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**SENATE BILL 5868**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** Senators Skratek, Bluechel, Sheldon, Erwin, Deccio, M. Rasmussen, Snyder, Gaspard and Winsley

Read first time 02/18/93. Referred to Committee on Trade, Technology & Economic Development.

1 AN ACT Relating to consolidation of state agencies; amending RCW  
2 28C.18.060, 43.17.010, 43.17.020, 19.85.020, 42.17.319, 43.17.065,  
3 43.20A.750, 43.31.057, 43.31.085, 43.31.205, 43.31.409, 43.31.411,  
4 43.31.422, 43.31.504, 43.31.522, 43.31.524, 43.31.526, 43.31.641,  
5 43.31.830, 43.31.840, 43.31.850, 43.160.020, 43.168.020, 43.210.110,  
6 43.63A.066, 43.63A.075, 43.63A.115, 43.63A.155, 43.63A.220, 43.63A.230,  
7 43.63A.245, 43.63A.247, 43.63A.260, 43.63A.275, 43.63A.300, 43.63A.320,  
8 43.63A.330, 43.63A.340, 43.63A.400, 43.63A.410, 43.63A.440, 43.63A.450,  
9 43.63A.460, 43.63A.600, and 43.105.020; reenacting and amending RCW  
10 42.17.310; adding a new chapter to Title 43 RCW; creating new sections;  
11 and repealing RCW 43.31.005, 43.31.015, 43.31.025, 43.31.035,  
12 43.31.045, 43.31.055, 43.31.065, 43.31.075, 43.31.095, 43.31.097,  
13 43.31.105, 43.31.115, 43.31.130, 43.31.135, 43.31.373, 43.31.375,  
14 43.31.377, 43.31.379, 43.31.381, 43.31.383, 43.31.387, 43.31.430,  
15 43.31.432, 43.31.434, 43.31.436, 43.31.438, 43.31.440, 43.31.442,  
16 43.31.651, 43.31.790, 43.31.800, 43.31.810, 43.31.820, 43.63A.020,  
17 43.63A.030, 43.63A.040, 43.63A.050, 43.63A.060, 43.63A.065, 43.63A.078,  
18 43.63A.095, 43.63A.100, 43.63A.130, 43.63A.140, 43.63A.210, and  
19 43.63A.560.

20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

1        NEW SECTION.    **Sec. 1.** The legislature finds that the consolidation  
2 of the economic and community development functions of the department  
3 of trade and economic development and the department of community  
4 development into one department will improve the efficiency and  
5 effectiveness with which state services are delivered to build the  
6 skill and capacity of businesses and local communities to respond to  
7 economic change. Such a consolidation will increase the accountability  
8 to the public, the executive, and the legislature for the performance  
9 of economic and community development functions.

10        It is the intent of the legislature in consolidating the economic  
11 and community development functions of the two departments to direct  
12 state resources of significant scope and scale to geographic areas with  
13 the greatest relative economic need and the fewest resources, and to  
14 targeted sectors of the economy that have the greatest potential for  
15 either wealth generation through value-added production, or for  
16 negative economic impact on the state or substate regions.

17        It is the further intent of the legislature in this consolidation  
18 to maximize the use of local expertise and local community resources in  
19 the delivery of economic and community development services, and to  
20 ensure that the services offered are the ones desired by the state's  
21 business and community customers.

22        NEW SECTION.    **Sec. 2.** The purpose of this chapter is to establish  
23 the broad outline of the structure of the department of economic and  
24 community development, leaving specific details of its internal  
25 organization and management to those charged with its administration.

26        NEW SECTION.    **Sec. 3.** Unless the context clearly requires  
27 otherwise, the definitions in this section apply throughout this  
28 chapter.

29        (1) "Associate development organization" means a local economic  
30 development nonprofit corporation.

31        (2) "Department" means the department of economic and community  
32 development.

33        (3) "Director" means the director of the department of economic and  
34 community development.

35        (4) "Small business" means any business entity, including a sole  
36 proprietorship, corporation, partnership, or other legal entity, that

1 is owned and operated independently from all other businesses, that has  
2 the purpose of making a profit, and that has fifty or fewer employees.

3 (5) "Distressed area" has the meaning in RCW 43.165.010.

4 (6) "Impact area" means (a) distressed counties as defined in RCW  
5 43.165.010(3)(a); (b) subcounty areas in those counties which are not  
6 covered under (a) of this subsection which are timber impact areas as  
7 defined in RCW 43.31.601; (c) urban subcounty areas as defined in RCW  
8 43.165.010(3)(c); and (d) areas not currently experiencing economic  
9 distress which the department anticipates as likely to experience  
10 distress in the near future, such as areas experiencing defense budget  
11 reductions or suffering dislocations from natural resource issues such  
12 as salmon recovery.

13 NEW SECTION. **Sec. 4.** A state department of economic and community  
14 development is created. The department shall be vested with all powers  
15 and duties established or transferred to it under this chapter and such  
16 other powers and duties as may be authorized by law.

17 NEW SECTION. **Sec. 5.** The executive head of the department shall  
18 be the director. The director shall be appointed by the governor with  
19 the consent of the senate, and shall serve at the pleasure of the  
20 governor. The director shall be paid a salary to be fixed by the  
21 governor in accordance with RCW 43.03.040.

22 NEW SECTION. **Sec. 6.** The internal affairs of the department shall  
23 be under the control of the director in order that the director may  
24 manage the department in a flexible and intelligent manner as dictated  
25 by changing contemporary circumstances. The director may create such  
26 administrative structures as the director deems appropriate, except as  
27 otherwise specified by law, and the director may employ such personnel  
28 as may be necessary in accordance with chapter 41.06 RCW.

29 NEW SECTION. **Sec. 7.** (1) The director shall supervise and  
30 administer the activities of the department and shall advise the  
31 governor and the legislature with respect to economic and community  
32 development matters affecting the state.

33 (a) The director may:

34 (i) Enter into contracts on behalf of the state to carry out the  
35 purposes of this chapter;

1 (ii) Act for the state in the initiation of or participation in any  
2 multigovernmental program relative to the purpose of this chapter; and

3 (iii) Accept gifts and grants, whether such grants be of federal or  
4 other funds;

5 (b) The director shall:

6 (i) Prepare and submit for executive and legislative action on the  
7 budget for the department;

8 (ii) Submit recommendations for legislative actions as are deemed  
9 necessary to further the purposes of this chapter; and

10 (iii) Adopt rules in accordance with chapter 34.05 RCW and perform  
11 all other functions necessary and proper to carry out the purposes of  
12 this chapter.

13 (2) When federal or other funds are received by the department,  
14 they shall be promptly transferred to the state treasurer and  
15 thereafter expended only upon the approval of the director.

16 (3) The director may request information and assistance from all  
17 other agencies, departments, and officials of the state, and may  
18 reimburse such agencies, departments, or officials if such a request  
19 imposes any additional expenses upon any such agency, department, or  
20 official.

21 (4) The director shall, in carrying out the responsibilities of  
22 office, consult with governmental officials, private groups, and  
23 individuals and with officials of other states, and may, if the  
24 director deems it desirable, hold public hearings to obtain information  
25 to carry out the purposes of this chapter. All state agencies and  
26 their officials and the officials of any political subdivision of the  
27 state shall cooperate with and give such assistance to the department,  
28 including the submission of requested information, to allow the  
29 department to carry out its purposes under this chapter.

30 NEW SECTION. **Sec. 8.** The department shall have the following  
31 functions and responsibilities:

32 (1) Provide economic and community development advisory assistance  
33 to the governor, other state agencies, and the legislature on local  
34 government, community development, and economic-related issues;

35 (2) Provide staff and support to cabinet level interagency economic  
36 and community development coordinating activities;

1 (3) Cooperate with the legislature and the governor in the  
2 development and implementation of strategic plans for the state's  
3 economic and community development efforts;

4 (4) Provide technical and financial assistance to local  
5 governments, businesses and community-based organizations serving the  
6 communities of the state for the purpose of aiding and encouraging  
7 orderly, productive, and coordinated development of the state, and,  
8 unless stipulated otherwise, give priority to local communities with  
9 the greatest relative need and the fewest resources;

10 (5) Solicit private and federal grants for economic and community  
11 development programs and administer such programs in conjunction with  
12 other programs assigned to the department by the governor or the  
13 legislature;

14 (6) Administer community services programs directed to the poor and  
15 infirm through private, nonprofit organizations and units of general  
16 purpose local government and coordinate these programs with economic  
17 development and self-sufficiency efforts of the department;

18 (7) Coordinate business investment efforts with other state  
19 agencies, local governments, and public and private local economic  
20 development groups in order to assist communities seeking new business  
21 activity and the expansion of existing businesses;

22 (8) Identify and work with Washington businesses that can use  
23 local, state, and federal assistance to increase domestic and foreign  
24 exports and that are capable of increasing production of goods and  
25 services;

26 (9) Coordinate with private and public international trade efforts  
27 throughout the state to market the state's products and services  
28 internationally and act as a centralized location for the assimilation  
29 and distribution of trade information;

30 (10) Assist in the production, development, rehabilitation, and  
31 operation of owner-occupied or rental housing for low and moderate-  
32 income persons, and qualify as a participating state agency for all  
33 programs of the federal department of housing and urban development or  
34 its successor;

35 (11) Participate with other states or subdivisions thereof in  
36 interstate programs and assist cities, counties, municipal  
37 corporations, governmental conferences or councils, and regional  
38 planning commissions to participate with other states or their  
39 subdivisions;

1 (12) Hold public hearings and meetings to carry out the purposes of  
2 this chapter;

3 (13) Market and coordinate the attraction of visitors and  
4 conventions to the state and the expansion of the tourism industry  
5 throughout the state in cooperation with the visitor industry, as well  
6 as public and private tourism development organizations;

7 (14) Promote, market, and encourage growth in the production of  
8 films and videos, as well as television commercials, within the state;

9 (15) Administer family services and programs to promote the state's  
10 policy as provided in RCW 74.14A.025; and

11 (16) Conduct research and analysis in furtherance of the state's  
12 economic and community development efforts including maintenance of  
13 current information on market and economic trends as they affect  
14 different industrial sectors, geographic regions, and communities with  
15 special economic problems in the state.

16 NEW SECTION. **Sec. 9.** The director shall submit to the legislature  
17 and the governor by December 1, 1993, a plan for operation of the  
18 department. The plan shall include:

19 (1) Strategies for a sectoral focus, and a targeted geographic  
20 focus in the delivery of economic and community development services;

21 (2) Implementation steps for the department's efforts at:

22 (a) Technology transfer and technology diffusion;

23 (b) Self-employment assistance and entrepreneurial development;

24 (c) Enhancing the participation of the state's businesses in global  
25 trade;

26 (d) Linking work force training to its other community and business  
27 assistance efforts;

28 (e) Cooperating with the governor and the legislature in developing  
29 strategic plans;

30 (f) Assisting local governments in planning;

31 (g) Addressing capital gaps;

32 (h) Providing small business assistance;

33 (i) Marketing and promotion of Washington products;

34 (j) Coordination of federal, state, and local community and  
35 economic development efforts with the state;

36 (k) Maximizing federal economic and community development resources  
37 within the state;

1 (l) Leveraging limited state resources and broadening the base of  
2 involvement by working collaboratively with private and public  
3 institutes of higher education and other public, private, and nonprofit  
4 organizations;

5 (m) Encouraging a balance of economic growth between urban and  
6 rural areas;

7 (n) Addressing the special needs of economically disadvantaged  
8 communities and business sectors in transition; and

9 (o) Increasing economic diversification; and

10 (3) The establishment of benchmarks by which to measure progress  
11 and the evaluation of the performance and effectiveness of the  
12 department's efforts.

13 NEW SECTION. **Sec. 10.** (1) The local economic development service  
14 program is established in the department. This program shall  
15 coordinate the delivery of economic development services to local  
16 communities or regional areas. It shall encourage a partnership  
17 between the public and private sectors and between state and local  
18 officials to encourage appropriate economic growth in communities  
19 throughout the state.

20 (2) The department shall coordinate its delivery of community and  
21 economic delivery programs to minimize program redundancy and maximize  
22 accessibility. The department shall work to develop links between the  
23 state and service users as well as among the service users themselves.

24 (3)(a) The department shall divide the state into service delivery  
25 regions. In creating these regions, the department shall meet the  
26 following criteria:

27 (i) Each region shall have a population of no less than one hundred  
28 thousand;

29 (ii) Each region shall contain at least one institution of higher  
30 education as defined in RCW 28B.10.016; and

31 (iii) Each region shall have organizations and resources capable of  
32 supporting the delivery of community and economic development services  
33 to all parts of the region.

34 The department shall also minimize problems of accessibility to  
35 services that result from a geographically large region, and maximize  
36 commonalities between the communities in the region.

37 (b) In each service delivery region the department shall contract  
38 with one associate development organization or a consortium of such

1 organizations, or another appropriate locally based organization to  
2 coordinate the delivery of community and economic development services  
3 within the region. The contracting organization shall work with local  
4 governments, associate development organizations, local chambers of  
5 commerce, private industry councils, port districts, labor groups,  
6 institutions of higher education, community action programs, and other  
7 appropriate private, public, or nonprofit community and economic  
8 development groups within the region and shall involve them in the  
9 planning for and delivery of economic and community development  
10 services required by this section.

