
HOUSE BILL 2088

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Wineberry, Forner, Locke, Chandler, Shin, Wood, Conway, Ballard, Valle, Campbell, Peery, Morris, Springer and Silver

Read first time 03/03/93. Referred to Committee on Trade, Economic Development & Housing.

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

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

1 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

2 (a) An ever changing environment has required the state to
3 reconsider the way it provides services to businesses and communities;

4 (b) Economic development is one component to any comprehensive
5 community development strategy designed to assist in the physical
6 development of local communities;

7 (c) State economic development policy has evolved considerably in
8 the 1980s and now requires new rules to meet present and future
9 challenges;

10 (d) New economic realities are driven by the twin forces of
11 increased global competition and rapid changes in technology and
12 telecommunications;

13 (e) Economic growth is more about building top-flight universities,
14 building capacity in education and training institutions, improving
15 access to technology, and fostering a climate for local
16 entrepreneurship;

17 (f) The magnitude of the economic development challenge facing
18 businesses and local communities goes beyond the public sector's
19 ability and resources;

20 (g) Community and economic development efforts must be developed
21 with participation from the public, private, and community sectors; and

22 (h) Community involvement is an essential requirement to successful
23 community and economic development efforts.

24 (2) The purpose of this chapter is to establish a department of the
25 state to aid in providing financial and technical assistance to the
26 communities and businesses of the state, to assist businesses in the
27 marketing of their products, to assist in improving the delivery and
28 coordination of federal, state, and local programs, and to develop the
29 skills in local communities to manage in an ever changing environment.

30 NEW SECTION. **Sec. 2.** Unless the context clearly requires
31 otherwise, the definitions in this section apply throughout this
32 chapter.

33 (1) "Associate development organization" means a local economic
34 development nonprofit corporation.

35 (2) "Department" means the department of commerce and community
36 development.

37 (3) "Director" means the director of the department of commerce and
38 community development.

1 (4) "Small business" means any business entity, including a sole
2 proprietorship, corporation, partnership, or other legal entity, that
3 is owned and operated independently from all other businesses, that has
4 the purpose of making a profit, and that has fifty or fewer employees.

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

6 (6) "Impact area" means (a) distressed counties as defined in RCW
7 43.165.010(3)(a); (b) subcounty areas in those counties which are not
8 covered under (a) of this subsection which are timber impact areas as
9 defined in RCW 43.31.601; (c) urban subcounty areas as defined in RCW
10 43.165.010(3)(c); (d) neighborhood reinvestment area as designated
11 under chapter . . . (House Bill No. 1986), Laws of 1993; (e) enterprise
12 zones as certified under chapter . . . (House Bill No. 1909), Laws of
13 1993; and (f) areas not currently experiencing economic distress which
14 the department anticipates as likely to experience distress in the near
15 future, such as areas experiencing defense budget reductions or
16 suffering dislocations from natural resource issues such as salmon
17 recovery.

18 NEW SECTION. **Sec. 3.** A state department of commerce and community
19 development is created. The department shall be vested with all powers
20 and duties established or transferred to it under this chapter and such
21 other powers and duties as may be authorized by law.

22 NEW SECTION. **Sec. 4.** The executive head of the department shall
23 be the director. The director shall be appointed by the governor with
24 the consent of the senate, and shall serve at the pleasure of the
25 governor. The director shall be paid a salary to be fixed by the
26 governor in accordance with RCW 43.03.040.

27 NEW SECTION. **Sec. 5.** (1) The internal affairs of the department
28 shall be under the control of the director in order that the director
29 may manage the department in a flexible and intelligent manner as
30 dictated by changing contemporary circumstances. The director may
31 employ such personnel as may be necessary in accordance with chapter
32 41.06 RCW.

33 (2) The department shall be subdivided into divisions, including
34 divisions on housing, and growth management. Except as otherwise
35 specified or in response to federal requirements, these divisions shall
36 be established and organized in accordance with plans to be prepared by

1 the director and approved by the governor. In preparing such plans,
2 the director shall endeavor to promote efficient public management and
3 to improve delivery of the department's programs.

