

2 **ESSB 5868 - H AMD ADOPTED AS AMENDED 4-21-93**

3 By Representative

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** INTENT. The legislature finds that the
8 long-term economic health of the state and its citizens depends upon
9 the strength and vitality of its communities and businesses. It is the
10 intent of this chapter to create a merged department of community,
11 trade, and economic development that fosters new partnerships for
12 strong and sustainable communities. The consolidation of the
13 department of trade and economic development and the department of
14 community development into one department will: Streamline access to
15 services by providing a simpler point of entry for state programs;
16 provide focused and flexible responses to changing economic conditions;
17 generate greater local capacity to respond to both economic growth and
18 environmental challenges; and increase accountability to the public,
19 the executive branch, and the legislature.

20 A new department can bring together a focused effort to: Manage
21 growth and achieve sustainable development; diversify the state's
22 economy and export goods and services; provide greater access to
23 economic opportunity; stimulate private sector investment and
24 entrepreneurship; provide stable family-wage jobs and meet the diverse
25 needs of families; provide affordable housing and housing services;
26 construct public infrastructure; protect our cultural heritage; and
27 promote the health and safety of the state's citizens.

28 The legislature further finds that as a result of the rapid pace of
29 global social and economic change, the state and local communities will
30 require coordinated and creative responses by every segment of the
31 community. The state can play a role in assisting such local efforts
32 by reorganizing state assistance efforts to promote such partnerships.
33 The department has a primary responsibility to provide financial and
34 technical assistance to the communities of the state, to assist in
35 improving the delivery of federal, state, and local programs, and to
36 provide communities with opportunities for productive and coordinated

1 development beneficial to the well-being of communities and their
2 residents. It is the intent of the legislature in this consolidation
3 to maximize the use of local expertise and resources in the delivery of
4 community and economic development services.

5 NEW SECTION. **Sec. 2.** MANAGEMENT RESPONSIBILITY. The purpose of
6 this chapter is to establish the broad outline of the structure of the
7 department of community, trade, and economic development, leaving
8 specific details of its internal organization and management to those
9 charged with its administration. This chapter identifies the broad
10 functions and responsibilities of the new department and is intended to
11 provide flexibility to the director to reorganize these functions and
12 to make recommendations for changes through the implementation plan
13 required in section 8 of this act.

14 NEW SECTION. **Sec. 3.** DEFINITIONS. Unless the context clearly
15 requires otherwise, the definitions in this section apply throughout
16 this chapter.

17 (1) "Associate development organization" means a local economic
18 development nonprofit corporation that is broadly representative of
19 community interests.

20 (2) "Department" means the department of community, trade, and
21 economic development.

22 (3) "Director" means the director of the department of community,
23 trade, and economic development.

24 NEW SECTION. **Sec. 4.** DEPARTMENT CREATED. A department of
25 community, trade, and economic development is created. The department
26 shall be vested with all powers and duties established or transferred
27 to it under this chapter and such other powers and duties as may be
28 authorized by law. Unless otherwise specifically provided in chapter
29 ..., Laws of 1993 (this act), the existing responsibilities and
30 functions of the agency programs will continue to be administered in
31 accordance with their implementing legislation.

32 NEW SECTION. **Sec. 5.** DIRECTOR'S APPOINTMENT. The executive head
33 of the department shall be the director. The director shall be
34 appointed by the governor with the consent of the senate, and shall

1 serve at the pleasure of the governor. The director shall be paid a
2 salary to be fixed by the governor in accordance with RCW 43.03.040.

3 NEW SECTION. **Sec. 6.** DIRECTOR'S RESPONSIBILITIES. (1) The
4 director shall supervise and administer the activities of the
5 department and shall advise the governor and the legislature with
6 respect to community and economic development matters affecting the
7 state.

8 (2) In addition to other powers and duties granted to the director,
9 the director shall have the following powers and duties:

10 (a) Enter into contracts on behalf of the state to carry out the
11 purposes of this chapter;

12 (b) Act for the state in the initiation of or participation in any
13 multigovernmental program relative to the purpose of this chapter;

14 (c) Accept and expend gifts and grants, whether such grants be of
15 federal or other funds;

16 (d) Appoint such deputy directors, assistant directors, and up to
17 seven special assistants as may be needed to administer the department.
18 These employees are exempt from the provisions of chapter 41.06 RCW;

19 (e) Prepare and submit budgets for the department for executive and
20 legislative action;

21 (f) Submit recommendations for legislative actions as are deemed
22 necessary to further the purposes of this chapter;

23 (g) Adopt rules in accordance with chapter 34.05 RCW and perform
24 all other functions necessary and proper to carry out the purposes of
25 this chapter;

26 (h) Delegate powers, duties, and functions as the director deems
27 necessary for efficient administration, but the director shall be
28 responsible for the official acts of the officers and employees of the
29 department; and

30 (i) Perform other duties as are necessary and consistent with law.

31 (3) When federal or other funds are received by the department,
32 they shall be promptly transferred to the state treasurer and
33 thereafter expended only upon the approval of the director.

34 (4) The director may request information and assistance from all
35 other agencies, departments, and officials of the state, and may
36 reimburse such agencies, departments, or officials if such a request
37 imposes any additional expenses upon any such agency, department, or
38 official.

1 (5) The director shall, in carrying out the responsibilities of
2 office, consult with governmental officials, private groups, and
3 individuals and with officials of other states. All state agencies and
4 their officials and the officials of any political subdivision of the
5 state shall cooperate with and give such assistance to the department,
6 including the submission of requested information, to allow the
7 department to carry out its purposes under this chapter.

8 (6) The director may establish additional advisory or coordinating
9 groups with the legislature, within state government, with state and
10 other governmental units, with the private sector and nonprofit
11 entities or in specialized subject areas as may be necessary to carry
12 out the purposes of this chapter.

13 (7) The internal affairs of the department shall be under the
14 control of the director in order that the director may manage the
15 department in a flexible and intelligent manner as dictated by changing
16 contemporary circumstances. Unless specifically limited by law, the
17 director shall have complete charge and supervisory powers over the
18 department. The director may create such administrative structures as
19 the director deems appropriate, except as otherwise specified by law,
20 and the director may employ such personnel as may be necessary in
21 accordance with chapter 41.06 RCW, except as otherwise provided by law.

22 NEW SECTION. **Sec. 7.** DEPARTMENT RESPONSIBILITIES. The department
23 shall be responsible for promoting community and economic development
24 within the state by assisting the state's communities to increase the
25 quality of life of their citizens and their economic vitality, and by
26 assisting the state's businesses to maintain and increase their
27 economic competitiveness, while maintaining a healthy environment.
28 Community and economic development efforts shall include: Efforts to
29 increase economic opportunity; local planning to manage growth; the
30 promotion and provision of affordable housing and housing-related
31 services; providing public infrastructure; business and trade
32 development; assisting firms and industrial sectors to increase their
33 competitiveness; fostering the development of minority and women-owned
34 businesses; facilitating technology development, transfer, and
35 diffusion; community services and advocacy for low-income persons; and
36 public safety efforts. The department shall have the following general
37 functions and responsibilities:

1 (1) Provide advisory assistance to the governor, other state
2 agencies, and the legislature on community and economic development
3 matters and issues;

4 (2) Assist the governor in coordinating the activities of state
5 agencies that have an impact on local government and communities;

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

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

13 (5) Cooperate with and provide technical and financial assistance
14 to local governments, businesses, and community-based organizations
15 serving the communities of the state for the purpose of aiding and
16 encouraging orderly, productive, and coordinated development of the
17 state, and, unless stipulated otherwise, give additional consideration
18 to local communities and individuals with the greatest relative need
19 and the fewest resources;

20 (6) Participate with other states or subdivisions thereof in
21 interstate programs and assist cities, counties, municipal
22 corporations, governmental conferences or councils, and regional
23 planning commissions to participate with other states and provinces or
24 their subdivisions;

25 (7) Hold public hearings and meetings to carry out the purposes of
26 this chapter;

27 (8) Conduct research and analysis in furtherance of the state's
28 economic and community development efforts including maintenance of
29 current information on market, demographic, and economic trends as they
30 affect different industrial sectors, geographic regions, and
31 communities with special economic and social problems in the state; and

32 (9) Develop a schedule of fees for services where appropriate.

33 NEW SECTION. **Sec. 8.** IMPLEMENTATION PLAN. (1) The director of
34 the department of trade and economic development and the director of
35 the department of community development shall, by November 15, 1993,
36 jointly submit a plan to the governor for the consolidation and smooth
37 transition of the department of trade and economic development and the
38 department of community development into the department of community,

1 trade, and economic development so that the department will operate as
2 a single entity on July 1, 1994.

3 (2) The plan shall include, but is not limited to, the following
4 elements:

5 (a) Strategies for combining the existing functions and
6 responsibilities of both agencies into a coordinated and unified
7 department including a strategic plan for each major program area that
8 includes implementation steps, evaluation measures, and methods for
9 collaboration among programs;

10 (b) Recommendations for any changes in existing programs and
11 functions of both agencies, including new initiatives and possible
12 transfer of programs and functions to and from other departments;

13 (c) Implementation steps necessary to bring about operation of the
14 combined department as a single entity;

15 (d) Benchmarks by which to measure progress and to evaluate the
16 performance and effectiveness of the department's efforts; and

17 (e) Strategies for coordinating and maximizing federal, state,
18 local, international, and private sector support for community and
19 economic development efforts within the state.

20 (3) In developing this plan, the directors shall establish an
21 advisory committee of representatives of groups using services and
22 programs of both departments. The advisory committee shall include
23 representatives of cities, counties, port districts, small and large
24 businesses, labor unions, associate development organizations, low-
25 income housing interests, housing industry, Indian tribes, community
26 action programs, public safety groups, nonprofit community and
27 development organizations, international trade organizations, minority
28 and women business organizations, and any other organizations the
29 directors determine should have input to the plan.

30 NEW SECTION. **Sec. 9.** TRADE AND BUSINESS ASSISTANCE. (1) The
31 department shall assist in expanding the state's role as an
32 international center of trade, culture, and finance. The department
33 shall promote and market the state's products and services
34 internationally in close cooperation with other private and public
35 international trade efforts and act as a centralized location for the
36 assimilation and distribution of trade information.