11 The contracting organization shall designate five trade sectors of  
12 the region's economy that represent the five most significant sectors  
13 within the region. The contracting organization shall survey  
14 businesses and employees in these sectors on an annual basis to gather  
15 information on the sector's business needs, expansion plans, relocation  
16 decisions, training needs, potential layoffs, financing needs,  
17 availability of financing, and other appropriate information about  
18 economic trends and specific employer and employee needs in the region.  
19 The results of these surveys shall be compiled by the department.

20 The contracting organization shall be responsible for coordinating  
21 the delivery of those public or private training and technical  
22 assistance services required by the businesses and employees in the  
23 targeted sectors within its region, as indicated by survey responses.  
24 Such services shall include entrepreneurial training, job skills  
25 training, production process analysis, product development assistance,  
26 marketing, and financial and other management services. The  
27 contracting organization shall develop a list of individuals and firms  
28 qualified to meet specialized training or business development needs.

29 The department's selection of contracting organizations or  
30 consortiums shall be based on the sufficiency of the organization's or  
31 consortium's proposal to carry out the survey of targeted sectors  
32 within its region and coordinate the delivery of training and technical  
33 assistance as required by this section.

34 NEW SECTION. **Sec. 11.** The department shall work with private  
35 sector organizations, local governments, local economic development  
36 organizations, and institutions of higher education to assist in the  
37 development of a targeted sectors program. The targeted sectors shall  
38 include, but are not limited to, software, forest products,

1 biotechnology, environmental industries, aerospace, food processing,  
2 tourism, and film and video. The department shall on a continuing  
3 basis evaluate the potential return to the state from devoting  
4 additional resources to a targeted sectors approach to economic  
5 development and including additional sectors in its efforts.

6 In assisting in the development of a targeted sector, the  
7 department's activities may include, but are not limited to:

8 (1) Conducting focus group discussions, facilitating meetings, and  
9 conducting studies to identify members of the sector, appraise the  
10 current state of the sector, and identify issues of common concern  
11 within the sector;

12 (2) Supporting the formation of industry associations, publications  
13 of association directories, and related efforts to create or expand the  
14 activities or industry associations;

15 (3) Assisting in the formation of flexible networks by providing  
16 (a) trained agency employees or private sector consultants to act as  
17 flexible network brokers and (b) funding for potential flexible network  
18 participants for the purpose of organizing or implementing a flexible  
19 network;

20 (4) Helping establish research consortia;

21 (5) Conducting joint training and education programs and developing  
22 curricula related to the specific needs of targeted sectors;

23 (6) Promoting cooperative market development activities;

24 (7) Analyzing the need, feasibility, and cost of establishing  
25 product certification and testing facilities and services; and

26 (8) Providing for methods of electronic communication and  
27 information dissemination among firms and groups of firms to facilitate  
28 network activity.

29 By January 10th of each year, the department shall report in  
30 writing on its targeted sector programs to the legislature. The  
31 department's report shall include an appraisal of the sector,  
32 activities the department has undertaken to assist in the development  
33 of each sector, and recommendations to the legislature regarding  
34 activities that the state should implement but are currently beyond the  
35 scope of the department's program or resources.

36 NEW SECTION. **Sec. 12.** (1) The department shall establish a  
37 technical assistance and training program. The program shall be  
38 designed to increase the economic and community development skills

1 available in local communities by providing training and funding for  
2 training for local citizens and businesses. Services shall be targeted  
3 to those communities most in need of state assistance and shall be  
4 provided in impact areas.

5 (2) The department shall provide direct technical assistance to  
6 local communities to strengthen their role in building their local  
7 economies. This assistance shall include, but not be limited to:

8 (a) Identifying emerging problems in impact areas for businesses,  
9 workers, and communities and providing timely assistance;

10 (b) Evaluating the economic health of a community including its  
11 economic base and its strengths, weaknesses, and opportunities;

12 (c) Assisting communities and nonprofit development entities in  
13 developing local economic development strategies, including the  
14 technical analysis necessary to carry out the strategies;

15 (d) Providing assistance to communities in broadening their local  
16 economic base, including providing management and financial assistance,  
17 entrepreneurial training, and assistance to firms in identifying new  
18 markets and introducing new processes;

19 (e) Assisting communities in responding to economic change,  
20 including supporting organizational and leadership development;

21 (f) Assisting local governments to facilitate the siting of  
22 businesses;

23 (g) Facilitating the formation of flexible networks among groups of  
24 businesses; and

25 (h) Providing technical and managerial assistance to small  
26 businesses including assistance in securing available financing and  
27 industrial modernization.

28 (3) The department shall administer a technical assistance funding  
29 pool for the delivery to impact areas of the technical assistance  
30 identified in this section.

31 (4) The department shall establish a community development training  
32 institute to provide intensive economic and community development  
33 skills training to local communities.

34 (5) The department shall establish an entrepreneurial development  
35 institute using a competitive bidding process among educational  
36 institutions and nonprofit development organizations.

37 NEW SECTION. **Sec. 13.** (1) To provide local communities with  
38 flexible sources of funding and client-based community and economic

1 development programs, the department shall establish and operate a  
2 local development grant program. The program shall coordinate funding  
3 for eligible projects with other federal, state, local, private and  
4 nonprofit funding sources. Federal community development block grant  
5 funds administered by the state shall be a part of this program and the  
6 department shall give priority to economic development projects in the  
7 use of community development block grant funds.

8 (2) To be eligible to receive funds under this program an  
9 organization must be a local government, community-based organization,  
10 nonprofit development organization, port district, or Indian tribe.  
11 Any local government, associate development organization, or port  
12 district requesting funds shall demonstrate the participation of a  
13 cultural, economic, and ethnic cross-section of the local community in  
14 the project, including business, labor, and educational institutions.

15 (3) In awarding grants under this program, preference shall be  
16 given to efforts that have the prospect of resulting in long-term,  
17 family-wage employment, to development that is environmentally  
18 sustainable, and to projects that are developed and supported jointly  
19 with nonstate partners. Funds shall not be used for entertainment or  
20 hosting. Funds granted for economic development projects require a  
21 contribution of local funds or resources to the project. No less than  
22 twenty-five percent of available grant funds awarded yearly under this  
23 program shall be awarded to nonprofit, community-based organizations,  
24 and no less than twenty-five percent of available grant funds awarded  
25 yearly under this program shall be awarded to associate development  
26 organizations.

27 (4) The grant program shall include the use of available community  
28 development block grant funds, loan fund or reserve fund resources to  
29 make grants to local development organizations for the establishment of  
30 revolving loan funds for microloans to low-income individuals wishing  
31 to become self-employed. Such grants shall be conditioned on the local  
32 development organization's (a) operating a structured entrepreneurial  
33 training program for its low-income clients and (b) requiring  
34 participation in the training program before awarding a microloan to  
35 those desiring a microloan.

36 **Sec. 14.** RCW 28C.18.060 and 1991 c 238 s 7 are each amended to  
37 read as follows:

1 The board, in cooperation with the operating agencies of the state  
2 training system shall:

3 (1) Concentrate its major efforts on planning, coordination  
4 evaluation, policy analysis, and recommending improvements to the  
5 state's training system.

6 (2) Advocate for the state training system and for meeting the  
7 needs of employers and the work force for work force education and  
8 training.

9 (3) Establish and maintain an inventory of the programs of the  
10 state training system, and related state programs, and perform a  
11 biennial assessment of the vocational education, training, and adult  
12 basic education and literacy needs of the state; identify ongoing and  
13 strategic education needs; and assess the extent to which employment,  
14 training, vocational and basic education, rehabilitation services, and  
15 public assistance services represent a consistent, integrated approach  
16 to meet such needs.

17 (4) Develop and maintain a state comprehensive plan for work force  
18 training and education, including but not limited to, goals,  
19 objectives, and priorities for the state training system, and review  
20 the state training system for consistency with the state comprehensive  
21 plan. In developing the state comprehensive plan for work force  
22 training and education, the board shall use, but shall not be limited  
23 to: Economic, labor market, and populations trends reports in office  
24 of financial management forecasts; joint office of financial management  
25 and employment security department labor force, industry employment,  
26 and occupational forecasts; the results of scientifically based  
27 outcome, net-impact and cost-benefit evaluations; the needs of  
28 employers as evidenced in formal employer surveys and other employer  
29 input; and the needs of program participants and workers as evidenced  
30 in formal surveys and other input from program participants and the  
31 labor community.

32 (5) In consultation with the higher education coordinating board,  
33 review and make recommendations to the office of financial management  
34 and the legislature on operating and capital facilities budget requests  
35 for operating agencies of the state training system for purposes of  
36 consistency with the state comprehensive plan for work force training  
37 and education.

1 (6) Provide for coordination among the different operating agencies  
2 of the state training system at the state level and at the regional  
3 level.

4 (7) Develop a consistent and reliable data base on vocational  
5 education enrollments, costs, program activities, and job placements  
6 from publicly funded vocational education programs in this state.

7 (8) Establish standards for data collection and maintenance for the  
8 operating agencies of the state training system in a format that is  
9 accessible to use by the board. The board shall require a minimum of  
10 common core data to be collected by each operating agency of the state  
11 training system.

12 The board shall develop requirements for minimum common core data  
13 in consultation with the office of financial management and the  
14 operating agencies of the training system.

15 (9) Establish minimum standards for program evaluation for the  
16 operating agencies of the state training system, including, but not  
17 limited to, the use of common survey instruments and procedures for  
18 measuring perceptions of program participants and employers of program  
19 participants, and monitor such program evaluation.

20 (10) Every two years administer scientifically based outcome  
21 evaluations of the state training system, including, but not limited  
22 to, surveys of program participants, surveys of employers of program  
23 participants, and matches with employment security department payroll  
24 and wage files. Every five years administer scientifically based net-  
25 impact and cost-benefit evaluations of the state training system.

26 (11) In cooperation with the employment security department,  
27 provide for the improvement and maintenance of quality and utility in  
28 occupational information and forecasts for use in training system  
29 planning and evaluation. Improvements shall include, but not be  
30 limited to, development of state-based occupational change factors  
31 involving input by employers and employees, and delineation of skill  
32 and training requirements by education level associated with current  
33 and forecasted occupations.

34 (12) Provide for the development of common course description  
35 formats, common reporting requirements, and common definitions for  
36 operating agencies of the training system.

37 (13) Provide for effectiveness and efficiency reviews of the state  
38 training system.

1 (14) In cooperation with the higher education coordinating board,  
2 facilitate transfer of credit policies and agreements between  
3 institutions of the state training system, and encourage articulation  
4 agreements for programs encompassing two years of secondary work force  
5 education and two years of postsecondary work force education.

6 (15) In cooperation with the higher education coordinating board,  
7 facilitate transfer of credit policies and agreements between private  
8 training institutions and institutions of the state training system.

9 (16) Participate in the development of coordination criteria for  
10 activities under the job training partnership act with related programs  
11 and services provided by state and local education and training  
12 agencies.

13 (17) Make recommendations to the commission of student assessment,  
14 the state board of education, and the superintendent of public  
15 instruction, concerning basic skill competencies and essential core  
16 competencies for K-12 education. Basic skills for this purpose shall  
17 be reading, writing, computation, speaking, and critical thinking,  
18 essential core competencies for this purpose shall be English, math,  
19 science/technology, history, geography, and critical thinking. The  
20 board shall monitor the development of and provide advice concerning  
21 secondary curriculum which integrates vocational and academic  
22 education.

23 (18) Establish and administer programs for marketing and outreach  
24 to businesses and potential program participants.

25 (19) Facilitate the location of support services, including but not  
26 limited to, child care, financial aid, career counseling, and job  
27 placement services, for students and trainees at institutions in the  
28 state training system, and advocate for support services for trainees  
29 and students in the state training system.

30 (20) Facilitate private sector assistance for the state training  
31 system, including but not limited to: Financial assistance, rotation  
32 of private and public personnel, and vocational counseling.

33 (21) Facilitate programs for school-to-work transition that combine  
34 classroom education and on-the-job training in industries and  
35 occupations without a significant number of apprenticeship programs.

36 (22) Encourage and assess progress for the equitable representation  
37 of racial and ethnic minorities, women, and people with disabilities  
38 among the students, teachers, and administrators of the state training  
39 system. Equitable, for this purpose, shall mean substantially

1 proportional to their percentage of the state population in the  
2 geographic area served. This function of the board shall in no way  
3 lessen more stringent state or federal requirements for representation  
4 of racial and ethnic minorities, women, and people with disabilities.

5 (23) Participate in the planning and policy development of governor  
6 set-aside grants under P.L. 97-300, as amended.

7 (24) Administer veterans' programs, licensure of private vocational  
8 schools, the job skills program, and the Washington award for  
9 vocational excellence.

10 (25) Allocate funding from the state job training trust fund.

11 (26) Work with the director of the department of economic and  
12 community development to ensure the coordination of work force training  
13 efforts with that department's technology diffusion, self-employment,  
14 and business start-up efforts.

15 (27) Adopt rules as necessary to implement this chapter.

16 The board may delegate to the director any of the functions of this  
17 section.

18 **Sec. 15.** RCW 43.17.010 and 1989 1st ex.s. c 9 s 810 are each  
19 amended to read as follows:

20 There shall be departments of the state government which shall be  
21 known as (1) the department of social and health services, (2) the  
22 department of ecology, (3) the department of labor and industries, (4)  
23 the department of agriculture, (5) the department of fisheries, (6) the  
24 department of wildlife, (7) the department of transportation, (8) the  
25 department of licensing, (9) the department of general administration,  
26 (10) the department of (~~trade—and~~) economic and community  
27 development, (11) the department of veterans affairs, (12) the  
28 department of revenue, (13) the department of retirement systems, (14)  
29 the department of corrections, and (15) (~~the department of community~~  
30 ~~development,—and—(16))~~) the department of health, which shall be  
31 charged with the execution, enforcement, and administration of such  
32 laws, and invested with such powers and required to perform such  
33 duties, as the legislature may provide.