4 NEW SECTION. **Sec. 6.** The director shall supervise and administer
5 the activities of the department and shall advise the governor and the
6 legislature with respect to matters affecting the businesses and
7 communities of the state generally and more especially on the extent
8 the state should participate in the provision of services to such
9 businesses and communities.

10 The director may enter into contracts on behalf of the state to
11 carry out the purposes of this chapter; the director may act for the
12 state in the initiation of or participation in any multi-governmental
13 program relative to the purposes of this chapter; and the director may
14 accept gifts and grants, whether such grants be of federal or other
15 funds. When federal or other funds are received by the department they
16 shall be promptly transferred to the state treasurer and thereafter
17 expended only upon the approval of the director. The director shall
18 prepare and submit for executive and legislative action thereon the
19 budget for the department and after consultation with and approval by
20 the governor, submit such recommendations for legislative action as
21 deemed necessary to further the purposes of this chapter. The director
22 shall make such rules and regulations and do all other things necessary
23 and proper to carry out the purposes of this chapter.

24 The director may delegate such functions, powers and duties to
25 other officers and employees of the department as the director deems
26 expedient to the furtherance of the purposes of this chapter.

27 NEW SECTION. **Sec. 7.** The department shall have the following
28 functions and responsibilities:

29 (1) Provide technical assistance to the governor, other state
30 agencies, and the legislature on local government, community
31 development, and economic-related issues;

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

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

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

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

11 (6) Administer community services programs directed to the poor and
12 infirm through private, nonprofit organizations and units of general
13 purpose local government; these programs are directed to the poor and
14 infirm and include community-based efforts to foster self-sufficiency
15 and self-reliance, energy assistance programs, head start,
16 weatherization, and community-based economic development;

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

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

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

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

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

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

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

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

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

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

16 (17) Provide a comprehensive state-level focus for state fire
17 protection services, funding, and policy;

18 (18) Administer a program to identify, evaluate, and protect
19 properties that reflect outstanding elements of the state's cultural
20 heritage;

21 (19) Coordinate a comprehensive state program for mitigating,
22 preparing for, responding to, and recovering from emergencies and
23 disasters; and

24 (20) Assist in the fostering of local community and economic
25 development strategies which facilitate effective partnerships between
26 the public, private, and community sectors.

27 NEW SECTION. **Sec. 8.** The director shall submit to the legislature
28 and the governor by December 1, 1993, a plan for operation of the
29 department. The plan shall include, but is not limited to:

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

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

33 (a) Assisting local governments in the development, preservation,
34 or siting of affordable housing;

35 (b) Technology transfer and technology diffusion;

36 (c) Self-employment assistance and entrepreneurial development;

37 (d) Enhancing the participation of the state's businesses in global
38 trade;

1 (e) Linking work force training to its other community and business
2 assistance efforts;

3 (f) Cooperating with the governor and the legislature in developing
4 strategic plans;

5 (g) Assisting local governments in planning for growth;

6 (h) Addressing capital gaps;

7 (i) Providing small business assistance;

8 (j) Marketing and promotion of Washington products;

9 (k) Coordination of federal, state, and local community and
10 economic development efforts with the state;

11 (l) Maximizing federal economic and community development resources
12 within the state;

13 (m) Leveraging limited state resources and broadening the base of
14 involvement by working collaboratively with private and public
15 institutes of higher education and other public, private, and nonprofit
16 organizations;

17 (n) Encouraging a balance of economic growth between urban and
18 rural areas;

19 (o) Addressing the special needs of economically disadvantaged
20 communities and business sectors in transition; and

21 (p) Increasing economic diversification; and

22 (3) The establishment of benchmarks by which to measure progress
23 and the evaluation of the performance and effectiveness of the
24 department's efforts.

