P2SHB 1106
H-2827.2
By Representative Hunter

Summary

June 1, 2015
Office of Program Research
Summary

Context

The Legislature entered the 2015 session seeing increased revenue along with rising maintenance level costs (the cost of carrying forward the ongoing 2013-15 budget programs and services into the 2015-17 biennium) as well as the need to consider court cases related to mental health, the Supreme Court’s McCleary decision (K-12 funding), as well as other fiscal and policy issues.

Forecasted revenue in the Near General Fund-State and Opportunity Pathways account (NGF-S) based on the May 2015 forecast, before 2015 legislation, is expected to increase from $34.3 billion in the 2013-15 biennium to $37.4 billion in the 2015-17 biennium. This is an increase of approximately $3.1 billion.

At the same time, the cost of continuing current programs and meeting other statutory obligations increased as well. The estimated maintenance level cost increased by $5.4 billion from $33.8 billion in the 2013-15 biennium to $39.2 billion in the 2015-17 biennium. K-12 accounted for $4.3 billion of this, or about 80 percent of the maintenance level increase from the previous biennium, with $2.0 billion NGF-S being the estimated cost to implement I-1351 (adopted by the voters in November 2014), $741 million for materials, supplies and operating costs required by House Bill 2776 (Chapter 236, Laws of 2010) and related to the McCleary decision, as well as funding for I-732, increased enrollment, and continuation of funding for basic education enhancements previously made in the 2013-15 biennium.

For the 2015-17 biennium, the cost of continuing current programs and complying with current laws exceeds forecasted revenue (after the required Budget Stabilization Account transfer) by approximately $2.1 billion NGF-S. This is sometimes referred to as the maintenance level shortfall.

Proposed Second Substitute House Bill 1106

Proposed Second Substitute House Bill 1106 has policy increases of $2.2 billion including:

- $830 million for K-12 public schools (in addition to the $4.3 billion maintenance level increase described above), including $651 million for basic education enhancements and $154 million for an additional COLA above the rates otherwise provided in I-732;
- $271 million for higher education including financial aid, compensation increases, and freezing tuition;
- $228 million for early learning and related child care programs;
- $118 million for mental health related programs;
- $115 million for home care worker compensation, training and benefits;
- $173 million for state employee compensation; and
- $415 million in all other policy increases.
Combining the maintenance level shortfall of $2.1 billion NGF-S with the policy increases in P2SHB 1106 and leaving an ending fund balance of $354 million NGF-S results in a budget problem statement of approximately $4.6 billion.

The problem statement of $4.6 billion is addressed in the budget proposal through:

- Policy level reductions of $2.8 billion, including assuming a bill to modify the education programs in I-1351 that saves $2.0 billion NGF-S;
- Assumed revenue increases of $591 million (separate legislation);
- Fund transfers, budget driven revenue, and other resources changes of $175 million;
- Assumed reversions of $140 million; and
- Using the beginning fund balance of $915 million.

Proposed Second Substitute House Bill 1106 and related balance sheet assumptions leaves $354 million in projected NGF-S ending fund balance for 2015-17 and total reserves of $1.24 billion (including the Budget Stabilization Account).

Proposed Second Substitute House Bill 1106, under the provisions of the four-year budget outlook (Chapter 8, Laws of 2012), is projected to end the 2017-19 biennium with $10 million in NGF-S ending fund balance (and $1.35 billion in the Budget Stabilization Account).

The budget proposal assumes legislation eliminating the state expenditure limit.

Summary of NGF-S + Opportunity Pathways (NGF-S) Differences Between Proposed Second Substitute House Bill 1106 and ESHB 1106 (as passed House)

P2SHB 1106 appropriates $450 million less NGF-S than ESHB 1106 in 2015-17.

Resources differences include:

- Both ESHB 1106 and P2SHB 1106 assumed the most recent revenue forecast available when they were developed (ESHB 1106 assumed the February revenue forecast while P2SHB 1106 assumes the May revenue forecast). In May, the NGF-S forecast impacting the six years covered by the budget outlook was a total of $635 million ($79 million in 2013-15; $288 million in 15-17 and $268 million in 17-19) greater than was forecasted in February.
- Certain revenue increases assumed in ESHB 1106 are not assumed in P2SHB 1106. Increases no longer assumed include raising certain B&O taxes and eliminating or modifying selected tax preferences. Together, these reduce the resources assumed in P2SHB 1106 by $917 million in the 2015-17 Biennium and $1.11 billion in the 2017-19 billion compared to ESHB 1106. (Like ESHB 1106, P2SHB 1106 assumes passage of a capital gains tax).
Net appropriations differences in P2SHB 1106 compared to ESHB 1106 for the 2015-17 biennium include:

- $92 million in net savings from federal changes. Congress reauthorized the Children's Health Insurance Program with an increased match rate, so Washington state received additional federal funding of $115 million that will offset state spending in 2015-17. The federal government updated its Medicare Part D "clawback" calculations which resulted in an increased cost for Washington state of $39 million in 2015-17. Other federal changes resulted in $16 million of state savings.

