalition and the Washington public employees association under RCW 41.80.010 for the term July 1, 2013, to June 30, 2015.

NEW SECTION. Sec. 924. COLLECTIVE BARGAINING AGREEMENT--THE EVERGREEN STATE COLLEGE--WFSE

An agreement has been reached between The Evergreen State College and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step and a personal leave day. Funding is also provided for a one percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 925. COLLECTIVE BARGAINING AGREEMENT--WESTERN WASHINGTON UNIVERSITY--WFSE

An agreement has been reached between the Western Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes compensation equal to any compensation increase approved, implemented, and funded by the state for general government classified represented staff through the general service salary schedule.

NEW SECTION. Sec. 926. COLLECTIVE BARGAINING AGREEMENT--WESTERN WASHINGTON UNIVERSITY--PSE

An agreement has been reached between the Western Washington University and the public schools employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes compensation equal to any compensation increase approved, implemented, and funded by the state for general government classified represented staff through the general service salary schedule.

NEW SECTION. Sec. 927. COLLECTIVE BARGAINING AGREEMENT--EASTERN WASHINGTON UNIVERSITY--WFSE

An agreement has been reached between Eastern Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. Funding is also provided for a one percent salary increase for all bargaining unit members beginning July 1, 2013, and a one percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 928. COLLECTIVE BARGAINING AGREEMENT--CENTRAL WASHINGTON UNIVERSITY--WFSE

An agreement has been reached between Central Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step and for a one percent salary increase for all bargaining unit members beginning July 1, 2014. The agreement also includes additional one-time payments each November of each fiscal year for members continually employed during the preceding twelve months in an amount up to three percent of member's gross wages contingent on the university's achievement of the goals contained in its student success incentive program.

NEW SECTION. Sec. 929. COLLECTIVE BARGAINING AGREEMENT--CENTRAL WASHINGTON UNIVERSITY--PSE

An agreement has been reached between Central Washington University and the public schools employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement includes a one percent salary increase for all bargaining unit members beginning July 1, 2014, and in the event classified employees bargaining at the general government's higher education tables receive a general wage increase greater than one percent, salary ranges will increase by the higher amount. The agreement also includes additional one-time payments each November each fiscal year for members continually employed during the preceding twelve months in an amount up to three percent of member's gross wages contingent on the university's achievement of the goals contained in its student success incentive program.

NEW SECTION. Sec. 930. COLLECTIVE BARGAINING AGREEMENT--UNIVERSITY OF WASHINGTON--WFSE

An agreement has been reached between the University of Washington and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided for additional premium pay, preceptor pay, and professional development increases. Funding is also provided for a two percent wage increase for all bargaining unit members beginning July 1, 2013, a two percent wage increase for all bargaining unit members beginning July 1, 2014. The agreement also provides that if the university agrees to across-the-board salary increases for any SEIU 925 bargaining unit that are more favorable than those negotiated with WFSE, the university will grant the same salary increase to WFSE-represented employees.

NEW SECTION. Sec. 931. COLLECTIVE BARGAINING AGREEMENT--UNIVERSITY OF WASHINGTON--SEIU 925

An agreement has been reached between the University of Washington and the service employees international union local 925 under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided for additional step increases, a two percent salary increase for all bargaining unit members beginning July 1, 2013, and a two percent salary increase for all bargaining unit members beginning July 1, 2014. The agreement also provides that if the university agrees to across-the-board salary increases or general increases for a SEIU 1199 or Washington state nurse association bargaining unit that are more favorable than those negotiated with SEIU 925, the university will grant the same salary increase to SEIU 925-represented employees.

NEW SECTION. Sec. 932. COLLECTIVE BARGAINING AGREEMENT--UNIVERSITY OF WASHINGTON--TEAMSTERS 117 (UW POLICE OFFICERS)

An agreement has been reached between the University of Washington and the teamsters 117 under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided for a two percent salary increase for all bargaining unit members beginning July 1, 2013, and a two percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 933. COLLECTIVE BARGAINING AGREEMENT--WASHINGTON STATE UNIVERSITY--WFSE

An agreement has been reached between the Washington State University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. The agreement provides that if a general salary increase, implementation of a salary survey, or a longevity step (Step M) is approved and funded by the state for university nonbargaining unit covered classified staff, WFSE bargaining unit members will receive the same.

NEW SECTION. Sec. 934. COLLECTIVE BARGAINING AGREEMENT--WASHINGTON STATE UNIVERSITY--PSE

An agreement has been reached between the Washington State University and the public schools employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. The agreement provides that the bargaining unit members have a "me-too" agreement regarding cost of living increases with university classified staff utilizing the general service higher education salary schedule should the university request and receive funding to provide an across-the-board salary increase for classified staff.

NEW SECTION. Sec. 935. COLLECTIVE BARGAINING AGREEMENT--WASHINGTON STATE UNIVERSITY--WSU POLICE GUILD

An agreement has been reached between the Washington State University and the WSU Police Guild under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step.

NEW SECTION. Sec. 936. 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 state agencies, including institutions of higher education are sufficient to continue the provisions of the 2011-2013 collective bargaining agreement, and are subject to the following conditions and limitations: (1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$782 per eligible employee for fiscal year 2014. For fiscal year 2015 the monthly employer funding rate shall not exceed \$791 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.

(c) 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. For calendar years 2014 and 2015, the subsidy shall be up to \$150.00 per month.

NEW SECTION. Sec. 937. 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, 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 \$791 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.

(c) 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. For calendar years 2014 and 2015, the subsidy shall be up to \$150.00 per month.

NEW SECTION. Sec. 938. 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, 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 \$791 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.

(c) 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. For calendar years 2014 and 2015, the subsidy shall be up to \$150.00 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 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 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.

NEW SECTION. Sec. 939. COMPENSATION--REVISE PENSION CONTRIBUTION RATES

The appropriations for school districts and state agencies, including institutions of higher education are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board.

NEW SECTION. Sec. 940. NONREPRESENTED EMPLOYEE LONGEVITY STEP

For classified state employees, except those within the Washington management service and except those represented by a bargaining unit under chapters 41.80, 41.56, or 47.64 RCW, funding is provided within agency appropriations for implementation of a longevity step, in accordance with rules adopted under RCW 41.06.133.

NEW SECTION. Sec. 941. COLLECTIVE BARGAINING AGREEMENTS

For collective bargaining agreements negotiated with the state for the 2013-2015 fiscal biennium under chapter 41.80 RCW, the governor may request funds to implement the terms and conditions of any agreement negotiated by an institution of higher education and submitted to the office of financial management after October 1, 2012, but before December 20, 2012, if that agreement is determined to be financially feasible to the state by the director of financial management.

NEW SECTION. Sec. 942. COMPENSATION - CONTINGENT INCREASE IN SALARIES AND WAGES

(1) If the director of the office of financial management determines that the February 2014 economic and revenue forecast council forecast for general fund--state revenues for fiscal year 2015 is \$200,000,000 or more than the September 2012 economic and revenue forecast council forecast for general fund--state revenues for fiscal year 2015 as a result of increased economic activity, effective July 1, 2014, appropriations to state agencies will increase in the amounts specified in LEAP Document 2013-H01 to fund a one percent salary increase effective July 1, 2014, through June 30, 2015, for the following state employees:

- (a) All classified employees;
- (b) Employees in the Washington management service;
- (c) Except as provided in subsection (2) of this section, employees exempt from merit system rules in the legislative, executive, and judicial branches;

(d) Employees of the marine division of the department of transportation represented by the office and professional employees international union local eight and service employees international union local six.

(2) The salary increase in this section is not provided to the following state employees:

- (a) Commissioned officers of the Washington state patrol represented by the Washington state patrol troopers association and the Washington state patrol lieutenants association;
- (b) Employees of the marine division of the department of transportation represented by:
 - (i) The ferry agents, supervisors, project administrators association;
 - (ii) The Pacific northwest regional council of carpenters;
 - (iii) The Puget Sound metal trades council;
 - (iv) The marine engineers' beneficial association unlicensed engine room employees;
 - (v) The marine engineers' beneficial association licensed engineer officers;
 - (vi) The masters, mates and pilots - mates;
 - (vii) The masters, mates and pilots - masters;
 - (viii) The masters, mates and pilots - watch supervisors; and
 - (ix) The inlandboatmen's union of the pacific.
- (c) Employees whose maximum salaries are set by the commission on salaries for elected officials; and
- (d) Faculty employees and employees exempt from merit system rules at institutions of higher education.

(3) For purposes of this section, "increased economic activity" means additional revenue derived from taxable business and consumer activity and does not include revenue changes from changes in state or federal law or revenue changes characterized by the economic and revenue forecast council as a noneconomic change.

NEW SECTION. Sec. 943. 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 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 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 for the department of social and health services conversion to the tenth version of the world health organization's international classification of diseases;
- (d) \$5,558,343 for the department of early learning system implementation of electronic benefit transfers;
- (e) \$9,404,000 for the employment security department to modernize the unemployment insurance benefit system; and
- (f) \$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.

NEW SECTION. Sec. 944. INFORMATION SYSTEMS PROJECTS

Agencies shall comply with the following requirements regarding information systems projects when specifically directed to do so by this act.

(1) Agency planning and decisions concerning information technology shall be made in the context of its information technology portfolio. "Information technology portfolio" means a strategic management approach in which the relationships between agency missions and information technology investments can be seen and understood, such that: Technology efforts are linked to agency objectives and business plans; the impact of new investments on existing infrastructure and business functions are assessed and understood before implementation; and agency activities are consistent with the development of an integrated, nonduplicative statewide infrastructure.

(2) Agencies shall use their information technology portfolios in making decisions on matters related to the following: (a) System refurbishment, acquisitions, and development efforts; (b) setting goals and objectives for using information technology in meeting legislatively-mandated missions and business needs; (c) assessment of overall information processing performance, resources, and capabilities; (d) ensuring appropriate transfer of technological expertise for the operation of any new systems developed using external resources; and (e) progress toward enabling electronic access to public information.

(3) Each project will be planned and designed to take optimal advantage of Internet technologies and protocols. Agencies shall ensure that the project is in compliance with the architecture, infrastructure, principles, policies, and standards of digital government as maintained by the office of the chief information officer.

(4) The agency shall produce a feasibility study for information technology projects at the direction of the technology services board and in accordance with published office of the chief information officer policies and guidelines. At a minimum, such studies shall include a statement of: (a) The purpose or impetus for change; (b) the business value to the agency, including an examination and evaluation of benefits, advantages, and cost; (c) a comprehensive risk assessment based on the proposed project's impact on both citizens and state operations, its visibility, and the consequences of doing nothing; (d) the impact on agency and statewide information infrastructure; and (e) the impact of the proposed enhancements to an agency's information technology capabilities on meeting service delivery demands.

(5) The agency shall produce a comprehensive management plan for each project. The plan or plans shall address all factors critical to successful completion of each project. The plan(s) shall include, but is not limited to, the following elements: A description of the problem or opportunity that the information technology project is intended to address; a statement of project objectives and assumptions; a definition and schedule of phases, tasks, and activities to be accomplished; and the estimated cost of each phase. The planning for the phased approach shall be such that the business case justification for a project needs to demonstrate how the project recovers cost or adds measurable value or positive cost benefit to the agency's business functions within each development cycle.

(6) The agency shall produce quality assurance plans for information technology projects. Consistent with the direction of the technology services board and the published policies and guidelines of the office of the chief information officer, the quality assurance plan shall address all factors critical to successful completion of the project and successful integration with the agency and state information technology infrastructure. At a minimum, quality assurance plans shall provide time and budget benchmarks against which project progress can be measured, a specification of quality assurance responsibilities, and a statement of reporting requirements. The quality assurance plans shall set out the functionality requirements for each phase of a project.

(7) A copy of each feasibility study, project management plan, and quality assurance plan shall be provided to the office of the chief information officer and legislative fiscal committees. The plans and studies shall demonstrate a sound business case that justifies the investment of taxpayer funds on any new project, an assessment of the impact of the proposed system on the existing information technology infrastructure, the disciplined use of preventative measures to mitigate risk, and the leveraging of private-sector expertise as needed. Authority to expend any funds for individual information systems projects is conditioned on the approval of the relevant feasibility study, project management plan, and quality assurance plan by the office of the chief information officer.

(8) Quality assurance status reports shall be submitted to the office of the chief information officer and legislative fiscal committees at intervals specified in the project's quality assurance plan.

NEW SECTION. Sec. 945. PERSONAL COMPUTER ACQUISITION AND REPLACEMENT

(1) The legislature finds that the state must achieve reduced costs in the acquisition and deployment of new and replacement personal computers. The office of the chief information officer of the state must develop a policy on the procurement of personal computers with the goal of reducing the total life cycle cost of ownership. The policy must be effective no later than September 1, 2013.

(2) At a minimum, the policy must address frequency of replacement, identify a preferred financing method, and identify one or more preferred equipment configurations. Financing methods examined in developing the policy must include leasing, lease purchasing, purchasing using certificates of participation and cash purchase. In determining total life cycle costs, the office of the chief information officer must consider the cost of acquisition, deployment, financing, maintenance, and decommissioning of personal computers including any residual software licensing costs. The office of the chief information officer may include any other criteria deemed appropriate in developing the policy.

(3) The office of the attorney general shall participate in a pilot acquisition program. Key elements of the pilot will include a regular replacement cycle that ensures reliable equipment and is acquired by lease. Deployment of the replacement computer and decommissioning of the old computer must also be part of the acquisition contract. The office of the attorney general must work with the office of the chief information officer to determine the costs and benefits of this approach relative to cash procurement and agency deployment and decommissioning. The office of the chief information officer shall report on the findings of the pilot not later than January 1, 2015.

(4) While judicial, legislative, and higher education agencies are exempt from this policy, they are encouraged to adhere to the policy to the maximum extent practicable in meeting the goal of lowering the total life cycle cost of ownership for personal computers.

NEW SECTION. Sec. 946. INFORMATION TECHNOLOGY SECURITY PROGRAMS AND TRAINING

(1) The office of the state chief information officer has developed information technology security guidelines to assist state agencies in implementing an information technology security program. Before any agency may expend amounts appropriated in this act on information technology equipment, the agency must adopt the information technology security guidelines or the state chief information officer must approve an agency's information technology security program.

(2) Before any agency expends appropriations provided in this act for information technology equipment purchases, employees of that agency that use information technology resources must be scheduled for training on information technology security.

(3) The office of the chief information officer, the department of enterprise services, and the consolidated technology services agency must facilitate the training of newly hired employees in information technology security.

Sec. 947. RCW 2.28.170 and 2009 c 445 s 2 are each amended to read as follows:

(1) Counties may establish and operate drug courts.

(2) For the purposes of this section, "drug court" means a court that has special calendars or dockets designed to achieve a reduction in recidivism and substance abuse among nonviolent, substance abusing felony and nonfelony offenders, whether adult or juvenile, by increasing their likelihood for successful rehabilitation through early, continuous, and intense judicially supervised treatment; mandatory periodic drug testing; and the use of appropriate sanctions and other rehabilitation services.

(3)(a) Any jurisdiction that seeks a state appropriation to fund a drug court program must first:

(i) Exhaust all federal funding that is available to support the operations of its drug court and associated services; and

(ii) Match, on a dollar-for-dollar basis, state moneys allocated for drug court programs with local cash or in-kind resources. Moneys allocated by the state must be used to supplement, not supplant, other federal, state, and local funds for drug court operations and associated services. However, from July 26, 2009, until June 30, ~~((2013))~~ 2015, no match is required for state moneys expended for the administrative and overhead costs associated with the operation of a drug court pursuant to RCW 70.96A.350.

(b) Any county that establishes a drug court pursuant to this section shall establish minimum requirements for the participation of offenders in the program. The drug court may adopt local requirements that are more stringent than the minimum. The minimum requirements are:

(i) The offender would benefit from substance abuse treatment;

(ii) The offender has not previously been convicted of a serious violent offense or sex offense as defined in RCW 9.94A.030; and

(iii) Without regard to whether proof of any of these elements is required to convict, the offender is not currently charged with or convicted of an offense:

(A) That is a sex offense;

(B) That is a serious violent offense;

(C) During which the defendant used a firearm; or

(D) During which the defendant caused substantial or great bodily harm or death to another person.

Sec. 948. RCW 15.76.115 and 2011 1st sp.s. c 50 s 926 are each amended to read as follows:

The fair fund is created in the custody of the state treasury. All moneys received by the department of agriculture for the purposes of this fund and from RCW 67.16.105(7) shall be deposited into the fund. At the beginning of fiscal year 2002 and each fiscal year thereafter, the state treasurer shall transfer into the fair fund from the general fund the sum of two million dollars, except ~~((for fiscal year 2011 the state treasurer shall transfer into the fair fund from the general fund the sum of one million one hundred three thousand dollars, and except))~~ during fiscal year ~~((2012))~~ 2014 and fiscal year ~~((2013))~~ 2015 the state treasurer shall transfer into the fair fund from the general fund the sum of one million ~~((seven))~~ five hundred ~~((fifty))~~ thousand dollars each fiscal year. Expenditures from the fund may be used only for assisting fairs in the manner provided in this chapter. Only the director of agriculture or the director's designee may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.

Sec. 949. RCW 28B.20.476 and 2007 c 216 s 2 are each amended to read as follows:

The geoduck aquaculture research account is created in the custody of the state treasurer. All receipts from any legislative appropriations, the aquaculture industry, or any other private or public source directed to the account must be deposited in the account. Expenditures from the account may only be used by the sea grant program for the geoduck research projects identified by RCW 28B.20.475. Only the president of the University of Washington or the president's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. During the 2013-2015 fiscal biennium, amounts available in the geoduck aquaculture research account may also be appropriated for the sea grant program at the University of Washington to conduct research examining the possible negative and positive effects of evolving shellfish aquaculture techniques and practices on Washington's economy and marine ecosystems.

Sec. 950. RCW 28B.92.010 and 2004 c 275 s 34 are each amended to read as follows:

The purposes of this chapter are to establish the principles upon which the state financial aid programs will be based and to establish the state of Washington state need grant program, thus assisting financially needy or disadvantaged students domiciled in Washington to obtain the opportunity of attending an accredited institution of higher education. State need grants under this chapter are available only to students who are resident students as defined in RCW 28B.15.012(2) (a) through ~~((d))~~ (e) or any person who has completed the full senior year of high school and obtained a high school diploma, either at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma; who has lived in Washington state for at least three years immediately before receiving the diploma or its equivalent; who has continuously lived in the state of Washington after receiving the diploma or its equivalent and until such time as the individual is admitted to an eligible institution of higher education and has been granted deferred action for childhood arrival status pursuant to the rules and regulations adopted by the United States citizenship and immigration services.

Sec. 951. RCW 41.26.802 and 2008 c 99 s 4 are each amended to read as follows:

(1) By September 30, 2011, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer five million dollars to the local public safety enhancement account.

(2) ~~((By September 30, 2013, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer ten million dollars to the local public safety enhancement account.~~

(3)) By September 30, 2015, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more

than five percent, subject to appropriation by the legislature, the state treasurer shall transfer twenty million dollars to the local public safety enhancement account.

(4) By September 30, 2017, and by September 30 of each odd-numbered year thereafter, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer the lesser of one-third of the increase, or fifty million dollars, to the local public safety enhancement account.

Sec. 952. RCW 41.60.050 and 2011 1st sp.s. c 50 s 937 and 2011 1st sp.s. c 43 s 473 are each reenacted and amended to read as follows:

The legislature shall appropriate from the personnel service fund for the payment of administrative costs of the productivity board. However, during the 2011-2013 and 2013-2015 fiscal (~~biennium~~) ~~biennia~~, the operations of the productivity board shall be suspended.

Sec. 953. RCW 41.80.010 and 2011 1st sp.s. c 50 s 938 and 2011 c 344 s 1 are each reenacted and amended to read as follows:

(1) For the purpose of negotiating collective bargaining agreements under this chapter, the employer shall be represented by the governor or governor's designee, except as provided for institutions of higher education in subsection (4) of this section.

(2)(a) If an exclusive bargaining representative represents more than one bargaining unit, the exclusive bargaining representative shall negotiate with each employer representative as designated in subsection (1) of this section one master collective bargaining agreement on behalf of all the employees in bargaining units that the exclusive bargaining representative represents. For those exclusive bargaining representatives who represent fewer than a total of five hundred employees each, negotiation shall be by a coalition of all those exclusive bargaining representatives. The coalition shall bargain for a master collective bargaining agreement covering all of the employees represented by the coalition. The governor's designee and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of agency-specific issues for inclusion in or as an addendum to the master collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This section does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(b) This subsection (2) does not apply to exclusive bargaining representatives who represent employees of institutions of higher education, except when the institution of higher education has elected to exercise its option under subsection (4) of this section to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section.

(c) If five hundred or more employees of an independent state elected official listed in RCW 43.01.010 are organized in a bargaining unit or bargaining units under RCW 41.80.070, the official shall be consulted by the governor or the governor's designee before any agreement is reached under (a) of this subsection concerning supplemental bargaining of agency specific issues affecting the employees in such bargaining unit.

(3) The governor shall submit a request for funds necessary to implement the compensation and fringe benefit provisions in the master collective bargaining agreement or for legislation necessary to implement the agreement. Requests for funds necessary to implement the provisions of bargaining agreements shall not be submitted to the legislature by the governor unless such requests:

(a) Have been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the requests are to be considered; and

(b) Have been certified by the director of the office of financial management as being feasible financially for the state.

The legislature shall approve or reject the submission of the request for funds as a whole. The legislature shall not consider a request for funds to implement a collective bargaining agreement unless the request is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060. If the legislature rejects or fails to act on the submission, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in RCW 41.80.090.

(4)(a)(i) For the purpose of negotiating agreements for institutions of higher education, the employer shall be the respective governing board of each of the universities, colleges, or community colleges or a designee chosen by the board to negotiate on its behalf.

(ii) A governing board of a university or college may elect to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section, except that:

(A) The governor or the governor's designee and an exclusive bargaining representative shall negotiate one master collective bargaining agreement for all of the bargaining units of employees of a university or college that the representative represents; or

(B) If the parties mutually agree, the governor or the governor's designee and an exclusive bargaining representative shall negotiate one master collective bargaining agreement for all of the bargaining units of employees of more than one university or college that the representative represents.

(iii) A governing board of a community college may elect to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section.

(b) Prior to entering into negotiations under this chapter, the institutions of higher education or their designees shall consult with the director of the office of financial management regarding financial and budgetary issues that are likely to arise in the impending negotiations.

(c)(i) In the case of bargaining agreements reached between institutions of higher education other than the University of Washington and exclusive bargaining representatives agreed to under the provisions of this chapter, if appropriations are necessary to implement the compensation and fringe benefit provisions of the bargaining agreements, the governor shall submit a request for such funds to the legislature according to the provisions of subsection (3) of this section, except as provided in (c)(iii) of this subsection.

(ii) In the case of bargaining agreements reached between the University of Washington and exclusive bargaining representatives agreed to under the provisions of this chapter, if appropriations are necessary to implement the compensation and fringe benefit provisions of a bargaining agreement, the governor shall submit a request for such funds to the legislature according to the provisions of subsection (3) of this section, except as provided in this subsection (4)(c)(ii) and as provided in (c)(iii) of this subsection.

(A) If appropriations of less than ten thousand dollars are necessary to implement the provisions of a bargaining agreement, a request for such funds shall not be submitted to the legislature by the governor unless the request has been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the request is to be considered.

(B) If appropriations of ten thousand dollars or more are necessary to implement the provisions of a bargaining agreement, a request for such funds shall not be submitted to the legislature by the governor unless the request:

(I) Has been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the request is to be considered; and

(II) Has been certified by the director of the office of financial management as being feasible financially for the state.

(C) If the director of the office of financial management does not certify a request under (c)(ii)(B) of this subsection as being feasible financially for the state, the parties shall enter into collective bargaining solely for the purpose of reaching a mutually agreed upon modification of the agreement necessary to address the absence of those requested funds. The legislature may act upon the compensation and fringe benefit provisions of the modified collective bargaining agreement if those provisions are agreed upon and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(iii) In the case of a bargaining unit of employees of institutions of higher education in which the exclusive bargaining representative is certified during or after the conclusion of a legislative session, the legislature may act upon the compensation and fringe benefit provisions of the unit's initial collective bargaining agreement if those provisions are agreed upon and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(5) There is hereby created a joint committee on employment relations, which consists of two members with leadership positions in the house of representatives, representing each of the two largest caucuses; the chair and ranking minority member of the house appropriations committee, or its successor, representing each of the two largest caucuses; two members with leadership positions in the senate, representing each of the two largest caucuses; and the chair and ranking minority member of the senate ways and means committee, or its successor, representing each of the two largest caucuses. The governor shall periodically consult with the committee regarding appropriations necessary to implement the compensation and fringe benefit provisions in the master collective bargaining agreements, and upon completion of negotiations, advise the committee on the elements of the agreements and on any legislation necessary to implement the agreements.

(6) If, after the compensation and fringe benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(7) After the expiration date of a collective bargaining agreement negotiated under this chapter, all of the terms and conditions specified in the collective bargaining agreement remain in effect until the effective date of a subsequently negotiated agreement, not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(8) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee shall be a separate agreement for which the governor may request funds necessary to implement the agreement. ~~((If such an agreement is negotiated and funded by the legislature, this agreement will supersede any terms and conditions of an expired 2009-2011 biennial master collective bargaining agreement under this chapter regarding health care benefits.))~~ The legislature may act upon a 2013-2015 collective bargaining agreement related to employee health care benefits if an agreement is reached and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating appropriations act by the sitting legislature.

Sec. 954. RCW 41.80.020 and 2011 1st sp.s. c 50 s 939 and 2011 1st sp.s. c 43 s 445 are each reenacted and amended to read as follows:

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

(2) The employer is not required to bargain over matters pertaining to:

(a) Health care benefits or other employee insurance benefits, except as required in subsection (3) of this section;

(b) Any retirement system or retirement benefit; or

(c) Rules of the human resources director, the director of enterprise services, or the Washington personnel resources board adopted under RCW 41.06.157.

(3) Matters subject to bargaining include the number of names to be certified for vacancies, promotional preferences, and the dollar amount expended on behalf of each employee for health care benefits. However, except as provided otherwise in this subsection for institutions of higher education, negotiations regarding the number of names to be certified for vacancies, promotional preferences, and the dollar amount expended on behalf of each employee for health care benefits shall be conducted between the employer and one coalition of all the exclusive bargaining representatives subject to this chapter. The exclusive bargaining representatives for employees that are subject to chapter 47.64 RCW shall bargain the dollar amount expended on behalf of each employee for health care benefits with the employer as part of the coalition under this subsection. Any such provision agreed to by the employer and the coalition shall be included in all master collective bargaining agreements negotiated by the parties. For institutions of higher education, promotional preferences and the number of names to be certified for vacancies shall be bargained under the provisions of RCW 41.80.010(4). For agreements covering the ~~((2011-2013))~~ 2013-2015 fiscal biennium, any agreement between the employer and the coalition regarding the dollar amount expended on behalf of each employee for health care benefits is a separate agreement and shall not be included in the master collective bargaining agreements negotiated by the parties.

(4) The employer and the exclusive bargaining representative shall not agree to any proposal that would prevent the implementation of approved affirmative action plans or that would be inconsistent with the comparable worth agreement that provided the basis for the salary changes implemented beginning with the 1983-1985 biennium to achieve comparable worth.

(5) The employer and the exclusive bargaining representative shall not bargain over matters pertaining to management rights established in RCW 41.80.040.

(6) Except as otherwise provided in this chapter, if a conflict exists between an executive order, administrative rule, or agency policy relating to wages, hours, and terms and conditions of employment and a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with the terms of a statute is invalid and unenforceable.

(7) This section does not prohibit bargaining that affects contracts authorized by RCW 41.06.142.

Sec. 955. RCW 43.08.190 and 2011 1st sp.s. c 50 s 941 are each amended to read as follows:

There is hereby created a fund within the state treasury to be known as the "state treasurer's service fund." Such fund shall be used solely for the payment of costs and expenses incurred in the operation and administration of the state treasurer's office.

Moneys shall be allocated monthly and placed in the state treasurer's service fund equivalent to a maximum of one percent of the trust and treasury average daily cash balances from the earnings generated under the authority of RCW 43.79A.040 and 43.84.080 other than earnings generated from investment of balances in funds and accounts specified in RCW 43.79A.040(4)(c). The allocation shall precede the distribution

of the remaining earnings as prescribed under RCW 43.79A.040 and 43.84.092. The state treasurer shall establish a uniform allocation rate for all funds and accounts; except that the state treasurer may negotiate a different allocation rate with any state agency that has independent authority over funds not statutorily required to be held in the state treasury or in the custody of the state treasurer. In no event shall the rate be less than the actual costs incurred by the state treasurer's office. If no rate is separately negotiated, the default rate for any funds held shall be the rate set for funds held pursuant to statute.

During the 2009-2011 fiscal biennium and the 2011-2013 ~~and 2013-2015 fiscal ((biennium))~~ biennia, the legislature may transfer from the state treasurer's service fund to the state general fund such amounts as reflect the excess fund balance of the fund.

Sec. 956. RCW 43.79.445 and 2005 c 166 s 3 are each amended to read as follows:

There is established an account in the state treasury referred to as the "death investigations account" which shall exist for the purpose of receiving, holding, investing, and disbursing funds appropriated or provided in RCW 70.58.107 and any moneys appropriated or otherwise provided thereafter.

Moneys in the death investigations account shall be disbursed by the state treasurer once every year on December 31 and at any other time determined by the treasurer. The treasurer shall make disbursements to: The state toxicology laboratory, counties for the cost of autopsies, the state patrol for providing partial funding for the state dental identification system, the criminal justice training commission for training county coroners, medical examiners and their staff, and the state forensic investigations council. ~~((Funds from the death investigations account may be appropriated during the 1997-99 biennium for the purposes of statewide child mortality reviews administered by the department of health.))~~ Funds from the death investigations account may be appropriated during the 2013-2015 fiscal biennium for the activities of the state crime laboratory within the Washington state patrol.

Sec. 957. RCW 43.79.480 and 2011 1st sp.s. c 50 s 947 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.

(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. 958. RCW 43.101.200 and 2011 1st sp.s. c 50 s 949 are each amended to read as follows:

(1) All law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first fifteen months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment. Personnel initially employed on or after January 1, 1990, shall commence basic training during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after January 1, 1990.

(2) Except as otherwise provided in this chapter, the commission shall provide the aforementioned training together with necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during the ~~((2011-2013))~~ 2013-2015 fiscal biennium when the employing, county, city~~((+))~~, or state law enforcement agency shall reimburse the commission for twenty-five percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the commission shall reimburse to participating law enforcement agencies with ten or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during his or her training period.

Sec. 959. RCW 43.155.050 and 2012 2nd sp.s. c 2 s 6004 are each amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During the 2011-2013 ~~and 2013-2015~~ fiscal ~~((biennium))~~ biennia, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such amounts as reflect the excess fund balance of the account. During the 2011-2013 fiscal biennium, the legislature may appropriate moneys from the account for economic development, innovation, and export grants, including brownfields; main street improvement grants; and the loan program consolidation board. During the 2013-2015 fiscal biennium, the legislature may appropriate moneys from the account for grants to local governments for growth management planning and implementation. During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund such amounts as reflect the excess fund balance of the account.

Sec. 960. RCW 46.66.080 and 2011 1st sp.s. c 50 s 958 are each amended to read as follows:

(1) The Washington auto theft prevention authority account is created in the state treasury, subject to appropriation. All revenues from the traffic infraction surcharge in RCW 46.63.110(7)(b) and all receipts from gifts, grants, bequests, devises, or other funds from public and private sources to support the activities of the auto theft prevention authority must be deposited into the account. Expenditures from the account may be used only for activities relating to motor vehicle theft, including education, prevention, law enforcement, investigation, prosecution, and confinement. During the ~~((2009-2011 and))~~ 2011-2013 and 2013-2015 fiscal biennia, the legislature may appropriate moneys from the Washington auto theft prevention authority account for criminal justice purposes and community building ~~((and may transfer funds to the state general fund such amounts as reflect the excess fund balance of the account))~~.

(2) The authority shall allocate moneys appropriated from the account to public agencies for the purpose of establishing, maintaining, and supporting programs that are designed to prevent motor vehicle theft, including:

(a) Financial support to prosecution agencies to increase the effectiveness of motor vehicle theft prosecution;

(b) Financial support to a unit of local government or a team consisting of units of local governments to increase the effectiveness of motor vehicle theft enforcement;

(c) Financial support for the procurement of equipment and technologies for use by law enforcement agencies for the purpose of enforcing motor vehicle theft laws; and

(d) Financial support for programs that are designed to educate and assist the public in the prevention of motor vehicle theft.

(3) The costs of administration shall not exceed ten percent of the moneys in the account in any one year so that the greatest possible portion of the moneys available to the authority is expended on combating motor vehicle theft.

(4) Prior to awarding any moneys from the Washington auto theft prevention authority account for motor vehicle theft enforcement, the auto theft prevention authority must verify that the financial award includes sufficient funding to cover proposed activities, which include, but are not limited to: (a) State, municipal, and county offender and juvenile confinement costs; (b) administration costs; (c) law enforcement costs; (d) prosecutor costs; and (e) court costs, with a priority being given to ensuring that sufficient funding is available to cover state, municipal, and county offender and juvenile confinement costs.

(5) Moneys expended from the Washington auto theft prevention authority account under subsection (2) of this section shall be used to supplement, not supplant, other moneys that are available for motor vehicle theft prevention.

(6) Grants provided under subsection (2) of this section constitute reimbursement for purposes of RCW 43.135.060(1).

Sec. 961. RCW 70.93.180 and 2011 1st sp.s. c 50 s 963 are each amended to read as follows:

(1) There is hereby created an account within the state treasury to be known as the "waste reduction, recycling, and litter control account". Moneys in the account may be spent only after appropriation. Expenditures from the waste reduction, recycling, and litter control account shall be used as follows:

(a) Fifty percent to the department of ecology, for use by the departments of ecology, natural resources, revenue, transportation, and corrections, and the parks and recreation commission, for use in litter collection programs, to be distributed under RCW 70.93.220. The amount to the department of ecology shall also be used for a central coordination function for litter control efforts statewide, for the biennial litter survey under RCW 70.93.200(8), and for statewide public awareness programs under RCW 70.93.200(7). The amount to the department shall also be used to defray the costs of administering the funding, coordination, and oversight of local government programs for waste reduction, litter control, and recycling, so that local governments can apply one hundred percent of their funding to achieving program goals. The amount to the department of revenue shall be used to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

(b) Twenty percent to the department for local government funding programs for waste reduction, litter control, and recycling activities by cities and counties under RCW 70.93.250, to be administered by the department of ecology; and

(c) Thirty percent to the department of ecology for waste reduction and recycling efforts.

(2) All taxes imposed in RCW 82.19.010 and fines and bail forfeitures collected or received pursuant to this chapter shall be deposited in the waste reduction, recycling, and litter control account and used for the programs under subsection (1) of this section.

(3) Not less than five percent and no more than ten percent of the amount appropriated into the waste reduction, recycling, and litter control account every biennium shall be reserved for capital needs, including the purchase of vehicles for transporting crews and for collecting litter and solid waste. Capital funds shall be distributed among state agencies and local governments according to the same criteria provided in RCW 70.93.220 for the remainder of the funds, so that the most effective waste reduction, litter control, and recycling programs receive the most funding. The intent of this subsection is to provide funds for the purchase of equipment that will enable the department to account for the greatest return on investment in terms of reaching a zero litter goal.

(4) ~~((During the 2009-2011 fiscal biennium, the legislature may transfer from the waste reduction, recycling, and litter control account to the state general fund such amounts as reflect the excess fund balance of the account. Additionally, during the 2009-2011 fiscal biennium, subsection (1)(a), (b), and (c) of this section is suspended.~~

(5) During the 2011-2013 fiscal biennium, the legislature may transfer from the waste reduction, recycling, and litter control account to the state general fund such amounts as reflect the excess fund balance of the account. Additionally, during the 2011-2013 fiscal biennium, subsection (1)(a), (b), and (c) of this section is suspended.) During the 2013-2015 fiscal biennium, the legislature may transfer from the waste reduction, recycling, and litter control account to the state general fund such amounts as reflect the excess fund balance of the account. Additionally, during the 2013-2015 fiscal biennium, subsection (1)(a), (b), and (c) of this section is suspended.

Sec. 962. RCW 70.96A.350 and 2011 2nd sp.s. c 9 s 910 are each amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance abuse treatment and treatment support services for offenders with an addiction or a substance abuse problem that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; (b) the provision of drug and alcohol treatment services and treatment support services for nonviolent offenders within a drug court program; (c) the administrative and overhead costs associated with the operation of a drug court; and (d) during the 2011-2013 biennium, the legislature may appropriate up to three million dollars from the account in order to offset reductions in the state general fund for treatment services provided by counties. This amount is not subject to the requirements of subsections (5) through (9) of this section. During the 2013-2015 fiscal biennium, the legislature may transfer from the criminal justice treatment account to the state general fund amounts as reflect the state savings associated with the implementation of the medicaid expansion of the federal affordable care act. Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance abuse treatment program, but does not include the following services: Housing other than that provided as part of an inpatient substance abuse treatment program, vocational training, and mental health counseling; and

(b) "Treatment support" means transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) For the fiscal biennium beginning July 1, 2003, the state treasurer shall transfer eight million nine hundred fifty thousand dollars from the general fund into the criminal justice treatment account, divided into eight equal quarterly payments. For the fiscal year beginning July 1, 2005, and each subsequent fiscal year, the state treasurer shall transfer eight million two hundred fifty thousand dollars from the general fund to the criminal justice treatment account, divided into four equal quarterly payments. For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the division of alcohol and substance abuse for the purposes of subsection (5) of this section.