1 (2) The department shall identify and work with Washington
2 businesses that can use local, state, and federal assistance to
3 increase domestic and foreign exports of goods and services.

4 (3) The department shall work generally with small businesses and
5 other employers to facilitate resolution of siting, regulatory,
6 expansion, and retention problems. This assistance shall include but
7 not be limited to assisting in work force training and infrastructure
8 needs, identifying and locating suitable business sites, and resolving
9 problems with government licensing and regulatory requirements. The
10 department shall identify gaps in needed services and develop steps to
11 address them including private sector support and purchase of these
12 services.

13 (4) The department shall work to increase the availability of
14 capital to small businesses by developing new and flexible investment
15 tools and by assisting in targeting and improving the efficiency of
16 existing investment mechanisms.

17 (5) The department shall assist women and minority-owned businesses
18 in overcoming barriers to increased investment and employment and
19 becoming full participants in Washington's traded sector economy.

20 NEW SECTION. **Sec. 10.** LOCAL DEVELOPMENT CAPACITY--BUILDING AND
21 TECHNICAL ASSISTANCE. (1) The department shall work closely with local
22 communities to increase their capacity to respond to economic,
23 environmental, and social problems and challenges. The department
24 shall coordinate the delivery of development services and technical
25 assistance to local communities or regional areas. It shall promote
26 partnerships between the public and private sectors and between state
27 and local officials to encourage appropriate economic growth and
28 opportunity in communities throughout the state. The department shall
29 promote appropriate local development by: Supporting the ability of
30 communities to develop and implement strategic development plans;
31 assisting businesses to start up, maintain, or expand their operations;
32 encouraging public infrastructure investment and private and public
33 capital investment in local communities; supporting efforts to manage
34 growth and provide affordable housing and housing services; providing
35 for the identification and preservation of the state's historical and
36 cultural resources; and expanding employment opportunities.

37 (2) The department shall define a set of services including
38 training and technical assistance that it will make available to local

1 communities, community-based nonprofit organizations, regional areas,
2 or businesses. The department shall simplify access to these programs
3 by providing more centralized and user-friendly information and
4 referral. The department shall coordinate community and economic
5 development efforts to minimize program redundancy and maximize
6 accessibility. The department shall develop a set of criteria for
7 targeting services to local communities.

8 (3) The department shall develop a coordinated and systematic
9 approach to providing training to community-based nonprofit
10 organizations, local communities, and businesses. The approach shall
11 be designed to increase the economic and community development skills
12 available in local communities by providing training and funding for
13 training for local citizens, nonprofit organizations, and businesses.
14 The department shall emphasize providing training in those communities
15 most in need of state assistance.

16 NEW SECTION. **Sec. 11.** LOCAL AND REGIONAL DEVELOPMENT CONTRACTS.

17 (1) The department may contract with associate development
18 organizations or other local organizations to increase the support for
19 and coordination of community and economic development services in
20 communities or regional areas. The organizations contracted with in
21 each community or regional area shall be broadly representative of
22 community and economic interests. The organization shall be capable of
23 identifying key economic and community development problems, developing
24 appropriate solutions, and mobilizing broad support for recommended
25 initiatives. The contracting organization shall work with and include
26 local governments, local chambers of commerce, private industry
27 councils, port districts, labor groups, institutions of higher
28 education, community action programs, and other appropriate private,
29 public, or nonprofit community and economic development groups. The
30 department shall be responsible for determining the scope of services
31 delivered under these contracts.

32 (2) Associate development organizations or other local development
33 organizations contracted with shall promote and coordinate, through
34 local service agreements with local governments, small business
35 development centers, port districts, community and technical colleges,
36 private industry councils, and other development organizations, for the
37 efficient delivery of community and economic development services in
38 their areas.

1 (3) The department shall consult with associate development
2 organizations, port districts, local governments, and other local
3 development organizations in the establishment of service delivery
4 regions throughout the state. The legislature encourages local
5 associate development organizations to form partnerships with other
6 associate development organizations in their region to combine
7 resources for better access to available services, to encourage
8 regional delivery of state services, and to build the local capacity of
9 communities in the region more effectively.

10 (4) The department shall contract on a regional basis for surveys
11 of key sectors of the regional economy and the coordination of
12 technical assistance to businesses and employees within the key
13 sectors. The department's selection of contracting organizations or
14 consortiums shall be based on the sufficiency of the organization's or
15 consortium's proposal to examine key sectors of the local economy
16 within its region adequately and its ability to coordinate the delivery
17 of services required by businesses within the targeted sectors.
18 Organizations contracting with the department shall work closely with
19 the department to examine the local economy and to develop strategies
20 to focus on developing key sectors that show potential for long-term
21 sustainable growth. The contracting organization shall survey
22 businesses and employees in targeted sectors on a periodic basis to
23 gather information on the sector's business needs, expansion plans,
24 relocation decisions, training needs, potential layoffs, financing
25 needs, availability of financing, and other appropriate information
26 about economic trends and specific employer and employee needs in the
27 region.

28 (5) The contracting organization shall participate with the work
29 force training and education coordinating board as created in chapter
30 28C.18 RCW, and any regional entities designated by that board, in
31 providing for the coordination of job skills training within its
32 region.

33 NEW SECTION. **Sec. 12.** ECONOMIC DIVERSIFICATION AND SECTORAL
34 STRATEGIES. (1) The department shall work with private sector
35 organizations, local governments, local economic development
36 organizations, and higher education and training institutions to assist
37 in the development of strategies to diversify the economy, facilitate
38 technology transfer and diffusion, and increase value-added production

1 by focusing on targeted sectors. The targeted sectors may include, but
2 are not limited to, software, forest products, biotechnology,
3 environmental industries, recycling markets and waste reduction,
4 aerospace, food processing, tourism, film and video, microelectronics,
5 new materials, robotics, and machine tools. The department shall, on
6 a continuing basis, evaluate the potential return to the state from
7 devoting additional resources to a targeted sector's approach to
8 economic development and including additional sectors in its efforts.
9 The department shall use information gathered in each service delivery
10 region in formulating its sectoral strategies and in designating new
11 targeted sectors.

12 (2) The department shall ensure that the state continues to pursue
13 a coordinated program to expand the tourism industry throughout the
14 state in cooperation with the public and private tourism development
15 organizations. The department shall work to provide a balance of
16 tourism activities throughout the state and during different seasons of
17 the year. In addition, the department shall promote, market, and
18 encourage growth in the production of films and videos, as well as
19 television commercials within the state.

20 (3) In assisting in the development of a targeted sector, the
21 department's activities may include, but are not limited to:

22 (a) Conducting focus group discussions, facilitating meetings, and
23 conducting studies to identify members of the sector, appraise the
24 current state of the sector, and identify issues of common concern
25 within the sector;

26 (b) Supporting the formation of industry associations, publications
27 of association directories, and related efforts to create or expand the
28 activities or industry associations;

29 (c) Assisting in the formation of flexible networks by providing
30 (i) agency employees or private sector consultants trained to act as
31 flexible network brokers and (ii) funding for potential flexible
32 network participants for the purpose of organizing or implementing a
33 flexible network;

34 (d) Helping establish research consortia;

35 (e) Facilitating joint training and education programs;

36 (f) Promoting cooperative market development activities;

37 (g) Analyzing the need, feasibility, and cost of establishing
38 product certification and testing facilities and services; and

1 (h) Providing for methods of electronic communication and
2 information dissemination among firms and groups of firms to facilitate
3 network activity.

4 By January 10th of each year, the department shall report in
5 writing on its targeted sector programs to the appropriate legislative
6 economic development committees. The department's report shall include
7 an appraisal of the sector, activities the department has undertaken to
8 assist in the development of each sector, and recommendations to the
9 legislature regarding activities that the state should implement but
10 are currently beyond the scope of the department's program or
11 resources.

12 NEW SECTION. **Sec. 13.** LOCAL DEVELOPMENT FINANCE AND PUBLIC
13 FACILITIES. (1) The department shall support the development and
14 maintenance of local infrastructure and public facilities and provide
15 local communities with flexible sources of funding. The department
16 shall coordinate grant and loan programs that provide infrastructure
17 and investment in local communities. This shall include coordinating
18 funding for eligible projects with other federal, state, local,
19 private, and nonprofit funding sources.

20 (2) At a minimum, the department shall provide coordinated
21 procedures for applying for and tracking grants and loans among and
22 between the community economic revitalization board, the public works
23 trust fund, and community development block grants.

24 NEW SECTION. **Sec. 14.** HOUSING AFFORDABILITY. (1) The department
25 shall maintain an active effort to help communities, families, and
26 individuals build and maintain capacity to meet housing needs in
27 Washington state. The department shall facilitate partnerships among
28 the many entities related to housing issues and leverage a variety of
29 resources and services to produce comprehensive, cost-effective, and
30 innovative housing solutions.

31 (2) The department shall assist in the production, development,
32 rehabilitation, and operation of owner-occupied or rental housing for
33 very low, low, and moderate-income persons; operate programs to assist
34 home ownership, offer housing services, and provide emergency,
35 transitional, and special needs housing services; and qualify as a
36 participating state agency for all programs of the federal department
37 of housing and urban development or its successor. The department

1 shall develop or assist local governments in developing housing plans
2 required by the state or federal government.

3 (3) The department shall coordinate and administer energy
4 assistance and residential energy conservation and rehabilitation
5 programs of the federal and state government through nonprofit
6 organizations, local governments, and housing authorities.

7 NEW SECTION. **Sec. 15.** GROWTH MANAGEMENT. (1) The department
8 shall serve as the central coordinator for state government in the
9 implementation of the growth management act, chapter 36.70A RCW. The
10 department shall work closely with all Washington communities planning
11 for future growth and responding to the pressures of urban sprawl. The
12 department shall ensure coordinated implementation of the growth
13 management act by state agencies.

14 (2) The department shall offer technical and financial assistance
15 to cities and counties planning under the growth management act. The
16 department shall help local officials interpret and implement the
17 different requirements of the act through workshops, model ordinances,
18 and information materials.

19 (3) The department shall provide alternative dispute resolution to
20 jurisdictions and organizations to mediate disputes and to facilitate
21 consistent implementation of the growth management act. The department
22 shall review local governments compliance with the requirements of the
23 growth management act and make recommendations to the governor.

