

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5555

52nd Legislature
1991 Regular Session

Passed by the Senate April 28, 1991
Yeas 43 Nays 0

President of the Senate

Passed by the House April 28, 1991
Yeas 97 Nays 0

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5555** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5555

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1991 Regular Session

State of Washington

52nd Legislature

1991 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Owen, Conner, Snyder, Metcalf, Jesernig, Amondson, Sutherland, Patterson, Hansen, Bailey, Rasmussen, von Reichbauer, Johnson, Pelz, West, Talmadge, A. Smith, Williams, L. Kreidler, Rinehart, Newhouse, Stratton, Gaspard, McMullen, Moore, Madsen, Bauer, Wojahn, Matson, Roach and L. Smith).

Read first time March 11, 1991.

1 AN ACT Relating to economic and employment impact of timber harvest
2 variation in Washington state; amending RCW 28B.50.030; adding new
3 sections to chapter 28B.50 RCW; adding new sections to chapter 28B.80
4 RCW; adding new sections to chapter 43.63A RCW; adding a new section to
5 chapter 50.22 RCW; adding a new section to chapter 70.47 RCW; adding a
6 new chapter to Title 50 RCW; creating new sections; providing an
7 effective date; and declaring an emergency.

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

9 NEW SECTION. **Sec. 1.** The legislature finds that:

10 (1) The economic health and well-being of timber-dependent
11 communities is of substantial public concern. The significant
12 reduction in annual timber harvest levels likely will result in reduced
13 economic activity and persistent unemployment and underemployment over
14 time, which would be a serious threat to the safety, health, and

1 welfare of residents of the timber impact areas, decreasing the value
2 of private investments and jeopardizing the sources of public revenue.

3 (2) Timber impact areas are most often located in areas that are
4 experiencing little or no economic growth, creating an even greater
5 risk to the health, safety, and welfare of these communities. The
6 ability to remedy problems caused by the substantial reduction in
7 harvest activity is beyond the power and control of the regulatory
8 process and influence of the state, and the ordinary operations of
9 private enterprise without additional governmental assistance are
10 insufficient to adequately remedy the resulting problems of poverty and
11 unemployment.

12 (3) To address these concerns, it is the intent of the legislature
13 to increase training and retraining services accessible to timber
14 impact areas, and provide for coordination of noneconomic development
15 services in timber impact areas as economic development efforts will
16 not succeed unless social, housing, health, and other needs are
17 addressed.

18 NEW SECTION. **Sec. 2.** (1) Coordination of the programs in this
19 act shall be through the economic recovery coordination board created
20 in section 6, chapter ____, Laws of 1991 (Engrossed Substitute House
21 Bill No. 1341), the timber recovery coordinator created in section 3,
22 chapter ____, Laws of 1991 (Engrossed Substitute House Bill No. 1341),
23 and the agency timber task force created in section 4, chapter ____,
24 Laws of 1991 (Engrossed Substitute House Bill No. 1341).

25 (2) This section shall expire June 30, 1993.

26 NEW SECTION. **Sec. 3.** (1) Subject to the availability of state
27 or federal funds, the employment security department, as a member of
28 the agency timber task force and in consultation with the economic

1 recovery coordination board, shall consult with and may subcontract
2 with local educational institutions, local businesses, local labor
3 organizations, local associate development organizations, local private
4 industry councils, local social service organizations, and local
5 governments in carrying out a program of training and services,
6 including training through the self-employment and enterprise
7 development (SEED) program, for dislocated workers in timber impact
8 areas.

9 (2) The department shall conduct a survey to determine the actual
10 future employment needs and jobs skills in timber impact areas.

11 (3) The department shall coordinate the services provided in this
12 section with all other services provided by the department and with the
13 other economic recovery efforts undertaken by state and local
14 government agencies on behalf of the timber impact areas.

15 (4) The department shall make every effort to procure additional
16 federal and other moneys for the efforts enumerated in this section.

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

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 50.22 RCW
2 to read as follows:

3 (1) An additional benefit period is established for counties
4 identified under subsection (2) of this section beginning on the first
5 Sunday after the effective date of this section and for the forest
6 products industry beginning with the third week after the first Sunday
7 after the effective date of this section. Benefits shall be paid as
8 provided in subsection (3) of this section to exhaustees eligible under
9 subsection (4) of this section.