(5) Moneys appropriated to the division of alcohol and substance abuse from the criminal justice treatment account shall be distributed as specified in this subsection. The department shall serve as the fiscal agent for purposes of distribution. Until July 1, 2004, the department may not use moneys appropriated from the criminal justice treatment account for administrative expenses and shall distribute all amounts appropriated under subsection (4)(b) of this section in accordance with this subsection. Beginning in July 1, 2004, the department may retain up to three percent of the amount appropriated under subsection (4)(b) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the division from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The division of alcohol and substance abuse, in consultation with the department of corrections, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance abuse treatment providers, and any other person deemed by the division to be necessary, shall establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the division from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The division shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, substance abuse treatment providers, and the division. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 70.96A.090, treatment support services, and for the administrative and overhead costs associated with the operation of a drug court.

(a) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent on the administrative and overhead costs associated with the operation of a drug court.

(b) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) Counties must meet the criteria established in RCW 2.28.170(3)(b).

(10) The authority under this section to use funds from the criminal justice treatment account for the administrative and overhead costs associated with the operation of a drug court expires June 30, ~~((2013))~~ 2015.

Sec. 963. RCW 70.105D.070 and 2012 2nd sp.s. c 7 s 920 and 2012 2nd sp.s. c 2 s 6005 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2) The following moneys shall be deposited into the state toxics control account: (a) Those revenues which are raised by the tax imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-three one-hundredths of one percent; (b) the costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (c) penalties collected or recovered under this chapter; and (d) any other money appropriated or transferred to the account by the legislature. Moneys in the account may be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(ii) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(iii) The hazardous waste cleanup program required under this chapter;

(iv) State matching funds required under the federal cleanup law;

(v) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

- (vi) State government programs for the safe reduction, recycling, or disposal of hazardous wastes from households, small businesses, and agriculture;
- (vii) Hazardous materials emergency response training;
- (viii) Water and environmental health protection and monitoring programs;
- (ix) Programs authorized under chapter 70.146 RCW;
- (x) A public participation program, including regional citizen advisory committees;
- (xi) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with cleanup standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both (A) a substantially more expeditious or enhanced cleanup than would otherwise occur, and (B) the prevention or mitigation of unfair economic hardship;
- (xii) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;
- (xiii) During the ~~((2009-2011 and 2011-2013))~~ 2013-2015 fiscal biennia, shoreline update technical assistance;
- ~~((xiv) During the 2009-2011 fiscal biennium, multijurisdictional permitting teams;~~
- (xv) During the 2011-2013 fiscal biennium, actions for reducing public exposure to toxic air pollution, and actions taken through the family forest fish passage program to correct barriers to fish passage on privately owned small forest lands; and
- (xvi) During the 2011-2013 fiscal biennium, the department of ecology's water quality, shorelands and environmental assessment, hazardous waste, waste to resources, nuclear waste, and air quality programs))
- (xiv) During the 2013-2015 fiscal biennium, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;
- (xv) During the 2013-2015 fiscal biennium, solid and hazardous waste compliance at the department of corrections;
- (xvi) During the 2013-2015 fiscal biennium, activities at the department of fish and wildlife concerning water quality monitoring, hatchery water quality regulatory compliance, and technical assistance to local governments on growth management and shoreline management; and
- (xvii) During the 2013-2015 fiscal biennium, forest practices regulation at the department of natural resources.
- (3) The following moneys shall be deposited into the local toxics control account: Those revenues which are raised by the tax imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-seven one-hundredths of one percent.
- (a) Moneys deposited in the local toxics control account shall be used by the department for grants or loans to local governments for the following purposes in descending order of priority:
- (i) Remedial actions;
- (ii) Hazardous waste plans and programs under chapter 70.105 RCW;
- (iii) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;
- (iv) Funds for a program to assist in the assessment and cleanup of sites of methamphetamine production, but not to be used for the initial containment of such sites, consistent with the responsibilities and intent of RCW 69.50.511; and
- (v) Cleanup and disposal of hazardous substances from abandoned or derelict vessels, defined for the purposes of this section as vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel, that pose a threat to human health or the environment.
- (b) Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that is a Puget Sound partner, as defined in RCW 90.71.010, along with any project that is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, shall, except as conditioned by RCW 70.105D.120, receive priority for any available funding for any grant or funding programs or sources that use a competitive bidding process. ~~((During the 2007-2009 fiscal biennium, moneys in the account may also be used for grants to local governments to retrofit public sector diesel equipment and for storm water planning and implementation activities.))~~
- (c) To expedite cleanups throughout the state, the department shall partner with local communities and liable parties for cleanups. The department is authorized to use the following additional strategies in order to ensure a healthful environment for future generations:
- (i) The director may alter grant-matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:
- (A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;
- (B) Funding would create new substantial economic development, public recreational, or habitat restoration opportunities that would not otherwise occur; or
- (C) Funding would create an opportunity for acquisition and redevelopment of vacant, orphaned, or abandoned property under RCW 70.105D.040(5) that would not otherwise occur;
- (ii) The use of outside contracts to conduct necessary studies;
- (iii) The purchase of remedial action cost-cap insurance, when necessary to expedite multiparty clean-up efforts.
- ~~((d) To facilitate and expedite cleanups using funds from the local toxics control account, during the 2009-2011 fiscal biennium the director may establish grant-funded accounts to hold and disperse local toxics control account funds and funds from local governments to be used for remedial actions.))~~
- (4) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.
- (5) ~~((Except during the 2011-2013 fiscal biennium.))~~ One percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

(6) No moneys deposited into either the state or local toxics control account may be used for solid waste incinerator feasibility studies, construction, maintenance, or operation, or, after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(7) The department shall adopt rules for grant or loan issuance and performance.

(8) During the ~~((2011-2013))~~ 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state toxics control account such amounts as reflect excess fund balance in the account.

(9) ~~((During the 2011-2013 fiscal biennium, the local toxics control account may also be used for local government shoreline update grants and actions for reducing public exposure to toxic air pollution; funding to local governments for flood levee improvements; and grants to local governments for brownfield redevelopment.))~~ During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(10) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government shoreline update grants.

(11) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund such amounts as reflect excess fund balance in the account.

Sec. 964. RCW 74.13.621 and 2009 c 564 s 954 are each amended to read as follows:

(1) Within existing resources, the department shall establish an oversight committee to monitor, guide, and report on kinship care recommendations and implementation activities. The committee shall:

(a) Draft a kinship care definition that is restricted to persons related by blood, marriage, or adoption, including marriages that have been dissolved, or for a minor defined as an "Indian child" under the federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the definition of "extended family member" under the federal Indian child welfare act, and a set of principles. If the committee concludes that one or more programs or services would be more efficiently and effectively delivered under a different definition of kin, it shall state what definition is needed, and identify the program or service in the report. It shall also provide evidence of how the program or service will be more efficiently and effectively delivered under the different definition. The department shall not adopt rules or policies changing the definition of kin without authorizing legislation;

(b) Monitor and provide consultation on the implementation of recommendations contained in the 2002 kinship care report, including but not limited to the recommendations relating to legal and respite care services and resources;

(c) Partner with nonprofit organizations and private sector businesses to guide a public education awareness campaign; and

(d) Assist with developing future recommendations on kinship care issues.

(2) The department shall consult with the oversight committee on its efforts to better collaborate and coordinate services to benefit kinship care families.

(3) The oversight committee must consist of a minimum of thirty percent kinship caregivers, who shall represent a diversity of kinship families. Statewide representation with geographic, ethnic, and gender diversity is required. Other members shall include representatives of the department, representatives of relevant state agencies, representatives of the private nonprofit and business sectors, child advocates, representatives of Washington state Indian tribes as defined under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and representatives of the legal or judicial field. Birth parents, foster parents, and others who have an interest in these issues may also be included.

(4) To the extent funding is available, the department may reimburse nondepartmental members of the oversight committee for costs incurred in participating in the meetings of the oversight committee.

(5) The kinship care oversight committee shall update the legislature and governor annually on committee activities, with the first update due by January 1, 2006.

(6) This section expires June 30, ~~((2011))~~ 2015.

Sec. 965. RCW 79.64.040 and 2012 2nd sp.s. c 7 s 927 are each amended to read as follows:

(1) The board shall determine the amount deemed necessary in order to achieve the purposes of this chapter and shall provide by rule for the deduction of this amount from the moneys received from all leases, sales, contracts, licenses, permits, easements, and rights-of-way issued by the department and affecting state lands, community forest trust lands, and aquatic lands, provided that no deduction shall be made from the proceeds from agricultural college lands.

(2) Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150 prior to December 1, 1981, which have not been subjected to deduction under this section are not subject to deduction under this section.

(3) Except as otherwise provided in subsections (4) and (6) of this section, the deductions authorized under this section shall not exceed twenty-five percent of the moneys received by the department in connection with any one transaction pertaining to state lands and aquatic lands other than second-class tide and shore lands and the beds of navigable waters, and fifty percent of the moneys received by the department pertaining to second-class tide and shore lands and the beds of navigable waters.

(4) Deductions authorized under this section for transactions pertaining to community forest trust lands must be established at a level sufficient to defray over time the management costs for activities prescribed in a parcel's management plan adopted pursuant to RCW 79.155.080, and, if deemed appropriate by the board consistent with RCW 79.155.090, to reimburse the state and any local entities' eligible financial contributions for acquisition of the parcel.

(5) In the event that the department sells logs using the contract harvesting process described in RCW 79.15.500 through 79.15.530, the moneys received subject to this section are the net proceeds from the contract harvesting sale.

(6) During the ~~((2011-2013))~~ 2013-2015 fiscal biennium, the twenty-five percent limitation on deductions set in subsection (3) of this section may be increased up to thirty percent by the board.

Sec. 966. RCW 79.105.150 and 2012 2nd sp.s. c 7 s 929 and 2012 2nd sp.s. c 2 s 6008 are each reenacted and amended to read as follows:

(1) After deduction for management costs as provided in RCW 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys received by the state from the sale or lease of state-owned aquatic lands and from the sale of valuable material from state-owned aquatic lands shall be deposited in the aquatic lands enhancement account which is hereby created in the state treasury. After appropriation, these funds shall be used solely for aquatic lands enhancement projects; for the purchase, improvement, or protection of aquatic lands for public purposes; for providing and improving access to the lands; and for volunteer cooperative fish and game projects. ~~((During the 2011-2013 fiscal biennium, the aquatic lands enhancement account may also be used for scientific research as part of the adaptive management process and for developing a planning report for McNeil Island. During the 2011-2013 fiscal biennium, the legislature may transfer from the aquatic lands enhancement~~

~~account to the state general fund such amounts as reflect excess fund balance of the account.~~) During the ~~((2011-2013))~~ 2013-2015 fiscal biennium, the aquatic lands enhancement account may be used to support the shellfish program, the ballast water program, ~~((parks))~~ hatcheries, ~~((and))~~ the Puget Sound toxic sampling program at the department of fish and wildlife, the knotweed program at the department of agriculture, ~~((and))~~ the Puget SoundCorps program~~(- During the 2011-2013 fiscal biennium, the legislature may transfer from the aquatic lands enhancement account to the marine resources stewardship trust account funds for the purposes of RCW 43.372.070),~~ state park programs at the state parks and recreation commission, and the forest practices program at the department of natural resources. During the 2013-2015 fiscal biennium, the legislature may transfer from the aquatic lands enhancement account to the geoduck aquaculture research account for research related to shellfish aquaculture.

(2) In providing grants for aquatic lands enhancement projects, the recreation and conservation funding board shall:

(a) Require grant recipients to incorporate the environmental benefits of the project into their grant applications;

(b) Utilize the statement of environmental benefits, consideration, except as provided in RCW 79.105.610, of whether the applicant is a Puget Sound partner, as defined in RCW 90.71.010, whether a project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, and except as otherwise provided in RCW 79.105.630, and effective one calendar year following the development and statewide availability of model evergreen community management plans and ordinances under RCW 35.105.050, whether the applicant is an entity that has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030 in its prioritization and selection process; and

(c) Develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the grants.

(3) To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270.

(4) The department shall consult with affected interest groups in implementing this section.

(5) After January 1, 2010, any project designed to address the restoration of Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

Sec. 967. RCW 86.26.007 and 2012 2nd sp.s. c 7 s 932 are each amended to read as follows:

The flood control assistance account is hereby established in the state treasury. At the beginning of the 2005-2007 fiscal biennium, the state treasurer shall transfer three million dollars from the general fund to the flood control assistance account. Each biennium thereafter the state treasurer shall transfer four million dollars from the general fund to the flood control assistance account~~((-except that during the 2011-2013 fiscal biennium, the state treasurer shall transfer one million dollars from the general fund to the flood control assistance account)).~~ Moneys in the flood control assistance account may be spent only after appropriation for purposes specified under this chapter. During the 2013-2015 fiscal biennium, the legislature may transfer from the flood control assistance account to the state general fund such amounts as reflect the excess fund balance of the account.

(End of part)

SUPPLEMENTAL

PART XI

GENERAL GOVERNMENT

Sec. 1101. 2012 2nd sp.s. c 7 s 111 (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund--State Appropriation (FY 2012)	\$6,757,000
General Fund--State Appropriation (FY 2013)	((6,561,000))
\$6,603,000	

TOTAL APPROPRIATION ~~((13,318,000))~~

\$13,360,000

Sec. 1102. 2012 2nd sp.s. c 7 s 112 (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund--State Appropriation (FY 2012)	\$1,504,000
General Fund--State Appropriation (FY 2013)	\$24,000

Judicial Information System Account--State

Appropriation \$1,500,000

TOTAL APPROPRIATION ~~((3,004,000))~~

\$3,028,000

The appropriations in this section are subject to the following conditions and limitations: \$50,000 of the judicial information system account--state appropriation is provided solely to evaluate the state law library and assess its operational structure to determine the most effective delivery model for providing library services.

Sec. 1103. 2012 2nd sp.s. c 7 s 114 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund--State Appropriation (FY 2012)	\$15,275,000
General Fund--State Appropriation (FY 2013)	((15,168,000))
\$15,253,000	

TOTAL APPROPRIATION ~~((30,443,000))~~

\$30,528,000

Sec. 1104. 2012 2nd sp.s. c 7 s 115 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund--State Appropriation (FY 2012)	\$50,725,000
General Fund--State Appropriation (FY 2013)	(\$48,429,000)
\$49,123,000	
General Fund--Federal Appropriation	\$2,532,000
General Fund--Private/Local Appropriation	\$390,000
Judicial Information Systems Account--State	
Appropriation	\$42,362,000
Judicial Stabilization Trust Account--State	
Appropriation	(\$5,954,000)
\$5,425,000	
TOTAL APPROPRIATION	(\$150,392,000)
\$150,557,000	

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

(1) \$1,800,000 of the general fund--state appropriation for fiscal year 2012 and \$1,399,000 of the general fund--state appropriation for fiscal year 2013 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 office of 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.

(2)(a) \$8,252,000 of the general fund--state appropriation for fiscal year 2012 and \$7,313,000 of the general fund--state appropriation for fiscal year 2013 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 2011-2013 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 ways and means 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.

(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.

(4) \$265,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the office of public guardianship to provide guardianship services for low-income incapacitated persons.

(5) \$1,178,000 of the judicial information systems account--state appropriation is provided solely for replacing computer equipment at state courts and state judicial agencies.

(6) No later than September 30, 2011, the judicial information systems committee shall provide a report to the legislature on the recommendations of the case management feasibility study, including plans for a replacement of the superior court management information system (SCOMIS) and plans for completing the data exchange core system component consistent with a complete data exchange standard. No later than December 31, 2011, the judicial information systems committee shall provide a report to the legislature on the status of the data exchange, the procurement process for a SCOMIS replacement, and a case management system that is designed to meet the requirements approved by the superior courts and county clerks of all thirty-nine counties. The legislature shall solicit input on both reports from judicial, legislative, and executive stakeholders.

(7) In order to gather better data on juveniles in the criminal justice system, the administrative office of the courts shall modify the judgment and sentence form for juvenile and adult sentences to include one or more check boxes indicating whether (a) the adult superior court had original jurisdiction for a defendant who was younger than eighteen years of age at the time the case was filed; (b) the case was originally filed in juvenile court but transferred to adult superior court jurisdiction; or (c) the case was originally filed in adult superior court or transferred to adult superior court but then returned to the juvenile court.

(8) \$540,000 of the judicial stabilization trust account--state appropriation is 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, 2012.

(9) The Washington association of juvenile court administrators and the juvenile rehabilitation administration, in consultation with the community juvenile accountability act advisory committee and the Washington state institute for public policy, shall analyze and review data elements available from the administrative office of the courts for possible integration into the evidence-based program quality assurance plans and processes. The administrative office of the courts, the Washington association of juvenile court administrators, and the juvenile rehabilitation administration shall provide information necessary to complete the review and analysis. The Washington association of juvenile court administrators and the juvenile rehabilitation administration shall report the findings of their review and analysis, as well as any recommendations, to the legislature by December 1, 2012.

Sec. 1105. 2012 2nd sp.s. c 7 s 118 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund--State Appropriation (FY 2012)	\$5,102,000
General Fund--State Appropriation (FY 2013)	(\$5,247,000)
\$5,322,000	

Economic Development Strategic Reserve Account--State
 Appropriation \$1,500,000
 TOTAL APPROPRIATION ((~~\$11,849,000~~))
 \$11,924,000

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

(1) \$1,500,000 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) \$540,000 of the general fund--state appropriation for fiscal year 2012 and \$526,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the office of the education ombudsman.

(3) \$75,000 of the general fund--state appropriation for fiscal year 2013 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, 2012, the amount provided in this subsection shall lapse.

Sec. 1106. 2012 2nd sp.s. c 7 s 121 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund--State Appropriation (FY 2012) \$16,047,000
 General Fund--State Appropriation (FY 2013) ((~~\$8,612,000~~))
 \$9,972,000

General Fund--Federal Appropriation \$7,326,000
 Public Records Efficiency, Preservation, and Access
 Account--State Appropriation ((~~\$7,074,000~~))
 \$7,185,000

Charitable Organization Education Account--State
 Appropriation \$362,000

Local Government Archives Account--State
 Appropriation \$8,516,000

Election Account--Federal Appropriation \$17,284,000

Washington State Heritage Center Account--State
 Appropriation \$5,028,000
 TOTAL APPROPRIATION ((~~\$70,249,000~~))
 \$71,720,000

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

(1) \$3,898,000 of the general fund--state appropriation for fiscal year 2012 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 2012 and \$1,926,000 of the general fund--state appropriation for fiscal year 2013 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 2011-2013 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.

Sec. 1107. 2012 2nd sp.s. c 7 s 127 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund--State Appropriation (FY 2012) \$4,758,000
 General Fund--State Appropriation (FY 2013) ((~~\$7,690,000~~))
 \$7,890,000

General Fund--Federal Appropriation \$10,015,000

New Motor Vehicle Arbitration Account--State
 Appropriation \$968,000

Legal Services Revolving Account--State
 Appropriation ((~~\$197,375,000~~))
 \$197,412,000

Tobacco Prevention and Control Account--State	
Appropriation	\$270,000
Medicaid Fraud Penalty Account--State Appropriation	\$1,129,000
TOTAL APPROPRIATION	(\$222,205,000)
	\$222,442,000

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 ways and means.

(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 attorney general shall enter into an interagency agreement with the department of social and health services for expenditure of the state's proceeds from the *cy pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for the purposes set forth in sections 204 and 213 of this act.

(5) \$62,000 of the legal services revolving fund--state appropriation is provided solely to implement House Bill No. 1770 (state purchasing). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(6) \$5,924,000 of the legal services revolving account--state appropriation is provided solely to implement House Bill No. 2123 (workers' compensation). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(7) The office of the attorney general is authorized to expend \$2,100,000 from the *Zyprexa* and other *cy pres* awards towards consumer protection costs in accordance with uses authorized in the court orders.

(8) \$96,000 of the legal services revolving fund--state appropriation is provided solely to implement Senate Bill No. 5076 (financial institutions). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(9) \$99,000 of the legal services revolving fund--state appropriation is provided solely to implement Engrossed Second Substitute Senate Bill No. 5769 (coal-fired generation). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(10) \$416,000 of the legal services revolving fund--state appropriation is provided solely to implement Substitute Senate Bill No. 5801 (industrial insurance system). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(11) \$31,000 of the legal services revolving fund--state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5021 (election campaign disclosure). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(12) 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.

(13) \$11,000 of the legal services revolving fund--state appropriation is provided solely to implement House Bill No. 2301 (boxing, martial arts, wrestling). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(14) \$56,000 of the legal services revolving fund--state appropriation is provided solely to implement House Bill No. 2319 (affordable care act). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(15) \$5,743,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the legal costs associated with the evaluation, filing, prosecution, response to petitions for release, and appeal of sexually violent predator civil commitment cases, as provided in chapter 71.09 RCW. Within the amount provided in this subsection, the attorney general may enter into an interagency agreement with a county prosecutor to perform prosecution services pursuant to chapter 71.09 RCW.

(16) \$94,000 of the legal services revolving fund--state appropriation is provided solely to implement Senate Bill No. 6103 (reflexology and massage therapy). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(17) \$57,000 of the legal services revolving fund--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6237 (medical assistants). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(18) If Engrossed Substitute Senate Bill No. 5978 (medicaid fraud) is not enacted by June 30, 2012, the amounts appropriated in this section from the medicaid fraud penalty account--state appropriation shall lapse and an additional \$730,000 shall be appropriated from the general fund--state for fiscal year 2013 for fraud detection and prevention activities, recovery of improper payments, and for other medicaid fraud enforcement activities.

(19) \$56,000 of the legal services revolving fund--state appropriation is provided solely to implement House Bill No. 2592 (extended foster care). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(20) \$65,000 of the legal services revolving fund--state appropriation is provided solely for implementation of Second Engrossed Substitute Senate Bill No. 6406 (state natural resources). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(21) \$200,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for settlement payment of the Backpage.com litigation.

Sec. 1108. 2012 2nd sp.s. c 7 s 129 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

General Fund--State Appropriation (FY 2012)	\$51,799,000
General Fund--State Appropriation (FY 2013)	((72,839,000))
	\$62,889,000
General Fund--Federal Appropriation	\$340,184,000
General Fund--Private/Local Appropriation	\$5,036,000
Public Works Assistance Account--State Appropriation	\$2,733,000
Drinking Water Assistance Administrative Account--State Appropriation	\$437,000
Lead Paint Account--State Appropriation	((65,000))
	\$100,000
Building Code Council Account--State Appropriation	\$13,000
Home Security Fund Account--State Appropriation	\$21,007,000
Affordable Housing for All Account--State Appropriation	\$11,899,000
County Research Services Account--State Appropriation	\$540,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account--State Appropriation	((1,166,000))
	\$969,000
Low-Income Weatherization Assistance Account--State Appropriation	((2,427,000))
	\$1,186,000
City and Town Research Services Account--State Appropriation	\$2,577,000
Community and Economic Development Fee Account--State Appropriation	\$6,781,000
Washington Housing Trust Account--State Appropriation	\$17,444,000
Prostitution Prevention and Intervention Account-- State Appropriation	\$86,000
Public Facility Construction Loan Revolving Account--State Appropriation	\$748,000
Washington Community Technology Opportunity Account-- State Appropriation	\$713,000
Liquor Revolving Account--State Appropriation	((2,802,000))
	\$3,032,000
TOTAL APPROPRIATION	((541,296,000))
	\$530,173,000

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 2012 and \$500,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$306,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance so that smaller cities receive proportionately more assistance than larger cities or counties.

(5) \$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.

(6) \$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.

(7) \$198,000 of the general fund--state appropriation for fiscal year 2012 and \$198,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Washington new Americans program.

(8) \$2,949,000 of the general fund--state appropriation for fiscal year 2012 and \$2,949,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for associate development organizations.

(9) \$127,000 of the general fund--federal appropriation is provided solely for implementation of Substitute House Bill No. 1886 (Ruckelshaus center process). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(10) Up to \$200,000 of the general fund--private/local appropriation is for a grant to the Washington tourism alliance for the maintenance of the Washington state tourism web site www.experiencewa.com and its related sub-sites. The department may transfer ownership of the web site and other tourism promotion assets and assign obligations to the Washington tourism alliance for purposes of tourism promotion throughout the

state. The alliance may use the assets only in a manner consistent with the purposes for which they were created. Any revenue generated from these assets must be used by the alliance for the sole purposes of statewide Washington tourism promotion. The legislature finds that the Washington tourism alliance, a not-for-profit, 501.c.6 organization established, funded, and governed by Washington tourism industry stakeholders to sustain destination tourism marketing across Washington, is an appropriate body to receive funding and assets from and assume obligations of the department for the purposes described in this section.

(11) Within the appropriations in this section, specific funding is provided to implement Substitute Senate Bill No. 5741 (economic development commission).

(12) \$2,000,000 of the community and economic development fee account appropriation is provided solely for the department of commerce for services to homeless families through the Washington families fund.

(13) \$234,000 of the general fund--state appropriation for fiscal year 2012 and \$233,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Washington asset building coalitions.

(14) \$1,859,000 of the general fund--state appropriation for fiscal year 2012 and \$1,859,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for innovative research teams, also known as entrepreneurial STARS, at higher education research institutions, and for entrepreneurs-in-residence programs at higher education research institutions and entrepreneurial assistance organizations. Of these amounts no more than \$50,000 in fiscal year 2012 and no more than \$50,000 in fiscal year 2013 may be provided for the operation of entrepreneurs-in-residence programs at entrepreneurial assistance organizations external to higher education research institutions.

(15) Up to \$700,000 of the general fund--private/local appropriation is for pass-through grants to cities in central Puget Sound to plan for transfer of development rights receiving areas under the central Puget Sound regional transfer of development rights program.

(16) \$16,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to implement section 503 of Substitute House Bill No. 1277 (licensed settings for vulnerable adults). The long-term care ombudsman shall convene an adult family home quality assurance panel to review problems concerning the quality of care for residents in adult family homes. If Substitute House Bill No. 1277 (licensed settings for vulnerable adults) is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(17) \$19,605,000 of the general fund--state appropriation for fiscal year 2012 and (~~(\$39,527,000)~~) \$29,527,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for establishment of the essential needs and housing support program created in Engrossed Substitute House Bill No. 2082 (essential needs and assistance program). The department of commerce shall contract for these services with counties or community-based organizations involved in providing essential needs and housing supports to low-income persons who meet eligibility pursuant to Engrossed Substitute House Bill No. 2082. The department shall limit the funding used for administration of the program to no more than five percent. Counties and community providers shall limit the funding used for administration of the program to no more than seven percent.

(a) Of the amounts provided in this subsection, \$4,000,000 is provided solely for essential needs to clients who meet the eligibility established in Engrossed Substitute House Bill No. 2082. Counties and community-based organizations shall distribute basic essential products in a manner that prevents abuse. To the greatest extent possible, the counties or community-based organizations shall leverage local or private funds, and volunteer support to acquire and distribute the basic essential products.

(b) Of the amounts provided in this subsection, (~~(\$55,000,000)~~) \$45,000,000 is provided solely for housing support services to individuals who are homeless or who may become homeless, and are eligible for services under this program pursuant to Engrossed Substitute House Bill No. 2082.

(18) \$4,380,000 of the home security fund--state appropriation is provided solely for the department to provide homeless housing services in accordance with Engrossed Substitute House Bill No. 2048 (housing assistance surcharges). If Engrossed Substitute House Bill No. 2048 (housing assistance surcharges) is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(19) \$85,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the developmental disabilities council to contract for a family-to-family mentor program to provide information and support to families and guardians of persons who are transitioning out of residential habilitation centers. To the maximum extent allowable under federal law, these funds shall be matched under medicaid through the department of social and health services and federal funds shall be transferred to the department for the purposes stated in this subsection.

(20) (~~(\$2,802,000)~~) \$3,032,000 of the liquor revolving account--state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(21) \$1,000,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for deposit in the shelter to housing project account, hereby created in the custody of the state treasurer as a nonappropriated account. The department may expend funds from the account solely for a two-year pilot project to enable young adults to move from temporary emergency shelter housing to transitional and permanent housing throughout King county. The pilot project will be administered under contract with the YMCA of greater Seattle in collaboration with the rising out of the shadows young adult shelter. Funding may be used for case management, housing subsidy, transportation, shelter services, training and evaluation. The pilot project and the shelter to housing project account expire December 31, 2014.

(22) \$12,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement Engrossed Second Substitute Senate Bill No. 5292 (irrigation and port districts). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(23) \$100,000 of the general fund--private/local appropriation is provided solely for the department to provide analysis and an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets in accordance with Substitute Senate Bill No. 6414 (review process/utilities). 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. If Substitute Senate Bill No. 6414 (review process/utilities) is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

Sec. 1109. 2012 2nd sp.s. c 7 s 131 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund--State Appropriation (FY 2012)	\$18,369,000
General Fund--State Appropriation (FY 2013)	((\$18,584,000))
	\$18,853,000
General Fund--Federal Appropriation	\$31,530,000
General Fund--Private/Local Appropriation	\$1,370,000
Performance Audits of Government Account--State	

Appropriation	\$198,000	
Economic Development Strategic Reserve Account--State		
Appropriation	\$280,000	
Department of Personnel Services--State		
Appropriation	\$8,551,000	
Data Processing Revolving Account--State		
Appropriation	\$5,910,000	
Higher Education Personnel Services Account--State		
Appropriation	\$1,537,000	
Aquatic Lands Enhancement Account--State Appropriation		\$100,000
TOTAL APPROPRIATION	(\$86,429,000)	
	\$86,698,000	

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

(1) \$1,210,000 of the general fund--state appropriation for fiscal year 2012 and \$1,210,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementation of House Bill No. 1178 (regulatory assistance office). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(2) \$150,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the office of financial management to contract with an independent consultant to evaluate and recommend the most cost-effective provision of services required to support the department of social and health services special commitment center on McNeil Island. The evaluation shall include island operation services that include, but are not limited to: (a) Marine transport of passengers and goods; (b) wastewater treatment; (c) fire protection and suppression; (d) electrical supply; (e) water supply; and (f) road maintenance.

The office of financial management shall solicit the input of Pierce county, the department of corrections, and the department of social and health services in developing the request for proposal, evaluating applications, and directing the evaluation. The consultant shall report to the governor and legislature by November 15, 2011.

(3) \$100,000 of the aquatic lands enhancement account--state appropriation is provided solely for the office of financial management to prepare a report to be used to initiate a comprehensive, long-range planning process for the future of McNeil Island during the 2013-2015 fiscal biennium.

(a) The report on the initiation of the process must document:

- (i) Ownership issues, including consultation with the federal government about its current legal requirements associated with the island;
- (ii) Federal and state decision-making processes to change use or ownership;
- (iii) Tribal treaty interests;
- (iv) Fish and wildlife species and their habitats;
- (v) Land use and public safety needs;
- (vi) Recreational opportunities for the general public;
- (vii) Historic and archaeological resources; and
- (viii) Revenue from and necessary to support potential future uses of the island.

(b) The report shall develop and recommend a comprehensive, long-range planning process for the future of the island and associated aquatic resources, addressing the items in (a) of this subsection.

(c) The office of financial management may use its own staff and other public agency and tribal staff or contract for services, and may create a work group of knowledgeable agencies, organizations, and individuals to assist in preparing the report.

(d) The office of financial management shall engage in broad consultation with interested parties, including, but not limited to:

- (i) Federal agencies with relevant responsibilities;
- (ii) Tribal governments;
- (iii) State agencies;
- (iv) Local governments and communities in the area, including the Anderson Island community, Steilacoom, and Pierce county; and
- (v) Interested private organizations and individuals.

(e) The report must be submitted to the governor and appropriate committees of the legislature by October 1, 2012.

(4) The appropriations in this section include funding for activities transferred from the sentencing guidelines commission to the office of financial management pursuant to Engrossed Substitute Senate Bill No. 5891 (criminal justice cost savings). Prior to the effective date of Engrossed Substitute Senate Bill No. 5891, the appropriations in this section may be expended for the continued operations and expenses of the sentencing guidelines commission pursuant to the expenditure authority schedule produced by the office of financial management in accordance with chapter 43.88 RCW.

~~((6))~~ (5) \$115,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of Engrossed Substitute House Bill No. 2483 (higher education coordination). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

~~((7))~~ (6)(a) The office of financial management shall determine if cost savings can be achieved by the state through contracting for interpreter services more effectively. The office of financial management must work with all state agencies that use interpreter services to determine:

- (i) How agencies currently procure interpreter services;
- (ii) To what degree brokers or foreign language agencies are used in the acquisition of interpreter services; and
- (iii) The cost of interpreter services as currently provided.

(b) The office of financial management, in consultation with the department of enterprise services, must also examine approaches to procuring interpreter services, including using the department of enterprise services' master contract, limiting overhead costs associated with interpreter contracts, and direct scheduling of interpreters. The report must include recommendations for the state to procure services in a more consistent and cost-effective manner.

(c) The office of financial management, in consultation with the department of labor and industries, must determine the impact that any alternative approach to procuring interpreter services will have on medical providers.

(d) The report must include:

- (i) Analysis of the current process for procuring interpreter services;
- (ii) Recommendations regarding options to make obtaining interpreter services more consistent and cost-effective; and
- (iii) Estimates for potential cost savings.

(e) The office of financial management must report to the fiscal committees of the legislature by December 1, 2012.

~~((8))~~ (7) \$25,000 of the general fund--state appropriation for fiscal year 2012 and \$225,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementation of House Bill No. 2824 (education funding). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(8) \$175,000 of the general fund--state appropriation for fiscal year 2013 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, 2012, the amount provided in this subsection shall lapse.

Sec. 1110. 2012 2nd sp.s. c 7 s 132 (uncodified) is amended to read as follows:

FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Account--State

Appropriation ~~((35,713,000))~~

\$36,413,000

The appropriation in this section is subject to the following conditions and limitations: ~~((769,000))~~ \$700,000 of the administrative hearings revolving account--state appropriation is provided solely to ~~((implement Engrossed Substitute Senate Bill No. 5921 (social services programs). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse))~~ accommodate the number of fair hearings associated with medical assistance programs on behalf of the health care authority.

Sec. 1111. 2012 2nd sp.s. c 7 s 136 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS

Department of Retirement Systems Expense

Account--State Appropriation ~~((46,511,000))~~

\$46,591,000

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

(1) \$146,000 of the department of retirement systems--state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 2070 (state and local government employees). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(2) \$65,000 of the department of retirement systems--state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 1625 (plan 3 default investment option). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(3) \$133,000 of the department of retirement systems--state appropriation is provided solely for the administrative costs associated with implementation of Engrossed House Bill No. 1981 as amended (post-retirement employment). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(4) \$15,000 of the department of retirement systems expense account--state appropriation is provided solely for the administrative costs associated with implementation of Substitute House Bill No. 2021 (plan 1 annual increase amounts). If the bill is not enacted by June 30, 2011, the amount provided in this section shall lapse.

(5) \$32,000 of the department of retirement systems--state appropriation is provided solely for the administrative costs associated with implementation of Engrossed Senate Bill No. 5159 (state patrol retirement system service credit). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

Sec. 1112. 2012 2nd sp.s. c 7 s 137 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund--State Appropriation (FY 2012) \$100,691,000

General Fund--State Appropriation (FY 2013) ~~((99,207,000))~~

\$99,357,000

Timber Tax Distribution Account--State Appropriation \$5,900,000

Waste Reduction/Recycling/Litter Control--State

Appropriation \$129,000

Waste Tire Removal Account--State Appropriation \$2,000

State Toxics Control Account--State Appropriation \$87,000

Oil Spill Prevention Account--State Appropriation \$19,000

Master License Fund--State Appropriation \$13,922,000

Vehicle License Fraud Account--State Appropriation \$5,000

Performance Audits of Government Account--State

Appropriation \$3,188,000

TOTAL APPROPRIATION ~~((223,150,000))~~

\$223,300,000

Sec. 1113. 2012 2nd sp.s. c 7 s 139 (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account--State Appropriation ~~((3,654,000))~~

\$3,754,000

The appropriations in this section are subject to the following conditions and limitations: \$100,000 of the minority and women's business

enterprises account--state appropriation is provided for implementation of a certification program for small business enterprises. The agency will collaborate with the department of transportation to certify small businesses as small business enterprises.

Sec. 1114. 2012 2nd sp.s. c 7 s 142 (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Liquor Control Board Construction and Maintenance	
Account--State Appropriation	\$3,063,000
Liquor Revolving Account--State Appropriation	\$171,838,000
General Fund--Federal Appropriation	\$945,000
General Fund--Private/Local Appropriation	\$25,000
TOTAL APPROPRIATION	\$175,871,000

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

(1) The legislature intends to facilitate the orderly transition of liquor services as required by Initiative Measure No. 1183. For liquor control board employees that remain through June 15, 2012, a temporary opportunity to cash out sick leave is provided to assist the unique challenges to the liquor control board and its employees posed by this transition.

(2) Within the amounts appropriated in this section from the liquor revolving account--state appropriation, liquor control board employees who: (a) Occupy positions in the job classifications provided in subsection (3)(c) of this section that will be eliminated after the liquor control board ceases to distribute liquor; and (b) remain as liquor control board employees through June 15, 2012, and who separate from service due to lay off by October 1, 2012, may elect to receive remuneration for their entire sick leave balance at a rate equal to one day's current monetary compensation of the employee for each four full days of accrued sick leave.