24 NEW SECTION. **Sec. 16.** COMMUNITY SERVICES AND PROTECTION. (1) The
25 department shall coordinate services to communities that are directed
26 to the poor and disadvantaged through private and public nonprofit
27 organizations and units of general purpose local governments. The
28 department shall coordinate these programs using, to the extent
29 possible, integrated case management methods, with other community and
30 economic development efforts that promote self-sufficiency.

31 (2) These services may include, but not be limited to,
32 comprehensive education services to preschool children from low-income
33 families, providing for human service needs and advocacy, promoting
34 volunteerism and citizen service as a means for accomplishing local
35 community and economic development goals, coordinating and providing
36 emergency food assistance to distribution centers and needy

1 individuals, and providing for human service needs through community-
2 based organizations.

3 (3) The department shall provide local communities and at-risk
4 individuals with programs that provide community protection and assist
5 in developing strategies to reduce substance abuse. The department
6 shall administer programs that develop collaborative approaches to
7 prevention, intervention, and interdiction programs. The department
8 shall administer programs that support crime victims, address youth and
9 domestic violence problems, provide indigent defense for low-income
10 persons, border town disputes, and administer family services and
11 programs to promote the state's policy as provided in RCW 74.14A.025.

12 (4) The department shall provide fire protection and emergency
13 management services to support and strengthen local capacity for
14 controlling risk to life, property, and community vitality that may
15 result from fires, emergencies, and disasters.

16 **Sec. 17.** RCW 28C.18.060 and 1991 c 238 s 7 are each amended to
17 read as follows:

18 The board, in cooperation with the operating agencies of the state
19 training system shall:

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

23 (2) Advocate for the state training system and for meeting the
24 needs of employers and the work force for work force education and
25 training.

26 (3) Establish and maintain an inventory of the programs of the
27 state training system, and related state programs, and perform a
28 biennial assessment of the vocational education, training, and adult
29 basic education and literacy needs of the state; identify ongoing and
30 strategic education needs; and assess the extent to which employment,
31 training, vocational and basic education, rehabilitation services, and
32 public assistance services represent a consistent, integrated approach
33 to meet such needs.

34 (4) Develop and maintain a state comprehensive plan for work force
35 training and education, including but not limited to, goals,
36 objectives, and priorities for the state training system, and review
37 the state training system for consistency with the state comprehensive
38 plan. In developing the state comprehensive plan for work force

1 training and education, the board shall use, but shall not be limited
2 to: Economic, labor market, and populations trends reports in office
3 of financial management forecasts; joint office of financial management
4 and employment security department labor force, industry employment,
5 and occupational forecasts; the results of scientifically based
6 outcome, net-impact and cost-benefit evaluations; the needs of
7 employers as evidenced in formal employer surveys and other employer
8 input; and the needs of program participants and workers as evidenced
9 in formal surveys and other input from program participants and the
10 labor community.

11 (5) In consultation with the higher education coordinating board,
12 review and make recommendations to the office of financial management
13 and the legislature on operating and capital facilities budget requests
14 for operating agencies of the state training system for purposes of
15 consistency with the state comprehensive plan for work force training
16 and education.

17 (6) Provide for coordination among the different operating agencies
18 of the state training system at the state level and at the regional
19 level.

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

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

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

31 (9) Establish minimum standards for program evaluation for the
32 operating agencies of the state training system, including, but not
33 limited to, the use of common survey instruments and procedures for
34 measuring perceptions of program participants and employers of program
35 participants, and monitor such program evaluation.

36 (10) Every two years administer scientifically based outcome
37 evaluations of the state training system, including, but not limited
38 to, surveys of program participants, surveys of employers of program
39 participants, and matches with employment security department payroll

1 and wage files. Every five years administer scientifically based net-
2 impact and cost-benefit evaluations of the state training system.

3 (11) In cooperation with the employment security department,
4 provide for the improvement and maintenance of quality and utility in
5 occupational information and forecasts for use in training system
6 planning and evaluation. Improvements shall include, but not be
7 limited to, development of state-based occupational change factors
8 involving input by employers and employees, and delineation of skill
9 and training requirements by education level associated with current
10 and forecasted occupations.

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

14 (13) Provide for effectiveness and efficiency reviews of the state
15 training system.

16 (14) In cooperation with the higher education coordinating board,
17 facilitate transfer of credit policies and agreements between
18 institutions of the state training system, and encourage articulation
19 agreements for programs encompassing two years of secondary work force
20 education and two years of postsecondary work force education.

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

24 (16) Participate in the development of coordination criteria for
25 activities under the job training partnership act with related programs
26 and services provided by state and local education and training
27 agencies.

28 (17) Make recommendations to the commission of student assessment,
29 the state board of education, and the superintendent of public
30 instruction, concerning basic skill competencies and essential core
31 competencies for K-12 education. Basic skills for this purpose shall
32 be reading, writing, computation, speaking, and critical thinking,
33 essential core competencies for this purpose shall be English, math,
34 science/technology, history, geography, and critical thinking. The
35 board shall monitor the development of and provide advice concerning
36 secondary curriculum which integrates vocational and academic
37 education.

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

1 (19) Facilitate the location of support services, including but not
2 limited to, child care, financial aid, career counseling, and job
3 placement services, for students and trainees at institutions in the
4 state training system, and advocate for support services for trainees
5 and students in the state training system.

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

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

12 (22) Encourage and assess progress for the equitable representation
13 of racial and ethnic minorities, women, and people with disabilities
14 among the students, teachers, and administrators of the state training
15 system. Equitable, for this purpose, shall mean substantially
16 proportional to their percentage of the state population in the
17 geographic area served. This function of the board shall in no way
18 lessen more stringent state or federal requirements for representation
19 of racial and ethnic minorities, women, and people with disabilities.

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

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

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

26 (26) Work with the director of community, trade, and economic
27 development to ensure coordination between work force training
28 priorities and that department's economic development efforts.

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

30 The board may delegate to the director any of the functions of this
31 section.

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

34 There shall be departments of the state government which shall be
35 known as (1) the department of social and health services, (2) the
36 department of ecology, (3) the department of labor and industries, (4)
37 the department of agriculture, (5) the department of fisheries, (6) the
38 department of wildlife, (7) the department of transportation, (8) the

1 department of licensing, (9) the department of general administration,
2 (10) the department of (~~trade~~) community, trade, and economic
3 development, (11) the department of veterans affairs, (12) the
4 department of revenue, (13) the department of retirement systems, (14)
5 the department of corrections, and (15) (~~the department of community~~
6 ~~development, and (16)~~) the department of health, which shall be
7 charged with the execution, enforcement, and administration of such
8 laws, and invested with such powers and required to perform such
9 duties, as the legislature may provide.

10 **Sec. 19.** RCW 43.17.020 and 1989 1st ex.s. c 9 s 811 are each
11 amended to read as follows:

12 There shall be a chief executive officer of each department to be
13 known as: (1) The secretary of social and health services, (2) the
14 director of ecology, (3) the director of labor and industries, (4) the
15 director of agriculture, (5) the director of fisheries, (6) the
16 director of wildlife, (7) the secretary of transportation, (8) the
17 director of licensing, (9) the director of general administration, (10)
18 the director of (~~trade~~) community, trade, and economic development,
19 (11) the director of veterans affairs, (12) the director of revenue,
20 (13) the director of retirement systems, (14) the secretary of
21 corrections, and (15) (~~the director of community development, and~~
22 ~~(16)~~) the secretary of health.

23 Such officers, except the secretary of transportation, shall be
24 appointed by the governor, with the consent of the senate, and hold
25 office at the pleasure of the governor. The director of wildlife,
26 however, shall be appointed according to the provisions of RCW
27 77.04.080. If a vacancy occurs while the senate is not in session, the
28 governor shall make a temporary appointment until the next meeting of
29 the senate. A temporary director of wildlife shall not serve more than
30 one year. The secretary of transportation shall be appointed by the
31 transportation commission as prescribed by RCW 47.01.041.

32 NEW SECTION. **Sec. 20.** The department of community development is
33 hereby abolished and its powers, duties, and functions are hereby
34 transferred to the department of community, trade, and economic
35 development.

1 NEW SECTION. **Sec. 21.** All reports, documents, surveys, books,
2 records, files, papers, or written material in the possession of the
3 department of community development shall be delivered to the custody
4 of the department of community, trade, and economic development. All
5 cabinets, furniture, office equipment, motor vehicles, and other
6 tangible property employed by the department of community development
7 shall be made available to the department of community, trade, and
8 economic development. All funds, credits, or other assets held by the
9 department of community development shall be assigned to the department
10 of community, trade, and economic development.

11 Any appropriations made to the department of community development
12 shall, on the effective date of this section, be transferred and
13 credited to the department of community, trade, and economic
14 development.

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

21 NEW SECTION. **Sec. 22.** All employees of the department of
22 community development are transferred to the jurisdiction of the
23 department of community, trade, and economic development. All
24 employees classified under chapter 41.06 RCW, the state civil service
25 law, are assigned to the department of community, trade, and economic
26 development to perform their usual duties upon the same terms as
27 formerly, without any loss of rights, subject to any action that may be
28 appropriate thereafter in accordance with the laws and rules governing
29 state civil service.

30 NEW SECTION. **Sec. 23.** All rules and all pending business before
31 the department of community development shall be continued and acted
32 upon by the department of community, trade, and economic development.
33 All existing contracts and obligations shall remain in full force and
34 shall be performed by the department of community, trade, and economic
35 development.

1 NEW SECTION. **Sec. 24.** The transfer of the powers, duties,
2 functions, and personnel of the department of community development
3 shall not affect the validity of any act performed prior to the
4 effective date of this section.

5 NEW SECTION. **Sec. 25.** If apportionments of budgeted funds are
6 required because of the transfers directed by sections 21 through 24 of
7 this act, the director of financial management shall certify the
8 apportionments to the agencies affected, the state auditor, and the
9 state treasurer. Each of these shall make the appropriate transfer and
10 adjustments in funds and appropriation accounts and equipment records
11 in accordance with the certification.

12 NEW SECTION. **Sec. 26.** Nothing contained in sections 20 through 25
13 of this act may be construed to alter any existing collective
14 bargaining unit or the provisions of any existing collective bargaining
15 agreement until the agreement has expired or until the bargaining unit
16 has been modified by action of the personnel board as provided by law.