25 NEW SECTION. **Sec. 9.** (1) The local economic development service
26 program is established in the department. This program shall
27 coordinate the delivery of economic development services to local
28 communities or regional areas. It shall encourage a partnership
29 between the public and private sectors and between state and local
30 officials to encourage appropriate economic growth in communities
31 throughout the state.

32 (2) The department shall coordinate its delivery of community and
33 economic development programs to minimize program redundancy and
34 maximize accessibility. The department shall work to develop links
35 between the state and service users as well as among the service users
36 themselves.

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

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

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

8 (iii) Each region shall have organizations and resources capable of
9 supporting the delivery of community and economic development services
10 to all parts of the region.

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

14 (b) In each service delivery region the department shall contract
15 with one associate development organization or a consortium of such
16 organizations, or another appropriate locally based organization to
17 coordinate the delivery of community and economic development services
18 within the region. The contracting organization shall work with local
19 governments, associate development organizations, local chambers of
20 commerce, private industry councils, port districts, labor groups,
21 institutions of higher education, community action programs, and other
22 appropriate private, public, or nonprofit community and economic
23 development groups within the region and shall involve them in the
24 planning for and delivery of economic and community development
25 services required by this section.

26 The contracting organization shall designate five trade sectors of
27 the region's economy that represent the five most significant sectors
28 within the region. The contracting organization shall survey
29 businesses and employees in these sectors on an annual basis to gather
30 information on the sector's business needs, expansion plans, relocation
31 decisions, training needs, potential layoffs, financing needs,
32 availability of financing, and other appropriate information about
33 economic trends and specific employer and employee needs in the region.
34 The results of these surveys shall be compiled by the department.

35 The contracting organization shall be responsible for coordinating
36 the delivery of those public or private training and technical
37 assistance services required by the businesses and employees in the
38 targeted sectors within its region, as indicated by survey responses.
39 Such services shall include entrepreneurial training, job skills

1 training, production process analysis, product development assistance,
2 marketing, and financial and other management services. The
3 contracting organization shall develop a list of individuals and firms
4 qualified to meet specialized training or business development needs.

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

10 NEW SECTION. **Sec. 10.** The department shall work with private
11 sector organizations, local governments, local economic development
12 organizations, and institutions of higher education to assist in the
13 development of a targeted sectors program. The targeted sectors shall
14 include, but are not limited to, software, forest products,
15 biotechnology, environmental industries, aerospace, food processing,
16 tourism, and film and video. The department shall on a continuing
17 basis evaluate the potential return to the state from devoting
18 additional resources to a targeted sectors approach to economic
19 development and including additional sectors in its efforts.

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

22 (1) 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 (2) 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 (3) Assisting in the formation of flexible networks by providing
30 (a) trained agency employees or private sector consultants to act as
31 flexible network brokers and (b) funding for potential flexible network
32 participants for the purpose of organizing or implementing a flexible
33 network;

34 (4) Helping establish research consortia;

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

37 (6) Promoting cooperative market development activities;

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

3 (8) Providing for methods of electronic communication and
4 information dissemination among firms and groups of firms to facilitate
5 network activity.

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

13 NEW SECTION. **Sec. 11.** (1) The department shall establish a
14 technical assistance and training program. The program shall be
15 designed to increase the economic and community development skills
16 available in local communities by providing training and funding for
17 training for local citizens and businesses. Services shall be targeted
18 to those communities most in need of state assistance and shall be
19 provided in impact areas.

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

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

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

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

30 (d) Providing assistance to communities in broadening their local
31 economic base, including providing management and financial assistance,
32 entrepreneurial training, and assistance to firms in identifying new
33 markets and introducing new processes;

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

36 (f) Assisting local governments to facilitate the siting of
37 businesses;

1 (g) Facilitating the formation of flexible networks among groups of
2 businesses; and

3 (h) Providing technical and managerial assistance to small
4 businesses including assistance in securing available financing and
5 industrial modernization.