(3) The following conditions apply to sick leave cash out under this subsection:

(a) The rate of monetary compensation for the purposes of this subsection shall not be reduced by any temporary salary reduction;

(b) Remuneration or benefits received under this subsection shall not be included for the purpose of computing a retirement allowance under any public retirement system in this state;

(c) The following job classifications are eligible:

- (i) Liquor store clerk;
- (ii) Retail assistant store manager 1;
- (iii) Retail assistant store manager 2;
- (iv) Retail store manager 3;
- (v) Retail store manager 4;
- (vi) Retail district manager;
- (vii) Retail operations manager;
- (viii) Director of retail services;
- (ix) Director of distribution center;
- (x) Director of purchasing;
- (xi) Director of business enterprise;
- (xii) Warehouse operator 1;
- (xiii) Warehouse operator 2;
- (xiv) Warehouse operator 3; and
- (xv) Warehouse operator 4; and

(d) Should the legislature revoke any remuneration or benefits granted under this section, an affected employee shall not be entitled thereafter to receive such benefits as a matter of contractual right.

(4) Within the amounts appropriated in this section from the liquor revolving account--state appropriation, up to \$946,000 may be used by the liquor control board to implement Initiative Measure No. 502.

Sec. 1115. 2012 2nd sp.s. c 7 s 144 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund--State Appropriation (FY 2012)	\$7,116,000
General Fund--State Appropriation (FY 2013)	(\$6,872,000)
\$6,938,000	
General Fund--Federal Appropriation	(\$159,075,000)
\$159,114,000	
Enhanced 911 Account--State Appropriation	\$48,620,000
Disaster Response Account--State Appropriation	\$23,119,000
Disaster Response Account--Federal Appropriation	\$91,368,000
Military Department Rent and Lease Account--State	
Appropriation	\$615,000
Worker and Community Right-to-Know Account--State	
Appropriation	\$2,163,000
TOTAL APPROPRIATION	(\$338,948,000)
\$339,053,000	

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

(1) \$18,018,000 of the disaster response account--state appropriation and \$66,266,000 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 2011-2013 biennium based on current revenue and expenditure patterns.

(2) \$75,000,000 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) \$15,000 of the general fund--state appropriation in fiscal year 2013 is provided solely to maintain the three generator systems that allow the emergency operations center and emergency management division to operate during unexpected power outages.

Sec. 1116. 2012 2nd sp.s. c 7 s 149 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund--State Appropriation (FY 2012)	\$3,401,000
General Fund--State Appropriation (FY 2013)	\$3,309,000
((General Fund--Federal Appropriation	\$177,000
General Fund--Private/Local Appropriation	\$368,000))
Building Code Council Account--State Appropriation	\$1,186,000
Department of Personnel Service Account--State	
Appropriation	\$11,117,000
Enterprise Services Account--State Appropriation	\$26,336,000
TOTAL APPROPRIATION	((\$45,894,000)
	\$45,349,000

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

(1) The appropriations in this section are for the operations and expenses of the department of enterprise services as established by Engrossed Substitute Senate Bill No. 5931 (central service functions of state government), effective October 1, 2011. Prior to October 1, 2011, the appropriations in this section may be expended for the continued operations and expenses of the office of financial management, the department of general administration, the department of information services, and the department of personnel, pursuant to the expenditure authority schedules produced by the office of financial management, in accordance with chapter 43.88 RCW.

(2) \$3,028,000 of the general fund--state appropriation for fiscal year 2012 and \$2,967,000 of the general fund--state appropriation for fiscal year 2013 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.

(3) In accordance with RCW 46.08.172 and 43.135.055, the department is authorized to increase parking fees in fiscal years 2012 and 2013 as necessary to meet the actual costs of conducting business.

(4) 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.

(5) Specific funding is provided for the purposes of section 3 of House Bill No. 1770 (state purchasing).

(6) The amounts appropriated in this section are for implementation of Senate Bill No. 5931 (streamlining central service functions).

(7) 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.

(8) 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.

(9) The department shall adjust billings for self-insurance premiums to transportation agencies to reflect rate reductions assumed in this act.

(End of part)

PART XII

HUMAN SERVICES

Sec. 1201. 2012 2nd sp.s. c 7 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 medicare integrated care project (MICP), the health care authority 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 2011-2013 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. The health care authority and the department shall conduct an evaluation of the WMIP by October 15, 2012, and of the MICP measuring changes in participant health outcomes, changes in patterns of service utilization, participant satisfaction, participant access to services, and the state fiscal impact.

(b) Effective January 1, 2013, 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)(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, ~~((2012))~~ 2013, unless specifically prohibited by this act, the department may transfer general fund--state appropriations for fiscal year ~~((2012))~~ 2013 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 ~~((2012))~~ 2013 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. 1202. 2012 2nd sp.s. c 7 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 2012)	\$287,014,000
General Fund--State Appropriation (FY 2013)	((285,018,000))
	\$261,669,000
General Fund--Federal Appropriation	((479,315,000))
	\$476,739,000
General Fund--Private/Local Appropriation	((1,354,000))
	\$1,804,000
Home Security Fund Account--State Appropriation	\$10,741,000
Domestic Violence Prevention Account--State	
Appropriation	\$1,240,000
Education Legacy Trust Account--State Appropriation	\$725,000
TOTAL APPROPRIATION	((1,065,407,000))
	\$1,039,932,000

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 2012 and \$668,000 of the general fund--state appropriation for fiscal year 2013 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. The department shall collaborate with the pediatric interim care center to determine if and how the center could be appropriately incorporated into the performance-based contract model and report its findings to the legislature by December 1, 2012.

(3)(a) \$80,887,000 of the general fund--state appropriation for fiscal year 2012, (~~(\$81,067,000)~~) \$61,067,000 of the general fund--state appropriation for fiscal year 2013, and (~~(\$74,800,000)~~) \$71,598,034 of the general fund--federal appropriation are provided solely for services for children and families. 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 use these services to safely reduce the number of children in out-of-home care, safely reduce the time spent in out-of-home care prior to achieving permanency, and safely reduce the number of children returning to out-of-home care following permanency. The department shall provide an initial report to the legislature and the governor by January 15, 2012, regarding the start-up costs associated with performance-based contracts under RCW 74.13.360 .

(c) Of the amounts provided in (a) of this subsection, \$579,000 of the general fund--state appropriation for fiscal year 2013 and \$109,000 of the general fund--federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$176,000 of the general fund--state appropriation for fiscal year 2012, \$177,000 of the general fund--state appropriation for fiscal year 2013, \$656,000 of the general fund--private/local appropriation, \$253,000 of the general fund--federal appropriation, and \$725,000 of the education legacy trust account--state 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.

(5) \$670,000 of the general fund--state appropriation for fiscal year 2012 and \$670,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for services provided through children's advocacy centers.

(6) To ensure expenditures remain within available funds appropriated in this section as required by RCW 74.13A.005 and 74.13A.020, the secretary shall not set the amount of any adoption assistance payment or payments, made pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080, to more than ninety percent of the foster care maintenance payment for that child had he or she remained in a foster family home during the same period. This subsection does not apply to adoption assistance agreements in existence on the effective date of this section.

(7) \$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.

(8) \$47,000 of the general fund--state appropriation for fiscal year 2012, \$14,000 of the general fund--state appropriation for fiscal year 2013, and \$40,000 of the general fund--federal appropriation are provided solely to implement Substitute House Bill No. 1697 (dependency system). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(9) \$564,000 of the general fund--federal appropriation is provided solely to implement Second Substitute House Bill No. 1128 (extended foster care). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(10) \$799,000 of the general fund--state appropriation for fiscal year 2013 and \$799,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 2264 (child welfare/contracting). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(11) \$178,000 of the general fund--federal appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2592 (extended foster care). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(12) \$616,000 of the general fund--state appropriation for fiscal year 2013 and \$616,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Substitute Senate Bill No. 6555 (child protective services). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

Sec. 1203. 2012 2nd sp.s. c 7 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 2012)	\$85,723,000
General Fund--State Appropriation (FY 2013)	((\$85,258,000))
\$85,477,000	
General Fund--Federal Appropriation	((\$3,809,000))

\$3,808,000
 General Fund--Private/Local Appropriation(~~(\$1,903,000)~~)
 \$1,904,000
 Washington Auto Theft Prevention Authority Account--
 State Appropriation \$196,000
 Juvenile Accountability Incentive Account--Federal
 Appropriation \$2,801,000
 TOTAL APPROPRIATION (~~(\$179,690,000)~~)
 \$179,909,000

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 2012 and \$331,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$2,716,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$3,482,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$1,130,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$3,123,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$1,537,000 of the general fund--state appropriation for fiscal year 2013 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 shall phase the implementation of the formula provided in subsection (1) of this section by including a stop-loss formula of five percent in fiscal year 2012 and five percent in fiscal year 2013.

(c) 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.

(d) 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. Consistent with chapter 13.50 RCW, all confidentiality agreements necessary to implement this information-sharing shall be approved within 30 days of the effective date of this section. 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) The Washington association of juvenile court administrators and the juvenile rehabilitation administration, in consultation with the community juvenile accountability act advisory committee and the Washington state institute for public policy, shall analyze and review data elements available from the administrative office of the courts for possible integration into the evidence-based program quality assurance plans and processes. The administrative office of the courts, the Washington association of juvenile court administrators, and the juvenile rehabilitation administration shall provide information necessary to complete the review and analysis. The Washington association of juvenile court administrators and the juvenile rehabilitation administration shall report the findings of their review and analysis, as well as any recommendations, to the legislature by December 1, 2012.

Sec. 1204. 2012 2nd sp.s. c 7 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 2012)	\$317,734,000
General Fund--State Appropriation (FY 2013)	(\$324,319,000)
\$321,609,000	
General Fund--Federal Appropriation	(\$449,593,000)
\$446,619,000	
General Fund--Private/Local Appropriation	\$17,864,000
Hospital Safety Net Assessment Fund--State	
Appropriation	\$5,251,000
TOTAL APPROPRIATION	(\$1,114,761,000)
\$1,109,077,000	

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

(a) \$109,342,000 of the general fund--state appropriation for fiscal year 2012 and \$109,341,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for persons and services not covered by the medicaid program. This is a reduction of \$4,348,000 each fiscal year from the nonmedicaid funding that was allocated for expenditure by regional support networks during fiscal year 2011 prior to supplemental budget reductions. This \$4,348,000 reduction shall be distributed among regional support networks proportional to each network's share of the total state population. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: (i) Crisis and commitment services; (ii) community inpatient services; and (iii) residential care services, including personal care and emergency housing assistance.

(b) \$6,590,000 of the general fund--state appropriation for fiscal year 2012, \$6,590,000 of the general fund--state appropriation for fiscal year 2013, 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 2012, \$5,850,000 of the general fund--state appropriation for fiscal year 2013, 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.

~~((g))~~ (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.

~~((h))~~ (g) \$750,000 of the general fund--state appropriation for fiscal year 2012 and \$750,000 of the general fund--state appropriation for fiscal year 2013 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.

~~((i))~~ (h) \$1,125,000 of the general fund--state appropriation for fiscal year 2012 and \$1,125,000 of the general fund--state appropriation for fiscal year 2013 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.

~~((j))~~ (i) \$1,529,000 of the general fund--state appropriation for fiscal year 2012 and \$1,529,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

~~((k))~~ (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.

~~((l))~~ (k) Given the 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.

~~((m))~~ (l) \$750,000 of the general fund--state appropriation for fiscal year 2012, \$750,000 of the general fund--state appropriation for fiscal year 2013, and \$1,500,000 of the general fund--federal appropriation are provided solely to adjust regional support network capitation rates to account for the per diem rates actually paid for psychiatric care provided at hospitals participating in the certified public expenditure program operated pursuant to section 213 of this act.

~~((n))~~ (m) The appropriations in this section reflect efficiencies to be achieved through voluntary consolidation of regional support networks in accordance with Substitute House Bill No. 2139 (regional support networks). Voluntary consolidation of regional support networks is expected to result in administrative efficiencies and maximize dollars available for direct services to individuals with mental illnesses without corresponding increases in state appropriations.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2012)	\$115,017,000
General Fund--State Appropriation (FY 2013)	(\$112,603,000)
\$118,883,000	
General Fund--Federal Appropriation	(\$153,618,000)
\$152,917,000	
General Fund--Private/Local Appropriation	(\$67,325,000)
\$64,555,000	
TOTAL APPROPRIATION	(\$448,563,000)
\$451,372,000	

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 2012 and \$231,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$45,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$20,000,000 of the general fund--state appropriation for fiscal year 2012 and \$20,000,000 of the general fund--state appropriation for fiscal year 2013 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) The appropriations in this section reflect efficiencies to be achieved through enactment of Substitute Senate Bill No. 6492 (competency to stand trial). These efficiencies are expected to enable the hospitals to substantially increase the timeliness with which evaluations of defendant competency to stand trial are completed, and treatment to restore competency is initiated, without corresponding increases in state appropriations.

(3) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2012)	\$1,148,000
General Fund--State Appropriation (FY 2013)	\$1,276,000
General Fund--Federal Appropriation	(\$4,198,000)
	\$5,198,000
General Fund--Private/Local Appropriation	\$700,000
TOTAL APPROPRIATION	(\$7,322,000)
	\$8,322,000

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 2012 and \$1,161,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for children's evidence-based mental health services. Funding is sufficient to continue serving children at the same levels as fiscal year 2009.

(b) \$700,000 of the general fund--private/local appropriation is 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 for serving children and youth with mental health disorders. The department shall enter into an interagency agreement with the office of the attorney general for expenditure of \$700,000 of the state's proceeds of the *cy pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for this purpose.

(c) \$135,000 of the general fund--state appropriation for fiscal year 2013 and \$89,000 of the general fund--federal appropriation are provided solely for the department to contract with the University of Washington's evidence-based practice institute and the Washington state institute for public policy to consult with the department and the health care authority on the implementation of Engrossed Second Substitute House Bill No. 2536 (children services/delivery). The department's programs responsible for administration of mental health, child welfare, and juvenile justice programs will coordinate with the health care authority on the development of contract terms which facilitate efforts to meet requirements of the bill. If Engrossed Second Substitute House Bill No. 2536 (children services/delivery) is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(4) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2012)	\$4,482,000
General Fund--State Appropriation (FY 2013)	(\$4,247,000)
	\$4,161,000
General Fund--Federal Appropriation	(\$7,210,000)
	\$7,128,000
General Fund--Private/Local Appropriation	\$446,000
TOTAL APPROPRIATION	(\$16,385,000)
	\$16,217,000

(a) The appropriations in this subsection are subject to the following conditions and limitations: In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to increase license and certification fees in fiscal years 2012 and 2013 to support the costs of the regulatory program. The fee schedule increases must be developed so that the maximum amount of additional fees paid by providers statewide in the 2011-2013 fiscal biennium is \$446,000. 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) \$19,000 of the general fund--state appropriation for fiscal year 2012, \$17,000 of the general fund--state appropriation for fiscal year 2013, and \$34,000 of the general fund--federal appropriation are provided solely to support a partnership among the department of social and health services, the department of health, and agencies that deliver medical care and behavioral health services in Cowlitz county. The partnership shall identify and recommend strategies for resolving regulatory, licensing, data management, reporting, and funding barriers to more effective integration of primary medical and behavioral health care services in the county.

Sec. 1205. 2012 2nd sp.s. c 7 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 2012)	\$405,412,000
General Fund--State Appropriation (FY 2013)	(\$420,327,000)
	\$411,082,000
General Fund--Federal Appropriation	(\$752,059,000)
	\$745,033,000
General Fund--Private/Local Appropriation	\$184,000
TOTAL APPROPRIATION	(\$1,577,982,000)

\$1,561,711,000

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) Amounts appropriated in this subsection reflect a reduction to funds appropriated for in-home care. The department shall reduce the number of in-home hours authorized. The reduction shall be scaled based on the acuity level of care recipients. The largest hour reductions shall be to lower acuity patients and the smallest hour reductions shall be to higher acuity patients.

(c) Amounts appropriated in this subsection are sufficient to develop and implement the use of a consistent, statewide outcome-based vendor contract for employment and day services by July 1, 2012. The rates paid to vendors under this contract shall also be made consistent. In its description of activities the agency shall include activity listings and dollars appropriated for: Employment services, day services, child development services and county administration of services to the developmentally disabled. The department shall begin reporting to the office of financial management on these activities beginning in fiscal year 2010.

(d) \$944,000 of the general fund--state appropriation for fiscal year 2012, \$944,000 of the general fund--state appropriation for fiscal year 2013, and \$1,888,000 of the general fund--federal appropriation are provided solely for state contributions for individual provider health care benefits. Pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270, the state shall contribute to the multiemployer health benefits trust fund \$2.21 per paid hour worked by individual providers.

(e) \$1,329,000 of the general fund--state appropriation for fiscal year 2012, \$1,622,000 of the general fund--state appropriation for fiscal year 2013, and \$2,947,000 of the general fund--federal appropriation are provided solely for the state's contribution to the training partnership, as provided in RCW 74.39A.360, for instructional costs associated with the training of individual providers. Contributions are funded at \$0.22 per benefit-eligible paid hour worked by all home care workers. Expenditures for the purposes specified in this subsection shall not exceed the amounts provided in this subsection. However, if the governor and the service employees international union healthcare 775nw can reach agreement on repurposing funding that is currently provided in the individual provider collective bargaining agreement for new individual provider wages paid during training or other training related items, then expenditures for training trust contributions for individual providers may include the amounts provided in this subsection and the agreed upon repurposed funding. Funding in this section for purposes other than the individual provider collective bargaining agreement cannot be used for the purposes of this subsection (1)(e). It is the intent of the legislature that the funding provided in this subsection, including any repurposed funding, is sufficient to cover the costs of individual provider training and therefore tuition or other entrance fees are not necessary.

(f) (~~(\$104,669,000)~~) \$107,538,000 of the general fund--state appropriation for fiscal year 2013 and (~~(\$104,669,000)~~) \$107,535,000 of the general fund--federal appropriation are provided solely for the department to provide personal care services to waiver and nonwaiver in-home clients. The department shall provide the legislature with a report by December 5, 2012, on the feasibility of converting the medicaid personal care program for in-home adults to a medicaid program as found in section 1915(i) of the federal social security act that utilizes the option for self-direction of individualized budgets. The department shall operate the personal care program within the amounts specifically provided.

(g)(i) Within the amounts appropriated in this subsection, the department shall revise the current working age adult policy to allow clients to choose between employment and community access activities. Clients age 21 and older who are receiving services through a home- and community-based medicaid waiver shall be offered the choice to transition to a community access program after nine months of enrollment in an employment program, and the option to transition from a community access program to an employment program at any time. The department shall inform clients and their legal representatives of all available options for employment and day services. Information provided to the client and the client's legal representative shall include the types of activities each service option provides, and the amount, scope, and duration of service for which the client would be eligible under each service option. An individual client may be authorized for only one service option, either employment services or community access services. Clients may not participate in more than one of these services at any given time.

(ii) The department shall work with counties and stakeholders to strengthen and expand the existing community access program. The program must emphasize support for the client so they are able to participate in activities that integrate them into their community and support independent living and skills.

(iii) The appropriation in this subsection includes funding to provide employment or community access services to 168 medicaid eligible young adults with developmental disabilities living with their families who need employment opportunities and assistance after high school graduation.

(h) \$75,000 of the general fund--state appropriation for fiscal year 2012 and \$75,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the restoration of direct support to local organizations that utilize parent-to-parent networks and communication to promote access and quality of care for individuals with developmental disabilities and their families.

(i) In accordance with Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults), adult family home license fees are increased in fiscal years 2012 and 2013 to support the costs of conducting licensure, inspection, and regulatory programs.

(i) The current annual renewal license fee for adult family homes shall be increased to \$100 per bed beginning in fiscal year 2012 and \$175 per bed beginning in fiscal year 2013. Adult family homes shall receive a corresponding vendor rate increase per medicaid patient day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013, or the amount necessary to fully fund the license fee increase for publicly funded beds, pursuant to the most recent bed estimates maintained by the department.

(ii) Beginning in fiscal year 2012, a processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(j) Clients with developmental disabilities have demonstrated a need and a desire for a day services program as verified by over 900 clients currently accessing day programs through a long- term care service model. In addition, every individual, to include those with a developmental disability, should have the opportunity for meaningful employment which allows them to contribute to their communities and to become as self-sufficient as possible. Providing choice empowers recipients of publicly funded services and their families by expanding their degree of control over the services and supports they need.

The department shall work with legislators and stakeholders to develop a new approach to employment and day services. The objective of this plan is to ensure that adults with developmental disabilities have optimum choices, and that employment and day offerings are

comprehensive enough to meet the needs of all clients currently served on a home and community based waiver. The proposal shall be submitted to the 2012 legislature for consideration and shall be constructed such that a client ultimately receives employment, community access, or the community day option but not more than one service at a time. The proposal shall include options for program efficiencies within the current employment and day structure and shall provide details on the plan to implement a consistent, statewide outcome-based vendor contract for employment and day services as specified in (c) of this subsection.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2012)	\$75,436,000
General Fund--State Appropriation (FY 2013)	(\$80,356,000)
	\$78,154,000
General Fund--Federal Appropriation	(\$153,570,000)
	\$152,963,000
General Fund--Private/Local Appropriation	\$22,043,000
TOTAL APPROPRIATION	(\$331,405,000)
	\$328,596,000

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 2012 and \$721,000 of the general fund--state appropriation for fiscal year 2013 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 2012)	\$1,382,000
General Fund--State Appropriation (FY 2013)	(\$1,366,000)
	\$1,759,000
General Fund--Federal Appropriation	(\$1,319,000)
	\$1,519,000
TOTAL APPROPRIATION	(\$4,067,000)
	\$4,660,000

(4) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2012)	\$4,634,000
General Fund--State Appropriation (FY 2013)	(\$4,553,000)
	\$6,313,000
General Fund--Federal Appropriation	(\$9,588,000)
	\$9,786,000
General Fund--Private/Local Appropriation	(\$998,000)
	\$791,000
TOTAL APPROPRIATION	(\$19,773,000)
	\$21,524,000

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

Amounts appropriated in this subsection are for the purposes of transitioning clients with developmental disabilities into community settings. The department is authorized as needed to use these funds to either pay for clients residing within a residential habilitation center or for placements in the community. Pursuant to Second Substitute Senate Bill No. 5459 (services for people with developmental disabilities), funding in this subsection must be prioritized for the purpose of facilitating the consolidation and closure of Frances Haddon Morgan Center. The department shall use a person-centered approach in developing the discharge plan to assess each resident's needs and identify services the resident requires to successfully transition to the community or another residential habilitation center. The department is authorized to use any savings from this effort for the purpose of developing community resources to address the needs of clients with developmental disabilities who are in crisis or in need of respite. The department shall track the costs and savings of closing Frances Haddon Morgan Center and any investments into community placements and resources. The department shall provide a fiscal progress report to the legislature by December 5, 2011.

Sec. 1206. 2012 2nd sp.s. c 7 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 2012)	\$791,493,000
General Fund--State Appropriation (FY 2013)	(\$809,338,000)
	\$802,115,000
General Fund--Federal Appropriation	(\$1,690,993,000)
	\$1,686,998,000
General Fund--Private/Local Appropriation	\$27,517,000
Traumatic Brain Injury Account--State Appropriation	\$3,388,000
Nursing Facility Quality Assurance Account--State Appropriation	\$88,000,000
TOTAL APPROPRIATION	(\$3,410,729,000)
	\$3,399,511,000

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 \$170.37 for fiscal year 2012 and shall not exceed (~~(\$171.43)~~) \$171.09 for fiscal year 2013, including the rate add-ons described in (a) and (b) of this subsection. However, if the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment created by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is for any reason not approved and implemented, the weighted average nursing facility payment rate shall not exceed \$159.87 for fiscal year 2012 and shall not exceed (~~(\$160.93)~~) \$161.29 for fiscal year 2013. There will be no adjustments for economic trends and conditions in fiscal years 2012 and 2013. 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) 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. 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, 2012, using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding 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, 2012, 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 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) If the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment created by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is for any reason not approved and implemented, (b), (c), and (d) of this subsection do not apply.

(2) After examining actual nursing facility cost information, the legislature finds that the medicaid nursing facility rates calculated pursuant to Engrossed Substitute Senate Bill No. 5581 (nursing home payments) provide sufficient reimbursement to efficiently and economically operating nursing facilities and bear a reasonable relationship to costs.

(3) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2012 and no new certificates of capital authorization for fiscal year 2013 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 2012 and 2013.

(4) The long-term care program may develop and pay enhanced rates for exceptional care to nursing homes for persons with traumatic brain injuries who are transitioning from hospital care. The cost per patient day for caring for these clients in a nursing home setting may be equal to or less than the cost of caring for these clients in a hospital setting.

(5) Amounts appropriated in this section reflect a reduction to funds appropriated for in-home care. The department shall reduce the number of in-home hours authorized. The reduction shall be scaled based on the acuity level of care recipients. The largest hour reductions shall be to lower acuity patients and the smallest hour reductions shall be to higher acuity patients.

(6) \$1,883,000 of the general fund--state appropriation for fiscal year 2012, \$1,883,000 of the general fund--state appropriation for fiscal year 2013, and \$3,766,000 of the general fund--federal appropriation are provided solely for state contributions for individual provider health care benefits. Pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270, the state shall contribute to the multiemployer health benefits trust fund \$2.21 per paid hour worked by individual providers.

(7) \$2,449,000 of the general fund--state appropriation for fiscal year 2012, \$3,012,000 of the general fund--state appropriation for fiscal year 2013, and \$5,463,000 of the general fund--federal appropriation are provided solely for the state's contribution to the training partnership, as provided in RCW 74.39A.360, for instructional costs associated with the training of individual providers. Contributions are funded at \$0.22 per benefit-eligible paid hour worked by all home care workers. Expenditures for the purposes specified in this subsection shall not exceed the amounts provided in this subsection. However, if the governor and the service employees international union healthcare 775nw can reach agreement on repurposing funding that is currently provided in the individual provider collective bargaining agreement for new individual provider wages paid during training or other training related items, then expenditures for training trust contributions for individual providers may include the amounts provided in this subsection and the agreed upon repurposed funding. Funding in this section for purposes other than the individual provider collective bargaining agreement cannot be used for the purposes of this subsection (7). It is the intent of the legislature that the funding provided in this subsection, including any repurposed funding, is sufficient to cover the costs of individual provider training and therefore tuition or other entrance fees are not necessary.

(8) (~~(\$338,550,000)~~) \$325,203,000 of the general fund--state appropriation for fiscal year 2013 and (~~(\$338,550,000)~~) \$324,653,000 of the general fund--federal appropriation are provided solely for the department to provide personal care services to waiver and nonwaiver in-home clients. The department shall provide the legislature with a report by December 5, 2012, on the feasibility of converting the medicaid personal care program for in-home adults to a medicaid program as found in section 1915(i) of the federal social security act that utilizes the option for self-direction of individualized budgets. The department shall operate the personal care program within the amounts specifically provided.

(9) 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.

(10) The department shall eliminate the adult day health program under the state plan 1915(i) option and shall reestablish it under the long-term care home and community-based waiver.

(11) \$4,588,000 of the general fund--state appropriation for fiscal year 2012, \$4,559,000 of the general fund--state appropriation for fiscal year 2013, and \$9,237,000 of the general fund--federal appropriation are provided solely for the continued operation of community residential and support services for persons who are older adults or who have co-occurring medical and behavioral disorders and who have been discharged or diverted from a state psychiatric hospital. These funds shall be used to serve individuals whose treatment needs constitute substantial barriers to community placement, who no longer require active psychiatric treatment at an inpatient hospital level of care, and who no longer meet the criteria for inpatient involuntary commitment.

(12) \$1,840,000 of the general fund--state appropriation for fiscal year 2012 and \$1,877,000 of the general fund--state appropriation for fiscal year 2013 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.

(13) In accordance with Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults), nursing facility fees are increased in fiscal year 2012 and adult family home fees are increased in fiscal year 2012 and fiscal year 2013 to support the costs of conducting licensure, inspection, and regulatory programs.

(a) The current annual renewal license fee for nursing facilities shall be increased to \$359 per bed beginning in fiscal year 2012 and assumes \$517,000 of the general fund--private/local appropriation. Nursing facilities shall receive a vendor rate increase of \$0.08 per medicaid patient day to cover the license fee increase for publicly funded beds.

(b) The current annual renewal license fee for adult family homes shall be increased to \$100 per bed beginning in fiscal year 2012 and assumes \$1,449,000 of the general fund--private/local appropriation; and \$175 per bed beginning in fiscal year 2013 and assumes \$2,463,000 of the general fund--private/local appropriation. Adult family homes shall receive a corresponding vendor rate increase per medicaid patient day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013, or the amount necessary to fully fund the license fee increase for publicly funded beds, pursuant to the most recent bed estimates maintained by the department.

(c) Beginning in fiscal year 2012, a processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(d) \$72,000 of the general fund--state appropriation for fiscal year 2012, \$708,000 of the general fund--private/local appropriation and \$708,000 of the general fund--federal appropriation are provided solely to implement sections 501 through 503 of Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults). The department shall use additional investigative resources to address complaints about provider practices as well as alleged abuse, neglect, abandonment, and exploitation of residents in adult family homes. The department shall develop a statewide internal quality review and accountability program to improve the accountability of staff and the consistent application of investigative activities, and shall convene a quality assurance panel to review problems in the quality of care in adult family homes.

(14) \$3,316,000 of the traumatic brain injury account--state appropriation is provided solely to continue services for persons with traumatic brain injury (TBI) as defined in chapter 143, Laws of 2011 (traumatic brain injury strategic partnership).

(15) 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.

(16) The department shall participate in the work group established by the department of corrections in section 220(2) of this act to review release options for elderly and infirm offenders.

Sec. 1207. 2012 2nd sp.s. c 7 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 2012)	\$415,553,000
General Fund--State Appropriation (FY 2013)	(\$438,483,000)
	\$386,366,000
General Fund--Federal Appropriation	(\$1,174,416,000)
	\$1,180,028,000
General Fund--Private/Local Appropriation	\$30,592,000
TOTAL APPROPRIATION	(\$2,059,044,000)
	\$2,012,539,000

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

(1) \$195,410,000 of the general fund--state appropriation for fiscal year 2012, ~~(\$235,808,000)~~ \$178,052,000 of the general fund--state appropriation for fiscal year 2013, and ~~(\$725,586,000)~~ \$712,784,000 of the general fund--federal appropriation are provided solely for all components of the WorkFirst program. Under section 2 of Engrossed Substitute Senate Bill No. 5921 (social services programs), the amounts in this subsection assume that any participant in the temporary assistance for needy families where their participation is suspended and does not volunteer to participate in WorkFirst services or unsubsidized employment does not receive child care subsidies or WorkFirst subsidies as a condition of the suspension. 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.

(a) Within the amounts provided for WorkFirst in this subsection, the department shall continue to implement WorkFirst program improvements that are designed to achieve progress against outcome measures specified in Engrossed House Bill No. 2262 (WorkFirst and child care) and RCW 74.08A.410.

(b) The department may establish a career services work transition program.

(c) Within amounts appropriated in this section, the legislature expressly mandates that the department exercise its authority, granted in 1997 under RCW 74.08A.290, to contract for work activities services pursuant to that statutory authority and RCW 41.06.142(3).

(d) The department shall create a temporary assistance for needy families budget structure that allows for more 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 shall include budget units for the following: Grants, child care, WorkFirst activities, and administration of the program.

(2) \$23,679,000 of the general fund--state appropriation for fiscal year 2012, in addition to supplemental security income recoveries, is provided solely for financial assistance and other services to recipients in the program established in section 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates on October 31, 2011.

(3)(a) \$12,457,000 of the general fund-- state appropriation for fiscal year 2012 and \$21,959,000 of the general fund--state appropriation for fiscal year 2013, in addition to supplemental security income recoveries, are provided solely for the programs created in Engrossed Substitute House Bill No. 2082 (essential needs and assistance program) beginning November 1, 2011.

(b) 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.

(c) 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.

(4) \$1,657,000 of the general fund--state appropriation for fiscal year 2012 and \$1,657,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for naturalization services.

(5) \$2,366,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for ((refugee)) 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 2013 is provided solely for ((refugee)) 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.

(6) On December 1, 2011, 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.

(7) 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 fifty percent of the federal supplemental nutrition assistance program benefit amount.

Sec. 1208. 2012 2nd sp.s. c 7 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 2012)	\$73,742,000
General Fund--State Appropriation (FY 2013)	((\$71,218,000))
\$71,019,000	
General Fund--Federal Appropriation	((\$184,401,000))
\$187,979,000	
General Fund--Private/Local Appropriation((\$13,486,000))	
\$16,248,000	
Criminal Justice Treatment Account--State	
Appropriation	\$20,748,000
Problem Gambling Account--State Appropriation	\$1,448,000
TOTAL APPROPRIATION	((\$365,043,000))
\$371,184,000	

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. For all contractors, 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 increase fees for the review and approval of treatment programs in fiscal years 2012 and 2013 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) Within amounts appropriated in this section, the department is required to increase federal match available for intensive inpatient services. During fiscal year 2013, the department shall shift contracts for a minimum of 32 intensive inpatient beds currently provided in settings that are considered institutions for mental diseases to two or more 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 is authorized to conduct a request for proposal process to fulfill this requirement. By December 1, 2012, the department shall provide a plan to the office of financial management and to the relevant fiscal and policy committees of the legislature for transitioning all remaining intensive inpatient beds currently provided in settings that are considered institutions for mental diseases into facilities with no more than 16 beds by June 2017. The plan shall identify the maximum number of additional beds that can be transitioned into facilities with no more than 16 beds during the 2013-2015 fiscal biennium and the remaining number that will be transitioned during the 2015-2017 fiscal biennium, a timeline and process for accomplishing this, and a projection of the related general fund--state savings for each biennium.

(6) The amounts appropriated in this section include reductions of \$303,000 in the general fund--state appropriation for fiscal year 2012 and \$1,815,000 in the general fund--state appropriation for fiscal year 2013. The department must apply this reduction across all levels of chemical dependency residential treatment services excluding services contracted through the counties, services provided to pregnant and parenting women, services provided to juveniles, and services provided to parents in dependency proceedings.

Sec. 1209. 2012 2nd sp.s. c 7 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 2012)	\$10,854,000
General Fund--State Appropriation (FY 2013)	(\$10,401,000)
\$10,353,000	
General Fund--Federal Appropriation	(\$105,060,000)
\$104,922,000	
Telecommunications Devices for the Hearing and Speech Impaired--State Appropriation	\$2,766,000
TOTAL APPROPRIATION	(\$129,081,000)
\$128,895,000	

The appropriations in this section are subject to the following conditions and limitations: \$480,000 of the telecommunications devices for the hearing and speech impaired account--state appropriation is provided solely for the office of deaf and hard of hearing to contract for services that provide employment support and help with life activities for deaf-blind individuals in King county.

Sec. 1210. 2012 2nd sp.s. c 7 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 2012)	\$48,167,000
General Fund--State Appropriation (FY 2013)	(\$36,128,000)
\$38,247,000	
TOTAL APPROPRIATION	(\$84,295,000)
\$86,414,000	

Sec. 1211. 2012 2nd sp.s. c 7 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund--State Appropriation (FY 2012)	\$26,069,000
General Fund--State Appropriation (FY 2013)	(\$24,474,000)
\$26,301,000	
General Fund--Federal Appropriation	(\$39,550,000)
\$42,090,000	
General Fund--Private/Local Appropriation	\$2,116,000
Performance Audits of State Government--State Appropriation	\$4,812,000
TOTAL APPROPRIATION	(\$97,021,000)
\$101,388,000	

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

(1) \$300,000 of the general fund--state appropriation for fiscal year 2012 and \$300,000 of the general fund--state appropriation for fiscal year 2013 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.

(2) \$445,000 of the general fund--state appropriation for fiscal year 2012 and \$445,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for funding of the teamchild project.

(3) \$178,000 of the general fund--state appropriation for fiscal year 2012 and \$178,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the juvenile detention alternatives initiative.

(4) \$4,812,000 of the performance audits of state government--state appropriation is provided solely for support and expansion of the division of fraud investigation. The division shall conduct investigatory and enforcement activities for all department programs, including the child support and TANF programs.

(5) \$1,400,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the department to distribute as support to community public health and safety networks that have a history of providing training and services related to adverse childhood experiences. Distribution of these funds is contingent upon securing funding from a private entity or entities to provide one dollar in matching funds for each dollar in state funds received by a network so that the funding received by a community public health and safety network will be equal portions of state and private funding.

~~(6)~~ (6) \$250,000 of the general fund--state appropriation for fiscal year 2013 is 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.

~~(7)~~ (7) \$113,000 of the general fund--state appropriation for fiscal year 2013 and \$105,000 of the general fund--federal appropriation are provided solely for staffing costs associated with implementation of Engrossed Second Substitute House Bill No. 2536 (children services/delivery). The amounts provided in this subsection must be used for coordinated evidence-based practice implementation amongst the department's programs providing mental health, child welfare, and juvenile justice services to children. If Engrossed Second Substitute House Bill No. 2536 (children services/delivery) is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

Sec. 1212. 2012 2nd sp.s. c 7 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund--State Appropriation (FY 2012)	\$62,140,000
General Fund--State Appropriation (FY 2013)	(\$46,303,000)
	\$49,584,000
General Fund--Federal Appropriation	(\$53,049,000)
	\$53,409,000
TOTAL APPROPRIATION	(\$161,492,000)
	\$165,133,000

The appropriations in this section are subject to the following conditions and limitations: \$469,000 of the general fund--state appropriation for fiscal year 2011 and \$270,000 of the general fund--state appropriation for fiscal year 2012 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5921 (social services programs). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

Sec. 1213. 2012 2nd sp.s. c 7 s 213 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY

General Fund--State Appropriation (FY 2012)	\$2,034,296,000
General Fund--State Appropriation (FY 2013)	(\$2,031,185,000)
	\$2,115,832,000
General Fund--Federal Appropriation	(\$5,307,323,000)
	\$5,338,735,000
General Fund--Private/Local Appropriation	(\$62,597,000)
	\$60,582,000
Emergency Medical Services and Trauma Care Systems	
Trust Account--State Appropriation	(\$15,077,000)
	\$14,032,000
Hospital Safety Net Assessment Fund--State	
Appropriation	(\$434,087,000)
	\$442,930,000
State Health Care Authority Administration Account--	
State Appropriation	\$34,040,000
Basic Health Plan Stabilization Account--	
State Appropriation	\$44,000,000
Medical Aid Account--State Appropriation	\$529,000
Medicaid Fraud Penalty Account--State Appropriation	\$9,200,000
TOTAL APPROPRIATION	(\$9,972,334,000)
	\$10,094,176,000

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

(1) 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, ~~((2012))~~ 2013, may transfer general fund--state appropriations for fiscal year ~~((2012))~~ 2013 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 the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(2) 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.