17 NEW SECTION. **Sec. 27.** The department of trade and economic
18 development is hereby abolished and its powers, duties, and functions
19 are hereby transferred to the department of community, trade, and
20 economic development.

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

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

1 Whenever any question arises as to the transfer of any personnel,
2 funds, books, documents, records, papers, files, equipment, or other
3 tangible property used or held in the exercise of the powers and the
4 performance of the duties and functions transferred, the director of
5 financial management shall make a determination as to the proper
6 allocation and certify the same to the state agencies concerned.

7 NEW SECTION. **Sec. 29.** All employees of the department of trade
8 and economic development are transferred to the jurisdiction of the
9 department of community, trade, and economic development. All
10 employees classified under chapter 41.06 RCW, the state civil service
11 law, are assigned to the department of community, trade, and economic
12 development to perform their usual duties upon the same terms as
13 formerly, without any loss of rights, subject to any action that may be
14 appropriate thereafter in accordance with the laws and rules governing
15 state civil service.

16 NEW SECTION. **Sec. 30.** All rules and all pending business before
17 the department of trade and economic development shall be continued and
18 acted upon by the department of community, trade, and economic
19 development. All existing contracts and obligations shall remain in
20 full force and shall be performed by the department of community,
21 trade, and economic development.

22 NEW SECTION. **Sec. 31.** The transfer of the powers, duties,
23 functions, and personnel of the department of trade and economic
24 development shall not affect the validity of any act performed prior to
25 the effective date of this section.

26 NEW SECTION. **Sec. 32.** If apportionments of budgeted funds are
27 required because of the transfers directed by sections 28 through 31 of
28 this act, the director of financial management shall certify the
29 apportionments to the agencies affected, the state auditor, and the
30 state treasurer. Each of these shall make the appropriate transfer and
31 adjustments in funds and appropriation accounts and equipment records
32 in accordance with the certification.

33 NEW SECTION. **Sec. 33.** Nothing contained in sections 27 through 32
34 of this act may be construed to alter any existing collective

1 bargaining unit or the provisions of any existing collective bargaining
2 agreement until the agreement has expired or until the bargaining unit
3 has been modified by action of the personnel board as provided by law.

4 **Sec. 34.** RCW 19.85.020 and 1989 c 374 s 1 are each amended to read
5 as follows:

6 Unless the context clearly indicates otherwise, the definitions in
7 this section apply through this chapter.

8 (1) "Small business" (~~has the meaning given in RCW 43.31.025(4)~~)
9 means any business entity, including a sole proprietorship,
10 corporation, partnership, or other legal entity, that is owned and
11 operated independently from all other businesses, that has the purpose
12 of making a profit, and that has fifty or fewer employees.

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

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

19 **Sec. 35.** RCW 42.17.310 and 1992 c 139 s 5 and 1992 c 71 s 12 are
20 each reenacted and amended to read as follows:

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

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

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

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

33 (d) Specific intelligence information and specific investigative
34 records compiled by investigative, law enforcement, and penology
35 agencies, and state agencies vested with the responsibility to
36 discipline members of any profession, the nondisclosure of which is

1 essential to effective law enforcement or for the protection of any
2 person's right to privacy.

3 (e) Information revealing the identity of persons who are witnesses
4 to or victims of crime or who file complaints with investigative, law
5 enforcement, or penology agencies, other than the public disclosure
6 commission, if disclosure would endanger any person's life, physical
7 safety, or property. If at the time a complaint is filed the
8 complainant, victim or witness indicates a desire for disclosure or
9 nondisclosure, such desire shall govern. However, all complaints filed
10 with the public disclosure commission about any elected official or
11 candidate for public office must be made in writing and signed by the
12 complainant under oath.

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

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

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

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

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

33 (k) Records, maps, or other information identifying the location of
34 archaeological sites in order to avoid the looting or depredation of
35 such sites.

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

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

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

10 (o) Financial and commercial information and records supplied by
11 private persons pertaining to export services provided pursuant to
12 chapter 43.163 RCW and chapter 53.31 RCW.

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

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

18 (r) Financial and commercial information and records supplied by
19 businesses during application for loans or program services provided by
20 chapters 43.163 ((RCW and chapters 43.31, 43.63A)), 43.-- (sections 1
21 through 7, 9 through 16, 79, and 83 of this act), and 43.168 RCW.

22 (s) Membership lists or lists of members or owners of interests of
23 units in timeshare projects, subdivisions, camping resorts,
24 condominiums, land developments, or common-interest communities
25 affiliated with such projects, regulated by the department of
26 licensing, in the files or possession of the department.

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

30 (u) The residential addresses and residential telephone numbers of
31 employees or volunteers of a public agency which are held by the agency
32 in personnel records, employment or volunteer rosters, or mailing lists
33 of employees or volunteers.

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

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

1 (x) Information obtained by the board of pharmacy or the department
2 of health and its representatives as provided in RCW 69.41.044,
3 69.41.280, and 18.64.420.

4 (y) Financial information, business plans, examination reports, and
5 any information produced or obtained in evaluating or examining a
6 business and industrial development corporation organized or seeking
7 certification under chapter 31.24 RCW.

8 (z) Financial and commercial information supplied to the state
9 investment board by any person when the information relates to the
10 investment of public trust or retirement funds and when disclosure
11 would result in loss to such funds or in private loss to the providers
12 of this information.

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

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

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

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

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

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

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

5 **Sec. 36.** RCW 42.17.319 and 1989 c 312 s 7 are each amended to read
6 as follows:

7 Notwithstanding the provisions of RCW 42.17.260 through 42.17.340,
8 no financial or proprietary information supplied by investors or
9 entrepreneurs under chapter (~~43.31~~) 43.-- RCW (sections 1 through 7,
10 9 through 16, 79, and 83 of this act) shall be made available to the
11 public.

12 **Sec. 37.** RCW 43.17.065 and 1991 c 314 s 28 are each amended to
13 read as follows:

14 (1) Where power is vested in a department to issue permits,
15 licenses, certifications, contracts, grants, or otherwise authorize
16 action on the part of individuals, businesses, local governments, or
17 public or private organizations, such power shall be exercised in an
18 expeditious manner. All departments with such power shall cooperate
19 with officials of the business assistance center of the department of
20 (~~trade~~) community, trade, and economic development, and any other
21 state officials, when such officials request timely action on the part
22 of the issuing department.

23 (2) After August 1, 1991, any agency to which subsection (1) of
24 this section applies shall, with regard to any permits or other actions
25 that are necessary for economic development in timber impact areas, as
26 defined in RCW 43.31.601, respond to any completed application within
27 forty-five days of its receipt; any response, at a minimum, shall
28 include:

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

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

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

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

1 **Sec. 38.** RCW 43.20A.750 and 1992 c 21 s 4 are each amended to read
2 as follows:

3 (1) The department of social and health services shall help
4 families and workers in timber impact areas make the transition through
5 economic difficulties and shall provide services to assist workers to
6 gain marketable skills. The department, as a member of the agency
7 timber task force and in consultation with the economic recovery
8 coordination board, and, where appropriate, under an interagency
9 agreement with the department of community, trade, and economic
10 development, shall provide grants through the office of the secretary
11 for services to the unemployed in timber impact areas, including
12 providing direct or referral services, establishing and operating
13 service delivery programs, and coordinating delivery programs and
14 delivery of services. These grants may be awarded for family support
15 centers, reemployment centers, or other local service agencies.

16 (2) The services provided through the grants may include, but need
17 not be limited to: Credit counseling; social services including
18 marital counseling; psychotherapy or psychological counseling; mortgage
19 foreclosures and utilities problems counseling; drug and alcohol abuse
20 services; medical services; and residential heating and food
21 acquisition.

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

27 (4)(a) Grants for family support centers are intended to provide
28 support to families by responding to needs identified by the families
29 and communities served by the centers. Services provided by family
30 support centers may include parenting education, child development
31 assessments, health and nutrition education, counseling, and
32 information and referral services. Such services may be provided
33 directly by the center or through referral to other agencies
34 participating in the interagency team.

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

37 (5) "Timber impact area" means:

38 (a) A county having a population of less than five hundred
39 thousand, or a city or town located within a county having a population

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

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

16 **Sec. 39.** RCW 43.31.057 and 1986 c 183 s 2 are each amended to read
17 as follows:

18 The department of (~~trade~~) community, trade, and economic
19 development is directed to develop and promote means to stimulate the
20 expansion of the market for Washington products and shall have the
21 following powers and duties:

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

24 (2) To include in the pamphlet a listing of products of Washington
25 companies which individuals can examine when making purchases so they
26 may have the opportunity to select one of those products in support of
27 this program;

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

32 (4) In carrying out these powers and duties the department shall
33 cooperate and coordinate with other agencies of government and the
34 private sector.

35 **Sec. 40.** RCW 43.31.085 and 1989 c 430 s 2 are each amended to read
36 as follows:

37 The business assistance center shall:

- 1 (1) Serve as the state's lead agency and advocate for the
2 development and conservation of businesses.
- 3 (2) Coordinate the delivery of state programs to assist businesses.
- 4 (3) Provide comprehensive referral services to businesses requiring
5 government assistance.
- 6 (4) Serve as the business ombudsman within state government and
7 advise the governor and the legislature of the need for new legislation
8 to improve the effectiveness of state programs to assist businesses.
- 9 (5) Aggressively promote business awareness of the state's business
10 programs and distribute information on the services available to
11 businesses.
- 12 (6) Develop, in concert with local economic development and
13 business assistance organizations, coordinated processes that
14 complement both state and local activities and services.
- 15 (7) The business assistance center shall work with other federal,
16 state, and local agencies and organizations to ensure that business
17 assistance services including small business, trade services, and
18 distressed area programs are provided in a coordinated and cost-
19 effective manner.
- 20 (8) In collaboration with the child care coordinating committee in
21 the department of social and health services, prepare and disseminate
22 information on child care options for employers and the existence of
23 the program. As much as possible, and through interagency agreements
24 where necessary, such information should be included in the routine
25 communications to employers from (a) the department of revenue, (b) the
26 department of labor and industries, (c) ~~((the department of community
27 development, (d)))~~ the employment security department, ~~((e))~~ (d) the
28 department of ~~((trade))~~ community, trade, and economic development,
29 ~~((f))~~ (e) the small business development center, and ~~((g))~~ (f) the
30 department of social and health services.
- 31 (9) In collaboration with the child care coordinating committee in
32 the department of social and health services, compile information on
33 and facilitate employer access to individuals, firms, organizations,
34 and agencies that provide technical assistance to employers to enable
35 them to develop and support child care services or facilities.
- 36 (10) Actively seek public and private money to support the child
37 care facility fund described in RCW 43.31.502, staff and assist the
38 child care facility fund committee as described in RCW 43.31.504, and

1 work to promote applications to the committee for loan guarantees,
2 loans, and grants.