- $34 million in state employee health benefit savings from additional information/analysis that assumes a lower rate increase than previously calculated.

- $220 million less in appropriations for K-12 public schools in P2SHB 1106 ($207 million of this is from not increasing funding for K-12 health benefits).

- $32 million less in appropriations for higher education in P2SHB 1106, nearly all from the reduced costs of health benefits (lower assumed rate increase) and Opportunity Scholarships funded at $30 million rather than $60 million.

- $17 million in increased appropriations for mental health in P2SHB 1106, primarily in response to the Trueblood decision.

- $11 million less in appropriations for natural resources, $8 million of which is the result of not increasing the disaster contingency appropriation.

- The TANF grant is increased by 9 percent in P2SHB 1106 rather than providing increased funding as was done under ESHB 1106 for child support pass-through, rapid rehousing, and the earned income disregard.

- $50 million in low income health care costs, above the levels assumed in ESHB 1106, are covered by an anticipated increase in marijuana related revenue.

- Numerous bill funding adjustments are made as a result of whether and how bills were enacted.
Additional Information

Additional Information About This Proposal

This information is provided in explanation of a Proposed Second Substitute to House Bill 1106 offered by Representative Hunter. The proposed second substitute bill covers both the 2015 Supplemental (amending the existing budget for the 2013-15 biennium) and the budget for the upcoming 2015-17 biennium.

The proposed second substitute bill and a complete set of materials produced by the House Office of Program Research (OPR) are available at http://leap.leg.wa.gov/leap/archives/index_budgetsp.asp (under Operating Budget/House). Additional materials include:

- Agency detail showing line item changes by agency (and program level in selected areas such as the Department of Social and Health Services and K-12 Public Schools);
- A detailed four-year budget outlook; and
- Supporting schedules referenced in the budget.

On February 19, the Governor signed Substitute House Bill 1105 (Chapter 3, Laws of 2015). That bill made a series of appropriations for fiscal year 2015. Appropriations previously made in Substitute House Bill 1105 are neither repealed nor modified by this proposal. Instead, those appropriations are displayed as “Other Legislation” in the agency detail reports.

Additional Information About This Summary Document

This summary document was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This summary document is not a part of the legislation nor does it constitute a statement of legislative intent.

This summary document includes:

- A brief introduction;
- A balance sheet and supporting materials;
- Descriptions of selected items (a complete listing of all policy items is included as part of the agency detail document); and
- A summary grouping of expenditures by major category.

Note: It is possible for similar items to be summarized in slightly different ways. For example, the agency detail document lists items on an agency-by-agency basis. This summary may total the same item from multiple agencies into a single description. It also may summarize multiple similar items into a single description. For that reason, it is possible that budget items might be grouped differently, even within a single document. Please note that compensation items (excluding health benefits) for higher education institutions are included in those institutional budgets rather than summarized in state employee compensation (agency 713).
## RESOURCES

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<tr>
<th>Description</th>
<th>2013-15</th>
<th>2015-17</th>
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<tbody>
<tr>
<td><strong>Beginning Fund Balance</strong></td>
<td>156.4</td>
<td>914.9</td>
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<td>November 2014 Forecast</td>
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<td>February 2015 Forecast Update</td>
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<td>May 2015 Forecast Update*</td>
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<td>Transfer to Budget Stabilization Account (Incl. EORG** in 2013-15)</td>
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<td>(366.4)</td>
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<td>96.7</td>
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<td>Additional Transfers To BSA</td>
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<td>Transfers from BSA to GFS</td>
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<td>38,726.3</td>
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## EXPENDITURES

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<td><strong>2013-15 Enacted Budget</strong></td>
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<td>Enacted Budget (w/2014 Supplemental)</td>
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<td>2015 Early Supplement Budget</td>
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<td>2015 Supplemental Budget</td>
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<td>Assumed Reversions</td>
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<td><strong>2015-17 Biennium</strong></td>
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<td>Proposed Budget</td>
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<tr>
<td>Assumed Reversions</td>
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## RESERVES