(3) 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.

(4)(a) \$1,200,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to plan the implementation of a system of consolidated public school employee health benefits purchasing.

It is the intent of the legislature to improve the administration, transparency, and equity in delivering a K-12 employees' health benefits system. In addition, the legislature intends that any cost savings that result from changes to K-12 health benefits be dedicated to public schools.

To further this legislative intent, the state health care authority shall develop a plan to implement a consolidated health benefits' system for K-12 employees for the 2013-14 school year. The health care authority shall deliver a report to the legislature by December 15, 2011, that sets forth the implementation plan to the ways and means committees of the house of representatives and the senate.

(b) The report prepared by the health care authority shall compare and contrast the costs and benefits, both long and short term, of:

- (i) The current K-12 health benefits system;
- (ii) A new K-12 employee benefits pool; and
- (iii) Enrolling K-12 employees into the health benefits pool for state employees.

(c) In addition to the implementation plan, the report shall include the following information:

- (i) The costs and benefits of the current K-12 health benefits system;
- (ii) The costs and benefits of providing a new statewide K-12 employees' health benefits pool to school districts and school employees;
- (iii) The costs and benefits of enrolling K-12 employees into the existing health benefits pool for state employees;
- (iv) Recommendations of ways to limit administrative duplication and costs, improve transparency to employees, the legislature, and the public and assure equity among beneficiaries of publicly provided employee health benefits;
- (v) Recommendations for standardizing benefit packages and purchasing efforts in a manner that seeks to maximize funding and equity for all school employees;
- (vi) Recommendations regarding the use of incentives, including how changes to state health benefit allocations could provide employees with benefits that would encourage participation;
- (vii) Recommendations regarding the implementation of a new K-12 employee benefit plan, with separate options for voluntary participation and mandatory statewide participation;
- (viii) Recommendations regarding methods to reduce inequities between individual and family coverage;
- (ix) Consolidation of the purchasing and budget accountability for school employee benefits to maximize administrative efficiency and leverage existing skills and resources; and
- (x) Other details the health care authority deems necessary, including but not limited to recommendations on the following:
 - (A) Approaches for implementing the transition to a statewide pool, including administrative and statutory changes necessary to ensure a successful transition, and whether the pool should be separate from, or combined with, the public employees' benefits pool;
 - (B) The structure of a permanent governing group to provide ongoing oversight to the consolidated pool, in a manner similar to the public employees benefits board functions for employee health benefits, including statutory duties and authorities of the board; and
 - (C) Options for including potential changes to: Eligibility standardization, the public employees benefits risk pools, the movement of school employee retirees into the new K-12 pool or pools, and the movement of educational service district employees into the new K-12 pool or pools.
 - (d) In determining its costs and benefits of a new statewide K-12 employees' health benefits pool for school districts and school employees, the health care authority shall assume the following:
 - (i) School district enrollees must constitute an entire bargaining unit, or an entire group of nonrepresented employees;
 - (ii) Staffing and administration for benefits purchasing shall be provided by the health care authority; and
 - (iii) The new K-12 pool would operate on a schedule that coordinates with the financing and enrollment schedule used for school districts.
 - (e) The office of the superintendent of public instruction and the office of the insurance commissioner shall provide information and technical assistance to the health care authority as requested by the health care authority. The health care authority shall not implement the new school employee benefits pool until authorized to do so by the legislature.
- (5) 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).
- (6) 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.
- (7) \$23,700,000 of the general fund--federal appropriation is provided solely for planning and implementation of a health benefit exchange under the federal patient protection and affordable care act. Within the amounts provided in this subsection, funds used by the authority for information technology projects are conditioned on the authority satisfying the requirements of Engrossed Second Substitute Senate Bill No. 5931 (central service agencies).
- (8) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.
- (9) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.
- (10) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.
- (11) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.
- (12) \$4,261,000 of the general fund--state appropriation for fiscal year 2012, \$4,261,000 of the general fund--state appropriation for fiscal year 2013, and \$8,522,000 of the general fund--federal appropriation are provided solely for low-income disproportionate share hospital payments (~~under RCW 74.09.730(1)(a))~~).
- (13) \$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.

(14) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2011-2013 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, 2011, and by November 1, 2012, 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 2012 and fiscal year 2013, 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 2011-13 biennial operating appropriations act and in effect on July 1, 2011, (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 2011-13 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. \$8,102,000 of the general fund--state appropriation for fiscal year 2012, of which \$6,570,000 is appropriated in section 204(1) of this act, and ~~(\$3,162,000)~~ \$10,722,000 of the general fund--state appropriation for fiscal year 2013, of which \$6,570,000 is appropriated in section 204(1) of this act, are provided solely for state grants for the participating hospitals. CPE hospitals will receive the inpatient and outpatient reimbursement rate restorations in RCW 74.60.080 and rate increases in RCW 74.60.090 funded through the hospital safety net assessment fund rather than through the baseline mechanism specified in this subsection.

(15) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(16) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(17) ~~((For children with family incomes above 200 percent of the federal poverty level in the state-funded children's health program for children who are not eligible for coverage under the federally funded children's health insurance program, premiums shall be set every two years in an amount equal to the average state-only share of the per capita cost of coverage in the state-funded children's health program for children in families with incomes at or less than two hundred percent of the federal poverty level.~~

(18))) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

~~((+9))~~ (18) \$859,000 of the general fund--state appropriation for fiscal year 2012, \$979,000 of the general fund--state appropriation for fiscal year 2013, and \$1,841,000 of the general fund--federal appropriation are provided solely to increase prior authorization activities for advanced imaging procedures.

~~((20))~~ (19) \$196,000 of the general fund--state appropriation for fiscal year 2012, \$246,000 of the general fund--state appropriation for fiscal year 2013, and \$442,000 of the general fund--federal appropriation are provided solely to increase prior authorization activities for surgical procedures, which may include orthopedic procedures, spinal procedures and interventions, and nerve procedures.

~~((21))~~ (20) \$300,000 of the general fund--private/local appropriation and \$300,000 of the general fund--federal appropriation are provided solely for a prescriptive practices improvement collaborative focusing upon atypical antipsychotics and other medications commonly used in the treatment of severe and persistent mental illnesses among adults. The project shall promote collaboration among community mental health centers, other major prescribers of atypical antipsychotic medications to adults enrolled in state medical assistance programs, and psychiatrists, pharmacists, and other specialists at the University of Washington department of psychiatry and/or other research universities. The collaboration shall include patient-specific prescriber consultations by psychiatrists and pharmacists specializing in treatment of severe and persistent mental illnesses among adults; production of profiles to assist prescribers and clinics in tracking their prescriptive practices and their patients' medication use and adherence relative to evidence-based practices guidelines, other prescribers, and patients at other clinics; and in-service seminars at which participants can share and increase their knowledge of evidence-based and other effective prescriptive practices. The health care authority shall enter into an interagency agreement with the office of the attorney general for expenditure of \$300,000 of the state's proceeds of the *cy pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for this purpose.

~~((22))~~ (21) \$570,000 of the general fund--private/local appropriation is provided solely for continued operation of the partnership access line for child mental health consultations. The health care authority shall enter into an interagency agreement with the office of the attorney general for expenditure of \$570,000 of the state's proceeds of the *cy pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for this purpose.

~~((23))~~ (22) \$80,000 of the general fund--state appropriation for fiscal year 2012, \$80,000 of the general fund--state appropriation for fiscal year 2013, and \$160,000 of the general fund--federal appropriation are provided solely to fund the Tacoma-Pierce county health department for access and outreach activities to reduce infant mortality.

~~((24))~~ (23) \$75,000 of the general fund--state appropriation for fiscal year 2012, \$75,000 of the general fund--state appropriation for fiscal year 2013, and \$150,000 of the general fund--federal appropriation are provided solely to assist with development and implementation of evidence-based strategies regarding the appropriate, safe, and effective role of C-section surgeries and early induced labor in births and neonatal care. The strategies shall be identified and implemented in consultation with clinical research specialists, physicians, hospitals, advanced registered nurse practitioners, and organizations concerned with maternal and child health.

~~((25))~~ (24) Within the amounts appropriated in this section, the health care authority shall continue to provide school-based medical services by means of an intergovernmental transfer arrangement. Under the arrangement, the state shall provide forty percent and school districts sixty percent of the nonfederal matching funds required for receipt of federal medicaid funding for the service.

~~((26))~~ (25) \$263,000 of the general fund--state appropriation for fiscal year 2012, \$88,000 of the general fund--state appropriation for fiscal year 2013, and \$351,000 of the general fund--federal appropriation are provided solely for development and submission to the federal government by October 1, 2011, of a demonstration project proposal as provided in Substitute Senate Bill No. 5596 (medicaid demonstration waiver).

~~((27))~~ (26) Within the amounts appropriated in this section, the health care authority shall provide spoken-language interpreter services. The authority shall develop and implement a new model for delivery of such services no later than July 1, 2012. The model shall include:

(a) Development by the authority in consultation with subject-area experts of guidelines to assist medical practitioners identify the circumstances under which it is appropriate to use telephonic or video-remote interpreting;

(b) The requirement that the state contract with delivery organizations, including foreign language agencies, who employ or subcontract only with language access providers or interpreters working in the state who are certified or authorized by the state. When a state-certified or state-authorized in-state language access provider or interpreter is not available, the delivery organization, including foreign language agencies, may use a provider with other certifications or qualifications deemed to meet state standards, including interpreters in other states; and

(c) Provision of a secure, web-based tool that medical practitioners will use to schedule appointments for interpreter services and to identify the most appropriate, cost-effective method of service delivery in accordance with the state guidelines.

Nothing in this subsection affects the ability of health care providers to provide interpretive services through employed staff or through telephone and video remote technologies when not reimbursed directly by the department. The amounts in this subsection do not include federal administrative funds provided to match nonstate expenditures by local health jurisdictions and governmental hospitals.

~~((28))~~ (27) In its procurement of contractors for delivery of medical managed care services for nondisabled, nonelderly persons, the medical assistance program shall (a) place substantial emphasis upon price competition in the selection of successful bidders; and (b) not require delivery of any services that would increase the actuarial cost of service beyond the levels included in current healthy options contracts.

~~((29))~~ (28) \$1,430,000 of the general fund--state appropriation for fiscal year 2012, \$1,430,000 of the general fund--state appropriation for fiscal year 2013, and \$2,860,000 of the general fund--federal appropriation are provided solely to pay federally-designated rural health clinics their standard encounter rate for prenatal and well-child visits, whether delivered under a managed care contract or fee-for-service. In reconciling managed care enhancement payments for calendar years 2009 and 2010, the department shall treat well-child and prenatal care visits as encounters subject to the clinic's encounter rate.

~~((30))~~ (29) \$280,000 of the general fund--state appropriation for fiscal year 2012 and \$282,000 of the general fund--federal appropriation are provided solely to increase utilization management of drugs and drug classes for which there is evidence of over-utilization, off-label use, excessive dosing, duplicative therapy, or opportunities to shift utilization to less expensive, equally effective formulations.

~~((31))~~ (30) \$70,000 of the general fund--state appropriation for fiscal year 2012, \$70,000 of the general fund--state appropriation for fiscal year 2013, and \$140,000 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))~~ (31) \$400,000 of the general fund--state appropriation for fiscal year 2012 and \$400,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the local outreach, case management, and coordination with dental providers needed to execute the access to baby and child dentistry program, which provides dental care to Medicaid eligible children up to age six.

~~((33))~~ (32) Within the amounts appropriated in this section, the health care authority shall continue to provide dental services to pregnant women. Services shall include preventive, routine, and emergent dental care.

~~((34))~~ (33) \$395,000 of the general fund--state appropriation for fiscal year 2012, \$395,000 of the general fund--state appropriation for fiscal year 2013, and \$790,000 of the general fund--federal appropriation are provided solely for continued operation of the dental education in care of persons with disabilities (DECOD) program at the University of Washington.

~~((35))~~ (34) \$159,000 of the general fund--state appropriation for fiscal year 2012, \$302,000 of the general fund--private/local appropriation, and \$146,072,000 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. The general fund--private/local appropriation in this subsection shall be funded with proceeds from settlements in the case of *State of Washington vs. GlaxoSmithKline*. The authority and the office of the attorney general shall enter an interagency agreement regarding use of these funds.

~~((36))~~ (35) \$2,926,000 of the general fund--local appropriation and \$2,928,000 of the general fund--federal appropriation are provided solely to support medical airlift services.

~~((37))~~ (36) The authority shall collect data on enrollment and utilization to study whether the expansion of family planning coverage under Substitute Senate Bill No. 5912 is reducing state medical expenditures by reducing unwanted pregnancies. The authority shall report its findings to the legislature by December 1, 2012.

~~((38))~~ (37) \$480,000 of the general fund--state appropriation for fiscal year 2012, \$480,000 of the general fund--state appropriation for fiscal year 2013, and \$824,000 of the general fund--federal appropriation are provided solely for customer services staff. The authority will attempt to improve the phone answer rate to 40 percent and reduce the response times to written questions to ten days for clients and 25 days for providers. The authority will report to the legislature on its progress toward achieving these goals by January 1, 2012. If the authority has not achieved these goals by July 1, 2012, then the authority shall reduce expenditures on management staff in order to increase expenditures on customer service staff until the goals are achieved.

~~((39))~~ (38) The department shall purchase a brand name drug when it determines that the cost of the brand name drug after rebates is less than the cost of generic alternatives and that purchase of the brand rather than generic version can save at least \$250,000. The department may purchase generic alternatives when changes in market prices make the price of the brand name drug after rebates more expensive than the generic alternatives.

~~((41))~~ (39) \$150,000 of the general fund--state appropriation for fiscal year 2012 and \$1,964,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to implement Engrossed Second Substitute House Bill No. 2319 (affordable care act). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

~~((42))~~ (40) \$1,109,000 of the general fund--state appropriation for fiscal year 2012, \$1,471,000 of the general fund--state appropriation for fiscal year 2013, and \$21,890,000 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.

~~((43))~~ (41) In order to achieve the twelve percent reduction in emergency room expenditures in the fiscal year 2013 appropriations provided in this section, the authority, in consultation with the Washington state hospital association, the Washington state medical association, and the Washington chapter of the American college of emergency physicians shall designate best practices and performance measures to reduce medically unnecessary emergency room visits of medicaid clients. The Washington state hospital association, the Washington state medical association, and the Washington chapter of the American college of emergency physicians will work with the authority to promote these best practices. The best practices and performance measures shall consist of the following items:

(a) Adoption of a system to exchange patient information among emergency room departments on a regional or statewide basis;

(b) Active dissemination of patient educational materials produced by the Washington state hospital association, Washington state medical association, and the Washington chapter of the American college of emergency physicians that instruct patients on appropriate facilities for nonemergent health care needs;

(c) Designation of hospital personnel and emergency room physician personnel to receive and appropriately disseminate information on clients participating in the medicaid patient review and coordination program and to review monthly utilization reports on those clients provided by the authority;

(d) A process to assist the authority's patient review and coordination program clients with their care plans. The process must include substantial efforts by hospitals to schedule an appointment with the client's assigned primary care provider within seventy-two hours of the client's medically unnecessary emergency room visit when appropriate under the client's care plan;

(e) Implementation of narcotic guidelines that incorporate the Washington chapter of the American college of emergency physician guidelines;

(f) Physician enrollment in the state's prescription monitoring program, as long as the program is funded; and

(g) Designation of a hospital emergency department physician responsible for reviewing the state's medicaid utilization management feedback reports, which will include defined performance measures. The emergency department physician and hospital will have a process to take appropriate action in response to the information in the feedback reports if performance measures are not met. The authority must develop feedback reports that include timely emergency room utilization data such as visit rates, medically unnecessary visit rates (by hospital and by client), emergency department imaging utilization rates, and other measures as needed. The authority may utilize the Robert Bree collaborative for assistance related to this best practice.

The requirements for best practices for a critical access hospital should not include adoption of a system to exchange patient information if doing so would pose a financial burden, and should not include requirements related to the authority's patient review and coordination program if the volume of those patients seen at the critical access hospital are small.

Hospitals participating in this medicaid best practices program shall submit to the authority a declaration from executive level leadership indicating hospital adoption of and compliance with the best practices enumerated above. In the declaration, hospitals will affirm that they have in place written policies, procedures, or guidelines to implement these best practices and are willing to share them upon request. The declaration must also give consent for the authority to disclose feedback reports and performance measures on its web site. The authority shall submit a list of declaring hospitals to the relevant policy and fiscal committees of the legislature by July 15, 2012.

If the authority does not receive by July 1, 2012, declarations from hospitals representing at least seventy-five percent of emergency room visits by medicaid clients in fiscal year 2010, the authority may implement a policy of nonpayment of medically unnecessary emergency room visits, with appropriate client and clinical safeguards such as exemptions and expedited prior authorization. The authority shall by January 15, 2013, perform a preliminary fiscal analysis of trends in implementing the best practices in this subsection, focusing on outlier hospitals with high rates of unnecessary visits by medicaid clients, high emergency room visit rates for patient review and coordination clients, low rates of completion of treatment plans for patient review and coordination clients assigned to the hospital, and high rates of prescribed long-acting opiates. In cooperation with the leadership of the hospital, medical, and emergency physician associations, additional efforts shall be focused on assisting those outlier hospitals and providers to achieve more substantial savings. The authority by January 15, 2013, will report to the legislature about whether assumed savings based on preliminary trend and forecasted data are on target and if additional best practices or other actions need to be implemented.

If necessary, pursuant to RCW 34.05.350(1)(c), the authority may employ emergency rulemaking to achieve the reductions assumed in the appropriations under this section.

Nothing in this subsection shall in any way impact the authority's ability to adopt and implement policies pertaining to the patient review and coordination program.

~~((46))~~ (42) The ~~((department))~~ authority shall seek a medicaid state plan amendment to create a ~~((graduate medical education))~~ 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. ~~((Providers that participate in the graduate medical education supplemental payment program are not eligible to participate in the professional services supplemental payment program.))~~ The ~~((department))~~ authority shall apply federal rules for identifying the difference between ~~((current physician encounter))~~ average commercial rates and fee-for-service medicaid payments ((to participating providers and the applicable federal upper payment limit)). 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 ~~((department))~~ 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.

~~((47))~~ (43) The authority shall exclude antiretroviral drugs used to treat HIV/AIDS, anticancer medication that is used to kill or slow the growth of cancerous cells, antihemophilic drugs, insulin and other drugs to lower blood glucose, and immunosuppressive drugs from any formulary limitations implemented to operate within the appropriations provided in this section.

~~((48))~~ (44) If Engrossed Substitute Senate Bill No. 5978 (medicaid fraud) is not enacted by June 30, 2012, the amounts appropriated in this section from the medicaid fraud penalty account--state appropriation shall lapse and an additional \$3,608,000 shall be appropriated from the general fund--state for fiscal year 2013 for medicaid services, fraud detection and prevention activities, recovery of improper payments, and for other medicaid fraud enforcement activities.

~~((50))~~ (45) 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.

~~((51))~~ (46) 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.

~~((52))~~ (47) \$66,000 of the general fund--state appropriation for fiscal year 2013 and \$66,000 of the general fund--federal appropriation are provided solely to implement Engrossed Second Substitute House Bill No. 2536 (children services/delivery). The department of social and health services' programs responsible for administration of mental health, child welfare, and juvenile justice programs will coordinate with the health care authority on the development of contract terms which facilitate efforts to meet requirements of the bill. If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

~~((53))~~ (48) The health care authority shall participate in the work group established by the department of corrections in section 220(2) of this act to review release options for elderly and infirm offenders.

(49) \$208,000 of the general fund--state appropriation for fiscal year 2013 and \$728,000 of the general fund--federal appropriation are provided solely for the rebasing of outpatient and inpatient payment methods.

Sec. 1214. 2012 2nd sp.s. c 7 s 216 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION	
General Fund--State Appropriation (FY 2012)	\$14,589,000
General Fund--State Appropriation (FY 2013)	((14,147,000))
	\$14,549,000
General Fund--Federal Appropriation	\$456,000
General Fund--Private/Local Appropriation	((4,048,000))
	\$3,895,000
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	((42,445,000))
	\$42,694,000

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 2012 and \$5,000,000 of the general fund--state appropriation for fiscal year 2013, 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) \$321,000 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 2012 and \$100,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$96,000 of the general fund--state appropriation for fiscal year 2013 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) \$1,000,000 of the general fund--state appropriation for fiscal year 2012 and \$1,000,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for grants to counties enforcing illegal drug laws and which have been underserved by federally funded state narcotics task forces. The Washington association of sheriffs and police chiefs, the Washington association of prosecuting attorneys, and the Washington association of county officials shall jointly develop funding allocations for the offices of the county sheriff, county prosecutor, and county clerk in qualifying counties. The commission shall not impose an administrative cost on this program.

Sec. 1215. 2012 2nd sp.s. c 7 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund--State Appropriation (FY 2012)	\$1,829,000
General Fund--State Appropriation (FY 2013)	\$1,801,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State Appropriation	\$10,000
TOTAL APPROPRIATION	\$3,640,000

(2) FIELD SERVICES

General Fund--State Appropriation (FY 2012)	\$5,002,000
General Fund--State Appropriation (FY 2013)	\$4,964,000
General Fund--Federal Appropriation	\$3,348,000
General Fund--Private/Local Appropriation((\$4,722,000))	
\$5,172,000	
Veterans Innovations Program Account--State Appropriation	\$810,000
Veteran Estate Management Account--Private/Local Appropriation	\$1,079,000
TOTAL APPROPRIATION	((\$19,925,000))
\$20,375,000	

The appropriations in this subsection are subject to the following conditions and limitations: \$821,000 of the veterans innovations program account--state appropriation is provided solely for the department to continue support for returning combat veterans through the veterans innovation program, including emergency financial assistance through the defenders' fund and long-term financial assistance through the competitive grant program.

(3) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2012)	\$1,743,000
General Fund--Federal Appropriation	((\$61,437,000))
\$60,019,000	
General Fund--Private/Local Appropriation((\$29,506,000))	
\$30,569,000	
TOTAL APPROPRIATION	((\$92,686,000))
\$92,331,000	

Sec. 1216. 2012 2nd sp.s. c 7 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund--State Appropriation (FY 2012)	\$79,404,000
General Fund--State Appropriation (FY 2013)	((\$78,114,000))
\$77,589,000	
General Fund--Federal Appropriation	((\$553,078,000))
\$573,078,000	
General Fund--Private/Local Appropriation((\$148,055,000))	
\$144,055,000	
Hospital Data Collection Account--State Appropriation	\$214,000
Health Professions Account--State Appropriation	\$99,085,000
Aquatic Lands Enhancement Account--State Appropriation	\$604,000
Emergency Medical Services and Trauma Care Systems Trust Account--State Appropriation	((\$12,300,000))
\$10,523,000	
Safe Drinking Water Account--State Appropriation	\$4,464,000
Drinking Water Assistance Account--Federal Appropriation	\$21,965,000
Waterworks Operator Certification--State Appropriation	\$1,528,000
Drinking Water Assistance Administrative Account-- State Appropriation	\$326,000
Site Closure Account--State Appropriation	\$79,000

Biotoxin Account--State Appropriation	(\$1,167,000)
\$1,231,000	
State Toxics Control Account--State Appropriation	\$3,628,000
Medical Test Site Licensure Account--State Appropriation	\$2,311,000
Youth Tobacco Prevention Account--State Appropriation	(\$1,512,000)
\$1,348,000	
Community and Economic Development Fee Account--State Appropriation	\$298,000
Public Health Supplemental Account--Private/Local Appropriation	\$3,598,000
Accident Account--State Appropriation	\$295,000
Medical Aid Account--State Appropriation	\$50,000
Tobacco Prevention and Control Account--State Appropriation	\$1,729,000
TOTAL APPROPRIATION	(\$1,013,804,000)
\$1,027,402,000	

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

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) In accordance with RCW 43.70.250 and 43.135.055, the department is authorized to establish and raise fees in fiscal year 2012 as necessary to meet the actual costs of conducting business and the appropriation levels in this section. This authorization applies to fees required for: The review of health care facility construction; review of health facility requests for certificate of need; the regulation and inspection of farm worker housing, hospital licensing, in-home health service agencies, and producers of radioactive waste; the regulation and inspection of shellfish sanitary control, surgical facility licensing, and; fees associated with the following professions: Dietitians and nutritionists, occupational therapists, pharmacy, veterinarian, orthotics and prosthetics, surgical technicians, nursing home administrators, health care assistants, hearing and speech, psychology, hypnotherapy, chiropractic, social workers, physicians, and physician assistants.

(3) Pursuant to RCW 18.130.250, the department is authorized to establish a lower cost fee category for retired licensed practical nurses and registered nurses.

(4) In accordance with RCW 43.135.055, the department is authorized to adopt fees set forth in and previously authorized in chapter 92, Laws of 2010.

(5) \$1,969,000 of the health professions account--state appropriation is provided solely to implement online licensing for health care providers. The department must submit a detailed investment plan for this project to the office of financial management. The office of financial management must review and approve this plan before funding may be expended. The department of health must successfully implement online application and renewal for at least one profession as a pilot project before pursuing additional professions. The department must report to the office of financial management on the outcome of the pilot project.

(6) \$16,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1181 (board of naturopathy). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(7) \$21,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1304 (health care assistants). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(8) \$54,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1353 (pharmacy technicians). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(9) \$142,000 of the health professions account--state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5020 (social workers). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(10) \$336,000 of the health professions account--state appropriation is provided solely for the implementation of Senate Bill No. 5480 (physicians and physician assistants). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(11) \$46,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5071 (online access for midwives and marriage and family therapists). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(12) \$137,000 of the health professions account--state appropriation is provided solely for implementation of Substitute House Bill No. 1133 (massage practitioner license). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(13) \$85,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the developmental disabilities council to contract for a family-to-family mentor program to provide information and support to families and guardians of persons who are transitioning out of residential habilitation centers. To the maximum extent allowable under federal law, these funds shall be matched under medicaid through the department of social and health services and federal funds shall be transferred to the department for the purposes stated in this subsection. If

Second Substitute Senate Bill No. 5459 (people with developmental disabilities) is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(14) \$57,000 of the general fund--state appropriation for fiscal year 2012 and \$58,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the midwifery licensure and regulatory program to offset a reduction in revenue from fees. There shall be no change to the current annual fees for new or renewed licenses for the midwifery program, except from online access to HEAL-WA. The department shall convene the midwifery advisory committee on a quarterly basis to address issues related to licensed midwifery.

(15) \$118,000 of the general fund--state appropriation for fiscal year 2012 and \$118,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for prevention of youth suicides.

(16) \$87,000 of the general fund--state appropriation for fiscal year 2012 and \$87,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the senior falls prevention program.

(17) \$19,000 of the health professions account--state appropriation is provided solely for implementation of Senate Bill No. 6290 (military spouses and partners). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(18) \$102,000 of the health professions account--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6237 (career pathway/medical assistants). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(19) \$21,000 of the health professions account--state appropriation is provided solely for implementation of Substitute Senate Bill No. 6328 (mental health professionals). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(20) \$61,000 of the health professions account--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6103 (reflexologists). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(21) \$28,000 of the health professions account--state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5620 (dental anesthesia assistants). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(22) Appropriations for fiscal year 2013 include funding for consolidation of the department of ecology's low-level radioactive waste site use permit program in the department of health.

(23) During the remainder of the 2011-2013 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.

(24) \$15,000 of the health professions account--state appropriation is provided solely to implement Substitute House Bill No. 2056 (assisted living facilities). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(25) \$11,000 of the health professions account--state appropriation is provided solely to implement Engrossed House Bill No. 2186 (licensed midwives). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(26) \$11,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement Engrossed Substitute House Bill No. 2229 (hospital employees). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(27) \$48,000 of the health professions account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2314 (long-term care workers). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(28) \$280,000 of the health professions account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2366 (suicide assessment and training). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(29) \$11,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement Engrossed Substitute House Bill No. 2582 (health care services billing). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(30) \$22,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement Substitute Senate Bill No. 6105 (prescription monitoring program). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(31) \$30,000 of the health professions account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2473 (medication assistant endorsement). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(32) General fund--state appropriations for fiscal year 2013 includes funding to subsidize operating license and inspection fees in the temporary worker housing program. In implementing this subsidy, the department shall evaluate program regulations including but not limited to the use of occupancy levels to determine the fee structure and the frequency of inspections.

Sec. 1217. 2012 2nd sp.s. c 7 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this section. However, after May 1, ~~((2012))~~ 2013, 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 ~~((2012))~~ 2013 between programs. 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 deviations from appropriation levels. 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.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund--State Appropriation (FY 2012)	\$52,025,000
General Fund--State Appropriation (FY 2013)	((52,981,000))
\$52,706,000	
TOTAL APPROPRIATION	((105,006,000))
\$104,731,000	

The appropriations in this subsection are subject to the following conditions and limitations: \$35,000 of the general fund--state appropriation for fiscal year 2012 and \$35,000 of the general fund--state appropriation for fiscal year 2013 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.

(2) CORRECTIONAL OPERATIONS

General Fund--State Appropriation (FY 2012)	\$598,237,000
General Fund--State Appropriation (FY 2013)	(\$575,457,000)
	\$581,723,000
General Fund--Federal Appropriation	\$3,324,000
Washington Auto Theft Prevention Authority Account--	
State Appropriation	(\$14,079,000)
	\$13,177,000
Enhanced 911 Account--State Appropriation	\$2,000,000
TOTAL APPROPRIATION	(\$1,193,097,000)
	\$1,198,461,000

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

(a) During the 2011-13 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) The Harborview medical center and the University of Washington medical center shall provide inpatient and outpatient hospital services to offenders confined in department of corrections facilities at a rate no greater than the average rate that the department has negotiated with other community hospitals in Washington state.

(c) \$102,000 of the general fund--state appropriation for fiscal year 2012 and \$102,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to implement House Bill No. 1290 (health care employee overtime). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(d) \$32,000 of the general fund--state appropriation for fiscal year 2012 and \$33,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to implement Substitute House Bill No. 1718 (offenders with developmental disabilities). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(e) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders. 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.

(f) \$311,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of House Bill No. 2346 (correctional officer uniforms). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(g) \$41,000 of the general fund--state appropriation for fiscal year 2012 and \$165,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester. The department may not house incarcerated offenders at the maple lane site until specifically directed by the legislature. By November 1, 2012, the department shall report to the appropriate fiscal committees of the house of representatives and the senate with a plan for the future use of the facility.

(h) By December 1, 2012, the department shall provide to the legislative fiscal committees a report that evaluates health care expenditures in Washington state correctional institutions and makes recommendations for controlling health care costs. The report shall evaluate the source of health care costs, including offender health issues, use of pharmaceuticals, offsite and specialist medical care, chronic disease costs, and mental health issues. The department may include information from other states on cost control in offender health care, trends in offender health care that indicate potential cost increases, and management of high-cost diagnoses.

(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) The department of corrections, with participation of the health care authority and the department of social and health services, aging and adult services administration, shall establish a work group to analyze and review release options for elderly and infirm offenders and submit recommendations to the appropriate policy and fiscal committees of the legislature with release options for these populations no later than December 1, 2012. In making its recommendations, the work group shall identify:

(i) The most expensive medical conditions for which the department has had to treat its offenders and the offenders receiving the most costly ongoing medical treatments;

(ii) For identified populations, the age, level of disability, cost of care while incarcerated, safety issues related to release, ease of placement, and time served in relation to the offender's sentence;

(iii) Potential cost savings to the state that may be generated by the early release of elderly and infirm offenders;

(iv) Housing options to expedite the release of aging and infirm offenders while maintaining the safety of housing providers, other housing residents, and the general public; and

(v) Optimal procedures for reviewing offenders on a case-by-case basis to ensure that the interests of justice and public safety are considered in any early release decision.

(3) COMMUNITY SUPERVISION

General Fund--State Appropriation (FY 2012)	\$127,121,000
General Fund--State Appropriation (FY 2013)	(\$128,494,000)
	\$126,033,000
Federal Narcotics Forfeiture Account--Federal	
Appropriation	\$372,000
Controlled Substances Account--State	
Appropriation	\$32,000
TOTAL APPROPRIATION	(\$256,019,000)
	\$253,558,000

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

(a) \$875,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to implement Engrossed Substitute House Bill No. 5891 (criminal justice cost savings). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(b) ~~(\$6,362,000)~~ \$3,753,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement an evidence-based risk-needs-responsivity model for community supervision of offenders.

(4) CORRECTIONAL INDUSTRIES

General Fund--State Appropriation (FY 2012)	\$2,513,000
General Fund--State Appropriation (FY 2013)	\$2,431,000
TOTAL APPROPRIATION	\$4,944,000

The appropriations in this subsection are subject to the following conditions and limitations: \$66,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for transfer to the jail industries board. The board shall use the amounts provided only for administrative expenses, equipment purchases, and technical assistance associated with advising cities and counties in developing, promoting, and implementing consistent, safe, and efficient offender work programs.

(5) INTERAGENCY PAYMENTS

General Fund--State Appropriation (FY 2012)	\$35,821,000
General Fund--State Appropriation (FY 2013)	(\$27,264,000)
	\$27,539,000
TOTAL APPROPRIATION	(\$63,085,000)
	\$63,360,000

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

(a) The state prison institutions may use funds appropriated in this subsection to rent uniforms from correctional industries in accordance with existing legislative mandates.

(b) 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.

(c) The department shall reduce payments to the department of information services or its successor by \$213,000 in fiscal year 2012 and by \$1,150,000 in fiscal year 2013. The reduction in payment shall be related to the elimination of the offender base tracking system, including moving remaining portions of the offender base tracking system into the offender management network information system.

Sec. 1218. 2012 2nd sp.s. c 7 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund--State Appropriation (FY 2012)	\$2,159,000
General Fund--State Appropriation (FY 2013)	\$2,131,000
General Fund--Federal Appropriation	(\$19,239,000)
	\$19,739,000
General Fund--Private/Local Appropriation	(\$30,000)
	\$105,000
TOTAL APPROPRIATION	(\$23,559,000)
	\$24,134,000

(End of part)

PART XIII
NATURAL RESOURCES

Sec. 1301. 2012 2nd sp.s. c 7 s 303 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund--State Appropriation (FY 2012)	\$8,955,000
General Fund--State Appropriation (FY 2013)	\$8,379,000

General Fund--Federal Appropriation	\$5,905,000
Winter Recreation Program Account--State	
Appropriation	(\$1,759,000)
	\$2,034,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$224,000
Snowmobile Account--State Appropriation	\$4,844,000
Aquatic Lands Enhancement Account--State	
Appropriation	\$4,363,000
Parks Renewal and Stewardship Account--State	
Appropriation	\$106,505,000
Parks Renewal and Stewardship Account--Private/Local	
Appropriation	\$300,000
TOTAL APPROPRIATION	(\$141,234,000)
	\$141,509,000

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

(1) \$8,876,000 of the general fund--state appropriation for fiscal year 2012, \$8,300,000 of the general fund--state appropriation for fiscal year 2013, and \$4,000,000 of the aquatic lands enhancement account--state appropriation are provided solely to operate and maintain state parks as the commission implements a new fee structure. The goal of this structure is to make the parks system self-supporting. By August 1, 2012, state parks must submit a report to the office of financial management detailing its progress toward this goal and outlining any additional statutory changes needed for successful implementation.

(2) \$79,000 of the general fund--state appropriation for fiscal year 2012 and \$79,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a grant for the operation of the Northwest avalanche center.

(3) \$44,528,000 of the parks renewal and stewardship account--state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5622 (state land recreation access). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(4) 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.

(5) The state parks and recreation commission, in cooperation with the Fort Worden lifelong learning center public development authority authorized under RCW 35.21.730 shall provide a report to the governor and appropriate committees of the legislature no later than October 15, 2012, to create a lifelong learning center at Fort Worden state park. This plan shall support and be based upon the Fort Worden state park long-range plan adopted by the state parks and recreation commission in September 2008. The report shall include a business and governance plan and supporting materials that provide options and recommendations on the long-term governance of Fort Worden state park, including building maintenance and restoration. While the commission may transfer full or partial operations to the public development authority the state shall retain title to the property. The state parks and recreation commission and the public development authority will agree on the scope and content of the report including the business and governance plan. In preparing this report the state parks and recreation commission and the public development authority shall provide ample opportunity for the public and stakeholders to participate in the development of the business and governance plan. The state parks and recreation commission shall review the report and if it is consistent with the 2008 Fort Worden state park long-range plan shall take action on a long-term governance and business plan no later than December 31, 2012.