3 **Sec. 41.** RCW 43.31.205 and 1992 c 228 s 2 are each amended to read
4 as follows:

5 In an effort to enhance the economy of the Tri-Cities area, the
6 department of (~~trade~~) community, trade, and economic development is
7 directed to promote the existence of the lease between the state of
8 Washington and the federal government executed September 10, 1964,
9 covering one thousand acres of land lying within the Hanford
10 reservation near Richland, Washington, and the opportunity of
11 subleasing the land to entities for nuclear-related industry, in
12 agreement with the terms of the lease. When promoting the existence of
13 the lease, the department shall work in cooperation with any associate
14 development organization(~~s~~) located in or near the Tri-Cities area.

15 **Sec. 42.** RCW 43.31.409 and 1989 c 312 s 3 are each amended to read
16 as follows:

17 There is created in the business assistance center of the
18 department of (~~trade~~) community, trade, and economic development the
19 Washington investment opportunities office.

20 **Sec. 43.** RCW 43.31.411 and 1989 c 312 s 4 are each amended to read
21 as follows:

22 The Washington investment opportunities office shall:

23 (1) Maintain a list of all entrepreneurs engaged in manufacturing,
24 wholesaling, transportation services, development of destination
25 tourism resorts, or traded services throughout the state seeking
26 capital resources and interested in the services of the investment
27 opportunities office.

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

31 (3) Assist entrepreneurs in procuring the managerial and technical
32 assistance necessary to attract potential investors. Such assistance
33 shall include the automatic referral to the small business innovators
34 opportunity program of any entrepreneur with a new product meriting the
35 services of the program.

1 (4) Provide entrepreneurs with information about potential
2 investors and provide investors with information about those
3 entrepreneurs which meet the investment criteria of the investor.

4 (5) Promote small business securities financing.

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

8 (7) Publicize the services of the investment opportunities office
9 through public meetings throughout the state, appropriately targeted
10 media, and private meetings. Whenever practical, the office shall use
11 the existing services of local associate development organizations in
12 outreach and identification of entrepreneurs and investors.

13 (8) Report to the ways and means committees and (~~commerce and~~
14 ~~labor~~) appropriate economic development committees of the senate and
15 the house of representatives by December 1, 1989, and each year
16 thereafter, on the accomplishments of the office. Such reports shall
17 include:

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

21 (b) The number of investments made in entrepreneurs, segregated as
22 required by (a) of this subsection, as a result of contact with the
23 investment opportunities office, the dollar amount of each such
24 investment, the source, by state or nation, of each investment, and the
25 number of jobs created as a result of each investment;

26 (c) The number of entrepreneurs on the list referred to in
27 subsection (1) of this section segregated by counties, the number of
28 investments, the dollar amount of investments, and the number of jobs
29 created through investments in each county as a result of contact with
30 the investment opportunities office;

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

35 (e) The results of client satisfaction surveys distributed to
36 entrepreneurs and investors using the services of the investment
37 opportunities office; and

38 (f) Such other information as the managing director finds
39 appropriate.

1 **Sec. 44.** RCW 43.31.422 and 1991 c 272 s 19 are each amended to
2 read as follows:

3 The Hanford area economic investment fund is established in the
4 custody of the state treasurer. Moneys in the fund shall only be used
5 pursuant to the recommendations of the committee created in RCW
6 43.31.425 and the approval of the director of (~~the department of~~
7 ~~trade~~) community, trade, and economic development for Hanford area
8 revolving loan funds, Hanford area infrastructure projects, or other
9 Hanford area economic development and diversification projects, but may
10 not be used for government or nonprofit organization operating
11 expenses. Up to five percent of moneys in the fund may be used for
12 program administration. For the purpose of this chapter "Hanford area"
13 means Benton and Franklin counties. Disbursements from the fund shall
14 be on the authorization of the director of (~~trade~~) community, trade,
15 and economic development or the director's designee after an
16 affirmative vote of at least six members of the committee created in
17 RCW 43.31.425 on any recommendations by the committee created in RCW
18 43.31.425. The fund is subject to the allotment procedures under
19 chapter 43.88 RCW, but no appropriation is required for disbursements.
20 The legislature intends to establish similar economic investment funds
21 for areas that develop low-level radioactive waste disposal facilities.

22 **Sec. 45.** RCW 43.31.504 and 1989 c 430 s 4 are each amended to read
23 as follows:

24 The child care facility fund committee is established within the
25 business assistance center of the department of (~~trade~~) community,
26 trade, and economic development. The committee shall administer the
27 child care facility fund, with review by the director of (~~the~~
28 ~~department of trade~~) community, trade, and economic development.

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

32 (a) Two persons experienced in investment finance and having skills
33 in providing capital to new businesses, in starting and operating
34 businesses, and providing professional services to small or expanding
35 businesses;

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

38 (c) One child care services expert; and

1 (d) One early childhood development expert.

2 In making these appointments, the director shall give careful
3 consideration to ensure that the various geographic regions of the
4 state are represented and that members will be available for meetings
5 and are committed to working cooperatively to address child care needs
6 in Washington state.

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

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

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

21 **Sec. 46.** RCW 43.31.522 and 1990 c 57 s 2 are each amended to read
22 as follows:

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

25 (1) "Department" means the department of (~~trade~~) community,
26 trade, and economic development.

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

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

31 (4) "Local nonprofit organization" means a local nonprofit
32 organization organized to provide economic development or community
33 development services, including but not limited to associate
34 development organizations, economic development councils, and community
35 development corporations.

36 **Sec. 47.** RCW 43.31.524 and 1990 c 57 s 3 are each amended to read
37 as follows:

1 There is established a Washington marketplace program within the
2 business assistance center established under RCW 43.31.083. The
3 program shall assist businesses to competitively meet their needs for
4 goods and services within Washington state by providing information
5 relating to the replacement of imports or the fulfillment of new
6 requirements with Washington products produced in Washington state.
7 The program shall place special emphasis on strengthening rural
8 economies in economically distressed areas of the state meeting the
9 criteria of an "eligible area" as defined in RCW 82.60.020(3). ((The
10 Washington marketplace program shall consult with the community
11 revitalization team established pursuant to chapter 43.165 RCW.))

12 **Sec. 48.** RCW 43.31.526 and 1990 c 57 s 4 are each amended to read
13 as follows:

14 (1) The department shall contract with local nonprofit
15 organizations in ((at least three economically)) distressed areas of
16 the state that meet the criteria of an "eligible area" as defined in
17 RCW 82.60.020(3) to implement the Washington marketplace program in
18 these areas. The department, in order to foster cooperation and
19 linkages between distressed and nondistressed areas and urban and rural
20 areas, may enter into joint contracts with multiple nonprofit
21 organizations. Contracts with economic development organizations to
22 foster cooperation and linkages between distressed and nondistressed
23 areas and urban and rural areas shall be structured by the department
24 and the distressed area marketplace programs. Contracts with economic
25 development organizations shall:

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

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

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

32 The department may require that contractors contribute at least
33 twenty percent local funding.

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

37 (a) Contacting Washington state businesses to identify goods and
38 services they are currently buying or are planning in the future to buy

1 out-of-state and determine which of these goods and services could be
2 purchased on competitive terms within the state;

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

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

7 (d) Advertising market opportunities described in (c) of this
8 subsection; and

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

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

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

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

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

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

21 (d) Provide continuing management and technical assistance to local
22 contractors; and

23 (e) Report by December 31 of each year to the ~~((senate))~~
24 appropriate economic development ~~((and labor committee and to))~~
25 committees of the senate and the house of representatives ~~((trade and~~
26 ~~economic development committee))~~ describing the activities of the
27 Washington marketplace program.

28 **Sec. 49.** RCW 43.31.621 and 1991 c 314 s 4 are each amended to read
29 as follows:

30 (1) There is established the agency timber task force. The task
31 force shall be chaired by the timber recovery coordinator. It shall be
32 the responsibility of the coordinator that all directives of chapter
33 314, Laws of 1991 are carried out expeditiously by the agencies
34 represented in the task force. The task force shall consist of the
35 directors, or representatives of the directors, of the following
36 agencies: The department of ~~((trade))~~ community, trade, and economic
37 development~~((, department of community development))~~, employment
38 security department, department of social and health services, state

1 board for community college education, state board for vocational
2 education, or its replacement entity, department of natural resources,
3 department of transportation, state energy office, department of
4 wildlife, University of Washington center for international trade in
5 forest products, and department of ecology. The task force may consult
6 and enlist the assistance of the following: The higher education
7 coordinating board, University of Washington college of forest
8 resources, Washington State University school of forestry, Northwest
9 policy center, state superintendent of public instruction, the
10 Evergreen partnership, Washington association of counties, and rural
11 development council.

12 (2) This section shall expire June 30, (~~(1993)~~) 1995.

13 **Sec. 50.** RCW 43.31.641 and 1991 c 314 s 7 are each amended to read
14 as follows:

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

18 (1) Implement an expanded value-added forest products development
19 industrial extension program. The department shall provide technical
20 assistance to small and medium-sized forest products companies to
21 include:

22 (a) Secondary manufacturing product development;

23 (b) Plant and equipment maintenance;

24 (c) Identification and development of domestic market
25 opportunities;

26 (d) Building products export development assistance;

27 (e) At-risk business development assistance;

28 (f) Business network development; and

29 (g) Timber impact area industrial diversification.

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

34 (3) Contract with local business organizations in timber impact
35 areas for development of programs to promote industrial
36 diversification. (~~In addition,~~) The department shall (~~develop an~~
37 ~~interagency agreement with the department of community development~~
38 ~~for~~) provide local capacity-building grants to local governments and

1 community-based organizations in timber impact areas, which may include
2 long-range planning and needs assessments.