34 **Sec. 16.** RCW 43.17.020 and 1989 1st ex.s. c 9 s 811 are each  
35 amended to read as follows:

36 There shall be a chief executive officer of each department to be  
37 known as: (1) The secretary of social and health services, (2) the

1 director of ecology, (3) the director of labor and industries, (4) the  
2 director of agriculture, (5) the director of fisheries, (6) the  
3 director of wildlife, (7) the secretary of transportation, (8) the  
4 director of licensing, (9) the director of general administration, (10)  
5 the director of (~~trade and~~) economic and community development, (11)  
6 the director of veterans affairs, (12) the director of revenue, (13)  
7 the director of retirement systems, (14) the secretary of corrections,  
8 and (15) (~~the director of community development, and (16)~~) the  
9 secretary of health.

10 Such officers, except the secretary of transportation, shall be  
11 appointed by the governor, with the consent of the senate, and hold  
12 office at the pleasure of the governor. The director of wildlife,  
13 however, shall be appointed according to the provisions of RCW  
14 77.04.080. If a vacancy occurs while the senate is not in session, the  
15 governor shall make a temporary appointment until the next meeting of  
16 the senate. A temporary director of wildlife shall not serve more than  
17 one year. The secretary of transportation shall be appointed by the  
18 transportation commission as prescribed by RCW 47.01.041.

19 NEW SECTION. **Sec. 17.** The department of community development is  
20 hereby abolished and its powers, duties, and functions are hereby  
21 transferred to the department of economic and community development.

22 NEW SECTION. **Sec. 18.** All reports, documents, surveys, books,  
23 records, files, papers, or written material in the possession of the  
24 department of community development shall be delivered to the custody  
25 of the department of economic and community development. All cabinets,  
26 furniture, office equipment, motor vehicles, and other tangible  
27 property employed by the department of community development shall be  
28 made available to the department of economic and community development.  
29 All funds, credits, or other assets held by the department of community  
30 development shall be assigned to the department of economic and  
31 community development.

32 Any appropriations made to the department of community development  
33 shall, on the effective date of this section, be transferred and  
34 credited to the department of economic and community development.

35 Whenever any question arises as to the transfer of any personnel,  
36 funds, books, documents, records, papers, files, equipment, or other  
37 tangible property used or held in the exercise of the powers and the

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

4 NEW SECTION. **Sec. 19.** All employees of the department of  
5 community development are transferred to the jurisdiction of the  
6 department of economic and community development. All employees  
7 classified under chapter 41.06 RCW, the state civil service law, are  
8 assigned to the department of economic and community development to  
9 perform their usual duties upon the same terms as formerly, without any  
10 loss of rights, subject to any action that may be appropriate  
11 thereafter in accordance with the laws and rules governing state civil  
12 service.

13 NEW SECTION. **Sec. 20.** All rules and all pending business before  
14 the department of community development shall be continued and acted  
15 upon by the department of economic and community development. All  
16 existing contracts and obligations shall remain in full force and shall  
17 be performed by the department of economic and community development.

18 NEW SECTION. **Sec. 21.** The transfer of the powers, duties,  
19 functions, and personnel of the department of community development  
20 shall not affect the validity of any act performed prior to the  
21 effective date of this section.

22 NEW SECTION. **Sec. 22.** If apportionments of budgeted funds are  
23 required because of the transfers directed by sections 18 through 21 of  
24 this act, the director of financial management shall certify the  
25 apportionments to the agencies affected, the state auditor, and the  
26 state treasurer. Each of these shall make the appropriate transfer and  
27 adjustments in funds and appropriation accounts and equipment records  
28 in accordance with the certification.

29 NEW SECTION. **Sec. 23.** Nothing contained in sections 17 through 22  
30 of this act may be construed to alter any existing collective  
31 bargaining unit or the provisions of any existing collective bargaining  
32 agreement until the agreement has expired or until the bargaining unit  
33 has been modified by action of the personnel board as provided by law.

1        NEW SECTION.    **Sec. 24.**    The department of trade and economic  
2 development is hereby abolished and its powers, duties, and functions  
3 are hereby transferred to the department of economic and community  
4 development.

5        NEW SECTION.    **Sec. 25.**    All reports, documents, surveys, books,  
6 records, files, papers, or written material in the possession of the  
7 department of trade and economic development shall be delivered to the  
8 custody of the department of economic and community development. All  
9 cabinets, furniture, office equipment, motor vehicles, and other  
10 tangible property employed by the department of trade and economic  
11 development shall be made available to the department of economic and  
12 community development. All funds, credits, or other assets held by the  
13 department of trade and economic development shall be assigned to the  
14 department of economic and community development.

15        Any appropriations made to the department of trade and economic  
16 development shall, on the effective date of this section, be  
17 transferred and credited to the department of economic and community  
18 development.

19        Whenever any question arises as to the transfer of any personnel,  
20 funds, books, documents, records, papers, files, equipment, or other  
21 tangible property used or held in the exercise of the powers and the  
22 performance of the duties and functions transferred, the director of  
23 financial management shall make a determination as to the proper  
24 allocation and certify the same to the state agencies concerned.

25        NEW SECTION.    **Sec. 26.**    All employees of the department of trade  
26 and economic development are transferred to the jurisdiction of the  
27 department of economic and community development. All employees  
28 classified under chapter 41.06 RCW, the state civil service law, are  
29 assigned to the department of economic and community development to  
30 perform their usual duties upon the same terms as formerly, without any  
31 loss of rights, subject to any action that may be appropriate  
32 thereafter in accordance with the laws and rules governing state civil  
33 service.

34        NEW SECTION.    **Sec. 27.**    All rules and all pending business before  
35 the department of trade and economic development shall be continued and  
36 acted upon by the department of economic and community development.

1 All existing contracts and obligations shall remain in full force and  
2 shall be performed by the department of economic and community  
3 development.

4 NEW SECTION. **Sec. 28.** The transfer of the powers, duties,  
5 functions, and personnel of the department of trade and economic  
6 development shall not affect the validity of any act performed prior to  
7 the effective date of this section.

8 NEW SECTION. **Sec. 29.** If apportionments of budgeted funds are  
9 required because of the transfers directed by sections 25 through 28 of  
10 this act, the director of financial management shall certify the  
11 apportionments to the agencies affected, the state auditor, and the  
12 state treasurer. Each of these shall make the appropriate transfer and  
13 adjustments in funds and appropriation accounts and equipment records  
14 in accordance with the certification.

15 NEW SECTION. **Sec. 30.** Nothing contained in sections 24 through 29  
16 of this act may be construed to alter any existing collective  
17 bargaining unit or the provisions of any existing collective bargaining  
18 agreement until the agreement has expired or until the bargaining unit  
19 has been modified by action of the personnel board as provided by law.

20 **Sec. 31.** RCW 19.85.020 and 1989 c 374 s 1 are each amended to read  
21 as follows:

22 Unless the context clearly indicates otherwise, the definitions in  
23 this section apply through this chapter.

24 (1) "Small business" has the meaning given in ((RCW 43.31.025(4)))  
25 section 3 of this act.

26 (2) "Small business economic impact statement" means a statement  
27 meeting the requirements of RCW 19.85.040 prepared by a state agency  
28 pursuant to RCW 19.85.030.

29 (3) "Industry" means all of the businesses in this state in any one  
30 three-digit standard industrial classification as published by the  
31 United States department of commerce.

32 **Sec. 32.** RCW 42.17.310 and 1992 c 139 s 5 and 1992 c 71 s 12 are  
33 each reenacted and amended to read as follows:

34 (1) The following are exempt from public inspection and copying:

1 (a) Personal information in any files maintained for students in  
2 public schools, patients or clients of public institutions or public  
3 health agencies, or welfare recipients.

4 (b) Personal information in files maintained for employees,  
5 appointees, or elected officials of any public agency to the extent  
6 that disclosure would violate their right to privacy.

7 (c) Information required of any taxpayer in connection with the  
8 assessment or collection of any tax if the disclosure of the  
9 information to other persons would (i) be prohibited to such persons by  
10 RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result  
11 in unfair competitive disadvantage to the taxpayer.

12 (d) Specific intelligence information and specific investigative  
13 records compiled by investigative, law enforcement, and penology  
14 agencies, and state agencies vested with the responsibility to  
15 discipline members of any profession, the nondisclosure of which is  
16 essential to effective law enforcement or for the protection of any  
17 person's right to privacy.

18 (e) Information revealing the identity of persons who are witnesses  
19 to or victims of crime or who file complaints with investigative, law  
20 enforcement, or penology agencies, other than the public disclosure  
21 commission, if disclosure would endanger any person's life, physical  
22 safety, or property. If at the time a complaint is filed the  
23 complainant, victim or witness indicates a desire for disclosure or  
24 nondisclosure, such desire shall govern. However, all complaints filed  
25 with the public disclosure commission about any elected official or  
26 candidate for public office must be made in writing and signed by the  
27 complainant under oath.

28 (f) Test questions, scoring keys, and other examination data used  
29 to administer a license, employment, or academic examination.

30 (g) Except as provided by chapter 8.26 RCW, the contents of real  
31 estate appraisals, made for or by any agency relative to the  
32 acquisition or sale of property, until the project or prospective sale  
33 is abandoned or until such time as all of the property has been  
34 acquired or the property to which the sale appraisal relates is sold,  
35 but in no event shall disclosure be denied for more than three years  
36 after the appraisal.

37 (h) Valuable formulae, designs, drawings, and research data  
38 obtained by any agency within five years of the request for disclosure  
39 when disclosure would produce private gain and public loss.

1 (i) Preliminary drafts, notes, recommendations, and intra-agency  
2 memorandums in which opinions are expressed or policies formulated or  
3 recommended except that a specific record shall not be exempt when  
4 publicly cited by an agency in connection with any agency action.

5 (j) Records which are relevant to a controversy to which an agency  
6 is a party but which records would not be available to another party  
7 under the rules of pretrial discovery for causes pending in the  
8 superior courts.

9 (k) Records, maps, or other information identifying the location of  
10 archaeological sites in order to avoid the looting or depredation of  
11 such sites.

12 (l) Any library record, the primary purpose of which is to maintain  
13 control of library materials, or to gain access to information, which  
14 discloses or could be used to disclose the identity of a library user.

15 (m) Financial information supplied by or on behalf of a person,  
16 firm, or corporation for the purpose of qualifying to submit a bid or  
17 proposal for (a) a ferry system construction or repair contract as  
18 required by RCW 47.60.680 through 47.60.750 or (b) highway construction  
19 or improvement as required by RCW 47.28.070.

20 (n) Railroad company contracts filed prior to July 28, 1991, with  
21 the utilities and transportation commission under RCW 81.34.070, except  
22 that the summaries of the contracts are open to public inspection and  
23 copying as otherwise provided by this chapter.

24 (o) Financial and commercial information and records supplied by  
25 private persons pertaining to export services provided pursuant to  
26 chapter 43.163 RCW and chapter 53.31 RCW.

27 (p) Financial disclosures filed by private vocational schools under  
28 chapter 28C.10 RCW.

29 (q) Records filed with the utilities and transportation commission  
30 or attorney general under RCW 80.04.095 that a court has determined are  
31 confidential under RCW 80.04.095.

32 (r) Financial and commercial information and records supplied by  
33 businesses during application for loans or program services provided by  
34 chapters 43.163 (~~RCW and chapters 43.31, 43.63A~~), 43.-- (sections 1  
35 through 13 of this act), and 43.168 RCW.

36 (s) Membership lists or lists of members or owners of interests of  
37 units in timeshare projects, subdivisions, camping resorts,  
38 condominiums, land developments, or common-interest communities

1 affiliated with such projects, regulated by the department of  
2 licensing, in the files or possession of the department.

3 (t) All applications for public employment, including the names of  
4 applicants, resumes, and other related materials submitted with respect  
5 to an applicant.

6 (u) The residential addresses and residential telephone numbers of  
7 employees or volunteers of a public agency which are held by the agency  
8 in personnel records, employment or volunteer rosters, or mailing lists  
9 of employees or volunteers.

10 (v) The residential addresses and residential telephone numbers of  
11 the customers of a public utility contained in the records or lists  
12 held by the public utility of which they are customers.

13 (w) Information obtained by the board of pharmacy as provided in  
14 RCW 69.45.090.

15 (x) Information obtained by the board of pharmacy or the department  
16 of health and its representatives as provided in RCW 69.41.044,  
17 69.41.280, and 18.64.420.

18 (y) Financial information, business plans, examination reports, and  
19 any information produced or obtained in evaluating or examining a  
20 business and industrial development corporation organized or seeking  
21 certification under chapter 31.24 RCW.

22 (z) Financial and commercial information supplied to the state  
23 investment board by any person when the information relates to the  
24 investment of public trust or retirement funds and when disclosure  
25 would result in loss to such funds or in private loss to the providers  
26 of this information.

27 (aa) Financial and valuable trade information under RCW 51.36.120.

28 (bb) Client records maintained by an agency that is a domestic  
29 violence program as defined in RCW 70.123.020 or a rape crisis center  
30 as defined in RCW 70.125.030.