(6) Within the appropriations contained in this section, the commission shall review the removal of trees from Brooks memorial state park that have been killed or damaged by fire in order to determine the recovery value from the sale of any timber that is surplus to the needs of the park. The commission shall remove such trees, if the commission determines that the recovery value from the sale of any timber is at least cost neutral and the removal is in a manner consistent with RCW 79A.05.035.

Sec. 1302. 2012 2nd sp.s. c 7 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund--State Appropriation (FY 2012)	\$34,098,000
General Fund--State Appropriation (FY 2013)	(\$23,618,000)
	\$26,417,000
General Fund--Federal Appropriation	(\$105,481,000)
	\$105,725,000
General Fund--Private/Local Appropriation	(\$56,923,000)
	\$57,107,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$391,000
Aquatic Lands Enhancement Account--State	
Appropriation	(\$12,113,000)
	\$12,125,000
Recreational Fisheries Enhancement--State	
Appropriation	(\$2,794,000)
	\$2,809,000
Warm Water Game Fish Account--State Appropriation	(\$2,841,000)
	\$2,842,000
Eastern Washington Pheasant Enhancement Account--State	
Appropriation	\$849,000
Aquatic Invasive Species Enforcement Account--State	
Appropriation	\$204,000

Aquatic Invasive Species Prevention Account--State Appropriation	\$848,000	
State Wildlife Account--State Appropriation		(\$100,742,000)
	\$95,241,000	
Special Wildlife Account--State Appropriation	\$2,382,000	
Special Wildlife Account--Federal Appropriation	\$500,000	
Special Wildlife Account--Private/Local Appropriation		\$3,415,000
Wildlife Rehabilitation Account--State Appropriation	\$259,000	
Regional Fisheries Enhancement Salmonid Recovery Account--Federal Appropriation	\$5,001,000	
Oil Spill Prevention Account--State Appropriation	\$883,000	
Oyster Reserve Land Account--State Appropriation	\$919,000	
Recreation Resources Account--State Appropriation	\$3,300,000	
Hydraulic Project Approval Account--State Appropriation	\$337,000	
TOTAL APPROPRIATION		(\$357,900,000)
	\$355,652,000	

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

(1) \$294,000 of the aquatic lands enhancement account--state appropriation is provided solely for the implementation of hatchery reform recommendations defined by the hatchery scientific review group.

(2) \$355,000 of the general fund--state appropriation for fiscal year 2012 and \$355,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the department to continue a pilot project with the Confederated Tribes of the Colville Reservation to develop expanded recreational fishing opportunities on Lake Rufus Woods and its northern shoreline and to conduct joint enforcement of lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to state and tribal intergovernmental agreements developed under the Columbia River water supply program. For the purposes of the pilot project:

(a) A fishing permit issued to a nontribal member by the Colville Tribes shall satisfy the license requirement of RCW 77.32.010 on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods;

(b) The Colville Tribes have agreed to provide to holders of its nontribal member fishing permits a means to demonstrate that fish in their possession were lawfully taken in Lake Rufus Woods;

(c) A Colville tribal member identification card shall satisfy the license requirement of RCW 77.32.010 on all waters of Lake Rufus Woods;

(d) The department and the Colville Tribes shall jointly designate fishing areas on the north shore of Lake Rufus Woods for the purposes of enhancing access to the recreational fisheries on the lake; and

(e) The Colville Tribes have agreed to recognize a fishing license issued under RCW 77.32.470 or RCW 77.32.490 as satisfying the nontribal member fishing permit requirements of Colville tribal law on the reservation portion of the waters of Lake Rufus Woods and at designated fishing areas on the north shore of Lake Rufus Woods;

(3) Prior to submitting its 2013-2015 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.

(4) \$400,000 of the general fund--state appropriation for fiscal year 2012 and \$400,000 of the general fund--state appropriation for fiscal year 2013 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.

(5) \$50,000 of the general fund--state appropriation for fiscal year 2012 and \$50,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for removal of derelict gear in Washington waters.

(6) \$100,000 of the eastern Washington pheasant enhancement account--state appropriation is provided solely for the department to support efforts to enhance permanent and temporary pheasant habitat on public and private lands in Grant, Franklin, and Adams counties. The department may support efforts by entities including conservation districts, nonprofit organizations, and landowners, and must require such entities to provide significant nonstate matching resources, which may be in the form of funds, material, or labor.

(7) 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.

(8) By September 1, 2011, the department shall update its interagency agreement dated September 30, 2010, with the department of natural resources concerning land management services on the department of fish and wildlife's wildlife conservation and recreation lands. The update shall include rates and terms for services.

(9) Prior to opening game management unit 490 to public hunting, the department shall complete an environmental impact statement that includes an assessment of how public hunting activities will impact the ongoing protection of the public water supply.

(10) \$18,514,000 of the state wildlife account--state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5385 (state wildlife account). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(11) \$9,418,000 of the state wildlife account--state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5622 (state land recreation access). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(12) \$50,000 of the state wildlife account--state appropriation is provided solely for mitigation, claims, and assessment costs for injury or loss of livestock caused by wolves, black bears, and cougars.

(13) \$552,000 of the aquatic lands enhancement account--state appropriation is provided solely for increased law enforcement capacity to reduce the occurrence of geoduck poaching and illegal harvest activities. With these additional funds, the department shall deploy two new fish and wildlife officers and one detective within Puget Sound to address on-the-water and marketplace geoduck harvest compliance.

(14) \$337,000 of the hydraulic project approval--state appropriation is provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 6406 (state natural resources). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

Sec. 1303. 2012 2nd sp.s. c 7 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund--State Appropriation (FY 2012)	\$30,907,000
General Fund--State Appropriation (FY 2013)	(\$35,791,000)
	\$67,782,000
General Fund--Federal Appropriation	\$27,873,000
General Fund--Private/Local Appropriation	\$2,372,000
Forest Development Account--State Appropriation	(\$46,254,000)
	\$44,116,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$4,373,000
Surveys and Maps Account--State Appropriation	\$2,118,000
Aquatic Lands Enhancement Account--State Appropriation	\$69,000
Resources Management Cost Account--State Appropriation	\$90,131,000
Surface Mining Reclamation Account--State Appropriation	\$3,467,000
Disaster Response Account--State Appropriation	\$5,000,000
Forest and Fish Support Account--State Appropriation	\$9,784,000
Aquatic Land Dredged Material Disposal Site Account--State Appropriation	\$838,000
Natural Resources Conservation Areas Stewardship Account--State Appropriation	\$34,000
State Toxics Control Account--State Appropriation	\$80,000
Air Pollution Control Account--State Appropriation	\$540,000
NOVA Program Account--State Appropriation	\$635,000
Derelict Vessel Removal Account--State Appropriation	\$1,761,000
Agricultural College Trust Management Account--State Appropriation	\$1,848,000
Forest Practices Application Account--State Appropriation	\$780,000
Marine Resources Stewardship Trust Account--State Appropriation	\$2,100,000
TOTAL APPROPRIATION	(\$262,782,000)
	\$296,608,000

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

(1) \$710,000 of the general fund--state appropriation for fiscal year 2012 and \$915,000 of the general fund--state appropriation for fiscal year 2013 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) \$8,030,000 of the general fund--state appropriation for fiscal year 2012, ~~(\$10,037,000)~~ \$42,028,000 of the general fund--state appropriation for fiscal year 2013, 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) \$4,500,000 of the forest and fish support account--state appropriation is provided solely for outcome-based, performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded in fiscal year 2013 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 in fiscal year 2013 may only contain indirect cost set at or below a rate of eighteen percent.

(5) During the 2011-2013 fiscal biennium, \$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) \$1,000,000 of the general fund--federal appropriation and \$1,000,000 of the forest and fish support account--state appropriation are provided solely for continuing scientific studies already underway as part of the adaptive management process. Funds may not be used to initiate new studies unless the department secures new federal funding for the adaptive management process.

(7) The department is authorized to increase the silviculture burning permit fee in the 2011-2013 biennium by up to eighty dollars plus fifty cents per ton for each ton of material burned in excess of one hundred tons.

(8) \$440,000 of the state general fund--state appropriation for fiscal year 2012 and \$440,000 of the state general fund--state appropriation for fiscal year 2013 are provided solely for forest work crews that support correctional camps and are contingent upon continuing operations of Naselle youth camp.

(9) By September 1, 2011, the department shall update its interagency agreement dated September 30, 2010, with the department of fish and wildlife concerning land management services on the department of fish and wildlife's wildlife conservation and recreation lands. The update shall include rates and terms for services.

(10) In partnership with the department of ecology, the departments shall deliver a report to the governor, the appropriate committees of the legislature, and the forest practices board by September 1, 2012, documenting forest practices adaptive management program reforms implemented, or recommended, that streamline existing processes to increase program efficiencies and effectiveness. The departments shall collaborate with interested adaptive management program participants in the development of the report.

(11)(a) \$2,100,000 of the marine resources stewardship account--state appropriation is provided solely for the implementation of chapter 252, Laws of 2012 (marine management planning) and 43.372 RCW. The department will work with the marine interagency team, tribes, and the Washington state marine resource committee to develop a spending plan consistent with the priorities in chapter 252, Laws of 2012, for conducting ecosystem assessments and mapping activities related to marine resources use and potential economic development, developing marine management plans for the state's coastal waters, and otherwise aiding in the implementation of marine planning in the state. As appropriate, the team shall develop a competitive process for projects to be funded by the department in fiscal year 2013.

(b) The department, in consultation with the marine interagency team, shall submit to the office of financial management and the appropriate legislative committees by September 1, 2012, a prioritized list of projects and activities for funding consideration through the marine resources stewardship account in the 2013-2015 fiscal biennium.

~~((13))~~ (12) \$780,000 of the forest practices application account--state appropriation, \$18,000 of the forest development account--state appropriation, \$23,000 of the resources management cost account--state appropriation, and \$2,000 of the surface mining reclamation account--state appropriation are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 6406 (state natural resources). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(End of part)

PART XIV

TRANSPORTATION

Sec. 1401. 2012 2nd sp.s. c 7 s 402 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund--State Appropriation (FY 2012)	\$35,395,000
General Fund--State Appropriation (FY 2013)	((32,323,000))
	\$42,175,000
General Fund--Federal Appropriation	\$16,081,000
General Fund--Private/Local Appropriation	\$3,021,000
Death Investigations Account--State Appropriation	\$5,537,000
County Criminal Justice Assistance Account--State Appropriation	\$3,207,000
Municipal Criminal Justice Assistance Account--State Appropriation	\$1,286,000
Fire Service Trust Account--State Appropriation	\$131,000
Disaster Response Account--State Appropriation	\$8,002,000
Fire Service Training Account--State Appropriation	\$9,386,000
Aquatic Invasive Species Enforcement Account--State Appropriation	\$54,000
State Toxics Control Account--State Appropriation	\$505,000
Fingerprint Identification Account--State Appropriation	\$10,067,000
Vehicle License Fraud Account--State Appropriation	\$437,000
TOTAL APPROPRIATION	((125,432,000))
	\$135,284,000

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 and 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) \$400,000 of the fire service training account--state appropriation is provided solely for the firefighter apprenticeship training program.

(4) In accordance with RCW 43.43.742 the state patrol is authorized to increase the following fees in fiscal year 2012 as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Notary service fee.

(5) \$59,000 of the fingerprint identification account--state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1776 (child care center licensing). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(6) \$6,000 of the fingerprint identification account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1494 (vulnerable adult referrals). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(7) \$1,000 of the fingerprint identification account--state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6296 (background checks). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(End of part)

PART XV

EDUCATION

Sec. 1501. 2012 2nd sp.s. c 7 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2012)	\$25,322,000
General Fund--State Appropriation (FY 2013)	(\$27,133,000)
	\$27,793,000
General Fund--Federal Appropriation	(\$77,011,000)
	\$82,011,000
General Fund--Private/Local Appropriation	\$4,000,000
TOTAL APPROPRIATION	(\$133,466,000)
	\$139,126,000

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

(1) A maximum of \$16,056,000 of the general fund--state appropriation for fiscal year 2012 and ~~(\$14,875,000)~~ \$15,276,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) \$9,692,000 of the general fund--state appropriation for fiscal year 2012 and ~~(\$8,169,000)~~ \$8,160,000 of the general fund--state appropriation for fiscal year 2013 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) By January 1, 2012, the office of the superintendent of public instruction shall issue a report to the legislature with a timeline and an estimate of costs for implementation of the common core standards. The report must incorporate feedback from an open public forum for recommendations to enhance the standards, particularly in math.

(iii) Within the amounts provided, and in consultation with the public school employees of Washington and the Washington school counselors' association, the office of the superintendent of public instruction shall develop a model policy that further defines the recommended roles and responsibilities of graduation coaches and identifies best practices for how graduation coaches work in coordination with school counselors and in the context of a comprehensive school guidance and counseling program.

(iv) The office of the superintendent of public instruction shall, no later than August 1, 2011, establish a standard statewide definition of unexcused absence. The definition shall be reported to the ways and means committees of the senate and house of representatives for legislative review in the 2012 legislative session. Beginning no later than January 1, 2012, districts shall report to the office of the superintendent of public instruction, daily student unexcused absence data by school.

(b) \$1,964,000 of the general fund--state appropriation for fiscal year 2012 and \$1,017,000 of the general fund--state appropriation for fiscal year 2013 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) \$851,000 of the general fund--state appropriation for fiscal year 2012 and \$851,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities.

(ii) \$171,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to the state board of education for implementation of Initiative Measure No. 1240 (charter schools).

(d) \$1,744,000 of the general fund--state appropriation for fiscal year 2012 and \$1,387,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to the professional educator standards board for the following:

(i) \$1,050,000 in fiscal year 2012 and \$1,050,000 in fiscal year 2013 are for the operation and expenses of the Washington professional educator standards board; and

(ii) \$694,000 of the general fund--state appropriation for fiscal year 2012 and \$312,000 of the general fund--state appropriation for fiscal year 2013 are for conditional scholarship loans and 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. Funding reductions in this subsection (1)(d)(ii) in the 2011-2013 fiscal biennium are intended to be one-time; and

(iii) \$25,000 of the general fund--state appropriation for fiscal year 2013 is 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.

(e) \$133,000 of the general fund--state appropriation for fiscal year 2012 and \$133,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$50,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$45,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(h) \$159,000 of the general fund--state appropriation for fiscal year 2012 and \$93,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of 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.

(i) \$1,227,000 of the general fund--state appropriation for fiscal year 2012 and \$1,227,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$25,000 of the general fund--state appropriation for fiscal year 2013 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) \$166,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the implementation of chapter 192, Laws of 2011 (school district insolvency). Funding is provided to develop a clear legal framework and process for dissolution of a school district.

(l) \$1,500,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of House Bill No. 2799 (collaborative schools). If such legislation is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(m) \$128,000 of the general fund--state appropriation for fiscal year 2013 is provided solely pursuant to Substitute House Bill No. 2254 (foster care outcomes). The office of the superintendent of public instruction shall report on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth. The first report is due December 1, 2012, and annually thereafter through 2015. If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(n) \$250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of House Bill No. 2337 (open K-12 education resources). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(o) \$239,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of Initiative Measure No. 1240 (charter schools).

(p) \$250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for allocation to the office of the superintendent of public instruction to provide financial assistance to nonhigh school districts that are experiencing budgetary shortfalls due to a significant financial condition, including, but not limited to: Declining total enrollment; increased enrollment of students with special education needs; and debts owed to school districts serving the nonhigh school district's high school aged students. The financial assistance shall be in the form of a loan.

The loan agreement shall:

- (i) Include conditions, binding on the school district, designed to improve the district's financial condition;
- (ii) Include a repayment schedule of no more than five years in length; and
- (iii) Prohibit districts that receive loans under this subsection from using cash basis accounting.

(2) \$9,267,000 of the general fund--state appropriation for fiscal year 2012 and \$12,267,000 of the general fund--state appropriation for fiscal year 2013 are for statewide programs.

(a) HEALTH AND SAFETY

(i) \$2,541,000 of the general fund--state appropriation for fiscal year 2012 and \$2,541,000 of the general fund--state appropriation for fiscal year 2013 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) \$50,000 of the general fund--state appropriation for fiscal year 2012 and \$50,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$1,221,000 of the general fund--state appropriation for fiscal year 2013 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) \$675,000 of the general fund--state appropriation for fiscal year 2012 and \$675,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$1,000,000 of the general fund--state appropriation for fiscal year 2013 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) \$2,808,000 of the general fund--state appropriation for fiscal year 2012 and \$2,808,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the dissemination of the navigation 101 curriculum to all districts. The funding shall support electronic student planning tools and software for analyzing the impact of navigation 101 on student performance, as well as grants to a maximum of one hundred school districts each year, based on progress and need for the implementation of the navigation 101 program. The implementation grants shall be awarded to a cross-section of school districts reflecting a balance of geographic and demographic characteristics. Within the amounts provided, the office of the superintendent of public instruction will create a navigation 101 accountability model to analyze the impact of the program.

(iv) \$337,000 of the general fund--state appropriation for fiscal year 2012 and \$337,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementation of the building bridges statewide program for comprehensive dropout prevention, intervention, and reengagement strategies.

(v) \$135,000 of the general fund--state appropriation for fiscal year 2012 and \$135,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for dropout prevention programs at the office of the superintendent of public instruction, including the jobs for America's graduates (JAG) program.

(vi) \$500,000 of the general fund--state appropriation for fiscal year 2012 and \$1,400,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 340, Laws of 2011 (assessment of students in state-funded full-day kindergarten classrooms), including the development and implementation of the Washington kindergarten inventory of developing skills (WaKIDS). Of the amounts in this subsection, \$1,000,000 of the fiscal year 2013 appropriation is for the implementation of House Bill No. 2586 (kindergarten inventory). If the bill is not enacted by June 30, 2012, this amount shall lapse.

(vii) \$2,000,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for an urban school turnaround initiative as follows:

(A) The office of the superintendent of public instruction shall select two schools in the largest urban school district in the state. The selected schools shall be among the state's lowest-performing schools; be located within the same community and form a continuum of education for the students in that community; have significant educational achievement gaps; and include a mix of elementary, middle, or high schools.

(B) The office shall allocate the funds under this subsection (vii) to the school district to be used exclusively in the selected schools. The district may not charge an overhead or indirect fee for the allocated funds or supplant other state, federal, or local funds in the selected schools. The school district shall use the funds for intensive supplemental instruction, services, and materials in the selected schools (~~in the 2012-13 school year~~), including but not limited to professional development for school staff; updated curriculum, materials, and technology; extended learning opportunities for students; reduced class size; summer enrichment activities; school-based health clinics; and other research-based initiatives to dramatically turn around the performance and close the achievement gap in the schools. The office shall enter into an expenditure agreement with the school district under which any funds under this subsection (2)(c)(vii) remaining unspent on August 31, 2015, shall be returned to the state. Priorities for the expenditure of the funds shall be determined by the leadership and staff of each school.

(C) The office shall monitor the activities in the selected schools and the expenditure of funds to ensure the intent of this subsection (vii) is met, and submit a report to the legislature by December 1, 2013, including outcomes resulting from the urban school turnaround initiative. The report submitted to the legislature must include a comparison of student learning achievement in the selected schools with schools of comparable demographics that have not participated in the grant program.

(D) Funding provided in this subsection (vii) is intended to be one-time.

(viii) \$100,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to subsidize advanced 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.

Sec. 1502. 2012 2nd sp.s. c 7 s 502 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT

General Fund--State Appropriation (FY 2012)	\$5,241,233,000
General Fund--State Appropriation (FY 2013)	(\$5,170,854,000)
	\$5,139,496,000
General Fund--Federal Appropriation	\$22,327,000
TOTAL APPROPRIATION	(\$10,434,414,000)
	\$10,403,056,000

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 2011-12 and 2012-13 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.

(c) From July 1, 2011 to August 31, 2011, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 504, chapter 564, Laws of 2009, as amended through sections 1402 and 1403 of this act.

(d) The appropriations in this section include federal funds provided through section 101 of P.L. No. 111-226 (education jobs fund), which shall be used to support general apportionment program funding. In distributing general apportionment allocations under this section for the 2011-12 school year, the superintendent shall include the additional amount of \$3,327,000 allocated by the United States department of education on September 16, 2011, provided through 101 of P.L. No. 111-226 (education jobs fund) as part of each district's general apportionment allocation.

(e) 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 2011-12 and 2012-13 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260
Grades K-3	25.23
Grade 4	27.00
Grades 5-6	27.00
Grades 7-8	28.53
Grades 9-12	28.74

The superintendent shall base allocations for 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:

General education class size in high poverty school:

Grades K-3	24.10
Grade 4	27.00
Grades 5-6	27.00
Grades 7-8	28.53
Grades 9-12	28.74

(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, and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) 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 students:

Career and Technical Education students	2.02 per 1000 student FTE's
Skill Center students	2.36 per 1000 student FTE's

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2011-12 and 2012-13 school years for general education students are determined using the formula-generated staff units provided in RCW 28A.150.260, and adjusted based on a district's annual average full-time equivalent student enrollment in each grade.

(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 exceed the general education rate in (a) of this subsection by the following percentages:

- Career and Technical Education students 2.5 percent
- Skill Center students 19.75 percent

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2011-12 and 2012-13 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.

(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 2011-12 and 2012-13 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 3.69 percent for career and technical education students, and 21.92 percent for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 16.33 percent in the 2011-12 school year and 16.34 percent in the 2012-13 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 18.73 percent in the 2011-12 school year and 18.73 percent in the 2012-13 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	2011-12 SCHOOL YEAR	2012-13 SCHOOL YEAR
Technology	\$57.42	\$58.28
Utilities and Insurance	\$156.03	\$158.37
Curriculum and Textbooks	\$61.65	\$62.58
Other Supplies and Library Materials	\$130.89	\$132.85

Instructional Professional Development for Certificated and Classified Staff	\$9.53	\$9.68
Facilities Maintenance	\$77.30	\$78.46
Security and Central Office	\$53.55	\$54.35
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$546.37	\$554.57

(b) Students in approved skill center programs generate per student FTE MSOC allocations which equal the rate for general education students calculated in (a) of this subsection, multiplied by a factor of 2.171.

(c) Students in approved exploratory and preparatory career and technical education programs generate a per student MSOC allocation that is equal to the rate for general education students calculated in (a) of this subsection, multiplied by a factor of 2.442.

(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.

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2011-12 and 2012-13 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 are adjusted to reflect provisions of House Bill No. 2065 (allocation of funding for funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) 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 21 percent of kindergarten enrollment in the 2011-12 school year, and 22 percent in the 2012-13 school year. Funding priority shall be given to schools with the highest poverty levels, as measured by prior year free and reduced price lunch eligibility rates in each school. Funding in this section is sufficient to fund voluntary full day kindergarten programs for July and August of the 2010-11 school year.

(12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under subsection (12) of this section 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.

(13) 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.

(14) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2012 and 2013 as follows:

(a) \$589,000 of the general fund--state appropriation for fiscal year 2012 and \$598,000 of the general fund--state appropriation for fiscal year 2013 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 2012 and \$436,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(c) Funding in this section is sufficient to fund adjustments to school districts' allocations resulting from the implementation of the prototypical school funding formula, pursuant to chapter 236, Laws of 2010 (K-12 education funding). The funding in this section is intended to hold school districts harmless in total for funding changes resulting from conversion to the prototypical school formula in the general apportionment program, the learning assistance program, the transitional bilingual program, and the highly capable program, after adjustment for changes in enrollment and other caseload adjustments.

(15) \$208,000 of the general fund--state appropriation for fiscal year 2012 and \$211,000 of the general fund--state appropriation for fiscal year 2013 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.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Beginning in the 2011-12 school year, 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 higher education coordinating board, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(18) 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.

(19)(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.

Sec. 1503. 2012 2nd sp.s. c 7 s 503 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.280 and under section 503 of this act:

(a) Salary allocations for certificated instructional staff units are determined for each district by multiplying the district's certificated instructional total base salary shown on LEAP Document 2 by the district's average staff mix factor for certificated instructional staff in that school year, computed using LEAP document 1; and

(b) Salary allocations for certificated administrative staff units and classified staff units for each district are determined based on the district's certificated administrative and classified salary allocation amounts shown on LEAP Document 2.

(2) For the purposes of this section:

(a) "LEAP Document 1" means the staff mix factors for certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on May 23, 2011, at 16:10 hours; and

(b) "LEAP Document 2" means the school year salary allocations for certificated administrative staff and classified staff and derived and total base salaries for certificated instructional staff as developed by the legislative evaluation and accountability program committee on May 23, 2011, at 16:10 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 15.69 percent for school year 2011-12 and 15.70 percent for school year 2012-13 for certificated instructional and certificated administrative staff and 15.23 percent for school year 2011-12 and 15.23 percent for the 2012-13 school year for classified staff.

(4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary allocation schedules for certificated instructional staff are established for basic education salary allocations:

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12
 Education Experience

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
11				45,883	49,169	51,558	49,295	52,581	54,969
12				47,332	50,777	53,238	50,850	54,188	56,650
13					52,425	54,959	52,460	55,836	58,370
14					54,081	56,745	54,117	57,600	60,157
15					55,488	58,221	55,523	59,098	61,721
16 or more					56,597	59,385	56,634	60,279	62,955

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13
 Education Experience

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
11				45,883	49,169	51,558	49,295	52,581	54,969
12				47,332	50,777	53,238	50,850	54,188	56,650
13					52,425	54,959	52,460	55,836	58,370
14					54,081	56,745	54,117	57,600	60,157
15					55,488	58,221	55,523	59,098	61,721
16 or more					56,597	59,385	56,634	60,279	62,955

(b) As used in this subsection, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:

(i) Credits earned since receiving the masters degree; and

(ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(5) For the purposes of this section:

(a) "BA" means a baccalaureate degree.

(b) "MA" means a masters degree.

(c) "PHD" means a doctorate degree.

(d) "Years of service" shall be calculated under the same rules adopted by the superintendent of public instruction.

(e) "Credits" means college quarter hour credits and equivalent in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.

(6) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in this part V, or any replacement schedules and documents, unless:

(a) The employee has a masters degree; or

(b) The credits were used in generating state salary allocations before January 1, 1992.

(7) The salary allocation schedules established in this section are for allocation purposes only except as provided in RCW 28A.400.200(2).

Sec. 1504. 2012 2nd sp.s. c 7 s 504 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS
General Fund--Federal Appropriation \$2,000

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

(1)(a) Additional salary adjustments as necessary to fund the base salaries for certificated instructional staff as listed for each district in LEAP Document 2, defined in section 504(2)(b) of this act. Allocations for these salary adjustments shall be provided to all districts that are not grandfathered to receive salary allocations above the statewide salary allocation schedule, and to certain grandfathered districts to the extent necessary to ensure that salary allocations for districts that are currently grandfathered do not fall below the statewide salary allocation schedule.

(b) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for certificated administrative staff as listed for each district in LEAP Document 2, defined in section 504(2)(b) of this act.

(c) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for classified staff as listed for each district in LEAP Document 2, defined in section 504(2)(b) of this act.

(d) The appropriations in this subsection (1) include associated incremental fringe benefit allocations at 15.69 percent for the 2011-12 school year and 15.70 percent for the 2012-13 school year for certificated instructional and certificated administrative staff and 15.23 percent for the 2011-12 school year and 15.23 percent for the 2012-13 school year for classified staff.

(e) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocation schedules and methodology in sections 503 and 504 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 503 and 504 of this act.

(f) The appropriations in this section include no salary adjustments for substitute teachers.

(2) The maintenance rate for insurance benefit allocations is \$768.00 per month for the 2011-12 and 2012-13 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$768.00 per month for the 2011-12 school year and \$768.00 per month for the 2012-13 school year.

(3) The rates specified in this section are subject to revision each year by the legislature.

Sec. 1505. 2012 2nd sp.s. c 7 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION

General Fund--State Appropriation (FY 2012)	\$322,243,000
General Fund--State Appropriation (FY 2013)	(\$273,642,000)
\$273,893,000	
TOTAL APPROPRIATION	(\$595,885,000)
\$596,136,000	

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 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school district programs for the transportation of students as provided in RCW 28A.160.192.

(b) From July 1, 2011 to August 31, 2011, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 564, Laws of 2009, as amended through section 1404 of this act.

(3) Any amounts appropriated for maintenance level funding for pupil transportation that exceed actual maintenance level expenditures as calculated under the funding formula that takes effect September 1, 2011, shall be distributed to districts according to RCW 28A.160.192(2)(b).

(4) A maximum of \$892,000 of this fiscal year 2012 appropriation and a maximum of \$892,000 of the fiscal year 2013 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) 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.

(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.

(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.

(8) Starting with the 2012-13 school year, the office of the superintendent of public instruction shall disburse payments for bus depreciation in August.

Sec. 1506. 2011 2nd sp.s. c 9 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 2012)	\$7,111,000
General Fund--State Appropriation (FY 2013)	\$7,111,000
General Fund--Federal Appropriation	(\$436,400,000)
\$506,000,000	
TOTAL APPROPRIATION	(\$450,622,000)
\$520,222,000	

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 2012 and \$7,111,000 of the general fund--state appropriation for fiscal year 2013 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. 1507. 2012 2nd sp.s. c 7 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2012)	\$648,369,000
General Fund--State Appropriation (FY 2013)	(\$679,832,000)
\$659,919,000	
General Fund--Federal Appropriation	(\$486,922,000)
\$495,922,000	
Education Legacy Trust Account--State Appropriation	\$756,000
TOTAL APPROPRIATION	(\$1,815,879,000)
\$1,804,966,000	

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.

(c) Beginning with the 2010-11 school year award cycle, 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.

(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 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390.

(b) From July 1, 2011 to August 31, 2011, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 564, Laws of 2009, as amended through section 1406 of this act.

(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) \$8,914,000 of the general fund--state appropriation for fiscal year 2012, ~~(\$34,200,000)~~ \$9,469,000 of the general fund--state appropriation for fiscal year 2013, and ~~(\$29,574,000)~~ \$32,574,000 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 2011-12 and 2012-13 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) From July 1, 2011 to August 31, 2011, the superintendent shall operate the safety net oversight committee and shall award safety net funds as provided in section 507, chapter 564, Laws of 2009, as amended through section 1406 of this act.

(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) \$251,000 of the general fund--state appropriation for fiscal year 2012 and \$251,000 of the general fund--state appropriation for fiscal year 2013 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 2012, \$50,000 of the general fund--state appropriation for fiscal year 2013, and \$100,000 of the general fund--federal appropriation shall be expended to support a special education ombudsman program within the office of superintendent of public instruction.

Sec. 1508. 2012 2nd sp.s. c 7 s 507 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS

General Fund--State Appropriation (FY 2012)	\$7,894,000
General Fund--State Appropriation (FY 2013)	(\$7,912,000)
\$7,895,000	
TOTAL APPROPRIATION	(\$15,806,000)
\$15,789,000	

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. 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.310.340))~~ 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. 1509. 2012 2nd sp.s. c 7 s 508 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE

General Fund--State Appropriation (FY 2012)	\$300,768,000
General Fund--State Appropriation (FY 2013)	(\$298,166,000)
\$299,537,000	
General Fund--Federal Appropriation	\$4,400,000
TOTAL APPROPRIATION	(\$603,334,000)
\$604,705,000	

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 3 percent from the 2010-11 school year to the 2011-12 school year and 5 percent from the 2011-12 school year to the 2012-13 school year.

Sec. 1510. 2012 2nd sp.s. c 7 s 509 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2012)	\$16,694,000
General Fund--State Appropriation (FY 2013)	(\$15,867,000)
\$14,547,000	
TOTAL APPROPRIATION	(\$32,561,000)
\$31,241,000	

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) \$586,000 of the general fund--state appropriation for fiscal year 2012 and ~~(\$549,000)~~ \$899,000 of the general fund--state appropriation for fiscal year 2013 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. 1511. 2012 2nd sp.s. c 7 s 510 (uncodified) is amended to read as follows:

FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund--State Appropriation (FY 2012)	\$8,745,000
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General Fund--State Appropriation (FY 2013)	((\$8,788,000))
\$9,159,000	
TOTAL APPROPRIATION	((\$17,533,000))
\$17,904,000	

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 2011-12 and 2012-13 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, 2011, to August 31, 2011, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 564, Laws of 2009, as amended through section 1409 of this act.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2012 and \$85,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the centrum program at Fort Worden state park.

Sec. 1512. 2011 2nd sp.s. c 9 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	\$6,152,000
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Sec. 1513. 2012 2nd sp.s. c 7 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM PROGRAMS

General Fund--State Appropriation (FY 2012)	\$58,078,000
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General Fund--State Appropriation (FY 2013)	((\$103,655,000))
\$103,455,000	

General Fund--Federal Appropriation	\$219,147,000
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General Fund--Private/Local Appropriation	\$4,000,000
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Education Legacy Trust Account--State Appropriation	\$1,596,000
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TOTAL APPROPRIATION	((\$386,476,000))
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\$386,276,000	
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The appropriations in this section are subject to the following conditions and limitations:

(1) \$40,822,000 of the general fund--state appropriation for fiscal year 2012, \$41,614,000 of the general fund--state appropriation for fiscal year 2013, \$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: (a) Development and implementation of retake assessments for high school students who are not successful in one or more content areas and (b) 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 shall be limited to one collection of evidence payment per student, per content-area assessment.

(2) \$356,000 of the general fund--state appropriation for fiscal year 2012 and \$356,000 of the general fund--state appropriation for fiscal year 2013 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) \$980,000 of the general fund--state appropriation for fiscal year 2012 and \$980,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for improving technology infrastructure, monitoring and reporting on school district technology development, promoting standards for school district technology, promoting statewide coordination and planning for technology development, and providing regional educational technology support centers, including state support activities, under chapter 28A.650 RCW.

(4) \$3,852,000 of the general fund--state appropriation for fiscal year 2012 and \$2,624,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for continued implementation of chapter 235, Laws of 2010 (education reform) including development of new performance-based evaluation systems for certificated educators.

(5)(a) \$39,296,000 of the general fund--state appropriation for fiscal year 2013 is 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 2011-12 and 2012-13 school years, adjusted for inflation in each school year in which Initiative 732 cost of living adjustments are provided;

(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. Beginning in the 2011-12 school year, 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 2011-12 and 2012-13 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.

(6) \$477,000 of the general fund--state appropriation for fiscal year 2012 and \$477,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(7) \$950,000 of the general fund--state appropriation for fiscal year 2012 and \$950,000 of the general fund--state appropriation for fiscal year 2013 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.

(8) \$810,000 of the general fund--state appropriation for fiscal year 2012 and \$810,000 of the general fund--state appropriation for fiscal year 2013 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 design, field test, and implement a state-of-the-art education leadership academy that will be accessible throughout the state. Initial development of the content of the academy activities shall be supported by private funds. 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.

(9) \$3,234,000 of the general fund--state appropriation for fiscal year 2012 and \$3,234,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for grants to school districts to provide a continuum of care for children and families to help children become ready to learn. Grant proposals from school districts shall contain local plans designed collaboratively with community service providers. If a continuum of care program exists in the area in which the school district is located, the local plan shall provide for coordination with existing programs to the greatest extent possible.

(10) \$1,500,000 of the general fund--state appropriation for fiscal year 2012 and \$1,500,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 288, Laws of 2011 (actual student success program), including allocations to the opportunity internship program, the jobs for America's graduates program, the building bridges program, services provided by a college scholarship organization. Funding shall not be used in the 2011-2013 fiscal biennium to provide awards for schools and school districts.

(11) \$859,000 of the general fund--state appropriation for fiscal year 2012, \$808,000 of the general fund--state appropriation for fiscal year 2013, and \$248,000 of the education legacy trust account--state appropriation are for administrative support of education reform programs.

(12) \$2,000,000 of the general fund--state appropriation for fiscal year 2012 and \$2,000,000 of the general fund--state appropriation for fiscal year 2013 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.

(13) \$977,000 of the general fund--state appropriation for fiscal year 2012 and \$1,077,000 of the general fund--state appropriation for fiscal year 2013 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 2012 appropriation and \$300,000 of the 2013 appropriation shall be used to support FIRST robotics programs. Of the amounts in this subsection, \$100,000 of the fiscal year 2013 appropriation is provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(14) \$125,000 of the general fund--state appropriation for fiscal year 2012 and \$125,000 of the general fund--state appropriation for fiscal year 2013 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.

(15) \$135,000 of the general fund--state appropriation for fiscal year 2012 and \$135,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(16) \$1,000,000 of the general fund--state appropriation for fiscal year 2012 and \$1,000,000 of the general fund--state appropriation for fiscal year 2013 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.

(17) \$5,767,000 of the general fund--state appropriation for fiscal year 2013 is provided solely pursuant to Engrossed Substitute Senate Bill No. 5895 (certificated employee evaluations). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

~~((19))~~ (18) \$250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding, a high school must have offered a foundational project lead the way course during the 2011-12 school year. The 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 2012-13 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.

~~((20))~~ (19) \$150,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for aerospace and manufacturing technical programs housed at two skill centers. The one-time funding is 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. 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.

~~((2+))~~ (20) \$300,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for start-up grants to twelve 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 2012-13. 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.

Sec. 1514. 2012 2nd sp.s. c 7 s 512 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund--State Appropriation (FY 2012)	\$79,575,000
General Fund--State Appropriation (FY 2013)	((80,666,000))
	\$83,896,000
General Fund--Federal Appropriation	\$71,001,000
TOTAL APPROPRIATION	((231,242,000))
	\$234,472,000

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 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs as provided in RCW 28A.150.260(10)(b). 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; (ii) fifteen transitional bilingual 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, 2011, to August 31, 2011, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 564, Laws of 2009, as amended through section 1411 of this act.

(c) The allocations in this section reflect the implementation of a new funding formula for the transitional bilingual instructional program, effective September 1, 2011, as specified in RCW 28A.150.260(10)(b).