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<tr>
<th>Description</th>
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<td><strong>Projected Ending Balance</strong></td>
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<td>354.2</td>
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<td>Budget Stabilization Account Beginning Balance</td>
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<td>Transfers from General Fund and Interest Earnings</td>
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<td>376.3</td>
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<td>Less Transfers Out And Spending From BSA (Early Action/EORG**)</td>
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<td><strong>Projected Budget Stabilization Account Ending Balance</strong></td>
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<td><strong>Total Reserves (Near General Fund plus Budget Stabilization)</strong></td>
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* Legislation enacted prior to the May, 2015 revenue forecast is displayed as revenue legislation rather than included in the May forecast number. The enacted legislation has a net impact of $39 million in the 2015-17 biennium.

** In the 2013-15 Biennium, $37.9 is assumed to be transferred from the state general fund to the Budget Stabilization Account. This proposal assumes those funds would be transferred back to the state general fund.
**Fund Transfers, Revenue Legislation and Budget Driven Revenues**

Dollars, In Millions

### Fund Transfers To GFS

<table>
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<tr>
<th>Description</th>
<th>2013-15</th>
<th>2015-17</th>
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<tr>
<td>Data Processing Revolving Account</td>
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<td>Life Sciences Discovery Fund</td>
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<td>Lottery Unclaimed Prize Money (to Opportunity Pathway)</td>
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<td>State Treasurer's Service Account</td>
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<td>Performance Audits of Govt Account</td>
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<td>Energy Freedom Account</td>
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<td>Liquor Revolving Fund</td>
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<td>6.0</td>
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<td>Criminal Justice Treatment Account</td>
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<td>Reduce Flood Control Assistance Account Transfer</td>
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<td>Reduce Transfer to Fair Fund</td>
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**Subtotal**

1.9  

96.7

### Legislation (GFS Unless Otherwise Noted)

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<th>Description</th>
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<tr>
<td>1484 Capital Gains (5% w/ exemptions; For K-12 &amp; Higher Ed.)***</td>
<td>-</td>
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<td>2136 Marijuana Market Reforms</td>
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<td>5052 Cannabis Patient Protection*</td>
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<td>1060 Litter Tax*</td>
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<td>5564 Juvenile Records &amp; Fees*</td>
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<td>1516 Lodging Services/Tax Exemption*</td>
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<td>1550 Recreation Services Tax*</td>
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<td>1551 Unclaimed Property Laws</td>
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<td>1619 Environmental Handling Charges*</td>
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<td>1966 Transit Agencies/Natural Gas</td>
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**Subtotal**

6.9  

591.2

### Budget Driven & Other (General Fund Unless Otherwise Noted)

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<td>Lottery Fund BDR</td>
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<td>Traffic Infraction Base Penalty</td>
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<tr>
<td>Liquor Revolving Fund BDR</td>
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<td>22.6</td>
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**Subtotal**

1.0  

37.3

### Grand Total

9.8  

725.2

**Notes:**

* Legislation enacted prior to the May Forecast.

** Excludes Transfers To and From the Budget Stabilization Account (BSA)

*** Dedicated to the Education Legacy Trust Account.
## 2015-17 Omnibus Operating Budget

### (Dollars in Thousands)

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<tr>
<th>NGF-S + Opportunity Pathways</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
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<td><strong>Employee Compensation</strong></td>
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<td>293</td>
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<td><strong>291,638</strong></td>
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<td>Reduce Early Elementary Class Size</td>
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## 2015-17 Omnibus Operating Budget

(Dollars in Thousands)

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<tr>
<th>Initiative 1351</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
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<th>Total Budgeted P2SHB 1106</th>
<th>ESHB 1106</th>
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### Higher Education Institutions

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### Higher Education Financial Aid

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<td>State Need Grant</td>
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<td>Opportunity Scholarship</td>
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<td>Income Ineligible CBS Students</td>
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<td>All Other Increases</td>
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<tr>
<td>Suspend Selected Programs</td>
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### Early Learning & Child Care

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<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
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</thead>
<tbody>
<tr>
<td>ECEAP &amp; Early Start/Achievers</td>
<td>168,141</td>
<td>167,611</td>
<td>530</td>
<td>168,141</td>
<td>167,611</td>
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<td>Working Connections Eligibility</td>
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<td>CBA: Family Child Care Providers</td>
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<td>11,116</td>
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<td>Child Care Center Providers</td>
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<td>Early Intervention</td>
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</table>
## 2015-17 Omnibus Operating Budget
(Dollars in Thousands)