31 (cc) Information that identifies a person who, while an agency  
32 employee: (i) Seeks advice, under an informal process established by  
33 the employing agency, in order to ascertain his or her rights in  
34 connection with a possible unfair practice under chapter 49.60 RCW  
35 against the person; and (ii) requests his or her identity or any  
36 identifying information not be disclosed.

37 (dd) Business related information protected from public inspection  
38 and copying under RCW 15.86.110.

1 (2) Except for information described in subsection (1)(c)(i) of  
2 this section and confidential income data exempted from public  
3 inspection pursuant to RCW 84.40.020, the exemptions of this section  
4 are inapplicable to the extent that information, the disclosure of  
5 which would violate personal privacy or vital governmental interests,  
6 can be deleted from the specific records sought. No exemption may be  
7 construed to permit the nondisclosure of statistical information not  
8 descriptive of any readily identifiable person or persons.

9 (3) Inspection or copying of any specific records exempt under the  
10 provisions of this section may be permitted if the superior court in  
11 the county in which the record is maintained finds, after a hearing  
12 with notice thereof to every person in interest and the agency, that  
13 the exemption of such records is clearly unnecessary to protect any  
14 individual's right of privacy or any vital governmental function.

15 (4) Agency responses refusing, in whole or in part, inspection of  
16 any public record shall include a statement of the specific exemption  
17 authorizing the withholding of the record (or part) and a brief  
18 explanation of how the exemption applies to the record withheld.

19 **Sec. 33.** RCW 42.17.319 and 1989 c 312 s 7 are each amended to read  
20 as follows:

21 Notwithstanding the provisions of RCW 42.17.260 through 42.17.340,  
22 no financial or proprietary information supplied by investors or  
23 entrepreneurs under chapter (~~43.31~~) 43.-- RCW (sections 1 through 13  
24 of this act) shall be made available to the public.

25 **Sec. 34.** RCW 43.17.065 and 1991 c 314 s 28 are each amended to  
26 read as follows:

27 (1) Where power is vested in a department to issue permits,  
28 licenses, certifications, contracts, grants, or otherwise authorize  
29 action on the part of individuals, businesses, local governments, or  
30 public or private organizations, such power shall be exercised in an  
31 expeditious manner. All departments with such power shall cooperate  
32 with officials of the business assistance center of the department of  
33 (~~trade and~~) economic and community development, and any other state  
34 officials, when such officials request timely action on the part of the  
35 issuing department.

36 (2) After August 1, 1991, any agency to which subsection (1) of  
37 this section applies shall, with regard to any permits or other actions

1 that are necessary for economic development in timber impact areas, as  
2 defined in RCW 43.31.601, respond to any completed application within  
3 forty-five days of its receipt; any response, at a minimum, shall  
4 include:

5 (a) The specific steps that the applicant needs to take in order to  
6 have the application approved; and

7 (b) The assistance that will be made available to the applicant by  
8 the agency to expedite the application process.

9 (3) The agency timber task force established in RCW 43.31.621 shall  
10 oversee implementation of this section.

11 (4) Each agency shall define what constitutes a completed  
12 application and make this definition available to applicants.

13 **Sec. 35.** RCW 43.20A.750 and 1992 c 21 s 4 are each amended to read  
14 as follows:

15 (1) The department of social and health services shall help  
16 families and workers in timber impact areas make the transition through  
17 economic difficulties and shall provide services to assist workers to  
18 gain marketable skills. The department, as a member of the agency  
19 timber task force and in consultation with the economic recovery  
20 coordination board, and, where appropriate, under an interagency  
21 agreement with the department of economic and community development,  
22 shall provide grants through the office of the secretary for services  
23 to the unemployed in timber impact areas, including providing direct or  
24 referral services, establishing and operating service delivery  
25 programs, and coordinating delivery programs and delivery of services.  
26 These grants may be awarded for family support centers, reemployment  
27 centers, or other local service agencies.

28 (2) The services provided through the grants may include, but need  
29 not be limited to: Credit counseling; social services including  
30 marital counseling; psychotherapy or psychological counseling; mortgage  
31 foreclosures and utilities problems counseling; drug and alcohol abuse  
32 services; medical services; and residential heating and food  
33 acquisition.

34 (3) Funding for these services shall be coordinated through the  
35 economic recovery coordination board which will establish a fund to  
36 provide child care assistance, mortgage assistance, and counseling  
37 which cannot be met through current programs. No funds shall be used  
38 for additional full-time equivalents for administering this section.

1 (4)(a) Grants for family support centers are intended to provide  
2 support to families by responding to needs identified by the families  
3 and communities served by the centers. Services provided by family  
4 support centers may include parenting education, child development  
5 assessments, health and nutrition education, counseling, and  
6 information and referral services. Such services may be provided  
7 directly by the center or through referral to other agencies  
8 participating in the interagency team.

9 (b) The department shall consult with the council on child abuse or  
10 neglect regarding grants for family support centers.

11 (5) "Timber impact area" means:

12 (a) A county having a population of less than five hundred  
13 thousand, or a city or town located within a county having a population  
14 of less than five hundred thousand, and meeting two of the following  
15 three criteria, as determined by the employment security department,  
16 for the most recent year such data is available: (i) A lumber and wood  
17 products employment location quotient at or above the state average;  
18 (ii) projected or actual direct lumber and wood products job losses of  
19 one hundred positions or more, except counties having a population  
20 greater than two hundred thousand but less than five hundred thousand  
21 must have direct lumber and wood products job losses of one thousand  
22 positions or more; or (iii) an annual unemployment rate twenty percent  
23 or more above the state average; or

24 (b) Additional communities as the economic recovery coordinating  
25 board, established in RCW 43.31.631, designates based on a finding by  
26 the board that each designated community is socially and economically  
27 integrated with areas that meet the definition of a timber impact area  
28 under (a) of this subsection.

29 **Sec. 36.** RCW 43.31.057 and 1986 c 183 s 2 are each amended to read  
30 as follows:

31 The department of (~~trade and~~) economic and community development  
32 is directed to develop and promote means to stimulate the expansion of  
33 the market for Washington products and shall have the following powers  
34 and duties:

35 (1) To develop a pamphlet for state-wide circulation which will  
36 encourage the purchase of items produced in the state of Washington;

37 (2) To include in the pamphlet a listing of products of Washington  
38 companies which individuals can examine when making purchases so they

1 may have the opportunity to select one of those products in support of  
2 this program;

3 (3) To distribute the pamphlets on the broadest possible basis  
4 through local offices of state agencies, business organizations,  
5 chambers of commerce, or any other means the department deems  
6 appropriate;

7 (4) In carrying out these powers and duties the department shall  
8 cooperate and coordinate with other agencies of government and the  
9 private sector.

10 **Sec. 37.** RCW 43.31.085 and 1989 c 430 s 2 are each amended to read  
11 as follows:

12 The business assistance center shall:

13 (1) Serve as the state's lead agency and advocate for the  
14 development and conservation of businesses.

15 (2) Coordinate the delivery of state programs to assist businesses.

16 (3) Provide comprehensive referral services to businesses requiring  
17 government assistance.

18 (4) Serve as the business ombudsman within state government and  
19 advise the governor and the legislature of the need for new legislation  
20 to improve the effectiveness of state programs to assist businesses.

21 (5) Aggressively promote business awareness of the state's business  
22 programs and distribute information on the services available to  
23 businesses.

24 (6) Develop, in concert with local economic development and  
25 business assistance organizations, coordinated processes that  
26 complement both state and local activities and services.

27 (7) The business assistance center shall work with other federal,  
28 state, and local agencies and organizations to ensure that business  
29 assistance services including small business, trade services, and  
30 distressed area programs are provided in a coordinated and cost-  
31 effective manner.

32 (8) In collaboration with the child care coordinating committee in  
33 the department of social and health services, prepare and disseminate  
34 information on child care options for employers and the existence of  
35 the program. As much as possible, and through interagency agreements  
36 where necessary, such information should be included in the routine  
37 communications to employers from (a) the department of revenue, (b) the  
38 department of labor and industries, (c) (~~the department of community~~

1 development, ~~((d))~~) the employment security department, ~~((e))~~) (d) the  
2 department of ~~((trade and))~~) economic and community development, ~~((f))~~)  
3 (e) the small business development center, and ~~((g))~~) (f) the  
4 department of social and health services.

5 (9) In collaboration with the child care coordinating committee in  
6 the department of social and health services, compile information on  
7 and facilitate employer access to individuals, firms, organizations,  
8 and agencies that provide technical assistance to employers to enable  
9 them to develop and support child care services or facilities.

10 (10) Actively seek public and private money to support the child  
11 care facility fund described in RCW 43.31.502, staff and assist the  
12 child care facility fund committee as described in RCW 43.31.504, and  
13 work to promote applications to the committee for loan guarantees,  
14 loans, and grants.

15 **Sec. 38.** RCW 43.31.205 and 1992 c 228 s 2 are each amended to read  
16 as follows:

17 In an effort to enhance the economy of the Tri-Cities area, the  
18 department of ~~((trade and))~~) economic and community development is  
19 directed to promote the existence of the lease between the state of  
20 Washington and the federal government executed September 10, 1964,  
21 covering one thousand acres of land lying within the Hanford  
22 reservation near Richland, Washington, and the opportunity of  
23 subleasing the land to entities for nuclear-related industry, in  
24 agreement with the terms of the lease. When promoting the existence of  
25 the lease, the department shall work in cooperation with any associate  
26 development organization~~((s))~~) located in or near the Tri-Cities area.

27 **Sec. 39.** RCW 43.31.409 and 1989 c 312 s 3 are each amended to read  
28 as follows:

29 There is created in the business assistance center of the  
30 department of ~~((trade and))~~) economic and community development the  
31 Washington investment opportunities office.

32 **Sec. 40.** RCW 43.31.411 and 1989 c 312 s 4 are each amended to read  
33 as follows:

34 The Washington investment opportunities office shall:

35 (1) Maintain a list of all entrepreneurs engaged in manufacturing,  
36 wholesaling, transportation services, development of destination

1 tourism resorts, or traded services throughout the state seeking  
2 capital resources and interested in the services of the investment  
3 opportunities office.

4 (2) Maintain a file on each entrepreneur which may include the  
5 entrepreneur's business plan and any other information which the  
6 entrepreneur offers for review by potential investors.

7 (3) Assist entrepreneurs in procuring the managerial and technical  
8 assistance necessary to attract potential investors. Such assistance  
9 shall include the automatic referral to the small business innovators  
10 opportunity program of any entrepreneur with a new product meriting the  
11 services of the program.

12 (4) Provide entrepreneurs with information about potential  
13 investors and provide investors with information about those  
14 entrepreneurs which meet the investment criteria of the investor.

15 (5) Promote small business securities financing.

16 (6) Remain informed about investment trends in capital markets and  
17 preferences of individual investors or investment firms throughout the  
18 nation through literature surveys, conferences, and private meetings.

19 (7) Publicize the services of the investment opportunities office  
20 through public meetings throughout the state, appropriately targeted  
21 media, and private meetings. Whenever practical, the office shall use  
22 the existing services of local associate development organizations in  
23 outreach and identification of entrepreneurs and investors.

24 (8) Report to the ways and means committees and (~~commerce and~~  
25 ~~labor~~) appropriate economic development committees of the senate and  
26 the house of representatives by December 1, 1989, and each year  
27 thereafter, on the accomplishments of the office. Such reports shall  
28 include:

29 (a) The number of entrepreneurs on the list referred to in  
30 subsection (1) of this section, segregated by standard industrial  
31 classification codes;

32 (b) The number of investments made in entrepreneurs, segregated as  
33 required by (a) of this subsection, as a result of contact with the  
34 investment opportunities office, the dollar amount of each such  
35 investment, the source, by state or nation, of each investment, and the  
36 number of jobs created as a result of each investment;

37 (c) The number of entrepreneurs on the list referred to in  
38 subsection (1) of this section segregated by counties, the number of  
39 investments, the dollar amount of investments, and the number of jobs

1 created through investments in each county as a result of contact with  
2 the investment opportunities office;

3 (d) A categorization of jobs created through investments made as a  
4 result of contact with the investment opportunities office, the number  
5 of jobs created in each such category, and the average pay scale for  
6 jobs created in each such category;

7 (e) The results of client satisfaction surveys distributed to  
8 entrepreneurs and investors using the services of the investment  
9 opportunities office; and

10 (f) Such other information as the managing director finds  
11 appropriate.

12 **Sec. 41.** RCW 43.31.422 and 1991 c 272 s 19 are each amended to  
13 read as follows:

14 The Hanford area economic investment fund is established in the  
15 custody of the state treasurer. Moneys in the fund shall only be used  
16 pursuant to the recommendations of the committee created in RCW  
17 43.31.425 and the approval of the director of the department of (~~trade~~  
18 ~~and~~) economic and community development for Hanford area revolving  
19 loan funds, Hanford area infrastructure projects, or other Hanford area  
20 economic development and diversification projects, but may not be used  
21 for government or nonprofit organization operating expenses. Up to  
22 five percent of moneys in the fund may be used for program  
23 administration. For the purpose of this chapter "Hanford area" means  
24 Benton and Franklin counties. Disbursements from the fund shall be on  
25 the authorization of the director of (~~trade—~~~~and~~) economic and  
26 community development or the director's designee after an affirmative  
27 vote of at least six members of the committee created in RCW 43.31.425  
28 on any recommendations by the committee created in RCW 43.31.425. The  
29 fund is subject to the allotment procedures under chapter 43.88 RCW,  
30 but no appropriation is required for disbursements. The legislature  
31 intends to establish similar economic investment funds for areas that  
32 develop low-level radioactive waste disposal facilities.