10 (2) The additional benefit period applies to counties having a
11 population of less than five hundred thousand beginning with the third
12 week after a week in which the commissioner determines that a county
13 meets two of the following three criteria, as determined by the
14 department, for the most recent year in which such data is available:

15 (a) A lumber and wood products employment location quotient at or above
16 the state average; (b) projected or actual direct lumber and wood
17 products job losses of one hundred positions or more, except counties
18 having a population greater than two hundred thousand but less than
19 five hundred thousand must have direct lumber and wood products job
20 losses of one thousand positions or more; or (c) an annual unemployment
21 rate twenty percent or more above the state average. The additional
22 benefit period for a county may end no sooner than fifty-two weeks
23 after the additional benefit period begins.

24 (3) Additional benefits shall be paid as follows:

25 (a) No new claims for additional benefits shall be accepted for
26 weeks beginning after July 3, 1993, but for claims established on or
27 before July 3, 1993, weeks of unemployment occurring after July 3,
28 1993, shall be compensated as provided in this section.

29 (b) The total additional benefit amount shall be fifty-two times
30 the individual's weekly benefit amount, reduced by the total amount of

1 regular benefits and extended benefits paid, or deemed paid, with
2 respect to the benefit year. Additional benefits shall not be payable
3 for weeks more than one year beyond the end of the benefit year of the
4 regular claim, and shall be payable for up to five weeks following the
5 completion of the training required by this section.

6 (c) The weekly benefit amount shall be calculated as specified in
7 RCW 50.22.040.

8 (d) Benefits paid under this section shall be paid under the same
9 terms and conditions as regular benefits and shall not be charged to
10 the experience rating account of individual employers. The additional
11 benefit period shall be suspended with the start of an extended benefit
12 period, or any totally federally funded benefit program, with
13 eligibility criteria and benefits comparable to the program established
14 by this section, and shall resume the first week following the end of
15 the federal program.

16 (4) An additional benefit eligibility period is established for any
17 exhaustee who:

18 (a)(i) At the time of last separation from employment, resided in
19 or was employed in a county identified under subsection (2) of this
20 section; or

21 (ii) During his or her base year, earned wages in at least six
22 hundred eighty hours in the forest products industry, which shall be
23 determined by the department but shall include the industries assigned
24 the major group standard industrial classification codes "24" and "26"
25 and the industries involved in the harvesting and management of logs,
26 transportation of logs and wood products, processing of wood products,
27 and the manufacturing and distribution of wood processing and logging
28 equipment. The commissioner may adopt rules further interpreting the
29 industries covered under this subsection. For the purposes of this

1 subsection, "standard industrial classification code" means the code
2 identified in RCW 50.29.025(6)(c); and

3 (b) (i) Has received notice of termination or lay off; and

4 (ii) Is unlikely to return to employment in his or her principal
5 occupation or previous industry because of a diminishing demand within
6 his or her labor market for his or her skills in the occupation or
7 industry; and

8 (c)(i) Is notified by the department of the requirements of this
9 section and develops an individual training program that is submitted
10 to the commissioner for approval not later than sixty days after the
11 individual is notified of the requirements of this section, and enters
12 the approved training program not later than ninety days after the date
13 of the individual's termination or layoff, or ninety days after the
14 effective date of this section, whichever is later, unless the
15 department determines that the training is not available during the
16 ninety-day period, in which case the individual shall enter training as
17 soon as it is available; or

18 (ii) Is enrolled in training approved under this section on a full-
19 time basis and maintains satisfactory progress in the training; and

20 (d) Does not receive a training allowance or stipend under the
21 provisions of any federal or state law.

22 (5) For the purposes of this section:

23 (a) "Training program" means:

24 (i) A remedial education program determined to be necessary after
25 counseling at the educational institution in which the individual
26 enrolls pursuant to his or her approved training program; or

27 (ii) A vocational training program at an educational institution
28 that:

29 (A) Is training for a labor demand occupation;

1 (B) Is likely to facilitate a substantial enhancement of the
2 individual's marketable skills and earning power; and

3 (C) Does not include on-the-job training or other training under
4 which the individual is paid by an employer for work performed by the
5 individual during the time that the individual receives additional
6 benefits under subsection (1) of this section.

7 (b) "Educational institution" means an institution of higher
8 education as defined in RCW 28B.10.016 or an educational institution as
9 defined in RCW 28C.04.410(3).

10 (c) "Training allowance or stipend" means discretionary use, cash-
11 in-hand payments available to the individual to be used as the
12 individual sees fit, but does not mean direct or indirect compensation
13 for training costs, such as tuition or books and supplies.

14 (6) The commissioner shall adopt rules as necessary to implement
15 this section.

16 NEW SECTION. **Sec. 5.** Unless the context clearly requires
17 otherwise, the definitions in this section apply throughout this
18 chapter.

19 (1) "Department" means the employment security department.