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

7 **Sec. 51.** RCW 43.31.651 and 1991 c 314 s 9 are each amended to read
8 as follows:

9 The department of community, trade, and economic development as a
10 part of the agency timber task force and in consultation with the
11 board, shall implement a community assistance program to enable
12 communities to build local capacity for sustainable economic
13 development efforts. The program shall provide resources and technical
14 assistance to timber impact areas.

15 ~~((In addition, the department shall develop an interagency
16 agreement with the department of trade and economic development for
17 local capacity building grants to local governments and community based
18 organizations in timber impact areas.))~~

19 **Sec. 52.** RCW 43.31.800 and 1987 c 195 s 4 are each amended to read
20 as follows:

21 "Director" as used in RCW 43.31.790 through 43.31.850 and 67.16.100
22 means the director of ~~((trade))~~ community, trade, and economic
23 development.

24 **Sec. 53.** RCW 43.31.830 and 1987 c 195 s 7 are each amended to read
25 as follows:

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

32 (2) The director shall make annual allotments to state
33 international trade fairs determined qualified to be entitled to
34 participate in the state trade fair fund and shall fix times for the
35 division of and payment from the state trade fair fund: PROVIDED, That
36 total payment to any one state international trade fair shall not

1 exceed sixty thousand dollars in any one year, where participation or
2 presentation occurs within the United States, and eighty thousand
3 dollars in any one year, where participation or presentation occurs
4 outside the United States: PROVIDED FURTHER, That a state
5 international trade fair may qualify for the full allotment of funds
6 under either category. Upon certification of the allotment and
7 division of fair funds by the director (~~(of trade and economic~~
8 ~~development))~~ the treasurer shall proceed to pay the same to carry out
9 the purposes of RCW (~~(43.31.790 through 43.31.850 and))~~ 67.16.100(~~(, as~~
10 ~~now or hereafter amended))~~).

11 **Sec. 54.** RCW 43.31.840 and 1975 1st ex.s. c 292 s 6 are each
12 amended to read as follows:

13 The director of community, trade, and economic development shall at
14 the end of each year for which an annual allotment has been made,
15 (~~(cause to be conducted,)~~) conduct a post audit of all of the books and
16 records of each state international trade fair participating in the
17 state trade fair fund. The purpose of such post audit shall be to
18 determine how and to what extent each participating state international
19 trade fair has expended all of its funds.

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

25 **Sec. 55.** RCW 43.160.020 and 1992 c 21 s 3 are each amended to read
26 as follows:

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

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

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

33 (3) "Department" means the department of (~~(trade))~~ community,
34 trade, and economic development (~~(or its successor with respect to the~~
35 ~~powers granted by this chapter))~~).

36 (4) "Financial institution" means any bank, savings and loan
37 association, credit union, development credit corporation, insurance

1 company, investment company, trust company, savings institution, or
2 other financial institution approved by the board and maintaining an
3 office in the state.

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

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

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

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

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

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

23 (11) "Timber impact area" means:

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

36 (b) Additional communities as the economic recovery coordinating
37 board, established in RCW 43.31.631, designates based on a finding by
38 the board that each designated community is socially and economically

1 integrated with areas that meet the definition of a timber impact area
2 under (a) of this subsection.

3 **Sec. 56.** RCW 43.168.020 and 1991 c 314 s 19 are each amended to
4 read as follows:

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

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

9 (2) "Department" means the department of community, trade, and
10 economic development.

11 (3) "Director" means the director of (~~the department of~~)
12 community, trade, and economic development.

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

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

36 (6) "Local development organization" means a nonprofit organization
37 which is organized to operate within an area, demonstrates a commitment
38 to a long-standing effort for an economic development program, and

1 makes a demonstrable effort to assist in the employment of unemployed
2 or underemployed residents in an area.

3 (7) "Project" means the establishment of a new or expanded business
4 in an area which when completed will provide employment opportunities.
5 "Project" also means the retention of an existing business in an area
6 which when completed will provide employment opportunities.

7 **Sec. 57.** RCW 43.210.110 and 1991 c 314 s 12 are each amended to
8 read as follows:

9 (1) The small business export finance assistance center has the
10 following powers and duties when exercising its authority under RCW
11 43.210.100(3):

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

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

1 facilitating export transactions for its clients, and in doing so,
2 provide such technical services as are appropriate to accomplish its
3 mission either with staff or outside consultants;

4 (c) Sign three-year counseling agreements with its clients that
5 provide for termination if adequate funding for the Pacific Northwest
6 export assistance project is not provided in future appropriations.
7 Counseling agreements shall not be renewed unless there are compelling
8 reasons to do so, and under no circumstances shall they be renewed for
9 more than two additional years. A counseling agreement may not be
10 renewed more than once. The counseling agreements shall have mutual
11 performance clauses, that if not met, will be grounds for releasing
12 each party, without penalty, from the provisions of the agreement.
13 Clients shall be immediately released from a counseling agreement with
14 the Pacific Northwest export assistance project, without penalty, if a
15 client wishes to switch to a private export management service and
16 produces a valid contract signed with a private export management
17 service, or if the president of the small business export finance
18 assistance center determines there are compelling reasons to release a
19 client from the provisions of the counseling agreement;

20 (d) May contract with private or public international trade
21 education services to provide Pacific Northwest export assistance
22 project clients with training in international business. The president
23 and board of directors shall decide the amount of funding allocated for
24 educational services based on the availability of resources in the
25 operating budget of the Pacific Northwest export assistance project;

26 (e) May contract with the Washington state international trade fair
27 to provide services for Pacific Northwest export assistance project
28 clients to participate in one trade show annually. The president and
29 board of directors shall decide the amount of funding allocated for
30 trade fair assistance based on the availability of resources in the
31 operating budget of the Pacific Northwest export assistance project;

32 (f) Provide biennial assessments of its performance. Project
33 personnel shall work with the department of revenue and employment
34 security department to confidentially track the performance of the
35 project's clients in increasing tax revenues to the state, increasing
36 gross sales revenues and volume of products destined to foreign
37 clients, and in creating new jobs for Washington citizens. A biennial
38 report shall be prepared for the governor and legislature to assess the
39 costs and benefits to the state from creating the project. The

1 president of the small business export finance assistance center shall
2 design an appropriate methodology for biennial assessments in
3 consultation with the director of (~~the department of trade~~)
4 community, trade, and economic development and the director of the
5 Washington state department of agriculture. The department of revenue
6 and the employment security department shall provide data necessary to
7 complete this biennial evaluation, if the data being requested is
8 available from existing data bases. Client-specific information
9 generated from the files of the department of revenue and the
10 employment security department for the purposes of this evaluation
11 shall be kept strictly confidential by each department and the small
12 business export finance assistance center;

13 (g) Take whatever action may be necessary to accomplish the
14 purposes set forth in RCW 43.210.070 and 43.210.100 through 43.210.120;
15 and

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

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

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

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

34 (5) The Pacific Northwest export assistance project shall take
35 whatever steps are necessary to provide its services, if requested, to
36 the states of Oregon, Idaho, Montana, Alaska, and the Canadian
37 provinces of British Columbia and Alberta. Interstate services shall
38 not be provided by the Pacific Northwest export assistance project
39 during its first biennium of operation. The provision of services may

1 be temporary and subject to the payment of fees, or each state may
2 request permanent services contingent upon a level of permanent funding
3 adequate for services provided. Temporary services and fees may be
4 negotiated by the small business export finance assistance center's
5 president subject to approval of the board of directors. The president
6 of the small business export finance assistance center may enter into
7 negotiations with neighboring states to contract for delivery of the
8 project's services. Final contracts for providing the project's
9 counseling and services outside of the state of Washington on a
10 permanent basis shall be subject to approval of the governor,
11 appropriate legislative oversight committees, and the small business
12 export finance assistance center's board of directors.

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

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

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

35 **Sec. 58.** RCW 43.63A.066 and 1990 c 33 s 579 are each amended to
36 read as follows:

37 The department of community, trade, and economic development shall
38 have primary responsibility for providing child abuse and neglect

1 prevention training to preschool age children participating in the
2 federal head start program or the early childhood education and
3 assistance program established under RCW 28A.215.010 through
4 28A.215.200 and 28A.215.900 through 28A.215.908.

5 **Sec. 59.** RCW 43.63A.075 and 1985 c 466 s 53 are each amended to
6 read as follows:

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

18 **Sec. 60.** RCW 43.63A.115 and 1990 c 156 s 1 are each amended to
19 read as follows:

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

27 (2) Local community action agencies comprise the community action
28 agency network. The community action agency network shall serve low-
29 income persons in the counties. Each community action agency and its
30 service area shall be designated in the state federal community service
31 block grant plan as prepared by the department of community, trade, and
32 economic development.

33 (3) Funds for anti-poverty programs may be distributed to the
34 community action agencies by the department of community, trade, and
35 economic development and other state agencies in consultation with the
36 authorized representatives of community action agency networks.

1 **Sec. 61.** RCW 43.63A.155 and 1989 c 225 s 5 are each amended to
2 read as follows:

3 The department of community, trade, and economic development shall
4 retain the bond information it receives under RCW 39.44.210 and
5 39.44.230 and shall publish summaries of local government bond issues
6 at least once a year.

7 The department of community, trade, and economic development shall
8 adopt rules under chapter 34.05 RCW to implement RCW 39.44.210 and
9 39.44.230.

10 **Sec. 62.** RCW 43.63A.220 and 1987 c 505 s 34 are each amended to
11 read as follows:

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

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

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

35 (b) Consult with relevant persons in the public sector, relevant
36 persons in the private sector, including trustees of any existing
37 employee stock ownership trust, and employees of any firm operating

1 under an employee stock ownership trust, and with members of the
2 academic community and of relevant branches of the legal profession;

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

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

7 (3) Pursuant to the findings and conclusions of the study conducted
8 under subsection (2) of this section, the department of community,
9 trade, and economic development shall develop a plan to encourage and
10 assist the formulation of employee stock ownership plans providing for
11 the acquisition of stock by employees of facilities in this state which
12 are subject to closure or drastically curtailed operation. The
13 department shall determine the amount of any costs of implementing the
14 plan.

15 (4) The director of community, trade, and economic development
16 shall, within one year of July 28, 1985, report the findings and
17 conclusion of the study, together with details of the plan developed
18 pursuant to the study, to the legislature, and shall include in the
19 report any recommendations for legislation which the director deems
20 appropriate.