33 **Sec. 42.** RCW 43.31.504 and 1989 c 430 s 4 are each amended to read  
34 as follows:

35 The child care facility fund committee is established within the  
36 business assistance center of the department of (~~trade—~~~~and~~) economic  
37 and community development. The committee shall administer the child

1 care facility fund, with review by the director of the department of  
2 (~~trade and~~) economic and community development.

3 (1) The committee shall have five members. The director of the  
4 department of (~~trade and~~) economic and community development shall  
5 appoint the members, who shall include:

6 (a) Two persons experienced in investment finance and having skills  
7 in providing capital to new businesses, in starting and operating  
8 businesses, and providing professional services to small or expanding  
9 businesses;

10 (b) One person representing a philanthropic organization with  
11 experience in evaluating funding requests;

12 (c) One child care services expert; and

13 (d) One early childhood development expert.

14 In making these appointments, the director shall give careful  
15 consideration to ensure that the various geographic regions of the  
16 state are represented and that members will be available for meetings  
17 and are committed to working cooperatively to address child care needs  
18 in Washington state.

19 (2) The committee shall elect officers from among its membership  
20 and shall adopt policies and procedures specifying the lengths of  
21 terms, methods for filling vacancies, and other matters necessary to  
22 the ongoing functioning of the committee.

23 (3) Committee members shall serve without compensation, but may  
24 request reimbursement for travel expenses as provided in RCW 43.03.050  
25 and 43.03.060.

26 (4) Committee members shall not be liable to the state, to the  
27 child care facility fund, or to any other person as a result of their  
28 activities, whether ministerial or discretionary, as members except for  
29 willful dishonesty or intentional violation of the law. The department  
30 of (~~trade and~~) economic and community development may purchase  
31 liability insurance for members and may indemnify these persons against  
32 the claims of others.

33 **Sec. 43.** RCW 43.31.522 and 1990 c 57 s 2 are each amended to read  
34 as follows:

35 Unless the context clearly requires otherwise, the definitions in  
36 this section apply throughout RCW 43.31.524 and 43.31.526:

37 (1) "Department" means the department of (~~trade and~~) economic and  
38 community development.

1 (2) "Center" means the business assistance center established under  
2 RCW 43.31.083.

3 (3) "Director" means the director of (~~trade and~~) economic and  
4 community development.

5 (4) "Local nonprofit organization" means a local nonprofit  
6 organization organized to provide economic development or community  
7 development services, including but not limited to associate  
8 development organizations, economic development councils, and community  
9 development corporations.

10 **Sec. 44.** RCW 43.31.524 and 1990 c 57 s 3 are each amended to read  
11 as follows:

12 There is established a Washington marketplace program within the  
13 business assistance center established under RCW 43.31.083. The  
14 program shall assist businesses to competitively meet their needs for  
15 goods and services within Washington state by providing information  
16 relating to the replacement of imports or the fulfillment of new  
17 requirements with Washington products produced in Washington state.  
18 The program shall place special emphasis on strengthening rural  
19 economies in economically distressed areas of the state meeting the  
20 criteria of an "eligible area" as defined in RCW 82.60.020(3). (~~The~~  
21 ~~Washington marketplace program shall consult with the community~~  
22 ~~revitalization team established pursuant to chapter 43.165 RCW.))~~

23 **Sec. 45.** RCW 43.31.526 and 1990 c 57 s 4 are each amended to read  
24 as follows:

25 (1) The department shall contract with local nonprofit  
26 organizations in at least three economically distressed areas of the  
27 state that meet the criteria of an "eligible area" as defined in RCW  
28 82.60.020(3) to implement the Washington marketplace program in these  
29 areas. The department, in order to foster cooperation and linkages  
30 between distressed and nondistressed areas and urban and rural areas,  
31 may enter into joint contracts with multiple nonprofit organizations.  
32 Contracts with economic development organizations to foster cooperation  
33 and linkages between distressed and nondistressed areas and urban and  
34 rural areas shall be structured by the department and the distressed  
35 area marketplace programs. Contracts with economic development  
36 organizations shall:

1 (a) Award contracts based on a competitive bidding process,  
2 pursuant to chapter 43.19 RCW;

3 (b) Give preference to nonprofit organizations representing a broad  
4 spectrum of community support; and

5 (c) Ensure that each location contain sufficient business activity  
6 to permit effective program operation.

7 The department may require that contractors contribute at least  
8 twenty percent local funding.

9 (2) The contracts with local nonprofit organizations shall be for,  
10 but not limited to, the performance of the following services for the  
11 Washington marketplace program:

12 (a) Contacting Washington state businesses to identify goods and  
13 services they are currently buying or are planning in the future to buy  
14 out-of-state and determine which of these goods and services could be  
15 purchased on competitive terms within the state;

16 (b) Identifying locally sold goods and services which are currently  
17 provided by out-of-state businesses;

18 (c) Determining, in consultation with local business, goods and  
19 services for which the business is willing to make contract agreements;

20 (d) Advertising market opportunities described in (c) of this  
21 subsection; and

22 (e) Receiving bid responses from potential suppliers and sending  
23 them to that business for final selection.

24 (3) Contracts may include provisions for charging service fees of  
25 businesses that profit as a result of participation in the program.

26 (4) The center shall also perform the following activities in order  
27 to promote the goals of the program:

28 (a) Prepare promotional materials or conduct seminars to inform  
29 communities and organizations about the Washington marketplace program;

30 (b) Provide technical assistance to communities and organizations  
31 interested in developing an import replacement program;

32 (c) Develop standardized procedures for operating the local  
33 component of the Washington marketplace program;

34 (d) Provide continuing management and technical assistance to local  
35 contractors; and

36 (e) Report by December 31 of each year to the ~~((senate))~~  
37 appropriate economic development ~~((and labor committee and to))~~  
38 committees of the senate and the house of representatives ~~((trade and~~

1 ~~economic development committee~~) describing the activities of the  
2 Washington marketplace program.

3 **Sec. 46.** RCW 43.31.641 and 1991 c 314 s 7 are each amended to read  
4 as follows:

5 The department of (~~trade and~~) economic and community development,  
6 as a member of the agency timber task force and in consultation with  
7 the board, shall:

8 (1) Implement an expanded value-added forest products development  
9 industrial extension program. The department shall provide technical  
10 assistance to small and medium-sized forest products companies to  
11 include:

12 (a) Secondary manufacturing product development;

13 (b) Plant and equipment maintenance;

14 (c) Identification and development of domestic market  
15 opportunities;

16 (d) Building products export development assistance;

17 (e) At-risk business development assistance;

18 (f) Business network development; and

19 (g) Timber impact area industrial diversification.

20 (2) Provide local contracts for small and medium-sized forest  
21 product companies, start-ups, and business organizations for business  
22 feasibility, market development, and business network contracts that  
23 will benefit value-added production efforts in the industry.

24 (3) Contract with local business organizations in timber impact  
25 areas for development of programs to promote industrial  
26 diversification. (~~In addition, the department shall develop an  
27 interagency agreement with the department of community development for  
28 local capacity building grants to local governments and community-based  
29 organizations in timber impact areas, which may include long range  
30 planning and needs assessments.~~)

31 (4) Implement a community assistance program to enable communities  
32 to build local capacity for sustainable economic development efforts.  
33 The program shall provide resources and technical assistance to timber  
34 impact areas.

35 (5) Develop and administer a program for local capacity-building  
36 grants for local governments and community-based organizations in  
37 timber impact areas that may include assistance for long-range planning  
38 and needs assessments.

1 For the 1991-93 biennium, the department of (~~trade and~~) economic  
2 and community development shall use funds appropriated for this section  
3 for contracts and for no more than two additional staff positions.

4 **Sec. 47.** RCW 43.31.830 and 1987 c 195 s 7 are each amended to read  
5 as follows:

6 (1) It shall be the duty of the director of economic and community  
7 development to certify, from the applications received, the state  
8 international trade fair or fairs qualified and entitled to receive  
9 funds under RCW (~~43.31.790 through 43.31.850 and~~) 67.16.100, (~~as now~~  
10 ~~or hereafter~~ amended)) and under rules established by the director.

11 (2) To be eligible for state financed aid an organization shall:

12 (a) Have had at least two or more years of experience in the  
13 presentation of or participation in state international trade fairs;  
14 and

15 (b) Be able to provide, from its own resources derived from general  
16 admission or otherwise, funds sufficient to match at least one-half of  
17 the amount of state financial aid allotted.

18 (3) The director shall make annual allotments to state  
19 international trade fairs determined qualified to be entitled to  
20 participate in the state trade fair fund and shall fix times for the  
21 division of and payment from the state trade fair fund: PROVIDED, That  
22 total payment to any one state international trade fair shall not  
23 exceed sixty thousand dollars in any one year, where participation or  
24 presentation occurs within the United States, and eighty thousand  
25 dollars in any one year, where participation or presentation occurs  
26 outside the United States: PROVIDED FURTHER, That a state  
27 international trade fair may qualify for the full allotment of funds  
28 under either category. Upon certification of the allotment and  
29 division of fair funds by the director (~~of trade and economic~~  
30 ~~development~~) the treasurer shall proceed to pay the same to carry out  
31 the purposes of RCW (~~43.31.790 through 43.31.850 and~~) 67.16.100(~~, as~~  
32 ~~now or hereafter~~ amended)).

33 **Sec. 48.** RCW 43.31.840 and 1975 1st ex.s. c 292 s 6 are each  
34 amended to read as follows:

35 The director of economic and community development shall at the end  
36 of each year for which an annual allotment has been made, (~~cause to be~~  
37 ~~conducted,~~) conduct a post audit of all of the books and records of

1 each state international trade fair participating in the state trade  
2 fair fund. The purpose of such post audit shall be to determine how  
3 and to what extent each participating state international trade fair  
4 has expended all of its funds.

5 The audit required by this section shall be a condition to future  
6 allotments of money from the state international trade fair fund, and  
7 the director shall make a report of the findings of each post audit and  
8 shall use such report as a consideration in an application for any  
9 future allocations.

10 **Sec. 49.** RCW 43.31.850 and 1987 c 195 s 9 are each amended to read  
11 as follows:

12 State international trade fair as used in RCW (~~(43.31.790 through~~  
13 ~~43.31.840 and))~~ 67.16.100(~~(, as now or hereafter amended,)~~) shall mean  
14 a fair supported by public agencies basically for the purpose of  
15 introducing and promoting the sale of manufactured or cultural products  
16 and services of a given area, whether presented in this state, the  
17 United States or its territories, or in a foreign country.

18 **Sec. 50.** RCW 43.160.020 and 1992 c 21 s 3 are each amended to read  
19 as follows:

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

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

23 (2) "Bond" means any bond, note, debenture, interim certificate, or  
24 other evidence of financial indebtedness issued by the board pursuant  
25 to this chapter.

26 (3) "Department" means the department of (~~(trade and))~~ economic and  
27 community development (~~(or its successor with respect to the powers~~  
28 ~~granted by this chapter))~~).

29 (4) "Financial institution" means any bank, savings and loan  
30 association, credit union, development credit corporation, insurance  
31 company, investment company, trust company, savings institution, or  
32 other financial institution approved by the board and maintaining an  
33 office in the state.

34 (5) "Industrial development facilities" means "industrial  
35 development facilities" as defined in RCW 39.84.020.

36 (6) "Industrial development revenue bonds" means tax-exempt revenue  
37 bonds used to fund industrial development facilities.

1 (7) "Local government" means any port district, county, city, or  
2 town.

3 (8) "Sponsor" means any of the following entities which customarily  
4 provide service or otherwise aid in industrial or other financing and  
5 are approved as a sponsor by the board: A bank, trust company, savings  
6 bank, investment bank, national banking association, savings and loan  
7 association, building and loan association, credit union, insurance  
8 company, or any other financial institution, governmental agency, or  
9 holding company of any entity specified in this subsection.

10 (9) "Umbrella bonds" means industrial development revenue bonds  
11 from which the proceeds are loaned, transferred, or otherwise made  
12 available to two or more users under this chapter.

13 (10) "User" means one or more persons acting as lessee, purchaser,  
14 mortgagor, or borrower under a financing document and receiving or  
15 applying to receive revenues from bonds issued under this chapter.

16 (11) "Timber impact area" means:

17 (a) A county having a population of less than five hundred  
18 thousand, or a city or town located within a county having a population  
19 of less than five hundred thousand, and meeting two of the following  
20 three criteria, as determined by the employment security department,  
21 for the most recent year such data is available: (i) A lumber and wood  
22 products employment location quotient at or above the state average;  
23 (ii) projected or actual direct lumber and wood products job losses of  
24 one hundred positions or more, except counties having a population  
25 greater than two hundred thousand but less than five hundred thousand  
26 must have direct lumber and wood products job losses of one thousand  
27 positions or more; or (iii) an annual unemployment rate twenty percent  
28 or more above the state average; or

29 (b) Additional communities as the economic recovery coordinating  
30 board, established in RCW 43.31.631, designates based on a finding by  
31 the board that each designated community is socially and economically  
32 integrated with areas that meet the definition of a timber impact area  
33 under (a) of this subsection.

34 **Sec. 51.** RCW 43.168.020 and 1991 c 314 s 19 are each amended to  
35 read as follows:

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

1 (1) "Committee" means the Washington state development loan fund  
2 committee.