20 (2) "Dislocated forest products worker" means a forest products
21 worker who: (a)(i) Has been terminated or received notice of
22 termination from employment and is unlikely to return to employment in
23 the individual's principal occupation or previous industry because of
24 a diminishing demand for his or her skills in that occupation or
25 industry; or (ii) is self-employed and has been displaced from his or
26 her business because of the diminishing demand for the business's
27 services or goods; and (b) at the time of last separation from
28 employment, resided in or was employed in a timber impact area.

1 (3) "Forest products worker" means a worker in the forest products
2 industries affected by the reduction of forest fiber enhancement,
3 transportation, or production. The workers included within this
4 definition shall be determined by the employment security department,
5 but shall include workers employed in the industries assigned the major
6 group standard industrial classification codes "24" and "26" and the
7 industries involved in the harvesting and management of logs,
8 transportation of logs and wood products, processing of wood products,
9 and the manufacturing and distribution of wood processing and logging
10 equipment. The commissioner may adopt rules further interpreting these
11 definitions. For the purposes of this subsection, "standard industrial
12 classification code" means the code identified in RCW 50.29.025(6)(c).

13 (4) "Program" means the employment and career orientation program
14 for dislocated forest products workers administered by the employment
15 security department in conjunction with the department of natural
16 resources.

17 (5) "Enrollee" means any person enrolled in the program.

18 (6) "Project" means the natural resource worker project.

19 (7) "Timber impact area" means a county having a population of less
20 than five hundred thousand, or a city or town located within a county
21 having a population of less than five hundred thousand, and meeting two
22 of the following three criteria, as determined by the employment
23 security department, for the most recent year such data is available:

24 (a) A lumber and wood products employment location quotient at or above
25 the state average; (b) projected or actual direct lumber and wood
26 products job losses of one hundred positions or more, except counties
27 having a population greater than two hundred thousand but less than
28 five hundred thousand must have direct lumber and wood products job
29 losses of one thousand positions or more; or (c) an annual unemployment
30 rate twenty percent or more above the state average.

1 NEW SECTION. **Sec. 6.** It is the purpose of this chapter to
2 establish programs that offer dislocated forest products workers, in
3 timber impact areas, opportunities for forest-related employment that
4 utilizes their unique skills. Employment under the program shall not
5 result in the displacement or partial displacement of currently
6 employed workers. This includes, but is not limited to, state
7 employees or currently or normally contracted service employees.

8 NEW SECTION. **Sec. 7.** (1) Employment opportunities under the
9 program shall consist of activities that improve the value of state
10 lands and waters. These activities may include, but are not limited
11 to, thinning and precommercial thinning, pruning, slash removal,
12 reforestation, fire suppression, trail maintenance, maintenance of
13 recreational facilities, dike repair, development and maintenance of
14 tourist facilities, and stream enhancement.

15 (2) Enrollees in the program shall receive medical and dental
16 benefits as provided under chapter 41.05 RCW, but are exempt from the
17 provisions of chapter 41.06 RCW. Each week, enrollees shall not work
18 more than thirty-two hours in this program and must participate in
19 eight hours of career orientation as established in section 8 of this
20 act. Participation in the program is limited to six months.

21 NEW SECTION. **Sec. 8.** (1) The department shall recruit program
22 applicants and provide employment opportunities by:

23 (a) Notifying dislocated forest products workers who are receiving
24 unemployment benefits, or dislocated forest products workers who have
25 exhausted unemployment benefits, of their eligibility for the program.

26 (b) Establishing procedures for dislocated forest products workers
27 to apply to the program.

28 (c) Developing a pool of workers eligible to enroll in the program.

1 (d) Contracting with the department of natural resources to provide
2 employment opportunities for not less than two hundred eligible
3 enrollees.

4 (2) The department shall provide career orientation services to
5 enrollees in the program. The career orientation services shall
6 include, but are not limited to, counseling on employment options and
7 assistance in accessing retraining programs, and assistance in
8 accessing social service programs.

9 (3) The department shall provide at least eight hours of career
10 counseling each week for program enrollees.

11 NEW SECTION. **Sec. 9.** (1) The department of natural resources
12 shall enroll candidates in the program from a pool of eligible workers
13 developed by the department.

14 (2) The department of natural resources shall provide compensation
15 for enrollees.

16 NEW SECTION. **Sec. 10.** The legislature finds that an increase
17 in unemployment due to the declining timber economy in the state is
18 imminent. The legislature further recognizes that employment
19 opportunities in state and local government in other natural resource
20 management professions exist and that dislocated forest products
21 workers in the timber-related professions represent a potential work
22 force in the areas of fisheries, wildlife, and recreation.