(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: 2.79 percent for school year 2011-12 and 2.11 percent for school year 2012-13.

(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) In preparing its 2013-15 biennial budget request, the office of the superintendent of public instruction shall prepare for implementation of a funding model for the transitional bilingual program, beginning in school year 2013-14, that is scaled to provide more support to students requiring most intensive intervention, (students with beginning levels of English language proficiency) and less support to students requiring less intervention. The funding model shall also provide up to two years of bonus funding upon successful exit from the bilingual program to facilitate successful transition to a standard program of education.

\$35,000 of the general fund--state appropriation for fiscal year 2012 and \$35,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to track current and former transitional bilingual program students.

Sec. 1515. 2012 2nd sp.s. c 7 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM

General Fund--State Appropriation (FY 2012)	\$102,619,000
General Fund--State Appropriation (FY 2013)	((128,779,000))
	\$127,422,000
General Fund--Federal Appropriation	((492,207,000))
	\$496,207,000
Education Legacy Trust Account--State Appropriation	\$23,990,000
TOTAL APPROPRIATION	((747,595,000))
	\$750,238,000

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 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 1.51560 hours per week per funded learning assistance program student; (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, 2011, to August 31, 2011, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 564, Laws of 2009, as amended through section 1412 of this act.

(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.

(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 or education legacy trust funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) The office of the superintendent of public instruction shall research and recommend options for an adjustment factor for middle school and high school free and reduced price lunch eligibility reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report to the fiscal committees of the legislature by June 1, 2012. For the 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

Sec. 1516. 2012 2nd sp.s. c 7 s 514 (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 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.

(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, 2012, 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 2012 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.

(End of part)

PART XVI

HIGHER EDUCATION

Sec. 1601. 2012 2nd sp.s. c 7 s 602 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund--State Appropriation (FY 2012)	\$201,226,000
General Fund--State Appropriation (FY 2013)	\$201,612,000
Education Legacy Trust Account--State Appropriation	\$18,579,000
Economic Development Strategic Reserve Account-- State Appropriation	\$1,500,000
Biotoxin Account--State Appropriation	(\$450,000)
\$350,000	
Accident Account--State Appropriation	\$6,681,000
Medical Aid Account--State Appropriation	\$6,488,000
TOTAL APPROPRIATION	(\$436,536,000)
\$436,436,000	

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

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$150,000 of the general fund--state appropriation for fiscal year 2012 and \$150,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the development of integrated medical curriculum for the Washington/Wyoming/Alaska/Montana/Idaho (WWAMI) medical education program in Spokane and eastern Washington. Funding is contingent on appropriations being provided to Washington State University for WWAMI program expansion in Spokane and eastern Washington.

(3) \$52,000 of the general fund--state appropriation for fiscal year 2012 and \$52,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the center for international trade in forest products in the college of forest resources.

(4) \$88,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5485 (state's natural resources). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(5) \$143,000 of the general fund--state appropriation for fiscal year 2012 and \$144,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the ongoing management of the Washington park arboretum.

(6) \$3,800,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for an expansion in engineering enrollments, including enrollments in the field of computer science. Amounts provided in this subsection may be used only to cover direct costs of instruction associated with this enrollment expansion. By June 30, 2012, the university shall provide a report to the legislature that provides specific detail on how these amounts will be spent. Each September 1st thereafter, the university shall provide an updated report that provides specific detail on how these amounts were spent in the preceding twelve months.

(7) Amounts appropriated in this section are sufficient for the university to conduct a comprehensive review of its tuition waiver policies. The resulting report shall include an overview of tuition waiver uses and costs (forgone revenue) and outcomes and any recommendations for changes to tuition waiver policy and shall be provided to the legislature no later than December 1, 2012.

(8) \$610,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to expand health sciences capacity at the University of Washington for Washington, Wyoming, Alaska, Montana, Idaho (WWAMI) and \$190,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to expand health sciences capacity at the University of Washington for Regional Initiatives in Dental Education (RIDE) for the WWAMI-RIDE program expansion to achieve full ramp-up of first-year medical students and dental students each year of the four-year programs.

(9) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(10) Amounts appropriated in this section are sufficient to cover the costs associated with the implementation of Engrossed Substitute Senate Bill No. 6486 (collective bargaining for post-doctoral researchers).

Sec. 1602. 2012 2nd sp.s. c 7 s 613 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund--State Appropriation (FY 2013) \$247,034,000

General Fund--Federal Appropriation \$5,812,000

Washington Opportunity Pathways Account--State

Appropriation \$73,500,000

Aerospace	Training	Student	Loan	Account--State
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Appropriation \$12,000

TOTAL APPROPRIATION ((~~\$326,346,000~~))

\$326,358,000

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

(1) \$237,018,000 of the general fund--state appropriation for fiscal year 2013, and \$73,500,000 of the opportunity pathways account--state appropriation are provided solely for student financial aid payments under the state need grant and the state work study programs including up to a four percent administrative allowance for the state work study program.

(2) 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. The higher education coordinating board shall report to the legislature by December 1, 2013, regarding the number of students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits, and their academic progress including degree completion. 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.

(3) \$1,250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of the aerospace training scholarship and student loan program as specified in Engrossed Substitute House Bill No. 1846 (aerospace student loans). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(4) For fiscal year 2013, the board shall defer loan or conditional scholarship repayments to the future teachers conditional scholarship and loan repayment program for up to one year for each participant if the participant has shown evidence of efforts to find a teaching job but has been unable to secure a teaching job per the requirements of the program.

(5) \$1,000,000 of the education legacy trust account--state appropriation is provided solely for the gaining early awareness and readiness for undergraduate programs project.

(6) \$1,500,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the leadership 1000 program.

(7) \$2,436,000 of the general fund--state appropriation for fiscal year 2013 is 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 year 2013 for this purpose.

(8) In addition to the entities listed in RCW 28B.122.010, the aerospace student loan program may provide loans to students attending an aerospace training program at Renton technical college.

(9) The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office of student financial assistance shall coordinate with the department of social

and health services to effectively incorporate these conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies.

(10) \$50,000 of the amount provided in this section shall be used to convene the higher education loan program work group. The work group shall develop methods for funding the loan program in the future, as well as recommendations regarding the best loan program structure for providing financial aid to underserved populations. The work group shall seek out technical advice from the housing finance commission. At a minimum, the recommendations regarding the proposed loan program must take into account the following: Whether students could benefit from the creation of a new student loan program; the relationship between the student loan program and the state need grant program and the state need grant qualified student population; mechanisms to achieve interest rates that are below those offered in federally guaranteed and private bank student loans; sources of initial and on-going funding for loans and program operation; and default risks, reserve requirements, and other conditions required for the student loan program. The work group shall provide a report to the legislature no later than December 1, 2012.

Sec. 1603. 2012 2nd sp.s. c 7 s 615 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EARLY LEARNING

General Fund--State Appropriation (FY 2012)	\$25,497,000
General Fund--State Appropriation (FY 2013)	(\$27,190,000)
	\$27,379,000
General Fund--Federal Appropriation	\$280,619,000
Children's Trust Account--State Appropriation	\$142,000
Opportunity Pathways Account--State Appropriation	\$78,000,000
Home Visiting Services Account--Federal Appropriation	\$300,000
TOTAL APPROPRIATION	(\$411,606,000)
	\$411,937,000

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

(1) \$16,028,000 of the general fund--state appropriation for fiscal year 2012, \$18,028,000 of the general fund--state appropriation of fiscal year 2013, \$78,000,000 of the opportunity pathways account appropriation, and \$2,256,000 of the general fund--federal 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) In accordance to RCW 43.215.255(2) and 43.135.055, the department is authorized to increase child care center and child care family home licensure fees in fiscal years 2012 and 2013 for costs to the department for the licensure activity, including costs of necessary inspection. These increases are necessary to support expenditures authorized in this section.

(3) \$64,000 of the general fund--state appropriation for fiscal year 2012, \$638,000 of the general fund--state appropriation for fiscal year 2013, and \$574,000 of the general fund--federal appropriation are provided solely for child care resource and referral network services.

(4) \$200,000 of the general fund--state appropriation for fiscal year 2012 and \$200,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(5) 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.

(6) The appropriations in this section reflect reductions in the appropriations for the department's administrative expenses. It is the intent of the legislature that these reductions shall be achieved, to the greatest extent possible, by reducing those administrative costs that do not affect direct client services or direct service delivery or program.

(7) \$934,000 of the general fund--state appropriation for fiscal year 2012, \$934,000 of the general fund--state appropriation for fiscal year 2013, and \$2,400,000 of the general fund--federal appropriation 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.

(a) All federal funds received by the department for home visiting activities must be deposited into the home visiting services account.

(b) The department must consult with stakeholders during the development of the Washington home visiting plan and any future proposals for federal funding.

(c) No more than \$300,000 of the home visiting services account--federal appropriation may be expended for program administration for fiscal year 2013 pursuant to RCW 43.215.130. No other funds may be expended for that purpose.

(8)(a) \$153,558,000 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.

(9)(a) \$50,000 of the general fund--state appropriation for fiscal year 2012 and \$1,050,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementation and administration of an electronic benefit transfer system. The system shall include electronic time keeping, integrated with an eligibility information technology system, and an electronic payment system. The department shall coordinate implementation of this system with the department of social and health services.

(b) \$100,000 of the general fund--state appropriation in this subsection is provided solely for the department to contract for an independent consultant to evaluate and recommend the optimum system for the eligibility determination process. The evaluation must include an analysis of lean management processes that, if adopted, could improve the cost effectiveness and delivery of eligibility determination. The department shall coordinate with the department of social and health services for this evaluation. The department must report to the office of financial management and the appropriate fiscal and policy committees of the legislature by December 1, 2012.

(10) 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.

(11) \$1,025,000 of the general fund--state appropriation for fiscal year 2013 and \$6,712,000 of the general fund--federal appropriation are provided solely for the seasonal child care program in fiscal year 2013.

(12) \$2,522,000 of the general fund--state appropriation for fiscal year 2012, \$2,522,000 of the general fund--state appropriation for fiscal year 2013, and \$4,304,000 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 MTCC program, as long as the children meet the eligibility requirements as outlined in the Washington state plan for the MTCC program. 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.

(13)(a) The department shall establish a birth-to-three subcommittee of the early learning advisory council. The subcommittee will be cochaired by the department and nongovernmental private-public partnership created in RCW 43.215.070. The subcommittee shall include at least one representative from each of the following:

- (i) The early learning advisory council;
- (ii) The office of the superintendent of public instruction;
- (iii) The department of social and health services;
- (iv) The department of early learning;
- (v) The nongovernmental private-public partnership created in RCW 43.215.070;
- (vi) The early learning action alliance; and
- (vii) Additional stakeholders with expertise in birth-to-three policy and programs and quality child care, as designated by the early learning advisory council.

(b) The subcommittee may convene advisory subgroups on specific topics as necessary to assure participation and input from a broad array of diverse stakeholders.

(c) The subcommittee shall be monitored and overseen by the early learning advisory council created in RCW 43.215.090.

(d) The subcommittee shall develop a birth-to-three implementation proposal, which shall include further development of the Washington state birth-to-three plan.

(e) The subcommittee must include recommendations on the following in its birth-to-three proposal:

- (i) Eligibility criteria for providers and programs;
- (ii) The level of funding necessary to implement birth-to-three programs, including an option which makes available funding equivalent to thirty percent of the funding provided for the program of early learning established in RCW 43.215.141;
- (iii) Options for funding sources for birth-to-three programs;
- (iv) Governance responsibilities for the department of early learning; and
- (v) A timeline for implementation that is concurrent with the expansion to the early learning program outlined in RCW 43.215.142.

The subcommittee must present its recommendations to the early learning advisory council and the appropriate committees of the legislature by December 1, 2012.

(14) \$300,000 of the general fund--federal appropriation is provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

Sec. 1604. 2012 2nd sp.s. c 7 s 616 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

General Fund--State Appropriation (FY 2012)	\$5,776,000
General Fund--State Appropriation (FY 2013)	(\$5,671,000)
\$5,691,000	

TOTAL APPROPRIATION	(\$11,447,000)
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\$11,467,000

Sec. 1605. 2012 2nd sp.s. c 7 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 2012)	\$8,439,000
General Fund--State Appropriation (FY 2013)	(\$8,335,000)
\$8,431,000	

TOTAL APPROPRIATION	(\$16,774,000)
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\$16,870,000

(End of part)

PART XVII

SPECIAL APPROPRIATIONS

Sec. 1701. 2012 2nd sp.s. c 7 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 2012)	\$911,643,000
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General Fund--State Appropriation (FY 2013)	((949,349,000))
\$936,965,000	
State Building Construction Account--State	
Appropriation	((3,866,000))
\$5,016,000	
Columbia River Basin Water Supply Development	
Account--State Appropriation	((121,000))
\$220,000	
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	((4,000))
\$5,000	
State Taxable Building Construction Account--State	
Appropriation	((90,000))
\$71,000	
Gardner-Evans Higher Education Construction	
Account--State Appropriation	((13,000))
\$23,000	
Debt-Limit Reimbursable Bond Retire Account--State	
Appropriation	((2,300,000))
\$2,299,000	
TOTAL APPROPRIATION	((1,867,386,000))
\$1,856,242,000	

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 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

Sec. 1702. 2012 2nd sp.s. c 7 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 AS PRESCRIBED BY STATUTE

General Fund--State Appropriation (FY 2012)	\$27,400,000
General Fund--State Appropriation (FY 2013)	\$30,572,000

Nondebt-Limit Reimbursable Bond Retirement	
Account--State Appropriation	((140,128,000))
\$137,290,000	
TOTAL APPROPRIATION	((198,100,000))
\$195,262,000	

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 2012 shall be expended into the nondebt-limit general fund bond retirement account by June 30, 2012.

Sec. 1703. 2011 2nd sp.s. c 9 s 703 (uncodified) is amended to read as follows:

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

General Fund--State Appropriation (FY 2012)	\$1,357,000
General Fund--State Appropriation (FY 2013)	((1,357,000))

\$616,000	
State Building Construction Account--State	
Appropriation	((356,000))
\$697,000	
Columbia River Basin Water Supply Development	
Account--State Appropriation	\$21,000
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	\$1,000
State Taxable Building Construction Account--State	
Appropriation	((25,000))
\$31,000	
Gardner-Evans Higher Education Construction	
Account--State Appropriation	((2,000))
\$3,000	
TOTAL APPROPRIATION	((3,119,000))
\$2,726,000	

NEW SECTION. Sec. 1704. A new section is added to 2011 1st sp.s. c 50 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE COSTS

General Fund--State Appropriation (FY 2013)	\$566,000
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The appropriation in this section is subject to the following conditions and limitations: The director of financial management shall distribute \$566,000 to Grant county for extraordinary criminal justice costs.

Sec. 1705. 2012 2nd sp.s. c 7 s 707 (uncodified) is amended 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 2012, 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 financial management, 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) Clint L. Powell, Jr., claim number 99970048	\$58,155.10
(2) Chance L. Hawkins, claim number 99970049	\$28,838.95
(3) Edgar L. Hawkins, claim number 99970050	\$25,507.00
(4) James Abbott, claim number 99970051	\$9,880.00
(5) Richard Frisk, claim number 99970052	\$32,788.50
(6) Brian Barnd-Spjut, claim number 99970053	\$122,821.79
(7) Dwijen Buckendorf, claim number 99970059	\$2,100.00
(8) Todd Chism, claim number 99970061	\$56,183.26
(9) James Glasco, claim number 99970062	\$18,800.00
(10) David Holtzclaw, claim number 99970057	\$15,154.52
(11) Gary Richey, claim number 99970063	\$9,020.00
(12) Shelly Porter, claim number 99970054	\$12,525.72
(13) Yakov Topik, claim number 99970047	\$28,500.00
(14) Luther Wallace, claim number 99970060	\$76,256.93
(15) Mark Fenton, claim number 99970064	\$27,637.50
(16) Reid Woods, claim number 99970065	\$7,296.38
(17) James Daniel Emmett, claim number 99970067	\$9,000.00
	(End of part)

PART XVIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 1801. 2012 2nd sp.s. c 7 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance

premium distributions ((~~\$8,289,000~~))

\$7,773,000

General Fund Appropriation for public utility

district excise tax distributions ((~~\$44,078,000~~))

\$49,883,000

General Fund Appropriation for prosecuting

attorney distributions ((~~\$6,281,000~~))

\$5,804,000

General Fund Appropriation for boating safety

and education distributions \$4,000,000

General Fund Appropriation for other tax distributions ((~~\$58,000~~))

\$63,000

General Fund Appropriation for habitat conservation

program distributions \$3,000,000

Death Investigations Account Appropriation for

distribution to counties for publicly funded

autopsies \$2,960,000

Aquatic Lands Enhancement Account Appropriation for

harbor improvement revenue distribution \$160,000

Timber Tax Distribution Account Appropriation for

distribution to "timber" counties ((~~\$58,229,000~~))

\$61,983,000

County Criminal Justice Assistance Appropriation ((~~\$69,566,000~~))

\$69,532,000

Municipal Criminal Justice Assistance

Appropriation ((~~\$26,843,000~~))

\$26,833,000

City-County Assistance Account Appropriation for local

government financial assistance distribution (~~(\$12,159,000)~~)
 \$14,922,000
 Liquor Excise Tax Account Appropriation for liquor
 excise tax distribution (~~(\$25,617,000)~~)
 \$25,889,000
 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 \$49,309,000
 Columbia River Water Delivery Account Appropriation for
 the Confederated Tribes of the Colville
 Reservation (~~(\$7,478,000)~~)
 \$7,481,000
 Columbia River Water Delivery Account Appropriation for
 the Spokane Tribe of Indians(~~(\$4,794,000)~~)
 \$4,795,000
 Liquor Revolving Account Appropriation for liquor
 profits distribution(~~(\$85,132,000)~~)
 \$96,456,000
 TOTAL APPROPRIATION (~~(\$407,953,000)~~)
 \$426,843,000

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. 1802. 2012 2nd sp.s. c 7 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 (~~(\$2,439,000)~~)
 \$2,422,000

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 2011-2013 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. 1803. 2012 2nd sp.s. c 7 s 803 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT
 Impaired Driver Safety Account Appropriation (~~(\$1,626,000)~~)
 \$1,615,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2011-2013 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. 1804. 2011 1st sp.s. c 50 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 (~~(\$74,000)~~)
 \$52,000
 General Fund Appropriation for federal grazing fees
 distribution (~~(\$2,430,000)~~)
 \$1,747,000
 Forest Reserve Fund Appropriation for federal forest
 reserve fund distribution (~~(\$29,175,000)~~)
 \$39,776,000
 TOTAL APPROPRIATION(~~(\$31,679,000)~~)
 \$41,575,000

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. 1805. 2012 2nd sp.s. c 7 s 804 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--TRANSFERS

State Treasurer's Service Account: For transfer to

the state general fund, \$16,300,000

for fiscal year 2012 and

~~(\$24,800,000))~~ \$26,600,000 for fiscal

year 2013 ~~(((\$41,100,000))~~

\$42,900,000

Waste Reduction, Recycling, and Litter Control

Account: For transfer to the state general

fund, \$4,847,000 for fiscal year

2012 and \$4,847,000 for fiscal year

2013 \$9,694,000

Aquatics Lands Enhancement Account: For transfer to

the state general fund, \$3,500,000 for fiscal

year 2012 and \$3,500,000 for fiscal year 2013 \$7,000,000

Savings Incentive Account: For transfer to the state

general fund, \$44,618,000 for fiscal year 2012 \$44,618,000

Distinguished Professorship Trust Fund: For transfer to

the state general fund for fiscal year 2012, an amount

not to exceed the actual cash balance of the fund \$3,024,000

Washington Graduate Fellowship Trust Fund: For transfer

to the state general fund for fiscal year 2012, an

amount not to exceed the actual cash balance of

the fund \$1,028,000

College Faculty Awards Trust Fund: For transfer

to the state general fund for fiscal year 2012, an amount

not to exceed the actual cash balance of the fund \$1,996,000

Data Processing Revolving Account: For transfer

to the state general fund, \$5,960,000 for fiscal

year 2012 \$5,960,000

Drinking Water Assistance Account: For transfer to

the drinking water assistance repayment account \$38,000,000

Economic Development Strategic Reserve Account: For

transfer to the state general fund, \$2,100,000

for fiscal year 2012 and \$2,100,000 for fiscal

year 2013 \$4,200,000

General Fund: For transfer to the streamlined sales

and use tax account, \$24,520,000

for fiscal year 2012 and \$24,789,000 for fiscal

year 2013 \$49,309,000

Public Works Assistance Account: For transfer to the

water pollution control revolving account,

\$7,750,000 for fiscal year 2012 and \$7,750,000 for

fiscal year 2013 \$15,500,000

The Charitable, Educational, Penal, and Reformatory

Institutions Account: For transfer to the state

general fund, \$4,500,000 for fiscal year 2012 and

\$4,500,000 for fiscal year 2013 \$9,000,000

Thurston County Capital Facilities Account: For

transfer to the state general fund, \$4,000,000

for fiscal year 2012 and \$4,000,000 for fiscal

year 2013 \$8,000,000

Public Works Assistance Account: For transfer to the

drinking water assistance account, \$10,000,000 for

fiscal year 2012 and \$5,000,000 for fiscal year

2013 \$15,000,000

Liquor Control Board Construction and Maintenance

Account: For transfer to the state general fund,

\$500,000 for fiscal year 2012 \$500,000

Education Savings Account: For transfer to the state

general fund, \$54,431,000 for fiscal

year 2012 \$54,431,000

Department of Retirement Systems Expense Account:

For transfer to the state general fund,
 \$2,330,000 for fiscal year 2012 and
 \$4,330,000 for fiscal year 2013 \$6,660,000

Education Construction Account: For transfer to the
 state general fund, \$102,000,000 for fiscal year
 2012 and \$102,000,000 for fiscal year 2013 \$204,000,000

Public Works Assistance Account: For transfer to the
 state general fund, \$40,000,000
 for fiscal year 2012 and \$40,000,000
 for fiscal year 2013 \$80,000,000

Foster Care Endowed Scholarship Trust Fund: For transfer
 to the state general fund, \$200,000 for fiscal year
 2012 and \$200,000 for fiscal year 2013 \$400,000

Affordable Housing For All Account: For transfer to
 the home security fund, \$1,000,000 for fiscal year
 2012 and \$1,000,000 for fiscal year 2013 \$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 \$158,205,000

Tobacco Settlement Account: For transfer to the basic
 health plan stabilization account from the amounts
 deposited in the account that are attributable to the
 annual strategic contribution payment received in
 fiscal year 2012 \$22,000,000

Tobacco Settlement Account: For transfer to the basic
 health plan stabilization account from the amounts
 deposited in the account that are attributable to the
 annual strategic contribution payment received in
 fiscal year 2013 \$22,000,000

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 2012 \$6,000,000

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 2013 \$6,000,000

The transfer to the life sciences discovery fund is subject to the following conditions: All new grants awarded during the 2011-2013 fiscal biennium shall support and accelerate the commercialization of an identifiable product.

Financial Services Regulation Fund: For transfer to
 the state general fund, \$4,000,000 for fiscal
 year 2012 \$4,000,000

State Nursery Revolving Account: For transfer to the
 state general fund, \$250,000 for fiscal year 2012 and
 \$250,000 for fiscal year 2013 \$500,000

Washington State Heritage Center Account: For transfer
 to the state general fund, \$2,000,000 for fiscal
 year 2013 \$2,000,000

Local Toxics Control Account: For transfer to the state
 toxics control account, \$15,000,000 for fiscal
 year 2012 and \$16,000,000 for fiscal year 2013 \$31,000,000

Coastal Protection Account: For transfer to the state
 general fund, \$500,000 for fiscal year 2012 and
 \$500,000 for fiscal year 2013 \$1,000,000

Multimodal Transportation Account--State: For transfer
 to the Public Transportation Grant Program Account
 for the purposes of distributions of \$3,000,000 on
 each of the last working days of December, March,
 and June in fiscal year 2013 \$9,000,000

Aquatic Lands Enhancement Account: For transfer to
 the marine resources stewardship trust account,
 \$2,100,000 for fiscal year 2013 \$2,100,000

(End of part)

PART XIX
MISCELLANEOUS

Sec. 1901. 2011 1st sp.s. c 41 s 3 (uncodified) is amended to read as follows:

Upon implementation of the expansion directed in RCW 74.09.659, the office of financial management shall reduce general fund--state allotments for the medical assistance program by one million five hundred thousand dollars for fiscal year 2012 (~~and by two million three hundred fifty thousand dollars for fiscal year 2013~~). The amounts reduced from allotments shall be placed in reserve status and remain unexpended.

NEW SECTION. Sec. 1902. 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. 1903. 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)

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Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were placed on the second reading calendar.

SECOND READING

ENGROSSED SENATE BILL NO. 5236, by Senators Kline and Padden

Creating the uniform correction or clarification of defamation act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 2, 2013).

Representative Shea moved the adoption of amendment (378) to the committee amendment.

On page 2, line 25 of the striking amendment, after "CLARIFICATION." insert the following:

"(1)"

On page 2, after line 30 of the striking amendment, insert the following:

"(2) Any corrections or clarifications issued by the defendant may not be considered or construed by a fact finder as evidence or proof that the alleged defamatory statement was published without any knowledge of falsity and without reckless disregard for the truth."

Representative Shea spoke in favor of the adoption of the amendment to the committee amendment.

Representative Pedersen spoke against the adoption of the amendment to the committee amendment.

MOTIONS

On motion of Representative Harris, Representative DeBolt was excused. On motion of Representative Van De Wege, Representatives Clibborn, Fey and Liias was excused.

Amendment (378) to the committee amendment was not adopted.

Representative Goodman moved the adoption of amendment (385) to the committee amendment:

On page 2, line 30 of the striking amendment, after "correction" strike "of defamation" and insert "or clarification"

Representatives Goodman and Shea spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (385) to the committee amendment was adopted.

Representative Shea moved the adoption of amendment (379) to the committee amendment.

On page 5, after line 22 of the striking amendment, insert the following:

"NEW SECTION. Sec. 10. REBUTTABLE PRESUMPTION OF ACTUAL MALICE.

(1) If a defendant in an action governed by this chapter has issued five or more corrections or clarifications with respect to the person allegedly defamed, the defendant is presumed to have acted with actual malice. The presumption of actual malice may only be rebutted upon a showing by clear and convincing evidence that the alleged defamatory statement was published without any knowledge of falsity and without reckless disregard for the truth. Corrections or clarifications issued by the defendant may not be used by the defendant for purposes of rebutting the presumption.

(2) If the presumption of actual malice applies, and the defendant fails to rebut it, the person may recover damages for injury to reputation and all other damages permitted by law, regardless of provisions in sections 3(2), 4(2), 5, and 6(3) of this act that might otherwise operate to limit or preclude such damages."

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

Representative Shea spoke in favor of the adoption of the amendment to the committee amendment.

Representative Pedersen spoke against the adoption of the amendment to the committee amendment.

Amendment (379) to the committee amendment was not adopted.

The committee amendment was adopted as amended.

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

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

Representatives Rodne and Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5236, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5236, as amended by the House, and the bill passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos,

Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Sawyer, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Clibborn, DeBolt and Fey.

ENGROSSED SENATE BILL NO. 5236, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5797, by Senators Hobbs and Padden

Encouraging the establishment of effective specialty courts.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 3, 2013).

Representative Shea moved the adoption of amendment (381) to the committee amendment:

On page 2, line 30 of the striking amendment, after "(4)" insert "No therapeutic or specialty court may be established specifically for the purpose of applying foreign law, including foreign criminal, civil, or religious law, that is otherwise not required by treaty.

(5)"

Representatives Shea and Pedersen spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (381) to the committee amendment was adopted.

The committee amendment was adopted as amended.

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

Representatives Pedersen and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5797, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5797, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz,

Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

Excused: Representatives Clibborn, DeBolt and Fey.

SENATE BILL NO. 5797, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Benton and Smith)

Concerning exchange facilitator requirements.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Business & Financial Services was adopted. (For Committee amendment, see Journal, Day 61, March 15, 2013).

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

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5082, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5082, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt and Fey.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5110, by Senate Committee on Governmental Operations (originally sponsored by Senators Tom, Murray, Hill and McAuliffe)

Regarding local government purchasing. Revised for 1st Substitute: Concerning local government purchasing of supplies, materials, or equipment.

The bill was read the second time.

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

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

Representatives Taylor and Orcutt spoke against the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Uptegrove was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5110.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5110, and the bill passed the House by the following vote: Yeas, 57; Nays, 37; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Clibborn, DeBolt, Fey and Uptegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5110, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5302, by Senators Benton and Hobbs

Addressing credit unions' corporate governance and investments.

The bill was read the second time.

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

Representatives Ryu and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5302.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5302, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt, Fey and Uptegrove.

SENATE BILL NO. 5302, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5316, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Becker and Carrell)

Adopting a model policy to require a third person to be present during interviews.

The bill was read the second time.

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

Representatives Freeman and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5316.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5316, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen,

Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt, Fey and Uptegrove.

SUBSTITUTE SENATE BILL NO. 5316, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5324, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Honeyford, Fraser and Ericksen)

Concerning mosquito abatement in storm water control retention ponds.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 79, April 2, 2013).

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

Representatives Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5324, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5324, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liiias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt, Fey and Uptegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5324, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5332, by Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Nelson, Rolfes, Conway, Fain and Delvin)

Modifying the percentage of votes required to approve benefit charges for fire protection districts. Revised for 1st Substitute: Modifying the percentage of votes required to continue benefit charges for fire protection districts.

The bill was read the second time.

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

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

Representatives Nealey and Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5332.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5332, and the bill passed the House by the following vote: Yeas, 54; Nays, 40; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dahlquist, Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liiias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Overstreet, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Clibborn, DeBolt, Fey and Uptegrove.

SUBSTITUTE SENATE BILL NO. 5332, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5568, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Kohl-Welles, Billig, Frockt, Chase, Harper, Hasegawa, Keiser, Shin, Kline and Nelson)

Concerning the disclosure of certain information when screening tenants.

The bill was read the second time.

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

Representatives Stanford and O'Ban spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5568.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5568, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt, Fey and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5568, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5615, by Senate Committee on Higher Education (originally sponsored by Senators Frockt, Becker, Cleveland, Keiser, Kohl-Welles, Schlicher, Kline, Conway and Chase)

Concerning the health professional loan repayment and scholarship program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on Education was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

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

Representatives Pollet, Fagan and Riccelli spoke in favor of the passage of the bill.

Representative Dahlquist spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5615, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5615, as amended by the House, and the bill passed the House by the following vote: Yeas, 73; Nays, 21; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen,

Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Harris, Holy, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Overstreet, Pike, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representatives Clibborn, DeBolt, Fey and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5615, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5615.

Representative Angel, 26th District

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5624, by Senate Committee on Ways & Means (originally sponsored by Senators McAuliffe, Litzow, Shin, Kohl-Welles, Hasegawa, Rolfes, Hobbs, Becker, Frockt, Chase, Eide and Conway)

Aligning high-demand secondary STEM or career and technical education programs with applied baccalaureate programs.

The bill was read the second time.

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

Representative Seaquist and Seaquist (again) spoke in favor of the passage of the bill.

Representative Zeiger spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5624.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5624, and the bill passed the House by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Klippert, Liias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Hargrove, Harris,

Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Wilcox and Zeiger.

Excused: Representatives Clibborn, DeBolt and Upthegrove.

SECOND SUBSTITUTE SENATE BILL NO. 5624, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5692, by Senators King, Harper, Conway, Eide and Tom

Concerning standby guardians and limited guardians.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5692, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5692, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt and Upthegrove.

SENATE BILL NO. 5692, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5723, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Conway, Brown and Kline)

Authorizing enhanced raffles conducted by bona fide charitable or nonprofit organizations serving individuals with intellectual disabilities.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Accountability & Oversight was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 72, March 26, 2013).

Representative Hurst moved the adoption of amendment (362) to the committee amendment:

On page 4, line 17 of the striking amendment, after "December" strike "2017" and insert "2016"

On page 4, line 24 of the striking amendment, after "June 30," strike "2016" and insert "2017"

Representatives Hurst and Condotta spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (362) to the committee amendment was adopted.

The committee amendment was adopted as amended.

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

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5723, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5723, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Harris and Sawyer.

Excused: Representatives DeBolt and Upthegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5723, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5767, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield and Hobbs)

Concerning inspection of dairy cattle.

The bill was read the second time.

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

Representatives Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5767.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5767, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5767, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5849, by Senate Committee on Transportation (originally sponsored by Senators Tom, Frockt, Keiser, Hatfield and Kline)

Concerning electric vehicle charging stations.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5849.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5849, and the bill passed the House by the following vote: Yeas, 84; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes,

Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Crouse, Fagan, Holy, Kretz, Overstreet, Scott, Shea, Short, Taylor and Vick.

Excused: Representatives DeBolt and Upthegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5849, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8401, by Senate Committee on Health Care (originally sponsored by Senators Keiser, Becker, Frockt, Dammeier and Schlicher)

Creating a joint select committee on health care oversight.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

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

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Concurrent Resolution No. 8401, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Concurrent Resolution No. 8401, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 11; Absent, 1; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Holy, Overstreet, Parker, Scott, Shea, Taylor and Vick.

Absent: Representative Wilcox.

Excused: Representatives DeBolt and Upthegrove.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8401, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

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

MESSAGES FROM THE SENATE

April 11, 2013

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1109
HOUSE BILL NO. 1113
HOUSE BILL NO. 1182
HOUSE BILL NO. 1209
HOUSE BILL NO. 1213
SUBSTITUTE HOUSE BILL NO. 1343
SUBSTITUTE HOUSE BILL NO. 1376
ENGROSSED HOUSE BILL NO. 1396
HOUSE BILL NO. 1469
HOUSE BILL NO. 1565
SUBSTITUTE HOUSE BILL NO. 1686
HOUSE BILL NO. 1770
HOUSE BILL NO. 1790
SUBSTITUTE HOUSE BILL NO. 1889
HOUSE BILL NO. 1937

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2013

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5025
SENATE BILL NO. 5142
SUBSTITUTE SENATE BILL NO. 5165
SENATE BILL NO. 5212
SENATE BILL NO. 5235
SUBSTITUTE SENATE BILL NO. 5274

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5021
SENATE BILL NO. 5046
SUBSTITUTE SENATE BILL NO. 5077
SENATE BILL NO. 5114
SENATE BILL NO. 5186
SENATE BILL NO. 5207
SUBSTITUTE SENATE BILL NO. 5210
SUBSTITUTE SENATE BILL NO. 5352
SUBSTITUTE SENATE BILL NO. 5400
SENATE BILL NO. 5446
ENGROSSED SUBSTITUTE SENATE BILL NO. 5458
SENATE BILL NO. 5466
SUBSTITUTE SENATE BILL NO. 5517
SENATE BILL NO. 5541
SENATE BILL NO. 5627
SENATE BILL NO. 5712
SENATE BILL NO. 5751
SUBSTITUTE SENATE BILL NO. 5774

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1074
SUBSTITUTE HOUSE BILL NO. 1352
HOUSE BILL NO. 1442
HOUSE BILL NO. 1609

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5034, by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

Making 2013-2015 operating appropriations. Revised for 1st Substitute: Making omnibus operating appropriations.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment.

With the consent of the house, amendments (377), (374), (397), (398), (371), (392), (384), (394) and (399) to the committee amendment were withdrawn.

Representative Taylor moved the adoption of amendment (387) to the committee amendment:

On page 9, after line 3, insert the following:

"(5) The office of the governor shall comply with the requirements of section 968 of this act."

On page 15, after line 22, insert:

"(12) The attorney general shall comply with the requirements of section 968 of this act."

On page 25 after line 34, insert:

"(3) The department shall comply with the requirements of section 968 of this act."

On page 26, line 35, after "limitations:" insert "(1)"

On page 27, after line 4, insert:

"(2) The insurance commissioner shall comply with the requirements of section 968 of this act."

On page 28, after line 2, insert:

"(3) The liquor control board shall comply with the requirements of section 968 of this act."

On page 28, line 13, after "limitations:" insert "(1)"

On page 28, after line 19, insert:

"(2) The utilities and transportation commission shall comply with the requirements of section 968 of this act."

On page 29, after line 29, insert:

"(5) The military department shall comply with the requirements of section 968 of this act."

On page 33, after line 14, insert:

"(11) The department shall comply with the requirements of section 968 of this act."

On page 36, after line 23, insert:

"(7) The department shall comply with the requirements of section 968 of this act."

On page 83, after line 7, insert:

"(9) The department shall comply with the requirements of section 968 of this act."

On page 90, after line 20, insert:

"(24) The department shall comply with the requirements of section 968 of this act."

On page 90, line 27, after "limitations" insert "(a)"

On page 91, after line 2, insert:

"(b) The department shall comply with the requirements of section 968 of this act."

On page 95, after line 31, insert:

"(6) The department shall comply with the requirements of section 968 of this act."

On page 96, after line 8, insert:

"The appropriations in this section are subject to the following conditions and limitations: The commission shall comply with the requirements of section 968 of this act."

On page 99, after line 18, insert:

"(11) The department shall comply with the requirements of section 968 of this act."

On page 100, after line 14, insert:

"(4) The commission shall comply with the requirements of section 968 of this act."

On page 100, after line 26, insert:

"The appropriations in this section are subject to the following conditions and limitations: The board shall comply with the requirements of section 968 of this act."

On page 102, after line 4, insert:

"(5) The commission shall comply with the requirements of section 968 of this act."

On page 104, after line 19, insert:

"(12) The department shall comply with the requirements of section 968 of this act."

On page 106, after line 37 insert:

"(11) The department shall comply with the requirements of section 968 of this act."