3 (2) "Department" means the department of economic and community  
4 development.

5 (3) "Director" means the director of the department of economic and  
6 community development.

7 (4) "Distressed area" means: (a) A county which has an  
8 unemployment rate which is twenty percent above the state average for  
9 the immediately previous three years; (b) a metropolitan statistical  
10 area, as defined by the office of federal statistical policy and  
11 standards, United States department of commerce, in which the average  
12 level of unemployment for the calendar year immediately preceding the  
13 year in which an application is filed under this chapter exceeds the  
14 average state unemployment for such calendar year by twenty percent.  
15 Applications under this subsection (4)(b) shall be filed by April 30,  
16 1989; (c) an area within a county, which area: (i) Is composed of  
17 contiguous census tracts; (ii) has a minimum population of five  
18 thousand persons; (iii) has at least seventy percent of its families  
19 and unrelated individuals with incomes below eighty percent of the  
20 county's median income for families and unrelated individuals; and (iv)  
21 has an unemployment rate which is at least forty percent higher than  
22 the county's unemployment rate; or (d) a county designated as a timber  
23 impact area under RCW 43.31.601 if an application is filed by July 1,  
24 1993. For purposes of this definition, "families and unrelated  
25 individuals" has the same meaning that is ascribed to that term by the  
26 federal department of housing and urban development in its regulations  
27 authorizing action grants for economic development and neighborhood  
28 revitalization projects.

29 (5) "Fund" means the Washington state development loan fund.

30 (6) "Local development organization" means a nonprofit organization  
31 which is organized to operate within an area, demonstrates a commitment  
32 to a long-standing effort for an economic development program, and  
33 makes a demonstrable effort to assist in the employment of unemployed  
34 or underemployed residents in an area.

35 (7) "Project" means the establishment of a new or expanded business  
36 in an area which when completed will provide employment opportunities.  
37 "Project" also means the retention of an existing business in an area  
38 which when completed will provide employment opportunities.

1       **Sec. 52.** RCW 43.210.110 and 1991 c 314 s 12 are each amended to  
2 read as follows:

3       (1) The small business export finance assistance center has the  
4 following powers and duties when exercising its authority under RCW  
5 43.210.100(3):

6       (a) Solicit and accept grants, contributions, and any other  
7 financial assistance from the federal government, federal agencies, and  
8 any other public or private sources to carry out its purposes;

9       (b) Offer comprehensive export assistance and counseling to  
10 manufacturers relatively new to exporting with gross annual revenues  
11 less than twenty-five million dollars. As close to ninety percent as  
12 possible of each year's new cadre of clients must have gross annual  
13 revenues of less than five million dollars at the time of their initial  
14 contract. At least fifty percent of each year's new cadre of clients  
15 shall be from timber impact areas as defined in RCW 43.31.601.  
16 Counseling may include, but not be limited to, helping clients obtain  
17 debt or equity financing, in constructing competent proposals, and  
18 assessing federal guarantee and/or insurance programs that underwrite  
19 exporting risk; assisting clients in evaluating their international  
20 marketplace by developing marketing materials, assessing and selecting  
21 targeted markets; assisting firms in finding foreign customers by  
22 conducting foreign market research, evaluating distribution systems,  
23 selecting and assisting in identification of and/or negotiations with  
24 foreign agents, distributors, retailers, and by promoting products  
25 through attending trade shows abroad; advising companies on their  
26 products, guarantees, and after sales service requirements necessary to  
27 compete effectively in a foreign market; designing a competitive  
28 strategy for a firm's products in targeted markets and methods of  
29 minimizing their commercial and political risks; securing for clients  
30 specific assistance as needed, outside the center's field of expertise,  
31 by referrals to other public or private organizations. The Pacific  
32 Northwest export assistance project shall focus its efforts on  
33 facilitating export transactions for its clients, and in doing so,  
34 provide such technical services as are appropriate to accomplish its  
35 mission either with staff or outside consultants;

36       (c) Sign three-year counseling agreements with its clients that  
37 provide for termination if adequate funding for the Pacific Northwest  
38 export assistance project is not provided in future appropriations.  
39 Counseling agreements shall not be renewed unless there are compelling

1 reasons to do so, and under no circumstances shall they be renewed for  
2 more than two additional years. A counseling agreement may not be  
3 renewed more than once. The counseling agreements shall have mutual  
4 performance clauses, that if not met, will be grounds for releasing  
5 each party, without penalty, from the provisions of the agreement.  
6 Clients shall be immediately released from a counseling agreement with  
7 the Pacific Northwest export assistance project, without penalty, if a  
8 client wishes to switch to a private export management service and  
9 produces a valid contract signed with a private export management  
10 service, or if the president of the small business export finance  
11 assistance center determines there are compelling reasons to release a  
12 client from the provisions of the counseling agreement;

13 (d) May contract with private or public international trade  
14 education services to provide Pacific Northwest export assistance  
15 project clients with training in international business. The president  
16 and board of directors shall decide the amount of funding allocated for  
17 educational services based on the availability of resources in the  
18 operating budget of the Pacific Northwest export assistance project;

19 (e) May contract with the Washington state international trade fair  
20 to provide services for Pacific Northwest export assistance project  
21 clients to participate in one trade show annually. The president and  
22 board of directors shall decide the amount of funding allocated for  
23 trade fair assistance based on the availability of resources in the  
24 operating budget of the Pacific Northwest export assistance project;

25 (f) Provide biennial assessments of its performance. Project  
26 personnel shall work with the department of revenue and employment  
27 security department to confidentially track the performance of the  
28 project's clients in increasing tax revenues to the state, increasing  
29 gross sales revenues and volume of products destined to foreign  
30 clients, and in creating new jobs for Washington citizens. A biennial  
31 report shall be prepared for the governor and legislature to assess the  
32 costs and benefits to the state from creating the project. The  
33 president of the small business export finance assistance center shall  
34 design an appropriate methodology for biennial assessments in  
35 consultation with the director of the department of (~~trade and~~)  
36 economic and community development and the director of the Washington  
37 state department of agriculture. The department of revenue and the  
38 employment security department shall provide data necessary to complete  
39 this biennial evaluation, if the data being requested is available from

1 existing data bases. Client-specific information generated from the  
2 files of the department of revenue and the employment security  
3 department for the purposes of this evaluation shall be kept strictly  
4 confidential by each department and the small business export finance  
5 assistance center;

6 (g) Take whatever action may be necessary to accomplish the  
7 purposes set forth in RCW 43.210.070 and 43.210.100 through 43.210.120;  
8 and

9 (h) Limit its assistance to promoting the exportation of value-  
10 added manufactured goods. The project shall not provide counseling or  
11 assistance, under any circumstances, for the importation of foreign  
12 made goods into the United States.

13 (2) The Pacific Northwest export assistance project shall not,  
14 under any circumstances, assume ownership or take title to the goods of  
15 its clients.

16 (3) The Pacific Northwest export assistance project may not use any  
17 Washington state funds which come from the public treasury of the state  
18 of Washington to make loans or to make any payment under a loan  
19 guarantee agreement. Under no circumstances may the center use any  
20 funds received under RCW 43.210.050 to make or assist in making any  
21 loan or to pay or assist in paying any amount under a loan guarantee  
22 agreement. Debts of the center shall be center debts only and may be  
23 satisfied only from the resources of the center. The state of  
24 Washington shall not in any way be liable for such debts.

25 (4) The Pacific Northwest export assistance project shall make  
26 every effort to seek nonstate funds to supplement its operations.

27 (5) The Pacific Northwest export assistance project shall take  
28 whatever steps are necessary to provide its services, if requested, to  
29 the states of Oregon, Idaho, Montana, Alaska, and the Canadian  
30 provinces of British Columbia and Alberta. Interstate services shall  
31 not be provided by the Pacific Northwest export assistance project  
32 during its first biennium of operation. The provision of services may  
33 be temporary and subject to the payment of fees, or each state may  
34 request permanent services contingent upon a level of permanent funding  
35 adequate for services provided. Temporary services and fees may be  
36 negotiated by the small business export finance assistance center's  
37 president subject to approval of the board of directors. The president  
38 of the small business export finance assistance center may enter into  
39 negotiations with neighboring states to contract for delivery of the

1 project's services. Final contracts for providing the project's  
2 counseling and services outside of the state of Washington on a  
3 permanent basis shall be subject to approval of the governor,  
4 appropriate legislative oversight committees, and the small business  
5 export finance assistance center's board of directors.

6 (6) The small business export finance assistance center may receive  
7 such gifts, grants, and endowments from public or private sources as  
8 may be made from time to time, in trust or otherwise, for the use and  
9 benefit of the purposes of the Pacific Northwest export assistance  
10 project and expend the same or any income therefrom according to the  
11 terms of the gifts, grants, or endowments.

12 (7) The president of the small business export finance assistance  
13 center, in consultation with the board of directors, may use the  
14 following formula in determining the number of clients that can be  
15 reasonably served by the Pacific Northwest export assistance project  
16 relative to its appropriation. Divide the amount appropriated for  
17 administration of the Pacific Northwest export assistance project by  
18 the marginal cost of adding each additional Pacific Northwest export  
19 assistance project client. For the purposes of this calculation, and  
20 only for the first biennium of operation, the biennial marginal cost of  
21 adding each additional Pacific Northwest export assistance project  
22 client shall be fifty-seven thousand ninety-five dollars. The biennial  
23 marginal cost of adding each additional client after the first biennium  
24 of operation shall be established from the actual operating experience  
25 of the Pacific Northwest export assistance project.

26 (8) All receipts from the Pacific Northwest export assistance  
27 project shall be deposited into the general fund.

28 **Sec. 53.** RCW 43.63A.066 and 1990 c 33 s 579 are each amended to  
29 read as follows:

30 The department of economic and community development shall have  
31 primary responsibility for providing child abuse and neglect prevention  
32 training to preschool age children participating in the federal head  
33 start program or the early childhood education and assistance program  
34 established under RCW 28A.215.010 through 28A.215.200 and 28A.215.900  
35 through 28A.215.908.

36 **Sec. 54.** RCW 43.63A.075 and 1985 c 466 s 53 are each amended to  
37 read as follows:

1 The department shall establish a community development finance  
2 program. Pursuant to this program, the department shall: (1) Develop  
3 expertise in federal, state, and local community and economic  
4 development programs; and (2) assist communities and businesses to  
5 secure available financing(~~(; and (3) work closely with the department~~  
6 ~~of trade and economic development on financial and technical assistance~~  
7 ~~programs available to small and medium sized businesses)). To the~~  
8 extent permitted by federal law, the department is encouraged to use  
9 federal community block grant funds to make urban development action  
10 grants to communities which have not been eligible to receive such  
11 grants prior to June 30, 1984.

12 **Sec. 55.** RCW 43.63A.115 and 1990 c 156 s 1 are each amended to  
13 read as follows:

14 (1) The community action agency network, established initially  
15 under the federal economic opportunity act of 1964 and subsequently  
16 under the federal community services block grant program of 1981, as  
17 amended, shall be a delivery system for federal and state anti-poverty  
18 programs in this state, including but not limited to the community  
19 services block grant program, the low-income energy assistance program,  
20 and the federal department of energy weatherization program.

21 (2) Local community action agencies comprise the community action  
22 agency network. The community action agency network shall serve low-  
23 income persons in the counties. Each community action agency and its  
24 service area shall be designated in the state federal community service  
25 block grant plan as prepared by the department of economic and  
26 community development.

27 (3) Funds for anti-poverty programs may be distributed to the  
28 community action agencies by the department of economic and community  
29 development and other state agencies in consultation with the  
30 authorized representatives of community action agency networks.

31 **Sec. 56.** RCW 43.63A.155 and 1989 c 225 s 5 are each amended to  
32 read as follows:

33 The department of economic and community development shall retain  
34 the bond information it receives under RCW 39.44.210 and 39.44.230 and  
35 shall publish summaries of local government bond issues at least once  
36 a year.

1 The department of economic and community development shall adopt  
2 rules under chapter 34.05 RCW to implement RCW 39.44.210 and 39.44.230.

3 **Sec. 57.** RCW 43.63A.220 and 1987 c 505 s 34 are each amended to  
4 read as follows:

5 (1) The department of economic and community development is  
6 directed to undertake a study as to the best means of providing  
7 encouragement and assistance to the formulation of employee stock  
8 ownership plans providing for the partial or total acquisition, through  
9 purchase, distribution in lieu of compensation, or a combination of  
10 these means or any other lawful means, of shares of stock or other  
11 instruments of equity in facilities by persons employed at these  
12 facilities in cases in which operations at these facilities would,  
13 absent employee equity ownership, be terminated, relocated outside of  
14 the state, or so reduced in volume as to entail the permanent layoff of  
15 a substantial number of the employees.

16 (2) In conducting its study, the department shall:

17 (a) Consider federal and state law relating directly or indirectly  
18 to plans proposed under subsection (1) of this section, and to the  
19 organization and operation of any trusts established pursuant to the  
20 plans, including but not limited to, the federal internal revenue code  
21 and any regulations promulgated under the internal revenue code, the  
22 federal securities act of 1933 as amended and other federal statutes  
23 providing for regulation of the issuance of securities, the federal  
24 employee retirement income and security act of 1974 as amended, the  
25 Chrysler loan guarantee legislation enacted by the United States  
26 congress in 1979, and other federal and state laws relating to  
27 employment, compensation, taxation, and retirement;

28 (b) Consult with relevant persons in the public sector, relevant  
29 persons in the private sector, including trustees of any existing  
30 employee stock ownership trust, and employees of any firm operating  
31 under an employee stock ownership trust, and with members of the  
32 academic community and of relevant branches of the legal profession;

33 (c) Examine the experience of trusts organized pursuant to an  
34 employee stock ownership plan in this state or in any other state; and

35 (d) Make other investigations as it may deem necessary in carrying  
36 out the purposes of this section.