23 NEW SECTION. **Sec. 11.** The department, subject to the
24 availability of funding, shall establish the natural resource worker
25 project. The project shall terminate on July 1, 1996, and shall
26 provide employment and training opportunities for dislocated forest
27 products workers in the areas of fisheries, wildlife, recreation, and

1 other natural resource professions. The department of personnel shall
2 approve the project. The goal of the project is to allow project
3 employees to be, upon termination of their participation in the
4 project, eligible for permanent employment with the departments of
5 wildlife, fisheries, ecology, and natural resources, and the parks and
6 recreation commission.

7 NEW SECTION. **Sec. 12.** The department shall use nonfederal
8 funds that it receives for dislocated forest products workers to
9 contract with the departments of wildlife, fisheries, ecology, and
10 natural resources, and the parks and recreation commission to hire
11 project participants to conduct tasks in the areas of fisheries,
12 wildlife, forestry, ecology, and recreation.

13 NEW SECTION. **Sec. 13.** The project shall include the following
14 elements:

- 15 (1) Recruitment of dislocated forest products workers;
- 16 (2) Placement in the departments of wildlife, fisheries, ecology,
17 and natural resources, and the parks and recreation commission;
- 18 (3) On-the-job training in entry-level natural resource management
19 skills;
- 20 (4) Comparable salaries and benefits to entry-level positions
21 already existing in the departments of wildlife, fisheries, ecology,
22 and natural resources, and the parks and recreation commission.

23 NEW SECTION. **Sec. 14.** The department, along with the
24 departments of personnel, wildlife, fisheries, ecology, and natural
25 resources, and the parks and recreation commission shall report
26 annually to the legislature on November 1 of each year beginning
27 November 1, 1992, and until November 1, 1995.

1 The report shall include, at a minimum, the following elements:

2 (1) The number of project employees;

3 (2) The number and description of positions filled, by agency;

4 (3) Training received;

5 (4) Duration of employment; and

6 (5) Placement in permanent positions.

7 **Sec. 15.** RCW 28B.50.030 and 1985 c 461 s 14 are each amended to
8 read as follows:

9 As used in this chapter, unless the context requires otherwise, the
10 term:

11 (1) "System" shall mean the state system of community colleges,
12 which shall be a system of higher education;

13 (2) "College board" shall mean the state board for community
14 college education created by this chapter;

15 (3) "Director" shall mean the administrative director for the state
16 system of community colleges;

17 (4) "District" shall mean any one of the community college
18 districts created by this chapter;

19 (5) "Board of trustees" shall mean the local community college
20 board of trustees established for each community college district
21 within the state;

22 (6) "Council" shall mean the coordinating council for occupational
23 education;

24 (7) "Occupational education" shall mean that education or training
25 that will prepare a student for employment that does not require a
26 baccalaureate degree;

27 (8) "K-12 system" shall mean the public school program including
28 kindergarten through the twelfth grade;

1 (9) "Common school board" shall mean a public school district board
2 of directors;

3 (10) "Community college" shall include where applicable,
4 vocational-technical and adult education programs conducted by
5 community colleges and vocational-technical institutes whose major
6 emphasis is in post-high school education;

7 (11) "Adult education" shall mean all education or instruction,
8 including academic, vocational education or training, and "occupational
9 education" provided by public educational institutions, including
10 common school districts for persons who are eighteen years of age and
11 over or who hold a high school diploma or certificate: PROVIDED, That
12 "adult education" shall not include academic education or instruction
13 for persons under twenty-one years of age who do not hold a high school
14 degree or diploma and who are attending a public high school for the
15 sole purpose of obtaining a high school diploma or certificate:
16 PROVIDED, FURTHER, That "adult education" shall not include education
17 or instruction provided by any four year public institution of higher
18 education: AND PROVIDED FURTHER, That adult education shall not
19 include education or instruction provided by a vocational-technical
20 institute;

21 (12) "Dislocated forest product worker" shall mean a forest
22 products worker who: (a)(i) Has been terminated or received notice of
23 termination from employment and is unlikely to return to employment in
24 the individual's principal occupation or previous industry because of
25 a diminishing demand for his or her skills in that occupation or
26 industry; or (ii) is self-employed and has been displaced from his or
27 her business because of the diminishing demand for the business's
28 services or goods; and (b) at the time of last separation from
29 employment, resided in or was employed in a timber impact area;