21 (5) The department of community, trade, and economic development
22 shall carry out its duties under this section using available
23 resources.

24 **Sec. 63.** RCW 43.63A.230 and 1988 c 186 s 17 are each amended to
25 read as follows:

26 (1) The department of community, trade, and economic development
27 shall integrate an employee ownership program within its existing
28 technical assistance programs. The employee ownership program shall
29 provide technical assistance to cooperatives authorized under chapter
30 23.78 RCW and conduct educational programs on employee ownership and
31 self-management. The department shall include information on the
32 option of employee ownership wherever appropriate in its various
33 programs.

34 (2) The department shall maintain a list of firms and individuals
35 with expertise in the field of employee ownership and utilize such
36 firms and individuals, as appropriate, in delivering and coordinating
37 the delivery of technical, managerial, and educational services. In
38 addition, the department shall work with and rely on the services of

1 (~~the department of trade and economic development,~~) the employment
2 security department(~~(7)~~) and state institutions of higher education to
3 promote employee ownership.

4 (3) The department shall report to the governor, the (~~trade and~~)
5 appropriate economic development (~~committee of~~) committees of the
6 senate and the house of representatives, (~~the commerce and labor~~
7 ~~committee of the senate,~~) and the ways and means committees of each
8 house by December 1 of 1988, and each year thereafter, on the
9 accomplishments of the employee-ownership program. Such reports shall
10 include the number and types of firms assisted, the number of jobs
11 created by such firms, the types of services, the number of workshops
12 presented, the number of employees trained, and the results of client
13 satisfaction surveys distributed to those using the services of the
14 program.

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

18 **Sec. 64.** RCW 43.63A.245 and 1992 c 63 s 2 are each amended to read
19 as follows:

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

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

24 "Coordinator" means the person designated by the director of (~~the~~
25 ~~department of~~) community, trade, and economic development with the
26 advice of the council to administer the activities of the senior
27 environmental corps.

28 "Corps" means the senior environmental corps.

29 "Council" means the senior environmental corps coordinating
30 council.

31 "Department" means the department of community, trade, and economic
32 development.

33 "Director" means the director of (~~the department of~~) community,
34 trade, and economic development or the director's authorized
35 representative.

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

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

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

5 **Sec. 65.** RCW 43.63A.247 and 1992 c 63 s 3 are each amended to read
6 as follows:

7 The senior environmental corps is created within the department of
8 community, trade, and economic development. The departments of
9 agriculture, community, trade, and economic development, employment
10 security, ecology, fisheries, health, natural resources, and wildlife,
11 the parks and recreation commission, and the Puget Sound water quality
12 authority shall participate in the administration and implementation of
13 the corps and shall appoint representatives to the council.

14 **Sec. 66.** RCW 43.63A.260 and 1992 c 63 s 5 are each amended to read
15 as follows:

16 The department shall convene a senior environmental corps
17 coordinating council to meet as needed to establish and assess
18 policies, define standards for projects, evaluate and select projects,
19 develop recruitment, training, and placement procedures, receive and
20 review project status and completion reports, and provide for
21 recognition of volunteer activity. The council shall include
22 representatives appointed by the departments of agriculture, community,
23 trade, and economic development, ecology, fisheries, health, natural
24 resources, and wildlife, the parks and recreation commission, and the
25 Puget Sound water quality authority. The council shall develop bylaws,
26 policies and procedures to govern its activities.

27 The council shall advise the director on distribution of available
28 funding for corps activities.

29 **Sec. 67.** RCW 43.63A.275 and 1992 c 65 s 2 are each amended to read
30 as follows:

31 (1) Each biennium the department of community, trade, and economic
32 development shall distribute such funds as are appropriated for retired
33 senior volunteer programs (RSVP) as follows:

34 (a) At least sixty-five percent of the moneys may be distributed
35 according to formulae and criteria to be determined by the department

1 of community, trade, and economic development in consultation with the
2 RSVP directors association.

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

7 (c) Ten percent of the moneys may be used by the department of
8 community, trade, and economic development for administration,
9 monitoring of the grants, and providing technical assistance to the
10 RSVP projects.

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

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

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

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

21 (i) Developing new roles for senior volunteers in nonprofit and
22 public organizations with special emphasis on areas targeted in section
23 1, chapter 65, Laws of 1992. The roles shall reflect the diversity of
24 the local senior population and shall respect their life experiences;

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

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

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

32 **Sec. 68.** RCW 43.63A.300 and 1986 c 266 s 54 are each amended to
33 read as follows:

34 The legislature finds that fire protection services at the state
35 level are provided by different, independent state agencies. This has
36 resulted in a lack of a comprehensive state-level focus for state fire
37 protection services, funding, and policy. It is the intent of the
38 legislature to consolidate fire protection services into a single state

1 agency and to create a state board with the responsibility of (1)
2 establishing a comprehensive state policy regarding fire protection
3 services and (2) advising the director of community, trade, and
4 economic development and the director of fire protection on matters
5 relating to their duties under state law. It is also the intent of the
6 legislature that the fire protection services program created herein
7 will assist local fire protection agencies in program development
8 without encroaching upon their historic autonomy.

9 **Sec. 69.** RCW 43.63A.320 and 1986 c 266 s 56 are each amended to
10 read as follows:

11 Except for matters relating to the statutory duties of the director
12 of community, trade, and economic development which are to be carried
13 out through the director of fire protection, the board shall have the
14 responsibility of developing a comprehensive state policy regarding
15 fire protection services. In carrying out its duties, the board shall:

- 16 (1) Adopt a state fire protection master plan;
- 17 (2) Monitor fire protection in the state and develop objectives and
18 priorities to improve fire protection for the state's citizens;
- 19 (3) Establish and promote state arson control programs and ensure
20 development of local arson control programs;
- 21 (4) Provide representation for local fire protection services to
22 the governor in state-level fire protection planning matters such as,
23 but not limited to, hazardous materials;
- 24 (5) Seek and solicit grants, gifts, bequests, devices, and matching
25 funds for use in furthering the objectives and duties of the board, and
26 establish procedures for administering them;
- 27 (6) Promote mutual aid and disaster planning for fire services in
28 this state;
- 29 (7) Assure the dissemination of information concerning the amount
30 of fire damage including that damage caused by arson, and its causes
31 and prevention;
- 32 (8) Submit annually a report to the governor containing a statement
33 of its official acts pursuant to this chapter, and make such studies,
34 reports, and recommendations to the governor and the legislature as are
35 requested;
- 36 (9) Adopt a state fire training and education master plan;
- 37 (10) Develop and adopt a master plan for the construction,
38 equipping, maintaining, and operation of necessary fire service

1 training and education facilities, but the authority to construct,
2 equip, and maintain such facilities is subject to chapter 43.19 RCW;

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

7 (12) Adopt standards for state-wide fire service training and
8 education courses including courses in arson detection and
9 investigation for personnel of fire, police, and prosecutor's
10 departments;

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

14 (14) Cooperate with the common schools, community colleges,
15 institutions of higher education, and any department or division of the
16 state, or of any county or municipal corporation in establishing and
17 maintaining instruction in fire service training and education in
18 accordance with any act of Congress and legislation enacted by the
19 legislature in pursuance thereof and in establishing, building, and
20 operating training and education facilities.

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

25 **Sec. 70.** RCW 43.63A.330 and 1986 c 266 s 57 are each amended to
26 read as follows:

27 In regards to the statutory duties of the director of community,
28 trade, and economic development which are to be carried out through the
29 director of fire protection, the board shall serve in an advisory
30 capacity in order to enhance the continuity of state fire protection
31 services. In this capacity, the board shall:

32 (1) Advise the director of community, trade, and economic
33 development and the director of fire protection on matters pertaining
34 to their duties under law; and

35 (2) Advise the director of community, trade, and economic
36 development and the director of fire protection on all budgeting and
37 fiscal matters pertaining to the duties of the director of fire
38 protection and the board.

1 **Sec. 71.** RCW 43.63A.340 and 1986 c 266 s 58 are each amended to
2 read as follows:

3 (1) Wherever the term state fire marshal appears in the Revised
4 Code of Washington or the Washington Administrative Code it shall mean
5 the director of fire protection.

6 (2) The director of community, trade, and economic development
7 shall appoint an assistant director who shall be known as the director
8 of fire protection. The board, after consulting with the director,
9 shall prescribe qualifications for the position of director of fire
10 protection. The board shall submit to the director a list containing
11 the names of three persons whom the board believes meet its
12 qualifications. If requested by the director, the board shall submit
13 one additional list of three persons whom the board believes meet its
14 qualifications. The appointment shall be from one of the lists of
15 persons submitted by the board.

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

19 (4) The director of community, trade, and economic development,
20 through the director of fire protection, shall, after consultation
21 with the board, prepare a biennial budget pertaining to fire protection
22 services. Such biennial budget shall be submitted as part of the
23 department's budget request.

24 (5) The director of community, trade, and economic development,
25 through the director of fire protection, shall implement and
26 administer, within the constraints established by budgeted resources,
27 the policies of the board and all duties of the director of community,
28 trade, and economic development which are to be carried out through the
29 director of fire protection.

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

33 **Sec. 72.** RCW 43.63A.400 and 1987 c 308 s 2 are each amended to
34 read as follows:

35 The department of community, trade, and economic development shall
36 distribute grants to eligible public radio and television broadcast
37 stations under RCW 43.63A.410 and 43.63A.420 to assist with
38 programming, operations, and capital needs.

1 **Sec. 73.** RCW 43.63A.410 and 1987 c 308 s 3 are each amended to
2 read as follows:

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

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

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

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

13 (a) Appropriations under this section shall be divided into a radio
14 fund, which shall be twenty-five percent of the total appropriation
15 under this section, and a television fund, which shall be seventy-five
16 percent of the total appropriation under this section. Each of the two
17 funds shall be divided into a base grant pool, which shall be fifty
18 percent of the fund, and an incentive grant pool, which shall be the
19 remaining fifty percent of the fund.

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

26 (c) Each eligible participating public television station shall
27 receive an equal share of the television base grant pool, plus a share
28 of the television incentive grant pool equal to the proportion its
29 nonfederal financial support bears to the sum of all participating
30 television stations' nonfederal financial support as most recently
31 reported to the corporation for public broadcasting.