37 (3) Pursuant to the findings and conclusions of the study conducted  
38 under subsection (2) of this section, the department of community

1 development shall develop a plan to encourage and assist the  
2 formulation of employee stock ownership plans providing for the  
3 acquisition of stock by employees of facilities in this state which are  
4 subject to closure or drastically curtailed operation. The department  
5 shall determine the amount of any costs of implementing the plan.

6 (4) The director of economic and community development shall,  
7 within one year of July 28, 1985, report the findings and conclusion of  
8 the study, together with details of the plan developed pursuant to the  
9 study, to the legislature, and shall include in the report any  
10 recommendations for legislation which the director deems appropriate.

11 (5) The department of economic and community development shall  
12 carry out its duties under this section using available resources.

13 **Sec. 58.** RCW 43.63A.230 and 1988 c 186 s 17 are each amended to  
14 read as follows:

15 (1) The department of economic and community development shall  
16 integrate an employee ownership program within its existing technical  
17 assistance programs. The employee ownership program shall provide  
18 technical assistance to cooperatives authorized under chapter 23.78 RCW  
19 and conduct educational programs on employee ownership and self-  
20 management. The department shall include information on the option of  
21 employee ownership wherever appropriate in its various programs.

22 (2) The department shall maintain a list of firms and individuals  
23 with expertise in the field of employee ownership and utilize such  
24 firms and individuals, as appropriate, in delivering and coordinating  
25 the delivery of technical, managerial, and educational services. In  
26 addition, the department shall work with and rely on the services of  
27 (~~the department of trade and economic development,~~) the employment  
28 security department(~~(7)~~) and state institutions of higher education to  
29 promote employee ownership.

30 (3) The department shall report to the governor, the (~~trade and~~)  
31 appropriate economic development (~~committee of~~) committees of the  
32 senate and the house of representatives, (~~the commerce and labor~~  
33 ~~committee of the senate,~~) and the ways and means committees of each  
34 house by December 1 of 1988, and each year thereafter, on the  
35 accomplishments of the employee-ownership program. Such reports shall  
36 include the number and types of firms assisted, the number of jobs  
37 created by such firms, the types of services, the number of workshops  
38 presented, the number of employees trained, and the results of client

1 satisfaction surveys distributed to those using the services of the  
2 program.

3 (4) For purposes of this section, an employee stock ownership plan  
4 qualifies as a cooperative if at least fifty percent, plus one share,  
5 of its voting shares of stock are voted on a one-person-one-vote basis.

6 **Sec. 59.** RCW 43.63A.245 and 1992 c 63 s 2 are each amended to read  
7 as follows:

8 Unless the context clearly requires otherwise, the definitions in  
9 this section apply throughout RCW 43.63A.240 through 43.63A.270.

10 "Agency" means one of the agencies or organizations participating  
11 in the activities of the senior environmental corps.

12 "Commissioner" means the commissioner of the employment security  
13 department.

14 "Coordinator" means the person designated by the (~~director~~)  
15 commissioner of the employment security department (~~(of community~~  
16 ~~development)~~) with the advice of the council to administer the  
17 activities of the senior environmental corps.

18 "Corps" means the senior environmental corps.

19 "Council" means the senior environmental corps coordinating  
20 council.

21 "Department" means the employment security department (~~(of~~  
22 ~~community development~~).

23 "~~Director~~" means ~~the director of the department of community~~  
24 ~~development or the director's authorized representative~~)).

25 "Representative" means the person who represents an agency on the  
26 council and is responsible for the activities of the senior  
27 environmental corps in his or her agency.

28 "Senior" means any person who is fifty-five years of age or over.

29 "Volunteer" means a person who is willing to work without  
30 expectation of salary or financial reward, and who chooses where he or  
31 she provides services and the type of services he or she provides.

32 **Sec. 60.** RCW 43.63A.247 and 1992 c 63 s 3 are each amended to read  
33 as follows:

34 The senior environmental corps is created within the employment  
35 security department (~~(of community development)~~). The departments of  
36 agriculture, (~~(community development)~~) employment security, ecology,  
37 fisheries, health, natural resources, and wildlife, the parks and

1 recreation commission, and the Puget Sound water quality authority  
2 shall participate in the administration and implementation of the corps  
3 and shall appoint representatives to the council.

4 **Sec. 61.** RCW 43.63A.260 and 1992 c 63 s 5 are each amended to read  
5 as follows:

6 The department shall convene a senior environmental corps  
7 coordinating council to meet as needed to establish and assess  
8 policies, define standards for projects, evaluate and select projects,  
9 develop recruitment, training, and placement procedures, receive and  
10 review project status and completion reports, and provide for  
11 recognition of volunteer activity. The council shall include  
12 representatives appointed by the departments of agriculture,  
13 ~~((community development))~~ employment security, ecology, fisheries,  
14 health, natural resources, and wildlife, the parks and recreation  
15 commission, and the Puget Sound water quality authority. The council  
16 shall develop bylaws, policies and procedures to govern its activities.

17 The council shall advise the director on distribution of available  
18 funding for corps activities.

19 **Sec. 62.** RCW 43.63A.275 and 1992 c 65 s 2 are each amended to read  
20 as follows:

21 (1) Each biennium the employment security department ~~((of community  
22 development))~~ shall distribute such funds as are appropriated for  
23 retired senior volunteer programs (RSVP) as follows:

24 (a) At least sixty-five percent of the moneys may be distributed  
25 according to formulae and criteria to be determined by the employment  
26 security department ~~((of community development))~~ in consultation with  
27 the RSVP directors association.

28 (b) Up to twenty percent of the moneys may be distributed by  
29 competitive grant process to develop RSVP projects in counties not  
30 presently being served, or to expand existing RSVP services into  
31 counties not presently served.

32 (c) Ten percent of the moneys may be used by the employment  
33 security department ~~((of community development))~~ for administration,  
34 monitoring of the grants, and providing technical assistance to the  
35 RSVP projects.

36 (d) Up to five percent of the moneys may be used to support  
37 projects that will benefit RSVPs state-wide.

1 (2) Grants under subsection (1) of this section shall give priority  
2 to programs in the areas of education, tutoring, English as a second  
3 language, combating of and education on drug abuse, housing and  
4 homeless, and respite care, and shall be distributed in accordance with  
5 the following:

6 (a) None of the grant moneys may be used to displace any paid  
7 employee in the area being served.

8 (b) Grants shall be made for programs that focus on:

9 (i) Developing new roles for senior volunteers in nonprofit and  
10 public organizations with special emphasis on areas targeted in section  
11 1, chapter 65, Laws of 1992. The roles shall reflect the diversity of  
12 the local senior population and shall respect their life experiences;

13 (ii) Increasing the expertise of volunteer managers and RSVP  
14 managers in the areas of communication, recruitment, motivation, and  
15 retention of today's over-sixty population;

16 (iii) Increasing the number of senior citizens recruited, referred,  
17 and placed with nonprofit and public organizations; and

18 (iv) Providing volunteer support such as: Mileage to and from the  
19 volunteer assignment, recognition, and volunteer insurance.

20 **Sec. 63.** RCW 43.63A.300 and 1986 c 266 s 54 are each amended to  
21 read as follows:

22 The legislature finds that fire protection services at the state  
23 level are provided by different, independent state agencies. This has  
24 resulted in a lack of a comprehensive state-level focus for state fire  
25 protection services, funding, and policy. It is the intent of the  
26 legislature to consolidate fire protection services into a single state  
27 agency and to create a state board with the responsibility of (1)  
28 establishing a comprehensive state policy regarding fire protection  
29 services and (2) advising the director of economic and community  
30 development and the director of fire protection on matters relating to  
31 their duties under state law. It is also the intent of the legislature  
32 that the fire protection services program created herein will assist  
33 local fire protection agencies in program development without  
34 encroaching upon their historic autonomy.

35 **Sec. 64.** RCW 43.63A.320 and 1986 c 266 s 56 are each amended to  
36 read as follows:

1 Except for matters relating to the statutory duties of the director  
2 of economic and community development which are to be carried out  
3 through the director of fire protection, the board shall have the  
4 responsibility of developing a comprehensive state policy regarding  
5 fire protection services. In carrying out its duties, the board shall:

6 (1) Adopt a state fire protection master plan;

7 (2) Monitor fire protection in the state and develop objectives and  
8 priorities to improve fire protection for the state's citizens;

9 (3) Establish and promote state arson control programs and ensure  
10 development of local arson control programs;

11 (4) Provide representation for local fire protection services to  
12 the governor in state-level fire protection planning matters such as,  
13 but not limited to, hazardous materials;

14 (5) Seek and solicit grants, gifts, bequests, devices, and matching  
15 funds for use in furthering the objectives and duties of the board, and  
16 establish procedures for administering them;

17 (6) Promote mutual aid and disaster planning for fire services in  
18 this state;

19 (7) Assure the dissemination of information concerning the amount  
20 of fire damage including that damage caused by arson, and its causes  
21 and prevention;

22 (8) Submit annually a report to the governor containing a statement  
23 of its official acts pursuant to this chapter, and make such studies,  
24 reports, and recommendations to the governor and the legislature as are  
25 requested;

26 (9) Adopt a state fire training and education master plan;

27 (10) Develop and adopt a master plan for the construction,  
28 equipping, maintaining, and operation of necessary fire service  
29 training and education facilities, but the authority to construct,  
30 equip, and maintain such facilities is subject to chapter 43.19 RCW;

31 (11) Develop and adopt a master plan for the purchase, lease, or  
32 other acquisition of real estate necessary to establish and operate  
33 fire service training and education facilities in a manner provided by  
34 law;

35 (12) Adopt standards for state-wide fire service training and  
36 education courses including courses in arson detection and  
37 investigation for personnel of fire, police, and prosecutor's  
38 departments;

1 (13) Assure the administration of any legislation enacted by the  
2 legislature in pursuance of the aims and purposes of any acts of  
3 Congress insofar as the provisions thereof may apply;

4 (14) Cooperate with the common schools, community colleges,  
5 institutions of higher education, and any department or division of the  
6 state, or of any county or municipal corporation in establishing and  
7 maintaining instruction in fire service training and education in  
8 accordance with any act of Congress and legislation enacted by the  
9 legislature in pursuance thereof and in establishing, building, and  
10 operating training and education facilities.

11 This section does not apply to forest fire service personnel and  
12 programs. Industrial fire departments and private fire investigators  
13 may participate in training and education programs under this chapter  
14 for a reasonable fee established by rule.

15 **Sec. 65.** RCW 43.63A.330 and 1986 c 266 s 57 are each amended to  
16 read as follows:

17 In regards to the statutory duties of the director of economic and  
18 community development which are to be carried out through the director  
19 of fire protection, the board shall serve in an advisory capacity in  
20 order to enhance the continuity of state fire protection services. In  
21 this capacity, the board shall:

22 (1) Advise the director of economic and community development and  
23 the director of fire protection on matters pertaining to their duties  
24 under law; and

25 (2) Advise the director of economic and community development and  
26 the director of fire protection on all budgeting and fiscal matters  
27 pertaining to the duties of the director of fire protection and the  
28 board.

29 **Sec. 66.** RCW 43.63A.340 and 1986 c 266 s 58 are each amended to  
30 read as follows:

31 (1) Wherever the term state fire marshal appears in the Revised  
32 Code of Washington or the Washington Administrative Code it shall mean  
33 the director of fire protection.

34 (2) The director of economic and community development shall  
35 appoint an assistant director who shall be known as the director of  
36 fire protection. The board, after consulting with the director, shall  
37 prescribe qualifications for the position of director of fire

1 protection. The board shall submit to the director a list containing  
2 the names of three persons whom the board believes meet its  
3 qualifications. If requested by the director, the board shall submit  
4 one additional list of three persons whom the board believes meet its  
5 qualifications. The appointment shall be from one of the lists of  
6 persons submitted by the board.

7 (3) The director of fire protection may designate one or more  
8 deputies and may delegate to those deputies his or her duties and  
9 authorities as deemed appropriate.

10 (4) The director of economic and community development, through the  
11 director of fire protection, shall, after consultation with the board,  
12 prepare a biennial budget pertaining to fire protection services. Such  
13 biennial budget shall be submitted as part of the department's budget  
14 request.

15 (5) The director of economic and community development, through the  
16 director of fire protection, shall implement and administer, within the  
17 constraints established by budgeted resources, the policies of the  
18 board and all duties of the director of economic and community  
19 development which are to be carried out through the director of fire  
20 protection.

21 (6) The director of economic and community development, through the  
22 director of fire protection, shall seek the advice of the board in  
23 carrying out his or her duties under law.

24 **Sec. 67.** RCW 43.63A.400 and 1987 c 308 s 2 are each amended to  
25 read as follows:

26 The department of economic and community development shall  
27 distribute grants to eligible public radio and television broadcast  
28 stations under RCW 43.63A.410 and 43.63A.420 to assist with  
29 programming, operations, and capital needs.