1 (13) "Forest products worker" shall mean a worker in the forest
2 products industries affected by the reduction of forest fiber
3 enhancement, transportation, or production. The workers included
4 within this definition shall be determined by the employment security
5 department, but shall include workers employed in the industries
6 assigned the major group standard industrial classification codes "24"
7 and "26" and the industries involved in the harvesting and management
8 of logs, transportation of logs and wood products, processing of wood
9 products, and the manufacturing and distribution of wood processing and
10 logging equipment. The commissioner may adopt rules further
11 interpreting these definitions. For the purposes of this subsection,
12 "standard industrial classification code" means the code identified in
13 RCW 50.29.025(6)(c);

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

26 NEW SECTION. Sec. 16. A new section is added to chapter 28B.50
27 RCW to read as follows:

1 To the extent that funds are specifically appropriated therefor, the
2 state board for community college education shall provide training and
3 retraining in timber impact areas as follows:

4 (1) Disbursement of funds to individual community colleges for
5 supplemental slots in cases where enrollment demand exceeds allocation;

6 (2) Pilot projects for innovative approaches to literacy and
7 employment training. Pilot projects may include, but are not limited
8 to:

9 (a) Training for cranberry industry research, coordinated by the
10 Washington State University coastal research unit, Long Beach;

11 (b) Training through Grays Harbor Community College for dislocated
12 forest products workers to fill positions as safety training and vessel
13 inspectors. They shall contract with those organizations deemed
14 appropriate to carry out this program;

15 (c) Training through Skagit Valley Community College for dislocated
16 forest products workers in natural resources technical programs in
17 stream enhancement, including waters upstream or downstream as well as
18 adjacent to state lands; water quality enhancement; irrigation repair;
19 and the building of shellfish beds;

20 (d) Training for agricultural development, diversification,
21 marketing, and processing programs in timber impact areas.

22 Nothing in subsection (2) of this section shall be construed to
23 provide priority for the projects listed in subsection (2) of this
24 section.

25 For the purposes of this section, the number of full-time
26 equivalent students to be served during any biennium shall be
27 determined by the applicable omnibus appropriations act and shall be in
28 addition to the community college enrollment level funded by the
29 applicable omnibus appropriations act.

1 NEW SECTION. **Sec. 17.** A new section is added to chapter 28B.50
2 RCW to read as follows:

3 (1) The state board for community college education shall
4 administer a program designed to provide higher education opportunities
5 to dislocated forest products workers and their unemployed spouses who
6 are enrolled in a community or technical college for ten or more credit
7 hours per quarter. In administering the program, the college board
8 shall have the following powers and duties:

9 (a) With the assistance of an advisory committee, design a
10 procedure for selecting dislocated forest products workers to
11 participate in the program;

12 (b) Allocate funding to community and technical colleges attended
13 by participants;

14 (c) Monitor the program and report on participants' progress and
15 outcomes; and

16 (d) Report to the legislature by December 1, 1993, on the status
17 of the program.

18 (2) Unemployed spouses of eligible dislocated forest products
19 workers may participate in the program, but tuition and fees may be
20 waived under the program only for the worker or the spouse and not
21 both.

22 (3) The boards of trustees of the community and technical colleges
23 shall waive tuition and fees for program participants, for a maximum of
24 six quarters within a two-year period.

25 (4) During any biennium, the number of full-time equivalent
26 students to be served in this program shall be determined by the
27 applicable omnibus appropriations act, and shall be in addition to the
28 community college enrollment level funded by the applicable omnibus
29 appropriations act.

1 NEW SECTION. **Sec. 18.** A new section is added to chapter 28B.80
2 RCW to read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout sections 19 through 21 of this act.

5 (1) "Board" means the higher education coordinating board.

6 (2) "Dislocated forest products worker" means a forest products
7 worker who: (a)(i) Has been terminated or received notice of
8 termination from employment and is unlikely to return to employment in
9 the individual's principal occupation or previous industry because of
10 a diminishing demand for his or her skills in that occupation or
11 industry; or (ii) is self-employed and has been displaced from his or
12 her business because of the diminishing demand for the business's
13 services or goods; and (b) at the time of last separation from
14 employment, resided in or was employed in a timber impact area.

15 (3) "Forest products worker" means a worker in the forest products
16 industries affected by the reduction of forest fiber enhancement,
17 transportation, or production. The workers included within this
18 definition shall be determined by the employment security department,
19 but shall include workers employed in the industries assigned the major
20 group standard industrial classification codes "24" and "26" and the
21 industries involved in the harvesting and management of logs,
22 transportation of logs and wood products, processing of wood products,
23 and the manufacturing and distribution of wood processing and logging
24 equipment. The commissioner may adopt rules further interpreting these
25 definitions. For the purposes of this subsection, "standard industrial
26 classification code" means the code identified in RCW 50.29.025(6)(c).