On page 107, after line 34 insert:

"(5) The department shall comply with the requirements of section 968 of this act."

On page 108, after line 19, insert:

"(3) The Puget Sound partnership shall comply with the requirements of section 968 of this act."

On page 110, after line 7, insert:

"(4) The department shall comply with the requirements of section 968 of this act."

On page 111, after line 33, insert:

"(6) The State patrol shall comply with the requirements of section 968 of this act."

On page 241, after line 18, insert:

"NEW SECTION. Sec. 968. Unmanned Aircraft Standards. (1)

For the purposes of this section,

(a) "Public unmanned aircraft system" means an unmanned aircraft and associated elements, including communications links, sensing devices, and the components that control the unmanned aircraft, operated by a state agency, except the Washington national guard in Title 32 U.S.C. status.

(b) "State agency" means an agency in which this section 968 is specifically referenced in the section authorizing their appropriations for the 2013-15 biennium.

(b) "Unmanned aircraft" means an aircraft that is operated without the possibility of human intervention from within or on the aircraft.

(2) Except as specifically authorized in this section, state agencies shall not operate a public unmanned aircraft system or disclose personal information about any person acquired through the operation of a public unmanned aircraft system.

(3) No state agency shall procure a public unmanned aircraft system without the explicit approval of the legislature, given for that specific public unmanned aircraft system to be used for a specific purpose.

(4) All operations of a public unmanned aircraft system or disclosure of personal information about any person acquired through the operation of a public unmanned aircraft system shall be conducted in such a way as to minimize the collection and disclosure of personal information not authorized under this section.

(5) A public unmanned aircraft system may be operated and personal information from such operation disclosed in order to collect personal information:

(a) Pursuant to a criminal search warrant issued by a court of competent jurisdiction;

(b) If a law enforcement officer or public official reasonably determines that an emergency situation exists that presents immediate danger of death or serious physical injury to any person; the situation requires operation of a public unmanned aircraft system; and, if criminal activity is involved, there are grounds upon which such a warrant could be entered to authorize such operation and an application for a warrant providing such operation is made within forty-eight hours after the operation has occurred or begins to occur;

(c) If a law enforcement officer or public official reasonably determines that the operation does not intend to collect personal information and is unlikely to accidentally collect personal information, and such operation is not for purposes of regulatory enforcement;

(d) If the operation is part of a training exercise conducted on a military base and the public unmanned aircraft system does not collect personal information on persons located outside the military base; or

(e) If the operations is for training or testing purposes by an agency and does not collect personal information.

(6) Whenever any personal information from a public unmanned aircraft system has been acquired, no part of such personal information and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the state or a political subdivision thereof if the collection or disclosure of that personal information would be in violation of this section.

(7) Personal information collected during the operation of a public unmanned aircraft system authorized by and consistent with this chapter may not be used, copied, or disclosed for any purpose after conclusion of the operation, unless there is probable cause that the personal information is evidence of criminal activity. Personal information shall be deleted as soon as possible after there is no longer probable cause that the personal information is evidence of criminal activity; this must be within thirty days if the personal information was collected on the target of a warrant authorizing the operation of the public unmanned aircraft system, and within ten days for other personal information collected incidentally to the operation of a public unmanned aircraft system otherwise authorized by and consistent with this chapter. There shall be a presumption that personal information is not evidence of criminal activity if that personal information is not used in a criminal prosecution within one year of collection.

(8) (a) By July 1 of each year, any state agency which has utilized a public unmanned aircraft system in the preceding calendar year must report to the chief of the Washington state patrol or his or her

designee each use of a public unmanned aircraft system, including the date, time, location of use, target of data collection, type of data collected, the justification for the use, the operator of the public unmanned aircraft system, and the person who authorized the use.

(b) By December 1 of each year, the chief of the Washington State Patrol or his or her designee shall transmit to the legislature a full and complete report containing a summary and analysis of all the data described in subsection (9)(a) of this section.

(9) A person who has been damaged by a violation of this section may seek any remedy provided by law, including commencing any legal action.

(10) Nothing in this section shall be construed to limit the state's ability to establish and operated a test range for the integration of unmanned aviation vehicles into the national airspace."

Representatives Taylor and Shea spoke in favor of the adoption of the amendment to the committee amendment.

Representative Morris spoke against the adoption of the amendment to the committee amendment.

Amendment (387) to the committee amendment was adopted.

Representative Chandler moved the adoption of amendment (410) to the committee amendment.

On page 15, line 35, increase the general fund--state appropriation for fiscal year 2014 by \$750,000

On page 15, line 36, increase the general fund--state appropriation for fiscal year 2015 by \$750,000

On page 16, line 27, correct the total.

On page 22, after line 13, insert the following:

"(26) \$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 for the department to establish a grant program for agricultural labor skills and safety, and to select one community-based organization as a grant recipient.

(a) The grant recipient must:

(i) develop a plan for a recruitment process to increase the number of skilled agricultural workers;

(ii) develop and provide training in agricultural skills, health and safety;

(iii) conduct evaluations for workers and employers; and

(iv) partner with an agricultural employee and agricultural employer organization that has focused on agricultural labor and employment issues and services for at least ten years.

(b) The department of commerce administrative costs are limited to three and one-half percent."

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representative Chandler spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (410) to the committee amendment was not adopted.

Representative Cody moved the adoption of amendment (404) to the committee amendment.

On page 46, line 13, after "funding" insert "on services that would be reimbursable for federal medicaid matching funds if provided to medicaid enrollees"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (404) to the committee amendment was adopted.

Representative Springer moved the adoption of amendment (372) to the committee amendment.

On page 62, line 16, after "(9)" strike "\$4,729,000" and insert "\$5,729,000"

On page 62, line 17, after "2014 and" strike "\$4,729,000" and insert "\$5,729,000"

Representative Springer spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (372) to the committee amendment was adopted.

Representative Green moved the adoption of amendment (375) to the committee amendment.

On page 90, after line 20, insert the following:

"(25) 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. "

Representative Green spoke in favor of the adoption of the amendment to the committee amendment.

Representative Alexander spoke against the adoption of the amendment to the committee amendment.

Amendment (375) to the committee amendment was adopted.

Representative Sullivan moved the adoption of amendment (400) to the committee amendment.

On page 102, line 5, increase general fund--state appropriation for fiscal year 2014 by \$200,000

On page 102, line 6, increase general fund--state appropriation for fiscal year 2015 by \$200,000

On page 102, line 20, decrease the state wildlife account--state appropriation by \$100,000

On page 102, line 31, correct the total

On page 103, beginning on line 33, after "(7)" strike all material through "hatchery." on line 38, and insert the following:

"\$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 transfer of trout from the Clark's Creek hatchery to the Lakewood hatchery.

(8) \$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 department for the production of Steelhead, Coho and Chinook at the Clark's Creek hatchery. "

Re-number the remaining subsections accordingly and correct any internal references accordingly

On page 104, line 1, after "(8)" strike "300,000" and insert "200,000"

On page 104, line 1, after "appropriation" strike "is" and insert ", \$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"

Representative Sullivan spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (400) to the committee amendment was adopted.

Representative Manweller moved the adoption of amendment (405) to the committee amendment.

On page 104, after line 19, insert the following:

"(12) The department must not use any appropriated resources, including staff, to create any new road closures or blockages of access roads under its jurisdiction within Kittitas, Grant, or Yakima counties. Exceptions would include fire and human safety closures, fishing access site closures, and compliance with legislatively required Road Management and Abandonment Plans."

Representatives Manweller and Blake spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (405) to the committee amendment was adopted.

Representative Orcutt moved the adoption of amendment (406) to the committee amendment.

On page 105, after line 8, insert the following:

"Natural Resources Real Property Replacement Account--State Appropriation \$150,000"

On page 105, line 9, correct the total

On page 106, after line 37, insert the following:

"(11) \$150,000 of the natural resources real property replacement account--state appropriation is provided solely for the department to purchase aquatic lands for exchange purposes that are owned by the city of Castle Rock and which are now part of the natural watercourse of the Cowlitz river as a result of avulsion. The exchange must be made with purchased lands that are of equal value to, and can be exchanged for, certain bedlands and shorelands of the Cowlitz River that are now no longer part of its natural watercourse but are owned by the state."

Representative Orcutt spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (406) to the committee amendment was not adopted.

Representative Kagi moved the adoption of amendment (390) to the committee amendment.

On page 112, line 5, increase the general fund--state appropriation for fiscal year 2014 by \$785,000

On page 112, line 6, increase the general fund--state appropriation for fiscal year 2015 by \$756,000

On page 112, line 9, correct the total

On page 117, line 34, after "(2)" strike "\$10,294,000" and insert "\$11,079,000"

On page 117, line 35, after "and" strike "\$10,294,000" and insert "\$11,050,000"

On page 119, line 6, after "(v)" strike "\$1,400,000" and insert "\$2,185,000"

On page 119, line 7, after "and" strike "\$1,400,000" and insert "\$2,156,000"

Representative Kagi spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (390) to the committee amendment was adopted.

Representative Parker moved the adoption of amendment (402) to the committee amendment.

On page 143, line 5, increase the general fund--state appropriation for fiscal year 2014 by \$100,000

On page 143, line 6, increase the general fund--state appropriation for fiscal year 2015 by \$100,000

On page 143, line 10, correct the total

On page 150, after line 6, insert the following:

"(23) \$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."

Representative Parker spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (402) to the committee amendment was not adopted.

Representative Haler moved the adoption of amendment (391) to the committee amendment.

On page 169, line 27, after "(2)" strike all material through "percent." on line 34 and insert the following:

"Grant awards for students at private nonprofit baccalaureate degree-granting institutions participating in the state need grant program must be set at the same level as the student would receive if attending one of the public research universities.

(3) Grant awards for students at private for profit career institutions participating in the state need grand program must be set at the same level as the student would receive if attending one of the public community or technical colleges."

ReNUMBER the remaining subsections consecutively.

Representative Haler spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Seaquist and Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (391) to the committee amendment was not adopted.

Representative Alexander moved the adoption of amendment (403) to the committee amendment.

On page 186, after line 13, insert the following:

"NEW SECTION. Sec. 723. FOR THE OFFICE OF FINANCIAL MANAGEMENT-- ALLOCATIONS FOR K-12 SCHOOL EMPLOYEE HEALTH INSURANCE

General Fund--State Appropriation
(FY 2014) (\$45,100,000)

General Fund--State Appropriation
(FY 2015) (\$41,900,000)

TOTAL APPROPRIATION (\$87,000,000)

The appropriations in this section are subject to the following conditions and limitations: The office of financial management, consistent with the provisions of section 504 of this act, shall reduce allocations to K-12 school districts and education service districts for insurance benefits for part-time employees consistent with the appropriations in this section. By aligning part-time employee eligibility more closely with the federal affordable care act employer shared responsibility standards, more part-time school employees will be eligible for premium tax credits and subsidies available for health insurance purchased through the Washington health benefits exchange."

Representative Alexander spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (403) to the committee amendment was not adopted.

Representative Haigh moved the adoption of amendment (382) to the committee amendment.

On page 214, beginning on line 11, strike all of section 948

Renumber the remaining sections consecutively and correct internal references.

Representatives Haigh and Hunter spoke in favor of the adoption of the amendment to the committee amendment.

Representative Alexander spoke against the adoption of the amendment to the committee amendment.

Amendment (382) to the committee amendment was adopted.

Representative Taylor moved the adoption of amendment (388) to the committee amendment.

On page 241, after line 18, insert the following:

"NEW SECTION, Sec. 968. (1) The legislature finds that Washington families, workers, and employers continue to struggle to make ends meet. As families and employers have streamlined their budgets and services, so should state government. Government continues to increase the burden on citizens and employers through perpetual alteration and expansion of rules. During 2012, an estimated 1,129 new sections to the Washington Administrative Code were permanently adopted, 2,211 sections were permanently amended, 393 emergency rule filings were made, and 961 sections were permanently repealed. A total of 5,511 pages of permanent rule changes were made and 2,398 pages of emergency rules were adopted. The constant changing of rules provides uncertainty to citizens and employers and adds additional costs to taxpayers as agencies hold public meetings and telephone conferences, and employees spend untold hours working on drafts for rules. Furthermore, continual proposal of new rules distracts employers from being productive in their respective enterprises due to a need to comment against these proposed rules. Most agencies do not track the number of hours employees spend on rule making nor do they track the cost to the agency to do this task. One way to reduce millions of dollars in employee and administrative costs is to impose

a moratorium on formal and informal rule making by state agencies except in certain specified instances. This moratorium is to last for three years or until the state is no longer facing financial deficits.

(2) For state agencies provided appropriation authority under this act, no appropriations under this act shall be used for agency rule making during the 2013-15 biennium, except in the following cases:

(a) A rule is needed to implement a federal law and the rule is not more stringent than federal law;

(b) A rule is needed to implement the terms of a governor-declared state of emergency;

(c) A rule is needed by the department of health to respond to a public health emergency;

(d) A rule is needed to set the times for the taking of wildlife, fish, or shellfish pursuant to RCW 77.12.047(1) or 77.04.055(2); or

(e) Legislation enacted after January 1, 2013, specifically directs that rulemaking be undertaken. Rules adopted under this subsection (2)(e) during the 2013-15 biennium must be approved by the legislature in the ensuing legislative session before the rule may take effect.

(3) This section does not prohibit an agency from repealing rules.

NEW SECTION, Sec. 969. RCW 34.05.328 and 2011 c 298 s 21 and 2011 c 149 s 1 are each reenacted and amended to read as follows:

(1) Before adopting a rule described in subsection ((5)) (6) of this section, an agency must:

(a) Clearly state in detail the general goals and specific objectives of the statute that the rule implements;

(b) Determine that the rule is needed to achieve the general goals and specific objectives stated under (a) of this subsection, and analyze alternatives to rule making and the consequences of not adopting the rule;

(c) Provide notification in the notice of proposed rule making under RCW 34.05.320 that a preliminary cost-benefit analysis is available. The preliminary cost-benefit analysis must fulfill the requirements of the cost-benefit analysis under (d) of this subsection. If the agency files a supplemental notice under RCW 34.05.340, the supplemental notice must include notification that a revised preliminary cost-benefit analysis is available. A final cost-benefit analysis must be available when the rule is adopted under RCW 34.05.360;

(d) Determine that the probable benefits of the rule are greater than its probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented;

(e) Determine, after considering alternative versions of the rule and the analysis required under (b), (c), and (d) of this subsection, that the rule being adopted is the least burdensome alternative for those required to comply with it that will achieve the general goals and specific objectives stated under (a) of this subsection;

(f) Determine that the rule does not require those to whom it applies to take an action that violates requirements of another federal or state law;

(g) Determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless required to do so by federal or state law;

(h) Determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, determine that the difference is justified by the following:

(i) A state statute that explicitly allows the agency to differ from federal standards; or

(ii) Substantial evidence that the difference is necessary to achieve the general goals and specific objectives stated under (a) of this subsection; ~~((and))~~

(i) Coordinate the rule, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter; and

(j) For the 2013-15 biennium, receive the governor's signature on the final rule.

(2) In making its determinations pursuant to subsection (1)(a) through (h) of this section, the agency must place in the rule-making file documentation of sufficient quantity and quality so as to persuade a reasonable person that the determinations are justified.

~~((5))~~ (6) Before adopting rules described in subsection (6) of this section, an agency must place in the rule-making file a rule implementation plan for rules filed under each adopting order. The plan must describe how the agency intends to:

(a) Implement and enforce the rule, including a description of the resources the agency intends to use;

(b) Inform and educate affected persons about the rule;

(c) Promote and assist voluntary compliance; and

(d) Evaluate whether the rule achieves the purpose for which it was adopted, including, to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcomes.

(4) For the 2013-15 biennium, the adoption of rules described in subsection (5) of this section must be made before December 1st of any year, and the rules may not take effect before the end of the regular legislative session in the next year.

~~((5))~~ (6) After adopting a rule described in subsection (6) of this section regulating the same activity or subject matter as another provision of federal or state law, an agency must do all of the following:

(a) Coordinate implementation and enforcement of the rule with the other federal and state entities regulating the same activity or subject matter by making every effort to do one or more of the following:

(i) Deferring to the other entity;

(ii) Designating a lead agency; or

(iii) Entering into an agreement with the other entities specifying how the agency and entities will coordinate implementation and enforcement.

If the agency is unable to comply with this subsection ~~((4))~~ (5)(a), the agency must report to the legislature pursuant to (b) of this subsection;

(b) Report to the joint administrative rules review committee:

(i) The existence of any overlap or duplication of other federal or state laws, any differences from federal law, and any known overlap, duplication, or conflict with local laws; and

(ii) Make recommendations for any legislation that may be necessary to eliminate or mitigate any adverse effects of such overlap, duplication, or difference.

~~((5))~~ (6)(a) Except as provided in (b) of this subsection, this section applies to:

(i) Significant legislative rules of the departments of ecology, labor and industries, health, revenue, social and health services, and natural resources, the employment security department, the forest practices board, the office of the insurance commissioner, and to the legislative rules of the department of fish and wildlife implementing chapter 77.55 RCW; and

(ii) Any rule of any agency, if this section is voluntarily made applicable to the rule by the agency, or is made applicable to the rule by a majority vote of the joint administrative

rules review committee within forty-five days of receiving the notice of proposed rule making under RCW 34.05.320.

(b) This section does not apply to:

(i) Emergency rules adopted under RCW 34.05.350;

(ii) Rules relating only to internal governmental operations that are not subject to violation by a nongovernment party;

(iii) Rules adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;

(iv) Rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect;

(v) Rules the content of which is explicitly and specifically dictated by statute;

(vi) Rules that set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045;

(vii) Rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents; or

(viii) Rules of the department of revenue that adopt a uniform expiration date for reseller permits as authorized in RCW 82.32.780 and 82.32.783.

(c) For purposes of this subsection:

(i) A "procedural rule" is a rule that adopts, amends, or repeals (A) any procedure, practice, or requirement relating to any agency hearings; (B) any filing or related process requirement for making application to an agency for a license or permit; or (C) any policy statement pertaining to the consistent internal operations of an agency.

(ii) An "interpretive rule" is a rule, the violation of which does not subject a person to a penalty or sanction, that sets forth the agency's interpretation of statutory provisions it administers.

(iii) A "significant legislative rule" is a rule other than a procedural or interpretive rule that (A) adopts substantive provisions of law pursuant to delegated legislative authority, the violation of which subjects a violator of such rule to a penalty or sanction; (B) establishes, alters, or revokes any qualification or standard for the issuance, suspension, or revocation of a license or permit; or (C) adopts a new, or makes significant amendments to, a policy or regulatory program.

(d) In the notice of proposed rule making under RCW 34.05.320, an agency must state whether this section applies to the proposed rule pursuant to (a)(i) of this subsection, or if the agency will apply this section voluntarily.

~~((6))~~ (7) By January 31, 1996, and by January 31st of each even-numbered year thereafter, the office of regulatory assistance, after consulting with state agencies, counties, and cities, and business, labor, and environmental organizations, must report to the governor and the legislature regarding the effects of this section on the regulatory system in this state. The report must document:

(a) The rules proposed to which this section applied and to the extent possible, how compliance with this section affected the substance of the rule, if any, that the agency ultimately adopted;

(b) The costs incurred by state agencies in complying with this section;

(c) Any legal action maintained based upon the alleged failure of any agency to comply with this section, the costs to the state of such action, and the result;

(d) The extent to which this section has adversely affected the capacity of agencies to fulfill their legislatively prescribed mission;

(e) The extent to which this section has improved the acceptability of state rules to those regulated; and

(f) Any other information considered by the office of financial management to be useful in evaluating the effect of this section.

NEW SECTION. Sec. 970. (1) The legislature finds that there have been instances where regulatory agencies discovered actions by a regulated entity that are in error after reports have been accepted and approved or inspections have been conducted and approved. Retroactively applying fines after governmental approval creates an unfriendly business environment and can place unexpected financial burdens on businesses. Businesses should be able to rely on government approval and acceptance of reports and inspections and not risk penalties when mistakes are made by government personnel or contractors. It is the intent of the legislature that regulated parties who have received acceptance and approval by the regulating government authority should not be subsequently fined or penalized, but should be encouraged to correct action that is deemed in error or violates reporting or inspection requirements during the next reporting period. The regulating authority should notify the regulated party of the violation to prevent future violations.

(2) For state agencies provided appropriation authority under this act, an agency may not issue a fine or impose a penalty on a person during the 2013-15 biennium if:

(a) An inspection is approved by an official of the agency requiring the inspection and a subsequent reevaluation of the approved inspection by the regulating agency identifies a violation by the regulated party; or

(b) Documentation required under an agency's reporting requirements is submitted to the agency by a regulated party and is accepted and approved by the regulating agency and a subsequent reevaluation of the approved documentation identifies a violation based on failure to provide required documentation or information.

(3) During the 2013-15 biennium, a rule may not authorize the imposition of a civil fine on a person based on the following circumstances if:

(a) An inspection is approved by an official of the agency requiring the inspection and a subsequent reevaluation of the approved inspection by the regulating agency identifies a violation by the regulated party; or

(b) Documentation required under an agency's reporting requirements is submitted to the agency by a regulated party and is accepted and approved by the regulating agency and a subsequent reevaluation of the approved documentation identifies a violation based on failure to provide required documentation or information.

(4) For the 2013-15 biennium, violations identified after an inspection or documentation has been approved may be remedied through technical assistance provided to the regulated party allowing correction of the circumstances of the violation for future reporting periods or inspections.

NEW SECTION. Sec. 971. After August 1, 2013 and until June 30, 2015, rules adopted by agencies must be based upon a specific grant of legislative authority for each rule as explicitly set forth in statute. Such rules must include the citation of the specific statutory sections from which the authority is derived, and may not be based solely upon the statute's intent or the general enabling statutes authorizing the activities of the agency.

NEW SECTION. Sec. 972. During the 2013-15 biennium, the State Parks and Recreation Commission, the Washington Department of Fish and Wildlife Commission, and the Department of Natural Resources are required to coordinate their

respective agency land use plans with all applicable local government officials. The coordination of plans must occur in the plan development stage, along with the plan revision and implementation stages. At a minimum, all three agencies are required to keep apprised of all relevant local and tribal land use ordinances and plans, strive to ensure state policies and actions are consistent with local land use plans, assist in resolving inconsistencies between state and local land use policies, and provide meaningful public involvement, access to the agency director, and early notice of agency actions to local government officials. The agencies are required to report to the Legislature any instances that arise causing the agency to be incapable of compliance with local plans and ordinances because of conflicting statutory limitations or responsibilities.

NEW SECTION. Sec. 973. (1) During the 2013-15 biennium, agencies must provide to any business licensed to do business in the state of Washington a period of at least five business days to correct any violation of state law or agency rule before the agency may impose any fines, civil penalties, or administrative sanctions. If no correction is possible, this subsection does not apply.

(2) Exceptions to requirements of subsection (1) of this section may be made for any of the following reasons:

(a) The agency head determines that the effect of the violation or waiver presents a direct danger to the public health, poses a potentially significant threat to human health or safety, or causes serious harm to the public interest;

(b) The order is one to cease and desist an activity that violates a statute or rule protecting public health or safety, the environment, or would cause serious harm to the public interest;

(c) The violation involves a knowing or willful violation;

(d) The violation is of a requirement concerning the assessment, collection, or administration of any tax, tax program, debt, revenue, receipt, a regulated entity's financial filings, or insurance rate or form filing;

(e) The requirements in this section are in conflict with federal law or program requirements, federal requirements that are a prescribed condition to the allocation of federal funds to the state, or the requirements for eligibility of employers in this state for federal unemployment tax credits, as determined by the agency head;

(f) The business committing the violation previously violated the exact or substantially similar requirement; or

(g) The owner or operator of the business committing the violation owns or operates, or owned or operated a different business that previously violated a substantially similar requirement.

(3) This section does not prohibit an agency from waiving fines, civil penalties, or administrative sanctions incurred by a business for a violation.

(4) This section may be construed to diminish the responsibility for any citizen or business to apply for and obtain a permit, license, or authorizing document that is required to engage in a regulated activity, or otherwise comply with state or federal law.

(5) This section may not be construed to apply to businesses required to provide accurate and complete information and documentation in relation to any claim for payment of state or federal funds or who are licensed or certified to provide care and services to vulnerable adults or children.

(6) This section does not affect the attorney general's authority to impose fines, civil penalties, or administrative sanctions as otherwise authorized by law; nor does this section affect the attorney general's authority to enforce the consumer protection act, chapter 19.86 RCW."

Representatives Taylor, Orcutt and Smith spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (388) to the committee amendment was not adopted.

Representative Pike moved the adoption of amendment (395) to the committee amendment.

On page 241, after line 18, insert the following:

NEW SECTION. Sec. 968. A new section is added to chapter 70.94 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period under subsection (1) of this section, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 969. RCW 70.94.181 and 1991 c 199 s 306 are each amended to read as follows:

(1) Any person who owns or is in control of any plant, building, structure, establishment, process or equipment may apply to the department ((of ecology)) or appropriate local authority board for a variance from rules or regulations governing the quality, nature, duration or extent of discharges of air contaminants. The application shall be accompanied by such information and data as the department ((of ecology)) or board may require. The department ((of ecology)) or board may grant such variance, provided that variances to state rules shall require the department's approval prior to being issued by a local authority board. The total time period for a variance and renewal of such variance shall not exceed one year. Variances may be issued by either the department or a local board but only after public hearing or due notice, if the department or board finds that:

(a) The emissions occurring or proposed to occur do not endanger public health or safety or the environment; and

(b) Compliance with the rules or regulations from which variance is sought would produce serious hardship without equal or greater benefits to the public.

(2) No variance shall be granted pursuant to this section until the department ((of ecology)) or board has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

(3) Any variance or renewal thereof shall be granted within the requirements of subsection (1) of this section and under conditions consistent with the reasons therefor, and within the following limitations:

(a) If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement, or control of the pollution involved, it shall be only until the necessary means for prevention, abatement, or control become known and available, and subject to the taking of any substitute or alternate measures that the department ((of ecology)) or board may prescribe.

(b) If the variance is granted on the ground that compliance with the particular requirement or requirements from which variance is sought will require the taking of measures

which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the department ((of ecology)) or board is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditioned on adherence to such timetable.

(c) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in (a) and (b) of this subsection, it shall be for not more than one year.

(4) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If complaint is made to the department ((of ecology)) or board on account of the variance, no renewal thereof shall be granted unless following a public hearing on the complaint on due notice the department or board finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least sixty days prior to the expiration of the variance. Immediately upon receipt of an application for renewal, the department ((of ecology)) or board shall give public notice of such application in accordance with rules of the department ((of ecology)) or board.

(5) A variance or renewal shall not be a right of the applicant or holder thereof but shall be granted at the discretion of the department ((of ecology)) or board. However, any applicant adversely affected by the denial or the terms and conditions of the granting of an application for a variance or renewal of a variance by the department ((of ecology)) or board may obtain judicial review thereof under the provisions of chapter 34.05 RCW as now or hereafter amended.

(6) Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the application of the emergency provisions and procedures of RCW 70.94.710 through 70.94.730 to any person or his or her property.

(7) An application for a variance, or for the renewal thereof, submitted to the department ((of ecology)) or board pursuant to this section shall be approved or disapproved by the department or board within sixty-five days of receipt unless the applicant and the department ((of ecology)) or board agree to a continuance.

(8) Variances approved under this section shall not be included in orders or permits provided for in RCW 70.94.161 or 70.94.152 until such time as the variance has been accepted by the United States environmental protection agency as part of an approved state implementation plan.

(9)(a) For the 2013-15 biennium, all decisions on variances under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 970. RCW 76.09.060 and 2012 1st sp.s. c 1 s 206 are each amended to read as follows:

(1) The department shall prescribe the form and contents of the notification and application. The forest practices rules shall specify by whom and under what conditions the

notification and application shall be signed or otherwise certified as acceptable. Activities conducted by the department or a contractor under the direction of the department under the provisions of RCW 76.04.660, shall be exempt from the landowner signature requirement on any forest practices application required to be filed. The application or notification shall be delivered in person to the department, sent by first-class mail to the department or electronically filed in a form defined by the department. The form for electronic filing shall be readily convertible to a paper copy, which shall be available to the public pursuant to chapter 42.56 RCW. The information required may include, but is not limited to:

- (a) Name and address of the forest landowner, timber owner, and operator;
 - (b) Description of the proposed forest practice or practices to be conducted;
 - (c) Legal description and tax parcel identification numbers of the land on which the forest practices are to be conducted;
 - (d) Planimetric and topographic maps showing location and size of all lakes and streams and other public waters in and immediately adjacent to the operating area and showing all existing and proposed roads and major tractor roads;
 - (e) Description of the silvicultural, harvesting, or other forest practice methods to be used, including the type of equipment to be used and materials to be applied;
 - (f) For an application or notification submitted on or after July 10, 2012, that includes a forest practices hydraulic project, plans and specifications for the forest practices hydraulic project to ensure the proper protection of fish life;
 - (g) Proposed plan for reforestation and for any revegetation necessary to reduce erosion potential from roadsides and yarding roads, as required by the forest practices rules;
 - (h) Soil, geological, and hydrological data with respect to forest practices;
 - (i) The expected dates of commencement and completion of all forest practices specified in the application;
 - (j) Provisions for continuing maintenance of roads and other construction or other measures necessary to afford protection to public resources;
 - (k) An affirmation that the statements contained in the notification or application are true; and
 - (l) All necessary application or notification fees.
- (2) Long range plans may be submitted to the department for review and consultation.
- (3) The application for a forest practice or the notification of a forest practice is subject to the reforestation requirement of RCW 76.09.070.
- (a) If the application states that any land will be or is intended to be converted:
- (i) The reforestation requirements of this chapter and of the forest practices rules shall not apply if the land is in fact converted unless applicable alternatives or limitations are provided in forest practices rules issued under RCW 76.09.070;
 - (ii) Completion of such forest practice operations shall be deemed conversion of the lands to another use for purposes of chapters 84.33 and 84.34 RCW unless the conversion is to a use permitted under a current use tax agreement permitted under chapter 84.34 RCW;
 - (iii) The forest practices described in the application are subject to applicable county, city, town, and regional governmental authority permitted under RCW 76.09.240 as well as the forest practices rules.
- (b) Except as provided elsewhere in this section, if the landowner harvests without an approved application or notification or the landowner does not state that any land covered

by the application or notification will be or is intended to be converted, and the department or the county, city, town, or regional governmental entity becomes aware of conversion activities to a use other than commercial timber operations, as that term is defined in RCW 76.09.020, then the department shall send to the department of ecology and the appropriate county, city, town, and regional governmental entities the following documents:

- (i) A notice of a conversion to nonforestry use;
 - (ii) A copy of the applicable forest practices application or notification, if any; and
 - (iii) Copies of any applicable outstanding final orders or decisions issued by the department related to the forest practices application or notification.
- (c) Failure to comply with the reforestation requirements contained in any final order or decision shall constitute a removal of designation under the provisions of RCW 84.33.140, and a change of use under the provisions of RCW 84.34.080, and, if applicable, shall subject such lands to the payments and/or penalties resulting from such removals or changes.
- (d) Conversion to a use other than commercial forest product operations within six years after approval of the forest practices application or notification without the consent of the county, city, or town shall constitute a violation of each of the county, municipal city, town, and regional authorities to which the forest practice operations would have been subject if the application had stated an intent to convert.
- (e) Land that is the subject of a notice of conversion to a nonforestry use produced by the department and sent to the department of ecology and a local government under this subsection is subject to the development prohibition and conditions provided in RCW 76.09.460.
- (f) Landowners who have not stated an intent to convert the land covered by an application or notification and who decide to convert the land to a nonforestry use within six years of receiving an approved application or notification must do so in a manner consistent with RCW 76.09.470.
- (g) The application or notification must include a statement requiring an acknowledgment by the forest landowner of his or her intent with respect to conversion and acknowledging that he or she is familiar with the effects of this subsection.
- (4) Whenever an approved application authorizes a forest practice which, because of soil condition, proximity to a water course or other unusual factor, has a potential for causing material damage to a public resource, as determined by the department, the applicant shall, when requested on the approved application, notify the department two days before the commencement of actual operations.
- (5) Before the operator commences any forest practice in a manner or to an extent significantly different from that described in a previously approved application or notification, there shall be submitted to the department a new application or notification form in the manner set forth in this section.
- (6)(a) Except as provided in RCW 76.09.350(4), the notification to or the approval given by the department to an application to conduct a forest practice shall be effective for a term of three years from the date of approval or notification.
- (b) A notification or application may be renewed for an additional three-year term by the filing and approval of a notification or application, as applicable, prior to the expiration of the original application or notification. A renewal application or notification is subject to the forest practices rules in effect at the time the renewal application or notification is filed. Nothing in this section precludes the applicant from applying for a new application or notification after the renewal period has lapsed.

(c) At the option of the applicant, an application or notification may be submitted to cover a single forest practice or a number of forest practices within reasonable geographic or political boundaries as specified by the department. An application or notification that covers more than one forest practice may have an effective term of more than three years.

(d) The board shall adopt rules that establish standards and procedures for approving an application or notification that has an effective term of more than three years. Such rules shall include extended time periods for application or notification approval or disapproval. The department may require the applicant to provide advance notice before commencing operations on an approved application or notification.

(7) Notwithstanding any other provision of this section, no prior application or notification shall be required for any emergency forest practice necessitated by fire, flood, windstorm, earthquake, or other emergency as defined by the board, but the operator shall submit an application or notification, whichever is applicable, to the department within forty-eight hours after commencement of such practice or as required by local regulations.

(8) Forest practices applications or notifications are not required for forest practices conducted to control exotic forest insect or disease outbreaks, when conducted by or under the direction of the department of agriculture in carrying out an order of the governor or director of the department of agriculture to implement pest control measures as authorized under chapter 17.24 RCW, and are not required when conducted by or under the direction of the department in carrying out emergency measures under a forest health emergency declaration by the commissioner of public lands as provided in RCW 76.06.130.

(a) For the purposes of this subsection, exotic forest insect or disease has the same meaning as defined in RCW 76.06.020.

(b) In order to minimize adverse impacts to public resources, control measures must be based on integrated pest management, as defined in RCW 17.15.010, and must follow forest practices rules relating to road construction and maintenance, timber harvest, and forest chemicals, to the extent possible without compromising control objectives.

(c) Agencies conducting or directing control efforts must provide advance notice to the appropriate regulatory staff of the department of the operations that would be subject to exemption from forest practices application or notification requirements.

(d) When the appropriate regulatory staff of the department are notified under (c) of this subsection, they must consult with the landowner, interested agencies, and affected tribes, and assist the notifying agencies in the development of integrated pest management plans that comply with forest practices rules as required under (b) of this subsection.

(e) Nothing under this subsection relieves agencies conducting or directing control efforts from requirements of the federal clean water act as administered by the department of ecology under RCW 90.48.260.

(f) Forest lands where trees have been cut as part of an exotic forest insect or disease control effort under this subsection are subject to reforestation requirements under RCW 76.09.070.

(g) The exemption from obtaining approved forest practices applications or notifications does not apply to forest practices conducted after the governor, the director of the department of agriculture, or the commissioner of public lands have declared that an emergency no longer exists because control objectives have been met, that there is no longer an imminent threat, or that there is no longer a good likelihood of control.

(9)(a) For the 2013-15 biennium, all decisions on applications or notifications under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 971. A new section is added to chapter 90.48 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 972. RCW 77.55.021 and 2012 1st sp.s. c 1 s 102 are each amended to read as follows:

(1) Except as provided in RCW 77.55.031, 77.55.051, 77.55.041, and 77.55.361, in the event that any person or government agency desires to undertake a hydraulic project, the person or government agency shall, before commencing work thereon, secure the approval of the department in the form of a permit as to the adequacy of the means proposed for the protection of fish life.

(2) A complete written application for a permit may be submitted in person or by registered mail and must contain the following:

- (a) General plans for the overall project;
- (b) Complete plans and specifications of the proposed construction or work within the mean higher high water line in saltwater or within the ordinary high water line in freshwater;
- (c) Complete plans and specifications for the proper protection of fish life;
- (d) Notice of compliance with any applicable requirements of the state environmental policy act, unless otherwise provided for in this chapter; and
- (e) Payment of all applicable application fees charged by the department under RCW 77.55.321.

(3) The department may establish direct billing accounts or other funds transfer methods with permit applicants to satisfy the fee payment requirements of RCW 77.55.321.

(4) The department may accept complete, written applications as provided in this section for multiple site permits and may issue these permits. For multiple site permits, each specific location must be identified.

(5) With the exception of emergency permits as provided in subsection (((12))) (13) of this section, applications for permits must be submitted to the department's headquarters office in Olympia. Requests for emergency permits as provided in subsection (((12))) (13) of this section may be made to the permitting biologist assigned to the location in which the

emergency occurs, to the department's regional office in which the emergency occurs, or to the department's headquarters office.

(6) Except as provided for emergency permits in subsection (((12))) (13) of this section, the department may not proceed with permit review until all fees are paid in full as required in RCW 77.55.321.

(7)(a) Protection of fish life is the only ground upon which approval of a permit may be denied or conditioned. Approval of a permit may not be unreasonably withheld or unreasonably conditioned.

(b) Except as provided in this subsection and subsections (((12) through (14) and (16))) (13), (15), and (16) of this section, the department has forty-five calendar days upon receipt of a complete application to grant or deny approval of a permit. The forty-five day requirement is suspended if:

(i) After ten working days of receipt of the application, the applicant remains unavailable or unable to arrange for a timely field evaluation of the proposed project;

(ii) The site is physically inaccessible for inspection;

(iii) The applicant requests a delay; or

(iv) The department is issuing a permit for a storm water discharge and is complying with the requirements of RCW 77.55.161(3)(b).