### NGF-S + Opportunity Pathways

<table>
<thead>
<tr>
<th></th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
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<tbody>
<tr>
<td>Maintain ECLIPSE (MTCC) Prog.</td>
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### Health Care

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<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
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### Mental Health

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<th>Diff</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
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## 2015-17 Omnibus Operating Budget
(Dollars in Thousands)

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<tr>
<th>NGF-S + Opportunity Pathways</th>
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<th>ESHB 1106</th>
<th>Total Budgeted</th>
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<tr>
<td>Nonfelony Diversion</td>
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<td>SCC: Increases</td>
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### Long Term Care & DD

- **CBA: Home Care Workers (With Parity)**
  - 115,499
  - 115,499
  - 0
  - 260,076
  - 260,076
  - 0
- **Vendor: Community Resid. Rates**
  - 19,793
  - 19,793
  - 0
  - 39,715
  - 39,715
  - 0
- **CBA: Adult Family Homes**
  - 17,403
  - 17,403
  - 0
  - 39,551
  - 39,551
  - 0
- **LEAN Reduction Restoration**
  - 15,980
  - 15,980
  - 0
  - 15,980
  - 15,980
  - 0
- **RHC Medicaid Compliance**
  - 5,956
  - 5,956
  - 0
  - 11,912
  - 11,912
  - 0
- **Vendor: Area Agencies on Aging**
  - 5,228
  - 5,228
  - 0
  - 10,454
  - 10,454
  - 0
- **Vendor: Assisted Living Rates**
  - 3,668
  - 3,668
  - 0
  - 8,336
  - 8,336
  - 0
- **All Other Increases**
  - 1,628
  - 1,512
  - 116
  - 5,227
  - 4,997
  - 230
- **Specialized Services for DD Clients**
  - 1,116
  - 1,116
  - 0
  - 2,190
  - 2,190
  - 0
- **Long Term Care Ombuds Expansion**
  - 700
  - 1,400
  - -700
  - 700
  - 1,400
  - -700
- **Vendor: Restore AP Rate Reduction**
  - 0
  - 1,610
  - -1,610
  - 0
  - 3,661
  - -3,661
- **ACA CHIP Match**
  - -826
  - 0
  - -826
  - 0
  - 0
  - 0
- **Enhanced Services Facility**
  - -1,137
  - -1,137
  - 0
  - -2,259
  - -2,259
  - 0
- **All Other Savings**
  - -1,254
  - -1,254
  - 0
  - 192
  - 192
  - 0
- **Basic Plus Waiver Transition**
  - -2,800
  - 0
  - -2,800
  - 0
  - -2,800
  - 0
- **ProviderOne**
  - -3,221
  - -3,221
  - 0
  - -13,191
  - -13,191
  - 0
- **Vendor: Nursing Home Rates**
  - -7,360
  - -7,360
  - 0
  - 76,900
  - 76,900
  - 0

**Long Term Care & DD Total**

| 170,373 | 176,193 | -5,820 | 452,983 | 459,914 | -6,931 |

### Corrections and Other Criminal Justice

- **DOC: Medium Custody Beds**
  - 7,388
  - 7,388
  - 0
  - 7,388
  - 7,388
  - 0
- **DOC: Violators**
  - 5,684
  - 5,684
  - 0
  - 5,684
  - 5,684
  - 0
- **Safety and Security DOC Facilities**
  - 4,521
  - 4,521
  - 0
  - 4,521
  - 4,521
  - 0
## 2015-17 Omnibus Operating Budget
### (Dollars in Thousands)

<table>
<thead>
<tr>
<th>NGF-S + Opportunity Pathways</th>
<th>P2SHB 1106</th>
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<th>Diff</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
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</thead>
<tbody>
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### Corrections and Other Criminal Justice

| Total                                | 26,986 | 26,634 | 352 | 37,224 | 34,030 | 3,194 |