27 (4) "Timber impact area" means a county having a population of less
28 than five hundred thousand, or a city or town located within a county
29 having a population of less than five hundred thousand, and meeting two
30 of the following three criteria, as determined by the employment

1 security department, for the most recent year such data is available:
2 (a) A lumber and wood products employment location quotient at or above
3 the state average; (b) projected or actual direct lumber and wood
4 products job losses of one hundred positions or more, except counties
5 having a population greater than two hundred thousand but less than
6 five hundred thousand must have direct lumber and wood products job
7 losses of one thousand positions or more; or (c) an annual unemployment
8 rate twenty percent or more above the state average.

9 NEW SECTION. **Sec. 19.** A new section is added to chapter 28B.80
10 RCW to read as follows:

11 The board shall administer a program designed to provide upper
12 division higher education opportunities to dislocated forest products
13 workers, their spouses, and others in timber impact areas. In
14 administering the program, the board shall have the following powers
15 and duties:

16 (1) Distribute funding for institutions of higher education to
17 service placebound students in the timber impact areas meeting the
18 following criteria, as determined by the employment security
19 department: (a) A lumber and wood products employment location
20 quotient at or above the state average; (b) a direct lumber and wood
21 products job loss of one hundred positions or more; and (c) an annual
22 unemployment rate twenty percent above the state average;

23 (2) Appoint an advisory committee to assist the board in program
24 design and future project selection;

25 (3) Monitor the program and report on student progress and outcome;
26 and

27 (4) Report to the legislature by December 1, 1993, on the status of
28 the program.

1 NEW SECTION. **Sec. 20.** A new section is added to chapter 28B.80

2 RCW to read as follows:

3 (1) The board shall contract with institutions of higher education
4 to provide upper division classes to serve additional placebound
5 students in the timber impact areas meeting the following criteria, as
6 determined by the employment security department: (a) A lumber and
7 wood products employment location quotient at or above the state
8 average; (b) a direct lumber and wood products job loss of one hundred
9 positions or more; and (c) an annual unemployment rate twenty percent
10 above the state average; and which are not served by an existing state-
11 funded upper division degree program. The number of full-time
12 equivalent students served in this manner shall be determined by the
13 applicable omnibus appropriations act. The board may direct that all
14 the full-time equivalent enrollments be served in one of the eligible
15 timber impact areas if it should determine that this would be the most
16 viable manner of establishing the program and using available
17 resources. The institutions shall utilize telecommunication
18 technology, if available, to carry out the purposes of this section.
19 The institutions providing the service shall waive the tuition,
20 service, and activities fees for dislocated forest products workers or
21 their unemployed spouses enrolled as one of the full-time equivalent
22 students allocated to the college under this section.

23 (2) Unemployed spouses of eligible dislocated forest products
24 workers may participate in the program, but tuition and fees may be
25 waived under the program only for the worker or the spouse and not
26 both.

27 (3) For any eligible participant, tuition shall be waived for a
28 maximum of four semesters or six quarters within a two-year time period
29 and the participant must be enrolled for a minimum of ten credits per
30 semester or quarter.

1 NEW SECTION. **Sec. 21.** A new section is added to chapter 28B.80
2 RCW to read as follows:

3 Dislocated forest products workers and their spouses shall receive
4 priority for attendance in upper division courses allocated under
5 section 20 of this act. Remaining allocations may be distributed to
6 others in the timber impact area.

7 NEW SECTION. **Sec. 22.** A new section is added to chapter 70.47 RCW
8 to read as follows:

9 (1) The administrator, when specific funding is provided and where
10 feasible, shall make the basic health plan available to dislocated
11 forest products workers and their families in timber impact areas. The
12 administrator shall prioritize making the plan available under this
13 section to the timber impact areas meeting the following criteria, as
14 determined by the employment security department: (a) A lumber and
15 wood products employment location quotient at or above the state
16 average; (b) a direct lumber and wood products job loss of one hundred
17 positions or more; and (c) an annual unemployment rate twenty percent
18 above the state average.

19 (2) Dislocated forest products workers assisted under this section
20 shall meet the requirements of enrollee as defined in RCW 70.47.020(4).