(c) Immediately upon determination that the forty-five day period is suspended under (b) of this subsection, the department shall notify the applicant in writing of the reasons for the delay.

(d) The period of forty-five calendar days may be extended if the permit is part of a multiagency permit streamlining effort and all participating permitting agencies and the permit applicant agree to an extended timeline longer than forty-five calendar days.

(8) If the department denies approval of a permit, the department shall provide the applicant a written statement of the specific reasons why and how the proposed project would adversely affect fish life.

(a) Except as provided in (b) of this subsection, issuance, denial, conditioning, or modification of a permit shall be appealable to the board within thirty days from the date of receipt of the decision as provided in RCW 43.21B.230.

(b) Issuance, denial, conditioning, or modification of a permit may be informally appealed to the department within thirty days from the date of receipt of the decision. Requests for informal appeals must be filed in the form and manner prescribed by the department by rule. A permit decision that has been informally appealed to the department is appealable to the board within thirty days from the date of receipt of the department's decision on the informal appeal.

(9)(a) Notwithstanding the forty-five day decision timeline required in this section, for the 2013-15 biennium, all decisions on applications under this section must be completed and the decision returned to the applicant no longer than ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(10)(a) The permittee must demonstrate substantial progress on construction of that portion of the project relating to the permit within two years of the date of issuance.

(b) Approval of a permit is valid for up to five years from the date of issuance, except as provided in (c) of this subsection and in RCW 77.55.151.

(c) A permit remains in effect without need for periodic renewal for hydraulic projects that divert water for agricultural irrigation or stock watering purposes and that involve seasonal construction or other work. A permit for streambank stabilization projects to protect farm and agricultural land as defined in RCW 84.34.020 remains in effect without need for periodic renewal if the problem causing the need for the streambank stabilization occurs on an annual or more frequent basis. The permittee must notify the appropriate agency before commencing the construction or other work within the area covered by the permit.

(((10))) (11) The department may, after consultation with the permittee, modify a permit due to changed conditions. A modification under this subsection is not subject to the fees provided under RCW 77.55.321. The modification is appealable as provided in subsection (8) of this section. For a hydraulic project that diverts water for agricultural irrigation or stock watering purposes, when the hydraulic project or other work is associated with streambank stabilization to protect farm and agricultural land as defined in RCW 84.34.020, the burden is on the department to show that changed conditions warrant the modification in order to protect fish life.

(((11))) (12) A permittee may request modification of a permit due to changed conditions. The request must be processed within forty-five calendar days of receipt of the written request and payment of applicable fees under RCW 77.55.321. A decision by the department is appealable as provided in subsection (8) of this section. For a hydraulic project that diverts water for agricultural irrigation or stock watering purposes, when the hydraulic project or other work is associated with streambank stabilization to protect farm and agricultural land as defined in RCW 84.34.020, the burden is on the permittee to show that changed conditions warrant the requested modification and that such a modification will not impair fish life.

(((12))) (13)(a) The department, the county legislative authority, or the governor may declare and continue an emergency. If the county legislative authority declares an emergency under this subsection, it shall immediately notify the department. A declared state of emergency by the governor under RCW 43.06.010 shall constitute a declaration under this subsection.

(b) The department, through its authorized representatives, shall issue immediately, upon request, verbal approval for a stream crossing, or work to remove any obstructions, repair existing structures, restore streambanks, protect fish life, or protect property threatened by the stream or a change in the stream flow without the necessity of obtaining a written permit prior to commencing work. Conditions of the emergency verbal permit must be reduced to writing within thirty days and complied with as provided for in this chapter.

(c) The department may not require the provisions of the state environmental policy act, chapter 43.21C RCW, to be met as a condition of issuing a permit under this subsection.

(d) The department may not charge a person requesting an emergency permit any of the fees authorized by RCW 77.55.321 until after the emergency permit is issued and reduced to writing.

(((13))) (14) All state and local agencies with authority under this chapter to issue permits or other authorizations in connection with emergency water withdrawals and facilities authorized under RCW 43.83B.410 shall expedite the processing of such permits or authorizations in keeping with the emergency

nature of such requests and shall provide a decision to the applicant within fifteen calendar days of the date of application.

((14)) (15) The department or the county legislative authority may determine an imminent danger exists. The county legislative authority shall notify the department, in writing, if it determines that an imminent danger exists. In cases of imminent danger, the department shall issue an expedited written permit, upon request, for work to remove any obstructions, repair existing structures, restore banks, protect fish resources, or protect property. Expedited permit requests require a complete written application as provided in subsection (2) of this section and must be issued within fifteen calendar days of the receipt of a complete written application. Approval of an expedited permit is valid for up to sixty days from the date of issuance. The department may not require the provisions of the state environmental policy act, chapter 43.21C RCW, to be met as a condition of issuing a permit under this subsection.

((15)) (16)(a) For any property, except for property located on a marine shoreline, that has experienced at least two consecutive years of flooding or erosion that has damaged or has threatened to damage a major structure, water supply system, septic system, or access to any road or highway, the county legislative authority may determine that a chronic danger exists. The county legislative authority shall notify the department, in writing, when it determines that a chronic danger exists. In cases of chronic danger, the department shall issue a permit, upon request, for work necessary to abate the chronic danger by removing any obstructions, repairing existing structures, restoring banks, restoring road or highway access, protecting fish resources, or protecting property. Permit requests must be made and processed in accordance with subsections (2) and (7) of this section.

(b) Any projects proposed to address a chronic danger identified under (a) of this subsection that satisfies the project description identified in RCW 77.55.181(1)(a)(ii) are not subject to the provisions of the state environmental policy act, chapter 43.21C RCW. However, the project is subject to the review process established in RCW 77.55.181(3) as if it were a fish habitat improvement project.

((16)) (17) The department may issue an expedited written permit in those instances where normal permit processing would result in significant hardship for the applicant or unacceptable damage to the environment. Expedited permit requests require a complete written application as provided in subsection (2) of this section and must be issued within fifteen calendar days of the receipt of a complete written application. Approval of an expedited permit is valid for up to sixty days from the date of issuance. The department may not require the provisions of the state environmental policy act, chapter 43.21C RCW, to be met as a condition of issuing a permit under this subsection.

NEW SECTION. Sec. 973. A new section is added to chapter 90.76 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on license applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the license application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 974. RCW 78.44.081 and 1997 c 192 s 1 are each amended to read as follows:

(1) After July 1, 1993, no miner or permit holder may engage in surface mining without having first obtained a reclamation permit from the department. Operating permits issued by the department between January 1, 1971, and June 30, 1993, shall be considered reclamation permits. A separate permit shall be required for each noncontiguous surface mine. The reclamation permit shall consist of the permit forms and any exhibits attached thereto. The permit holder shall comply with the provisions of the reclamation permit unless waived and explained in writing by the department.

(2) Prior to receiving a reclamation permit, an applicant must submit an application on forms provided by the department that shall contain the following information and shall be considered part of the reclamation permit:

((1)) (a) Name and address of the legal landowner, or purchaser of the land under a real estate contract;

((2)) (b) The name of the applicant and, if the applicants are corporations or other business entities, the names and addresses of their principal officers and resident agent for service of process;

((3)) (c) A reasonably accurate description of the minerals to be surface mined;

((4)) (d) Type of surface mining to be performed;

((5)) (e) Estimated starting date, date of completion, and date of completed reclamation of surface mining;

((6)) (f) Size and legal description of the permit area and maximum lateral and vertical extent of the disturbed area;

((7)) (g) Expected area to be disturbed by surface mining during ((a)) (i) the next twelve months, and ((b)) (ii) the following twenty-four months;

((8)) (h) Any applicable SEPA documents; and

((9)) (i) Other pertinent data as required by the

department.

(3) The reclamation permit shall be granted for the period required to deplete essentially all minerals identified in the reclamation permit on the land covered by the reclamation plan. The reclamation permit shall be valid until the reclamation is complete unless the permit is canceled by the department.

(4)(a) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 975. A new section is added to chapter 18.104 RCW to read as follows:

(1) For the 2103-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding,

and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 976. RCW 86.16.025 and 1995 c 8 s 4 are each amended to read as follows:

(1) Subject to RCW 43.21A.068, with respect to such features as may affect flood conditions, the department shall have authority to examine, approve, or reject designs and plans for any structure or works, public or private, to be erected or built or to be reconstructed or modified upon the banks or in or over the channel or over and across the floodway of any stream or body of water in this state.

(2)(a) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 977. RCW 70.95.205 and 1998 c 36 s 18 are each amended to read as follows:

(1) Waste-derived soil amendments that meet the standards and criteria in this section may apply for exemption from solid waste permitting as required under RCW 70.95.170. The application shall be submitted to the department in a format determined by the department or an equivalent format. The application shall include:

(a) Analytical data showing that the waste-derived soil amendments meet standards established under RCW 15.54.800; and

(b) Other information deemed appropriate by the department to protect human health and the environment.

(2) After receipt of an application, the department shall review it to determine whether the application is complete, and forward a copy of the complete application to all interested jurisdictional health departments for review and comment. Within forty-five days, the jurisdictional health departments shall forward their comments and any other information they deem relevant to the department, which shall then give final approval or disapproval of the application. Every complete application shall be approved or disapproved by the department within ninety days after receipt. If the ninety-day deadline is not satisfied, for the 2013-15 biennium the applicant may file a motion in the appropriate superior court requesting court approval of the application. If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(3) The department, after providing opportunity for comments from the jurisdictional health departments, may at any time revoke an exemption granted under this section if the quality or use of the waste-derived soil amendment changes or the management, storage, or end use of the waste-derived soil amendment constitutes a threat to human health or the environment.

(4) Any aggrieved party may appeal the determination by the department in subsection (2) or (3) of this section to the pollution control hearings board.

Sec. 978. RCW 15.54.820 and 1998 c 36 s 16 are each amended to read as follows:

(1) After receipt from the department of the completed application required by RCW 15.54.325, the department of ecology shall evaluate whether the use of the proposed waste-derived fertilizer or the micronutrient fertilizer as defined in RCW 15.54.270 is consistent with the following:

(a) Chapter 70.95 RCW, the solid waste management act;

(b) Chapter 70.105 RCW, the hazardous waste management act; and

(c) 42 U.S.C. Sec. 6901 et seq., the resource conservation and recovery act.

(2) The department of ecology shall apply the standards adopted in RCW 15.54.800. If more stringent standards apply under chapter 173-303 WAC for the same constituents, the department of ecology must use the more stringent standards.

(3) Within sixty days of receiving the completed application, the department of ecology shall advise the department as to whether the application complies with the requirements of subsections (1) and (2) of this section. In making a determination, the department of ecology shall consult with the department of health and the department of labor and industries.

(4) A party aggrieved by a decision of the department of ecology to issue a written approval under this section or to deny the issuance of such an approval may appeal the decision to the pollution control hearings board within thirty days of the decision. Review of such a decision shall be conducted in accordance with either subsection (5) of this section or with chapter 43.21B RCW((,)), with any subsequent appeal of a decision of the hearings board ((shall be)) obtained in accordance with RCW 43.21B.180.

(5)(a) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 979. RCW 43.21C.033 and 1995 c 347 s 422 are each amended to read as follows:

(1)(a) Except as provided in subsection (2) of this section, the responsible official shall make a threshold determination on a completed application within ninety days after the application and supporting documentation are complete. The applicant may request an additional thirty days for the threshold determination. The governmental entity responsible for making the threshold determination shall by rule, resolution, or ordinance adopt standards, consistent with rules adopted by the department to implement this chapter, for determining when an application and supporting documentation are complete.

(b) For the 2013-15 biennium, if the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application. If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the

decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(2) Subsection (1)(a) of this section shall not apply to a city, town, or county that:

(a) By ordinance adopted prior to April 1, 1992, has adopted procedures to integrate permit and land use decisions with the requirements of this chapter; or

(b) Is planning under RCW 36.70A.040 ((and is subject to the requirements of RCW 36.70B.090)).

Sec. 980. RCW 77.115.040 and 2011 c 339 s 37 are each amended to read as follows:

(1) All aquatic farmers, as defined in RCW 15.85.020, shall register with the department. The application fee is one hundred five dollars. The director shall assign each aquatic farm a unique registration number and develop and maintain in an electronic database a registration list of all aquaculture farms. The department shall establish procedures to annually update the aquatic farmer information contained in the registration list. The department shall coordinate with the department of health using shellfish growing area certification data when updating the registration list.

(2)(a) For the 2013-15 biennium, all decisions on registrations under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the registrations. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(3) Registered aquaculture farms shall provide the department with the following information:

- (a) The name of the aquatic farmer;
- (b) The address of the aquatic farmer;
- (c) Contact information such as telephone, fax, web site, and e-mail address, if available;

(d) The number and location of acres under cultivation, including a map displaying the location of the cultivated acres;

(e) The name of the landowner of the property being cultivated or otherwise used in the aquatic farming operation;

(f) The private sector cultured aquatic product being propagated, farmed, or cultivated; and

(g) Statistical production data.

((3)) (4) The state veterinarian shall be provided with registration and statistical data by the department.

NEW SECTION. Sec. 981. A new section is added to chapter 69.30 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing

appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 982. A new section is added to chapter 90.64 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 983. A new section is added to chapter 15.58 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 984. A new section is added to chapter 17.21 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 985. RCW 16.65.030 and 2003 c 326 s 65 are each amended to read as follows:

(1) No person shall operate a public livestock market without first having obtained a license from the director. Application for a license shall be in writing on forms prescribed by the director, and shall include the following:

(a) A nonrefundable original license application fee of two thousand dollars.

(b) A legal description of the property upon which the public livestock market shall be located.

(c) A complete description and blueprints or plans of the public livestock market physical plant, yards, pens, and all facilities the applicant proposes to use in the operation of such public livestock market.

(d) A financial statement, audited by a certified or licensed public accountant, to determine whether or not the applicant meets the minimum net worth requirements, established by the director by rule, to construct and/or operate a public livestock market. If the applicant is a subsidiary of a larger

company, corporation, society, or cooperative association, both the parent company and the subsidiary company must submit a financial statement to determine whether or not the applicant meets the minimum net worth requirements. All financial statement information required by this subsection is confidential information and not subject to public disclosure.

(e) The schedule of rates and charges the applicant proposes to impose on the owners of livestock for services rendered in the operation of such livestock market.

(f) The weekly or monthly sales day or days on which the applicant proposes to operate his or her public livestock market sales and the class of livestock that may be sold on these days.

(g) Projected source and quantity of livestock anticipated to be handled.

(h) Projected gross dollar volume of business to be carried on, at, or through the public livestock market during the first year's operation.

(i) Facts upon which is based the conclusion that the trade area and the livestock industry will benefit because of the proposed market.

(j) Other information as the director may require by rule.

(2) If the director determines that the applicant meets all the requirements of subsection (1) of this section, the director shall conduct a public hearing as provided by chapter 34.05 RCW, and shall grant or deny an application for original license for a public livestock market after considering evidence and testimony relating to the requirements of this section and giving reasonable consideration to:

(a) Benefits to the livestock industry to be derived from the establishment and operation of the public livestock market proposed in the application;

(b) The geographical area that will be affected;

(c) The conflict, if any, with sales days already allocated in the area;

(d) The amount and class of livestock available for marketing in the area;

(e) Buyers available to the proposed market; and

(f) Any other conditions affecting the orderly marketing of livestock.

(3) Before a license is issued to operate a public livestock market, the applicant must:

(a) Execute and deliver to the director a surety bond as required under RCW 16.65.200;

(b) Provide evidence of a custodial account, as required under RCW 16.65.140, for the consignor's proceeds;

(c) Pay the appropriate license fee; and

(d) Provide other information required under this chapter and rules adopted under this chapter.

(4)(a) For the 2013-15 biennium, all decisions under this section must be completed and the decision returned to the applicant within ninety days of submitting the registrations. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 986. A new section is added to chapter 70.95J RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 987. RCW 70.119A.110 and 2011 c 102 s 1 are each amended to read as follows:

(1) No person may operate a group A public water system unless the person first submits an application to the department and receives an operating permit as provided in this section. A new application must be submitted upon any change in ownership of the system.

(2) The department may require that each application include the information that is reasonable and necessary to determine that the system complies with applicable standards and requirements of the federal safe drinking water act, state law, and rules adopted by the department or by the state board of health.

(3)(a) Following its review of the application, its supporting material, and any information received by the department in its investigation of the application, the department shall issue or deny the operating permit. The department shall act on initial permit applications as expeditiously as possible, and shall in all cases either grant or deny the application within ((one hundred twenty)) ninety days of receipt of the application or of any supplemental information required to complete the application.

(b) The applicant for a permit shall be entitled to two different appeals

paths:

(i) The applicant may file an appeal in accordance with chapter 34.05 RCW if the department denies the initial or subsequent applications or imposes conditions or requirements upon the operator. Any operator of a public water system that requests a hearing may continue to operate the system until a decision is issued after the hearing.

(ii) In the alternative, for the 2103-15 biennium, if the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application. If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(4) At the time of initial permit application or at the time of permit renewal the department may impose such permit conditions, requirements for system improvements, and compliance schedules as it determines are reasonable and necessary to ensure that the system will provide a safe and reliable water supply to its users.

(5) Operating permits shall be issued for a term of one year, and shall be renewed annually, unless the operator fails to apply for a new permit or the department finds good cause to deny the application for renewal.

(6) Each application shall be accompanied by an annual fee.

(7) The department shall adopt rules, in accordance with chapter 34.05 RCW, necessary to implement this section.

(8) The department shall establish by rule categories of annual operating permit fees based on system size, complexity, and number of service connections. Fees charged must be sufficient to cover, but may not exceed, the costs to the department of administering a program for safe and reliable drinking water. The department shall use operating permit fees to monitor and enforce compliance by group A public water systems with state and federal laws that govern planning, water use efficiency, design, construction, operation, maintenance, financing, management, and emergency response.

(9) The annual per-connection fee may not exceed one dollar and fifty cents. The department shall phase-in implementation of any annual fee increase greater than ten percent, and shall establish the schedule for implementation by rule. Rules established by the department prior to 2020 must limit the annual operating permit fee for any public water system to no greater than one hundred thousand dollars.

(10) The department shall notify existing public water systems of the requirements of RCW 70.119A.030, 70.119A.060, and this section at least one hundred twenty days prior to the date that an application for a permit is required pursuant to RCW 70.119A.030, 70.119A.060, and this section.

(11) The department shall issue one operating permit to any approved satellite system management agency. Operating permit fees for approved satellite system management agencies must be established by the department by rule. Rules established by the department must set a single fee based on the total number of connections for all group A public water systems owned by a satellite management agency.

(12) For purposes of this section, "group A public water system" and "system" mean those water systems with fifteen or more service connections, regardless of the number of people; or a system serving an average of twenty-five or more people per day for sixty or more days within a calendar year, regardless of the number of service connections.

Sec. 988. RCW 90.03.350 and 1995 c 8 s 6 are each amended to read as follows:

(1) Except as provided in RCW 43.21A.068, any person, corporation or association intending to construct or modify any dam or controlling works for the storage of ten acre feet or more of water, shall before beginning said construction or modification, submit plans and specifications of the same to the department for examination and approval as to its safety. Such plans and specifications shall be submitted in duplicate, one copy of which shall be retained as a public record, by the department, and the other returned with its approval or rejection endorsed thereon. No such dam or controlling works shall be constructed or modified until the same or any modification thereof shall have been approved as to its safety by the department. Any such dam or controlling works constructed or modified in any manner other than in accordance with plans and specifications approved by the department or which shall not be maintained in accordance with the order of the department shall be presumed to be a public nuisance and may be abated in the manner provided by law, and it shall be the duty of the attorney general or prosecuting attorney of the county wherein such dam or controlling works, or the major portion thereof, is situated to institute abatement proceedings against the owner or owners of such dam or controlling works, whenever he or she is requested to do so by the department.

(2) A metals mining and milling operation regulated under chapter 232, Laws of 1994 is subject to additional dam safety inspection requirements due to the special hazards associated with failure of a tailings pond impoundment. The department shall

inspect these impoundments at least quarterly during the project's operation and at least annually thereafter for the postclosure monitoring period in order to ensure the safety of the dam or controlling works. The department shall conduct additional inspections as needed during the construction phase of the mining operation in order to ensure the safe construction of the tailings impoundment.

(3)(a) For the 2013-15 biennium, all decisions on plan applications under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 989. RCW 90.03.370 and 2003 c 329 s 1 are each amended to read as follows:

(1)(a) All applications for reservoir permits are subject to the provisions of RCW 90.03.250 through 90.03.320. But the party or parties proposing to apply to a beneficial use the water stored in any such reservoir shall also file an application for a permit, to be known as the secondary permit, which shall be in compliance with the provisions of RCW 90.03.250 through 90.03.320. Such secondary application shall refer to such reservoir as its source of water supply and shall show documentary evidence that an agreement has been entered into with the owners of the reservoir for a permanent and sufficient interest in said reservoir to impound enough water for the purposes set forth in said application. When the beneficial use has been completed and perfected under the secondary permit, the department shall take the proof of the water users under such permit and the final certificate of appropriation shall refer to both the ditch and works described in the secondary permit and the reservoir described in the primary permit. The department may accept for processing a single application form covering both a proposed reservoir and a proposed secondary permit or permits for use of water from that reservoir.

(b) The department shall expedite processing applications for the following types of storage proposals:

(i) Development of storage facilities that will not require a new water right for diversion or withdrawal of the water to be stored;

(ii) Adding or changing one or more purposes of use of stored water;

(iii) Adding to the storage capacity of an existing storage facility; and

(iv) Applications for secondary permits to secure use from existing storage facilities.

(c) A secondary permit for the beneficial use of water shall not be required for use of water stored in a reservoir where the water right for the source of the stored water authorizes the beneficial use.

(2)(a) For the 2013-15 biennium, all decisions on applications under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the

decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(3)(a) For the purposes of this section, "reservoir" includes, in addition to any surface reservoir, any naturally occurring underground geological formation where water is collected and stored for subsequent use as part of an underground artificial storage and recovery project. To qualify for issuance of a reservoir permit an underground geological formation must meet standards for review and mitigation of adverse impacts identified, for the following issues:

- (i) Aquifer vulnerability and hydraulic continuity;
- (ii) Potential impairment of existing water rights;
- (iii) Geotechnical impacts and aquifer boundaries and characteristics;
- (iv) Chemical compatibility of surface waters and groundwater;
- (v) Recharge and recovery treatment requirements;
- (vi) System operation;
- (vii) Water rights and ownership of water stored for recovery; and
- (viii) Environmental impacts.

(b) Standards for review and standards for mitigation of adverse impacts for an underground artificial storage and recovery project shall be established by the department by rule. Notwithstanding the provisions of RCW 90.03.250 through 90.03.320, analysis of each underground artificial storage and recovery project and each underground geological formation for which an applicant seeks the status of a reservoir shall be through applicant-initiated studies reviewed by the department.

((3)) (4) For the purposes of this section, "underground artificial storage and recovery project" means any project in which it is intended to artificially store water in the ground through injection, surface spreading and infiltration, or other department- approved method, and to make subsequent use of the stored water. However, (a) this subsection does not apply to irrigation return flow, or to operational and seepage losses that occur during the irrigation of land, or to water that is artificially stored due to the construction, operation, or maintenance of an irrigation district project, or to projects involving water reclaimed in accordance with chapter 90.46 RCW; and (b) RCW 90.44.130 applies to those instances of claimed artificial recharge occurring due to the construction, operation, or maintenance of an irrigation district project or operational and seepage losses that occur during the irrigation of land, as well as other forms of claimed artificial recharge already existing at the time a groundwater subarea is established.

((4)) (5) Nothing in chapter 98, Laws of 2000 changes the requirements of existing law governing issuance of permits to appropriate or withdraw the waters of the state.

((5)) (6) The department shall report to the legislature by December 31, 2001, on the standards for review and standards for mitigation developed under subsection ((3)) (4) of this section and on the status of any applications that have been filed with the department for underground artificial storage and recovery projects by that date.

((6)) (7) Where needed to ensure that existing storage capacity is effectively and efficiently used to meet multiple purposes, the department may authorize reservoirs to be filled more than once per year or more than once per season of use.

((7)) (8) This section does not apply to facilities to recapture and reuse return flow from irrigation operations serving a single farm under an existing water right as long as the

acreage irrigated is not increased beyond the acreage allowed to be irrigated under the water right.

((8)) (9) In addition to the facilities exempted under subsection ((7)) (8) of this section, this section does not apply to small irrigation impoundments. For purposes of this section, "small irrigation impoundments" means lined surface storage ponds less than ten acre feet in volume used to impound irrigation water under an existing water right where use of the impoundment: (a)(i) Facilitates efficient use of water; or (ii) promotes compliance with an approved recovery plan for endangered or threatened species; and (b) does not expand the number of acres irrigated or the annual consumptive quantity of water used. Such ponds must be lined unless a licensed engineer determines that a liner is not needed to retain water in the pond and to prevent groundwater contamination. Although it may also be composed of other materials, a properly maintained liner may be composed of bentonite. Water remaining in a small irrigation impoundment at the end of an irrigation season may be carried over for use in the next season. However, the limitations of this subsection ((8)) (9) apply. Development and use of a small irrigation impoundment does not constitute a change or amendment for purposes of RCW 90.03.380 or 90.44.055.

Sec. 990. RCW 90.58.140 and 2012 c 84 s 2 are each amended to read as follows:

(1) A development shall not be undertaken on the shorelines of the state unless it is consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, rules, or master program.

(2) A substantial development shall not be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971, until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and rules of the department; and (iii) so far as can be ascertained, the master program being developed for the area;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and this chapter.

(3) The local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. The administration of the system so established shall be performed exclusively by the local government.

(4) Except as otherwise specifically provided in subsection (11) of this section, the local government shall require notification of the public of all applications for permits governed by any permit system established pursuant to subsection (3) of this section by ensuring that notice of the application is given by at least one of the following methods:

(a) Mailing of the notice to the latest recorded real property owners as shown by the records of the county assessor within at least three hundred feet of the boundary of the property upon which the substantial development is proposed;

(b) Posting of the notice in a conspicuous manner on the property upon which the project is to be constructed; or

(c) Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.

The notices shall include a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision

concerning an application as expeditiously as possible after the issuance of the decision, may submit the comments or requests for decisions to the local government within thirty days of the last date the notice is to be published pursuant to this subsection. The local government shall forward, in a timely manner following the issuance of a decision, a copy of the decision to each person who submits a request for the decision.

If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.

(5) The system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section; or until all review proceedings are terminated if the proceedings were initiated within twenty-one days from the date of filing as defined in subsection (6) of this section except as follows:

(a) In the case of any permit issued to the state of Washington, department of transportation, for the construction and modification of SR 90 (I-90) on or adjacent to Lake Washington, the construction may begin after thirty days from the date of filing, and the permits are valid until December 31, 1995;

(b)(i) In the case of any permit or decision to issue any permit to the state of Washington, department of transportation, for the replacement of the floating bridge and landings of the state route number 520 Evergreen Point bridge on or adjacent to Lake Washington, the construction may begin twenty-one days from the date of filing. Any substantial development permit granted for the floating bridge and landings is deemed to have been granted on the date that the local government's decision to grant the permit is issued. This authorization to construct is limited to only those elements of the floating bridge and landings that do not preclude the department of transportation's selection of a four-lane alternative for state route number 520 between Interstate 5 and Medina. Additionally, the Washington state department of transportation shall not engage in or contract for any construction on any portion of state route number 520 between Interstate 5 and the western landing of the floating bridge until the legislature has authorized the imposition of tolls on the Interstate 90 floating bridge and/or other funding sufficient to complete construction of the state route number 520 bridge replacement and HOV program. For the purposes of this subsection (5)(b), the "western landing of the floating bridge" means the least amount of new construction necessary to connect the new floating bridge to the existing state route number 520 and anchor the west end of the new floating bridge;

(ii) Nothing in this subsection (5)(b) precludes the shorelines hearings board from concluding that the project or any element of the project is inconsistent with the goals and policies of the shoreline management act or the local shoreline master program;

(iii) This subsection (5)(b) applies retroactively to any appeals filed after January 1, 2012, and to any appeals filed on or after March 23, 2012, and expires June 30, 2014.

(c) Except as authorized in (b) of this subsection, construction may be commenced no sooner than thirty days after the date of the appeal of the board's decision is filed if a permit is granted by the local government and (i) the granting of the permit is appealed to the shorelines hearings board within twenty-one days of the date of filing, (ii) the hearings board approves the granting of the permit by the local government or approves a portion of the substantial development for which the local government issued the permit, and (iii) an appeal for judicial review of the hearings board decision is filed pursuant to chapter 34.05 RCW. The appellant may request, within ten days of the

filing of the appeal with the court, a hearing before the court to determine whether construction pursuant to the permit approved by the hearings board or to a revised permit issued pursuant to the order of the hearings board should not commence. If, at the conclusion of the hearing, the court finds that construction pursuant to such a permit would involve a significant, irreversible damaging of the environment, the court shall prohibit the permittee from commencing the construction pursuant to the approved or revised permit until all review proceedings are final. Construction pursuant to a permit revised at the direction of the hearings board may begin only on that portion of the substantial development for which the local government had originally issued the permit, and construction pursuant to such a revised permit on other portions of the substantial development may not begin until after all review proceedings are terminated. In such a hearing before the court, the burden of proving whether the construction may involve significant irreversible damage to the environment and demonstrating whether such construction would or would not be appropriate is on the appellant;

(d) Except as authorized in (b) of this subsection, if the permit is for a substantial development meeting the requirements of subsection (11) of this section, construction pursuant to that permit may not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section.

If a permittee begins construction pursuant to (a), (b), (c), or (d) of this subsection, the construction is begun at the permittee's own risk. If, as a result of judicial review, the courts order the removal of any portion of the construction or the restoration of any portion of the environment involved or require the alteration of any portion of a substantial development constructed pursuant to a permit, the permittee is barred from recovering damages or costs involved in adhering to such requirements from the local government that granted the permit, the hearings board, or any appellant or intervener.

(6) Any decision on an application for a permit under the authority of this section, whether it is an approval or a denial, shall, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general. This shall be accomplished by return receipt requested mail. A petition for review of such a decision must be commenced within twenty-one days from the date of filing of the decision.

(a) With regard to a permit other than a permit governed by subsection (10) of this section, "date of filing" as used in this section refers to the date of actual receipt by the department of the local government's decision.

(b) With regard to a permit for a variance or a conditional use governed by subsection (10) of this section, "date of filing" means the date the decision of the department is transmitted by the department to the local government.

(c) When a local government simultaneously transmits to the department its decision on a shoreline substantial development with its approval of either a shoreline conditional use permit or variance, or both, "date of filing" has the same meaning as defined in (b) of this subsection.

(d) The department shall notify in writing the local government and the applicant of the date of filing by telephone or electronic means, followed by written communication as necessary, to ensure that the applicant has received the full written decision.

(7) Applicants for permits under this section have the burden of proving that a proposed substantial development is consistent with the criteria that must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.180 (1) and (2), the person requesting the review has the burden of proof.

(8) Any permit may, after a hearing with adequate notice to the permittee and the public, be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. If the department is of the opinion that noncompliance exists, the department shall provide written notice to the local government and the permittee. If the department is of the opinion that the noncompliance continues to exist thirty days after the date of the notice, and the local government has taken no action to rescind the permit, the department may petition the hearings board for a rescission of the permit upon written notice of the petition to the local government and the permittee if the request by the department is made to the hearings board within fifteen days of the termination of the thirty-day notice to the local government.

(9) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(10) Any permit for a variance or a conditional use issued with approval by a local government under their approved master program must be submitted to the department for its approval or disapproval.

(11)(a) An application for a substantial development permit for a limited utility extension or for the construction of a bulkhead or other measures to protect a single-family residence and its appurtenant structures from shoreline erosion shall be subject to the following procedures:

(i) The public comment period under subsection (4) of this section shall be twenty days. The notice provided under subsection (4) of this section shall state the manner in which the public may obtain a copy of the local government decision on the application no later than two days following its issuance;

(ii) The local government shall issue its decision to grant or deny the permit within twenty-one days of the last day of the comment period specified in (a)(i) of this subsection; and

(iii) If there is an appeal of the decision to grant or deny the permit to the local government legislative authority, the appeal shall be finally determined by the legislative authority within thirty days.

(b) For purposes of this section, a limited utility extension means the extension of a utility service that:

(i) Is categorically exempt under chapter 43.21C RCW for one or more of the following: Natural gas, electricity, telephone, water, or sewer;

(ii) Will serve an existing use in compliance with this chapter; and

(iii) Will not extend more than twenty-five hundred linear feet within the shorelines of the state.

(12)(a) For the 2013-15 biennium, all decisions on permits under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the permit.

(b) If the permit is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 991. RCW 70.118B.030 and 2007 c 343 s 4 are each amended to read as follows:

(1) A person may not install or operate a large on-site sewage system without an operating permit as provided in this chapter after July 1, 2009. The owner of the system is responsible for obtaining a permit.

(2) The department shall issue operating permits in accordance with the rules adopted under RCW 70.118B.040.

(3) The department shall ensure the system meets all applicable siting, design, construction, and installation requirements prior to issuing an initial operating permit. Prior to renewing an operating permit, the department may review the performance of the system to determine compliance with rules and any permit conditions.

(4) At the time of initial permit application or at the time of permit renewal the department shall impose those permit conditions, requirements for system improvements, and compliance schedules as it determines are reasonable and necessary to ensure that the system will be operated and maintained properly. Each application must be accompanied by a fee as established in rules adopted by the department.

(5) Operating permits shall be issued for a term of one year, and shall be renewed annually, unless the operator fails to apply for a new permit or the department finds good cause to deny the application for renewal.

(6) Each permit may be issued only for the site and owner named in the application. Permits are not transferable or assignable except with the written approval of the department.

(7) The department may deny an application for a permit or modify, suspend, or revoke a permit in any case in which it finds that the permit was obtained by fraud or there is or has been a failure, refusal, or inability to comply with the requirements of this chapter or the standards or rules adopted under this chapter. RCW 43.70.115 governs notice of denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding to the permit applicant or permittee.

(8) For systems with design flows of more than fourteen thousand five hundred gallons per day, the department shall adopt rules to ensure adequate public notice and opportunity for review and comment on initial large on-site sewage system permit applications and subsequent permit applications to increase the volume of waste disposal or change effluent characteristics. The rules must include provisions for notice of final decisions. Methods for providing notice may include electronic mail, posting on the department's internet site, publication in a local newspaper, press releases, mailings, or other means of notification the department determines appropriate.

(9) A person aggrieved by the issuance of an initial permit, or by the issuance of a subsequent permit to increase the volume of waste disposal or to change effluent characteristics, for systems with design flows of more than fourteen thousand five hundred gallons per day, has the right to an adjudicative proceeding. The application for an adjudicative proceeding must be in writing, state the basis for contesting the action, include a copy of the decision, be served on and received by the department within twenty-eight days of receipt of notice of the final decision, and be served in a manner that shows proof of receipt. An adjudicative proceeding conducted under this subsection is governed by chapter 34.05 RCW.

(10) Any permit issued by the department of ecology for a large on-site sewage system under chapter 90.48 RCW is valid until it first expires after July 22, 2007. The system owner shall apply for an operating permit at least one hundred twenty days prior to expiration of the department of ecology permit.

(11) Systems required to meet operator certification requirements under chapter 70.95B RCW must continue to meet those requirements as a condition of the department operating permit.

(12)(a) For the 2013-15 biennium, all decisions on permits under this section must be completed and the decision returned to the applicant within ninety days of submitting the

application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the permit.

(b) If the permit is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 992. A new section is added to chapter 90.66 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on permits or transfers under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the permit.

(2) If the permit is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies."

Representatives Pike, Orcutt and Kristiansen spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (395) to the committee amendment was not adopted.

Representative Hunter moved the adoption of amendment (396) to the committee amendment.

On page 405, line 11, increase the general fund--state appropriation for fiscal year 2013 by \$162,000

On page 405, line 14, after "distribute" strike "\$566,000" and insert "\$545,000"

On page 405, line 14, after "county" insert "and \$183,000 to Yakima county"

Representative Hunter spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (396) to the committee amendment was adopted.

The committee amendment was adopted as amended.

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

Representatives Hunter, Kagi, Santos and Sullivan spoke in favor of the passage of the bill.

Representatives Alexander, Dahlquist, Scott and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5034, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5034, as amended by the House, and the bill passed the House by the following vote: Yeas, 54; Nays, 43; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5034, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SUBSTITUTE SENATE BILL NO. 5002
 SENATE BILL NO. 5052
 SENATE BILL NO. 5059
 SUBSTITUTE SENATE BILL NO. 5072
 ENGROSSED SENATE BILL NO. 5105
 SENATE BILL NO. 5113
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5118
 SENATE BILL NO. 5136
 SENATE BILL NO. 5258
 SUBSTITUTE SENATE BILL NO. 5264
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5329
 SENATE BILL NO. 5344
 SENATE BILL NO. 5359
 SUBSTITUTE SENATE BILL NO. 5362
 SUBSTITUTE SENATE BILL NO. 5399
 SUBSTITUTE SENATE BILL NO. 5444
 SENATE BILL NO. 5472
 SENATE BILL NO. 5476
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5491
 SENATE BILL NO. 5510
 SUBSTITUTE SENATE BILL NO. 5565
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5577
 SUBSTITUTE SENATE BILL NO. 5559
 ENGROSSED SENATE BILL NO. 5603
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5681
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5680
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5744
 SENATE BILL NO. 5787

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

There being no objection, the House adjourned until 10:00 a.m., April 15, 2013, the 92nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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