30 **Sec. 68.** RCW 43.63A.410 and 1987 c 308 s 3 are each amended to  
31 read as follows:

32 (1) Eligibility for grants under this section shall be limited to  
33 broadcast stations which are:

34 (a) Licensed to Washington state organizations, nonprofit  
35 corporations, or other entities under section 73.621 of the regulations  
36 of the federal communications commission; and

1 (b) Qualified to receive community service grants from the  
2 federally chartered corporation for public broadcasting. Eligibility  
3 shall be established as of February 28th of each year.

4 (2) The formula in this subsection shall be used to compute the  
5 amount of each eligible station's grant under this section.

6 (a) Appropriations under this section shall be divided into a radio  
7 fund, which shall be twenty-five percent of the total appropriation  
8 under this section, and a television fund, which shall be seventy-five  
9 percent of the total appropriation under this section. Each of the two  
10 funds shall be divided into a base grant pool, which shall be fifty  
11 percent of the fund, and an incentive grant pool, which shall be the  
12 remaining fifty percent of the fund.

13 (b) Each eligible participating public radio station shall receive  
14 an equal share of the radio base grant pool, plus a share of the radio  
15 incentive grant pool equal to the proportion its nonfederal financial  
16 support bears to the sum of all participating radio stations'  
17 nonfederal financial support as most recently reported to the  
18 corporation for public broadcasting.

19 (c) Each eligible participating public television station shall  
20 receive an equal share of the television base grant pool, plus a share  
21 of the television incentive grant pool equal to the proportion its  
22 nonfederal financial support bears to the sum of all participating  
23 television stations' nonfederal financial support as most recently  
24 reported to the corporation for public broadcasting.

25 (3) Annual financial reports to the corporation for public  
26 broadcasting by eligible stations shall also be submitted by the  
27 stations to the department of economic and community development.

28 **Sec. 69.** RCW 43.63A.440 and 1989 c 424 s 7 are each amended to  
29 read as follows:

30 (1) The department of economic and community development shall  
31 provide technical and financial assistance to communities adversely  
32 impacted by reductions in timber harvested from federal lands. This  
33 assistance shall include the formation and implementation of community  
34 economic development plans. The department of economic and community  
35 development shall utilize existing state technical and financial  
36 assistance programs, and shall aid communities in seeking private and  
37 federal financial assistance for the purposes of this section. The  
38 department may contract for services provided for under this section.

1 (2) The sum of four hundred fifty thousand dollars, or as much  
2 thereof as may be necessary, is appropriated from the general fund to  
3 the department of economic and community development for the biennium  
4 ending June 30, 1991, for the purposes of subsection (1) of this  
5 section.

6 **Sec. 70.** RCW 43.63A.450 and 1990 c 278 s 2 are each amended to  
7 read as follows:

8 The community diversification program is created in the department  
9 of economic and community development. The program shall include:

10 (1) The monitoring and forecasting of shifts in the economic  
11 prospects of major defense employers in the state. This shall include  
12 but not be limited to the monitoring of defense contract expenditures,  
13 other federal contracts, defense employment shifts, the aircraft and  
14 aerospace industry, computer products, and electronics;

15 (2) The identification of cities, counties, or regions within the  
16 state that are primarily dependent on defense or other federal  
17 contracting and the identification of firms dependent on federal  
18 defense contracts;

19 (3) Assistance to communities in broadening the local economic base  
20 through the provision of management assistance, assistance in  
21 financing, entrepreneurial training, and assistance to businesses in  
22 using off-the-shelf technology to start new production processes or  
23 introduce new products;

24 (4) Formulating a state plan for diversification in defense  
25 dependent communities in collaboration with the employment security  
26 department(~~(, the department of trade and economic development,)~~) and  
27 the office of financial management. The plan shall use the information  
28 made available through carrying out subsections (1) and (2) of this  
29 section; and

30 (5) The identification of diversification efforts conducted by  
31 other states, the federal government, and other nations, and the  
32 provision of information on these efforts, as well as information  
33 gained through carrying out subsections (1) and (2) of this section, to  
34 firms, communities, and workforces that are defense dependent.

35 The department shall, beginning January 1, 1992, report annually to  
36 the governor and the legislature on the activities of the community  
37 diversification program.

1       **Sec. 71.** RCW 43.63A.460 and 1990 c 176 s 2 are each amended to  
2 read as follows:

3       Beginning on July 1, 1991, the department of economic and community  
4 development shall be responsible for performing all the consumer  
5 complaint and related functions of the state administrative agency that  
6 are required for purposes of complying with the regulations established  
7 by the federal department of housing and urban development for  
8 manufactured housing, including the preparation and submission of the  
9 state administrative plan.

10       The department of economic and community development may enter into  
11 state or local interagency agreements to coordinate site inspection  
12 activities with record monitoring and complaint handling. The  
13 interagency agreement may also provide for the reimbursement for cost  
14 of work that an agency performs. The department may include other  
15 related areas in any interagency agreements which are necessary for the  
16 efficient provision of services.

17       The department of labor and industries shall transfer all records,  
18 files, books, and documents necessary for the department of economic  
19 and community development to assume these new functions.

20       The directors of the department of economic and community  
21 development and the department of labor and industries shall  
22 immediately take such steps as are necessary to ensure that this act is  
23 implemented on June 7, 1990.

24       **Sec. 72.** RCW 43.63A.600 and 1991 c 315 s 23 are each amended to  
25 read as follows:

26       (1) The department of economic and community development, as a  
27 member of the agency timber task force and in consultation with the  
28 economic recovery coordination board, shall establish and administer  
29 the emergency mortgage and rental assistance program. The department  
30 shall identify the communities most adversely affected by reductions in  
31 timber harvest levels and shall prioritize assistance under this  
32 program to these communities. The department shall work with the  
33 department of social and health services and the timber recovery  
34 coordinator to develop the program in timber impact areas.  
35 Organizations eligible to receive funds for distribution under the  
36 program are those organizations that are eligible to receive assistance  
37 through the Washington housing trust fund.

38       (2) The goals of the program are to:

1 (a) Provide temporary emergency mortgage or rental assistance loans  
2 on behalf of dislocated forest products workers in timber impact areas  
3 who are unable to make current mortgage or rental payments on their  
4 permanent residences and are subject to immediate eviction for  
5 nonpayment of mortgage installments or nonpayment of rent;

6 (b) Prevent the dislocation of individuals and families from their  
7 permanent residences and their communities; and

8 (c) Maintain economic and social stability in timber impact areas.

9 **Sec. 73.** RCW 43.105.020 and 1990 c 208 s 3 are each amended to  
10 read as follows:

11 As used in this chapter, unless the context indicates otherwise,  
12 the following definitions shall apply:

13 (1) "Department" means the department of information services;

14 (2) "Board" means the information services board;

15 (3) "Local governments" includes all municipal and quasi municipal  
16 corporations and political subdivisions, and all agencies of such  
17 corporations and subdivisions authorized to contract separately;

18 (4) "Director" means the director of the department;

19 (5) "Purchased services" means services provided by a vendor to  
20 accomplish routine, continuing, and necessary functions. This term  
21 includes, but is not limited to, services acquired for equipment  
22 maintenance and repair, operation of a physical plant, security,  
23 computer hardware and software installation and maintenance, data  
24 entry, keypunch services, programming services, and computer time-  
25 sharing;

26 (6) "Backbone network" means the shared high-density portions of  
27 the state's telecommunications transmission facilities. It includes  
28 specially conditioned high-speed communications carrier lines,  
29 multiplexors, switches associated with such communications lines, and  
30 any equipment and software components necessary for management and  
31 control of the backbone network;

32 (7) "Telecommunications" means the transmission of information by  
33 wire, radio, optical cable, electromagnetic, or other means;

34 (8) "Information processing" means the electronic capture,  
35 collection, storage, manipulation, transmission, retrieval, and  
36 presentation of information in the form of data, text, voice, or image  
37 and includes telecommunications and office automation functions;

1 (9) "Information services" means data processing,  
2 telecommunications, and office automation;

3 (10) "Equipment" means the machines, devices, and transmission  
4 facilities used in information processing, such as computers, word  
5 processors, terminals, telephones, and cables;

6 (11) "Proprietary software" means that software offered for sale or  
7 license;

8 (12) "Video telecommunications" means the electronic  
9 interconnection of two or more sites for the purpose of transmitting  
10 and/or receiving visual and associated audio information. Video  
11 telecommunications shall not include existing public television  
12 broadcast stations as currently designated by the department of  
13 economic and community development under chapter ((43.63A)) 43.-- RCW  
14 (sections 1 through 13 of this act).

15 NEW SECTION. **Sec. 74.** The following acts or parts of acts are  
16 each repealed:

17 (1) RCW 43.31.005 and 1990 1st ex.s. c 17 s 68 & 1985 c 466 s 1;

18 (2) RCW 43.31.015 and 1985 c 466 s 2;

19 (3) RCW 43.31.025 and 1987 c 348 s 8 & 1985 c 466 s 3;

20 (4) RCW 43.31.035 and 1990 1st ex.s. c 17 s 69 & 1985 c 466 s 4;

21 (5) RCW 43.31.045 and 1985 c 466 s 5;

22 (6) RCW 43.31.055 and 1985 c 466 s 6;

23 (7) RCW 43.31.065 and 1985 c 466 s 9;

24 (8) RCW 43.31.075 and 1985 c 466 s 10;

25 (9) RCW 43.31.095 and 1985 c 466 s 12;

26 (10) RCW 43.31.097 and 1990 1st ex.s. c 17 s 71;

27 (11) RCW 43.31.105 and 1985 c 466 s 13;

28 (12) RCW 43.31.115 and 1985 c 466 s 14;

29 (13) RCW 43.31.130 and 1975-'76 2nd ex.s. c 34 s 110 & 1965 c 8 s  
30 43.31.130;

31 (14) RCW 43.31.135 and 1987 c 505 s 30 & 1985 c 466 s 17;

32 (15) RCW 43.31.373 and 1988 c 35 s 1, 1985 c 466 s 24, & 1984 c 175  
33 s 1;

34 (16) RCW 43.31.375 and 1985 c 466 s 25 & 1984 c 175 s 2;

35 (17) RCW 43.31.377 and 1988 c 35 s 2, 1985 c 466 s 26, & 1984 c 175  
36 s 3;

37 (18) RCW 43.31.379 and 1988 c 35 s 3, 1985 c 466 s 27, & 1984 c 175  
38 s 4;

- 1 (19) RCW 43.31.381 and 1988 c 35 s 4, 1985 c 466 s 28, & 1984 c 175  
2 s 5;
- 3 (20) RCW 43.31.383 and 1985 c 466 s 29 & 1984 c 175 s 6;
- 4 (21) RCW 43.31.387 and 1985 c 466 s 31 & 1984 c 175 s 8;
- 5 (22) RCW 43.31.430 and 1989 c 423 s 2;
- 6 (23) RCW 43.31.432 and 1989 c 423 s 3;
- 7 (24) RCW 43.31.434 and 1989 c 423 s 6;
- 8 (25) RCW 43.31.436 and 1989 c 423 s 7;
- 9 (26) RCW 43.31.438 and 1989 c 423 s 8;
- 10 (27) RCW 43.31.440 and 1989 c 423 s 9;
- 11 (28) RCW 43.31.442 and 1989 c 423 s 10;
- 12 (29) RCW 43.31.651 and 1991 c 314 s 9;
- 13 (30) RCW 43.31.790 and 1975 1st ex.s. c 292 s 2 & 1965 c 148 s 1;
- 14 (31) RCW 43.31.800 and 1987 c 195 s 4 & 1965 c 148 s 2;
- 15 (32) RCW 43.31.810 and 1987 c 195 s 5, 1975 1st ex.s. c 292 s 3, &  
16 1965 c 148 s 3;
- 17 (33) RCW 43.31.820 and 1987 c 195 s 6, 1975 1st ex.s. c 292 s 4, &  
18 1965 c 148 s 4;
- 19 (34) RCW 43.63A.020 and 1986 c 266 s 136, 1984 c 125 s 2, & 1967 c  
20 74 s 2;
- 21 (35) RCW 43.63A.030 and 1984 c 125 s 1 & 1967 c 74 s 3;
- 22 (36) RCW 43.63A.040 and 1984 c 125 s 3, 1975 c 40 s 10, & 1967 c 74  
23 s 4;
- 24 (37) RCW 43.63A.050 and 1967 c 74 s 5;
- 25 (38) RCW 43.63A.060 and 1987 c 505 s 32, 1984 c 125 s 4, & 1967 c  
26 74 s 6;
- 27 (39) RCW 43.63A.065 and 1992 c 198 s 7, 1990 1st ex.s. c 17 s 70,  
28 1986 c 266 s 137, & 1984 c 125 s 5;
- 29 (40) RCW 43.63A.078 and 1987 c 505 s 33 & 1984 c 125 s 7;
- 30 (41) RCW 43.63A.095 and 1984 c 125 s 8;
- 31 (42) RCW 43.63A.100 and 1984 c 125 s 9 & 1967 c 74 s 10;
- 32 (43) RCW 43.63A.130 and 1983 c 52 s 6, 1981 c 157 s 6, & 1967 c 74  
33 s 13;
- 34 (44) RCW 43.63A.140 and 1967 c 74 s 14;
- 35 (45) RCW 43.63A.210 and 1985 c 85 s 1; and
- 36 (46) RCW 43.63A.560 and 1990 1st ex.s. c 17 s 67.

37 NEW SECTION. **Sec. 75.** Sections 1 through 13 of this act shall  
38 constitute a new chapter in Title 43 RCW.

1        NEW SECTION.    **Sec. 76.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

--- END ---