21 (3) For purposes of this section, (a) "dislocated forest products
22 worker" means a forest products worker who: (i)(A) Has been terminated
23 or received notice of termination from employment and is unlikely to
24 return to employment in the individual's principal occupation or
25 previous industry because of a diminishing demand for his or her skills
26 in that occupation or industry; or (B) is self-employed and has been
27 displaced from his or her business because of the diminishing demand
28 for the business's services or goods; and (ii) at the time of last
29 separation from employment, resided in or was employed in a timber

1 impact area; (b) "forest products worker" means a worker in the forest
2 products industries affected by the reduction of forest fiber
3 enhancement, transportation, or production. The workers included
4 within this definition shall be determined by the employment security
5 department, but shall include workers employed in the industries
6 assigned the major group standard industrial classification codes "24"
7 and "26" and the industries involved in the harvesting and management
8 of logs, transportation of logs and wood products, processing of wood
9 products, and the manufacturing and distribution of wood processing and
10 logging equipment. The commissioner may adopt rules further
11 interpreting these definitions. For the purposes of this subsection,
12 "standard industrial classification code" means the code identified in
13 RCW 50.29.025(6)(c); and (c) "timber impact area" means a county having
14 a population of less than five hundred thousand, or a city or town
15 located within a county having a population of less than five hundred
16 thousand, and meeting two of the following three criteria, as
17 determined by the employment security department, for the most recent
18 year such data is available: (i) A lumber and wood products employment
19 location quotient at or above the state average; (ii) projected or
20 actual direct lumber and wood products job losses of one hundred
21 positions or more, except counties having a population greater than two
22 hundred thousand but less than five hundred thousand must have direct
23 lumber and wood products job losses of one thousand positions or more;
24 or (iii) an annual unemployment rate twenty percent or more above the
25 state average.

26 NEW SECTION. **Sec. 23.** (1) The department of community
27 development, as a member of the agency timber task force and in
28 consultation with the economic recovery coordination board, shall
29 establish and administer the emergency mortgage and rental assistance

1 program. The department shall identify the communities most adversely
2 affected by reductions in timber harvest levels and shall prioritize
3 assistance under this program to these communities. The department
4 shall work with the department of social and health services and the
5 timber recovery coordinator to develop the program in timber impact
6 areas. Organizations eligible to receive funds for distribution under
7 the program are those organizations that are eligible to receive
8 assistance through the Washington housing trust fund.

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

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

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

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

18 NEW SECTION. **Sec. 24.** Emergency mortgage assistance shall be
19 provided under the following general guidelines:

20 (1) Loans provided under the program shall not exceed an amount
21 equal to twenty-four months of mortgage payments.

22 (2) The maximum loan amount allowed under the program shall not
23 exceed twenty thousand dollars.

24 (3) Loans shall be made to applicants who meet specific income
25 guidelines established by the department.

26 (4) Loan payments shall be made directly to the mortgage lender.

27 (5) Loans shall be granted on a first-come, first-served basis.

28 (6) Repayment of loans provided under the program must not take
29 more than twenty years.

1 (7) The department may provide for emergency short-term loans.

2 NEW SECTION. **Sec. 25.** Emergency rental assistance shall be
3 provided under the following general guidelines:

4 (1) Rental assistance provided under the program may be in the form
5 of loans or grants and shall not exceed an amount equal to twenty-four
6 months of mortgage payments.

7 (2) Rental assistance shall be made to applicants who meet specific
8 income guidelines established by the department.

9 (3) Rental payments shall be made directly to the landlord.

10 (4) Rental assistance shall be granted on a first-come, first-
11 served basis.

12 NEW SECTION. **Sec. 26.** To be eligible for assistance under the
13 program, an applicant must:

14 (1) Be unable to keep mortgage or rental payments current, due to
15 a loss of employment, and shall be at significant risk of eviction;

16 (2) Have his or her permanent residence located in an eligible
17 community;

18 (3) If requesting emergency mortgage assistance, be the owner of an
19 equitable interest in the permanent residence and intend to reside in
20 the home being financed;

21 (4) Be actively seeking new employment or be enrolled in a training
22 program approved by the director; and

23 (5) Submit an application for assistance to an organization
24 eligible to receive funds under section 23 of this act by June 30,
25 1996.

26 NEW SECTION. **Sec. 27.** The department shall carry out the
27 following duties:

- 1 (1) Administer the program;
- 2 (2) Identify organizations eligible to receive funds to implement
3 the program;
- 4 (3) Develop and adopt the necessary rules and procedures for
5 implementation of the program and for dispersal of program funds to
6 eligible organizations;
- 7 (4) Establish the interest rate for repayment of loans at two
8 percent below the market rate;
- 9 (5) Work with lending institutions and social service providers in
10 the eligible communities to assure that all eligible persons are
11 informed about the program;
- 12 (6) Utilize federal and state programs that complement or
13 facilitate carrying out the program;
- 14 (7) Submit a report to the senate commerce and labor committee and
15 the house of representatives housing committee by January 31, 1992.