32 (3) Annual financial reports to the corporation for public
33 broadcasting by eligible stations shall also be submitted by the
34 stations to the department of community, trade, and economic
35 development.

36 **Sec. 74.** RCW 43.63A.440 and 1989 c 424 s 7 are each amended to
37 read as follows:

1 (1) The department of community, trade, and economic development
2 shall provide technical and financial assistance to communities
3 adversely impacted by reductions in timber harvested from federal
4 lands. This assistance shall include the formation and implementation
5 of community economic development plans. The department of community,
6 trade, and economic development shall utilize existing state technical
7 and financial assistance programs, and shall aid communities in seeking
8 private and federal financial assistance for the purposes of this
9 section. The department may contract for services provided for under
10 this section.

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

16 **Sec. 75.** RCW 43.63A.450 and 1990 c 278 s 2 are each amended to
17 read as follows:

18 The community diversification program is created in the department
19 of community, trade, and economic development. The program shall
20 include:

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

26 (2) The identification of cities, counties, or regions within the
27 state that are primarily dependent on defense or other federal
28 contracting and the identification of firms dependent on federal
29 defense contracts;

30 (3) Assistance to communities in broadening the local economic base
31 through the provision of management assistance, assistance in
32 financing, entrepreneurial training, and assistance to businesses in
33 using off-the-shelf technology to start new production processes or
34 introduce new products;

35 (4) Formulating a state plan for diversification in defense
36 dependent communities in collaboration with the employment security
37 department(~~(, the department of trade and economic development,)~~) and
38 the office of financial management. The plan shall use the information

1 made available through carrying out subsections (1) and (2) of this
2 section; and

3 (5) The identification of diversification efforts conducted by
4 other states, the federal government, and other nations, and the
5 provision of information on these efforts, as well as information
6 gained through carrying out subsections (1) and (2) of this section, to
7 firms, communities, and (~~workforces~~) work forces that are defense
8 dependent.

9 The department shall, beginning January 1, 1992, report annually to
10 the governor and the legislature on the activities of the community
11 diversification program.

12 **Sec. 76.** RCW 43.63A.460 and 1990 c 176 s 2 are each amended to
13 read as follows:

14 Beginning on July 1, 1991, the department of community, trade, and
15 economic development shall be responsible for performing all the
16 consumer complaint and related functions of the state administrative
17 agency that are required for purposes of complying with the regulations
18 established by the federal department of housing and urban development
19 for manufactured housing, including the preparation and submission of
20 the state administrative plan.

21 The department of community, trade, and economic development may
22 enter into state or local interagency agreements to coordinate site
23 inspection activities with record monitoring and complaint handling.
24 The interagency agreement may also provide for the reimbursement for
25 cost of work that an agency performs. The department may include other
26 related areas in any interagency agreements which are necessary for the
27 efficient provision of services.

28 The department of labor and industries shall transfer all records,
29 files, books, and documents necessary for the department of community,
30 trade, and economic development to assume these new functions.

31 The directors of (~~the department of~~) community, trade, and
32 economic development and the department of labor and industries shall
33 immediately take such steps as are necessary to ensure that this act is
34 implemented on June 7, 1990.

35 **Sec. 77.** RCW 43.63A.600 and 1991 c 315 s 23 are each amended to
36 read as follows:

1 (1) The department of community, trade, and economic development,
2 as a member of the agency timber task force and in consultation with
3 the economic recovery coordination board, shall establish and
4 administer the emergency mortgage and rental assistance program. The
5 department shall identify the communities most adversely affected by
6 reductions in timber harvest levels and shall prioritize assistance
7 under this program to these communities. The department shall work
8 with the department of social and health services and the timber
9 recovery coordinator to develop the program in timber impact areas.
10 Organizations eligible to receive funds for distribution under the
11 program are those organizations that are eligible to receive assistance
12 through the Washington housing trust fund.

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

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

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

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

22 **Sec. 78.** RCW 43.105.020 and 1990 c 208 s 3 are each amended to
23 read as follows:

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

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

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

28 (3) "Local governments" includes all municipal and quasi municipal
29 corporations and political subdivisions, and all agencies of such
30 corporations and subdivisions authorized to contract separately;

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

32 (5) "Purchased services" means services provided by a vendor to
33 accomplish routine, continuing, and necessary functions. This term
34 includes, but is not limited to, services acquired for equipment
35 maintenance and repair, operation of a physical plant, security,
36 computer hardware and software installation and maintenance, data
37 entry, keypunch services, programming services, and computer time-
38 sharing;

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

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

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

13 (9) "Information services" means data processing,
14 telecommunications, and office automation;

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

18 (11) "Proprietary software" means that software offered for sale or
19 license;

20 (12) "Video telecommunications" means the electronic
21 interconnection of two or more sites for the purpose of transmitting
22 and/or receiving visual and associated audio information. Video
23 telecommunications shall not include existing public television
24 broadcast stations as currently designated by the department of
25 community, trade, and economic development under chapter ((43.63A))
26 43.-- RCW (sections 1 through 7, 9 through 16, 79, and 83 of this act).

27 NEW SECTION. Sec. 79. (1) All references to the director or
28 department of community development in the Revised Code of Washington
29 shall be construed to mean the director of community, trade, and
30 economic development or the department of community, trade, and
31 economic development.

32 (2) All references to the director or department of trade and
33 economic development in the Revised Code of Washington shall be
34 construed to mean the director of community, trade, and economic
35 development or the department of community, trade, and economic
36 development.

1 **Sec. 80.** RCW 43.31.091 and 1990 c 297 s 9 are each amended to read
2 as follows:

3 The business assistance center and its powers and duties shall be
4 terminated on June 30, (~~(1993)~~) 1995, as provided in RCW 43.31.092.

5 **Sec. 81.** RCW 43.31.092 and 1990 c 297 s 10 are each amended to
6 read as follows:

7 The following acts or parts of acts, as now existing or hereafter
8 amended, are each repealed, effective June 30, (~~(1994)~~) 1996:

9 (1) Section 2, chapter 348, Laws of 1987 and RCW 43.31.083;

10 (2) Section 11, chapter 466, Laws of 1985, section 3, chapter 348,
11 Laws of 1987, section 2, chapter 430, Laws of 1989 and RCW 43.31.085;

12 (3) Section 4, chapter 348, Laws of 1987 and RCW 43.31.087; and

13 (4) Section 5, chapter 348, Laws of 1987 and RCW 43.31.089.

14 NEW SECTION. **Sec. 82.** The following acts or parts of acts are
15 each repealed:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (18) RCW 43.31.379 and 1988 c 35 s 3, 1985 c 466 s 27, & 1984 c 175
37 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 43.31.790 and 1975 1st ex.s. c 292 s 2 & 1965 c 148 s 1;
- 13 (30) RCW 43.63A.020 and 1986 c 266 s 136, 1984 c 125 s 2, & 1967 c
14 74 s 2;
- 15 (31) RCW 43.63A.030 and 1984 c 125 s 1 & 1967 c 74 s 3;
- 16 (32) RCW 43.63A.040 and 1984 c 125 s 3, 1975 c 40 s 10, & 1967 c 74
17 s 4;
- 18 (33) RCW 43.63A.050 and 1967 c 74 s 5;
- 19 (34) RCW 43.63A.060 and 1987 c 505 s 32, 1984 c 125 s 4, & 1967 c
20 74 s 6;
- 21 (35) RCW 43.63A.065 and 1992 c 198 s 7, 1990 1st ex.s. c 17 s 70,
22 1986 c 266 s 137, & 1984 c 125 s 5;
- 23 (36) RCW 43.63A.078 and 1987 c 505 s 33 & 1984 c 125 s 7;
- 24 (37) RCW 43.63A.095 and 1984 c 125 s 8;
- 25 (38) RCW 43.63A.100 and 1984 c 125 s 9 & 1967 c 74 s 10;
- 26 (39) RCW 43.63A.130 and 1983 c 52 s 6, 1981 c 157 s 6, & 1967 c 74
27 s 13;
- 28 (40) RCW 43.63A.140 and 1967 c 74 s 14;
- 29 (41) RCW 43.63A.210 and 1985 c 85 s 1;
- 30 (42) RCW 43.63A.560 and 1990 1st ex.s. c 17 s 67;
- 31 (43) RCW 43.165.020 and 1985 c 229 s 2;
- 32 (44) RCW 43.165.030 and 1987 c 195 s 13 & 1985 c 229 s 3;
- 33 (45) RCW 43.165.040 and 1985 c 229 s 4;
- 34 (46) RCW 43.165.050 and 1985 c 229 s 5;
- 35 (47) RCW 43.165.060 and 1985 c 229 s 6;
- 36 (48) RCW 43.165.070 and 1985 c 229 s 7;
- 37 (49) RCW 43.165.080 and 1987 c 195 s 14 & 1985 c 229 s 8;
- 38 (50) RCW 43.165.090 and 1985 c 229 s 9;
- 39 (51) RCW 43.165.100 and 1985 c 229 s 10;

1 (52) RCW 43.165.900 and 1985 c 229 s 14; and

2 (53) RCW 43.165.901 and 1985 c 229 s 15.

3 NEW SECTION. **Sec. 83.** Captions used in this chapter do not
4 constitute part of the law.

5 NEW SECTION. **Sec. 84.** Sections 1 through 7, 9 through 16, 79, and
6 83 of this act shall constitute a new chapter in Title 43 RCW.

7 NEW SECTION. **Sec. 85.** Sections 80 and 81 of this act are
8 necessary for the immediate preservation of the public peace, health,
9 or safety, or support of the state government and its existing public
10 institutions, and shall take effect immediately.

11 NEW SECTION. **Sec. 86.** Sections 1 through 7, 9 through 79, 82, and
12 83 of this act shall take effect July 1, 1994.

13 NEW SECTION. **Sec. 87.** If any provision of this act or its
14 application to any person or circumstance is held invalid, the
15 remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

17 NEW SECTION. **Sec. 88.** (1) Wherever the name of the director or
18 the department of community development or the director or the
19 department of trade and economic development is changed to the director
20 of community and economic development or the community and economic
21 development department, rename the director and the department as the
22 director of community, trade, and economic development or the
23 department of community, trade, and economic development.

24 (2) The code reviser shall incorporate the new director and
25 department names into the striking amendment (H-2574.2/93) before the
26 striking amendment is delivered to the Senate."

--- END ---