### Other Human Services

| TANF Grant                           | 30,623 | 0     | 30,623 | 30,623 | 0     | 30,623 |
| FPAWS Litigation                    | 12,529 | 12,529 | 0     | 16,705 | 16,706 | -1    |
| All Other Increases                 | 11,376 | 12,116 | -740  | 16,383 | 17,227 | -844  |
| Family Assessment Response Shortfall | 9,674 | 9,674 | 0     | 6,300  | 6,300  | 0     |
| State Food Program                  | 9,584  | 9,584  | 0     | 9,584  | 9,584  | 0     |
| ESAR - Phase II and III             | 8,973  | 8,973  | 0     | 51,374 | 51,374 | 0     |
| Braam Compliance                    | 8,573  | 8,573  | 0     | 8,748  | 8,748  | 0     |
| BRS Vendor Rate Increase            | 7,334  | 7,334  | 0     | 9,650  | 9,650  | 0     |
| Child Protective Services Staffing  | 7,294  | 7,294  | 0     | 7,443  | 7,443  | 0     |
| Extended Foster Care                | 7,283  | 6,795  | 488   | 10,481 | 9,766  | 715   |
| Supervised Visitation               | 5,460  | 5,460  | 0     | 5,460  | 5,460  | 0     |
| Vendor: Chem Dependency Rates       | 4,424  | 4,424  | 0     | 9,038  | 9,038  | 0     |
| Interface with New EBT Vendor       | 3,087  | 3,087  | 0     | 5,195  | 5,195  | 0     |
| Child Permanency                    | 1,941  | 1,941  | 0     | 3,980  | 3,980  | 0     |
| Involuntary Treatment               | 1,626  | 1,626  | 0     | 2,793  | 2,793  | 0     |
| Emergency Food Assistance           | 1,600  | 1,600  | 0     | 1,600  | 1,600  | 0     |
## 2015-17 Omnibus Operating Budget
(Dollars in Thousands)

<table>
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<tr>
<th>NGF-S + Opportunity Pathways</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
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### Natural Resources

| Parks: Maintain/Improve Services | 27,090     | 27,090    | 0     | 15,527    | 15,527    | 0     |
| Forests & Fish Adaptive Management | 5,894     | 5,894     | 0     | 5,894     | 5,894     | 0     |
| All Other Increases             | 4,799      | 6,462     | -1,663 | 15,570    | 15,713    | -143  |
| Geological Hazards and LiDAR   | 4,645      | 4,645     | 0     | 4,645     | 4,645     | 0     |
| Fire Response & Recovery       | 2,474      | 2,474     | 0     | 2,474     | 2,474     | 0     |
| Teanaway Community Forest      | 973        | 1,945     | -972  | 973       | 1,945     | -972  |
| DOE: All Other Increases       | 535        | 1,080     | -545  | 14,045    | 14,522    | -477  |
| Shift Program to Other Funds   | 74         | 74        | 0     | 1,266     | 1,266     | 0     |
| Voluntary Stewardship Program  | 0          | 0         | 0     | 7,600     | 7,600     | 0     |
| Oil Spill Prepare/Respond      | 0          | 0         | 0     | 6,952     | 8,667     | -1,715 |
| Fair Funding                   | 0          | 0         | 0     | -1,686    | -1,686    | 0     |
| Litter Control and Waste Reduction | 0      | 0         | 0     | -5,500    | -5,500    | 0     |
| All Other Savings              | -769       | -769      | 0     | -6,566    | -6,566    | 0     |
| DOE: All Other Savings         | -832       | -832      | 0     | -3,654    | -3,654    | 0     |
| DOE: Watershed Planning        | -2,014     | -2,014    | 0     | -2,014    | -2,014    | 0     |
| PILT Payments                  | -2,073     | -2,073    | 0     | -3,455    | -3,455    | 0     |
| Fire Contingency               | -8,000     | 0         | -8,000 | -8,000    | 0         | -8,000 |
| **Natural Resources Total**    | **32,796** | **43,976** | **-11,180** | **44,071** | **55,378** | **-11,307** |
### 2015-17 Omnibus Operating Budget
(Dollars in Thousands)

<table>
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<tr>
<th>All Other Policy Changes</th>
<th>NGF-S</th>
<th>Opportunity Pathways</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
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### Grand Total

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<th>ESHB 1106</th>
<th>Diff</th>
<th>P2SHB 1106</th>
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### I-502 Related

| Local Government Distribution/I-502          | 12,000| 12,000              | 0          | 12,000    |      | 12,000     | 0         |      |
| DOH Prevention & Education                  | 0     | 3,225               | -3,225     | 19,500    |      | 16,910     | 2,590     |      |
| DOH/LCB: I-502 Regulation & Implementation  | 0     | 0                   | 0          | 10,672    |      | 11,806     | -1,134    |      |
## 2015-17 Omnibus Operating Budget
(Dollars in Thousands)

<table>
<thead>
<tr>
<th>NGF-S + Opportunity Pathways</th>
<th>P2SHB 1106</th>
<th>ESHB 1106</th>
<th>Diff</th>
<th>P2SHB 1106</th>
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