16 NEW SECTION. **Sec. 28.** (1) The department of social and health
17 services shall help families and workers in timber impact areas make
18 the transition through economic difficulties and shall provide services
19 to assist workers to gain marketable skills. The department, as a
20 member of the agency timber task force and in consultation with the
21 economic recovery coordination board, and, where appropriate, under an
22 interagency agreement with the department of community development,
23 shall provide grants through the office of the secretary for services
24 to the unemployed in timber impact areas, including providing direct or
25 referral services, establishing and operating service delivery
26 programs, and coordinating delivery programs and delivery of services.
27 These grants may be awarded for family support centers, reemployment
28 centers, or other local service agencies.

1 (2) The services provided through the grants may include, but need
2 not be limited to: Credit counseling; social services including
3 marital counseling; psychotherapy or psychological counseling; mortgage
4 foreclosures and utilities problems counseling; drug and alcohol abuse
5 services; medical services; and residential heating and food
6 acquisition.

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

12 (4)(a) Grants for family support centers are intended to provide
13 support to families by responding to needs identified by the families
14 and communities served by the centers. Services provided by family
15 support centers may include parenting education, child development
16 assessments, health and nutrition education, counseling, and
17 information and referral services. Such services may be provided
18 directly by the center or through referral to other agencies
19 participating in the interagency team.

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

22 (5) "Timber impact area" means a county having a population of less
23 than five hundred thousand, or a city or town located within a county
24 having a population of less than five hundred thousand, and meeting two
25 of the following three criteria, as determined by the employment
26 security department, for the most recent year such data is available:

27 (a) A lumber and wood products employment location quotient at or above
28 the state average; (b) projected or actual direct lumber and wood
29 products job losses of one hundred positions or more, except counties
30 having a population greater than two hundred thousand but less than

1 five hundred thousand must have direct lumber and wood products job
2 losses of one thousand positions or more; or (c) an annual unemployment
3 rate twenty percent or more above the state average.

4 NEW SECTION. **Sec. 29.** The Washington public policy institute
5 at The Evergreen State College shall design an evaluation mechanism and
6 shall undertake, by November 1, 1993, an evaluation of the
7 effectiveness of the programs contained in this act. The agencies
8 implementing the programs contained in this act shall assist the
9 institute in the evaluation.

10 NEW SECTION. **Sec. 30.** To the extent that funds are
11 specifically appropriated in the omnibus operating budget
12 appropriations act for the 1991-93 biennium, the department of
13 community development shall enhance the two reemployment centers in
14 timber impact areas in order to continue providing referral services,
15 counseling, and support.

16 NEW SECTION. **Sec. 31.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

20 NEW SECTION. **Sec. 32.** If any part of this act is found to be
21 in conflict with federal requirements which are a prescribed condition
22 to the allocation of federal funds to the state or the eligibility of
23 employers in this state for federal unemployment tax credits, the
24 conflicting part of this act is hereby declared to be inoperative
25 solely to the extent of the conflict, and such finding or determination
26 shall not affect the operation of the remainder of this act. The rules

1 under this act shall meet federal requirements which are a necessary
2 condition to the receipt of federal funds by the state or the granting
3 of federal unemployment tax credits to employers in this state.

4 NEW SECTION. **Sec. 33.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and shall take
7 effect immediately, except for section 4 of this act, which shall take
8 effect July 1, 1991.

9 NEW SECTION. **Sec. 34.** If specific funding for the purposes of
10 sections 5 through 9 of this act, referencing sections 5 through 9 of
11 this act by bill and section numbers, is not provided by June 30, 1991,
12 in the omnibus appropriations act, sections 5 through 9 of this act
13 shall be null and void.

14 NEW SECTION. **Sec. 35.** If specific funding for the purposes of
15 sections 10 through 14 of this act, referencing sections 10 through 14
16 of this act by bill and section numbers, is not provided by June 30,
17 1991, in the omnibus appropriations act, sections 10 through 14 of this
18 act shall be null and void.

19 NEW SECTION. **Sec. 36.** If specific funding for the purposes of
20 sections 23 through 27 of this act, referencing sections 23 through 27
21 of this act by bill and section numbers, is not provided by June 30,
22 1991, in the omnibus appropriations act, sections 23 through 27 of this
23 act shall be null and void.

24 NEW SECTION. **Sec. 37.** If specific funding for the purposes of
25 section 28, 29, or 30 of this act, referencing such section or sections

1 by bill and section numbers, is not provided by June 30, 1991, in the
2 omnibus appropriations act, each section not referenced shall be null
3 and void.

4 NEW SECTION. **Sec. 38.** (1) Sections 5 through 14 of this act
5 shall constitute a new chapter in Title 50 RCW.

6 (2) Sections 23 through 27 of this act are each added to chapter
7 43.63A RCW.