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

9 (4) The department shall establish a community development training
10 institute to provide intensive economic and community development
11 skills training to local communities.

12 (5) The department shall establish an entrepreneurial development
13 institute using a competitive bidding process among educational
14 institutions and nonprofit development organizations.

15 NEW SECTION. **Sec. 12.** (1) To provide local communities with
16 flexible sources of funding and client-based community and economic
17 development programs, the department shall establish and operate a
18 local development grant program. The program shall coordinate funding
19 for eligible projects with other federal, state, local, private and
20 nonprofit funding sources.

21 (2) To be eligible to receive funds under this program an
22 organization must be a local government, community-based organization,
23 nonprofit development organization, port district, or Indian tribe.
24 Any local government, associate development organization, or port
25 district requesting funds shall demonstrate the participation of a
26 cultural, economic, and ethnic cross-section of the local community in
27 the project, including business, labor, and educational institutions.

28 (3) In awarding grants under this program, preference shall be
29 given to efforts that have the prospect of resulting in long-term,
30 family-wage employment, to development that is environmentally
31 sustainable, and to projects that are developed and supported jointly
32 with nonstate partners. Funds shall not be used for entertainment or
33 hosting. Funds granted for economic development projects require a
34 contribution of local funds or resources to the project. No less than
35 twenty-five percent of available grant funds awarded yearly under this
36 program shall be awarded to nonprofit, community-based organizations,
37 and no less than twenty-five percent of available grant funds awarded

1 yearly under this program shall be awarded to associate development
2 organizations.

3 (4) The grant program may include the use of available community
4 development block grant funds, loan fund or reserve fund resources to
5 make grants to local development organizations for the establishment of
6 revolving loan funds for microloans to low-income individuals wishing
7 to become self-employed. Such grants shall be conditioned on the local
8 development organization's (a) operating a structured entrepreneurial
9 training program for its low-income clients and (b) requiring
10 participation in the training program before awarding a microloan to
11 those desiring a microloan.

12 **Sec. 13.** RCW 28C.18.060 and 1991 c 238 s 7 are each amended to
13 read as follows:

14 The board, in cooperation with the operating agencies of the state
15 training system shall:

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

19 (2) Advocate for the state training system and for meeting the
20 needs of employers and the work force for work force education and
21 training.

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

30 (4) Develop and maintain a state comprehensive plan for work force
31 training and education, including but not limited to, goals,
32 objectives, and priorities for the state training system, and review
33 the state training system for consistency with the state comprehensive
34 plan. In developing the state comprehensive plan for work force
35 training and education, the board shall use, but shall not be limited
36 to: Economic, labor market, and populations trends reports in office
37 of financial management forecasts; joint office of financial management
38 and employment security department labor force, industry employment,

1 and occupational forecasts; the results of scientifically based
2 outcome, net-impact and cost-benefit evaluations; the needs of
3 employers as evidenced in formal employer surveys and other employer
4 input; and the needs of program participants and workers as evidenced
5 in formal surveys and other input from program participants and the
6 labor community.

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

13 (6) Provide for coordination among the different operating agencies
14 of the state training system at the state level and at the regional
15 level.

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

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

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

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

32 (10) Every two years administer scientifically based outcome
33 evaluations of the state training system, including, but not limited
34 to, surveys of program participants, surveys of employers of program
35 participants, and matches with employment security department payroll
36 and wage files. Every five years administer scientifically based net-
37 impact and cost-benefit evaluations of the state training system.

38 (11) In cooperation with the employment security department,
39 provide for the improvement and maintenance of quality and utility in

1 occupational information and forecasts for use in training system
2 planning and evaluation. Improvements shall include, but not be
3 limited to, development of state-based occupational change factors
4 involving input by employers and employees, and delineation of skill
5 and training requirements by education level associated with current
6 and forecasted occupations.

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

10 (13) Provide for effectiveness and efficiency reviews of the state
11 training system.

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

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

20 (16) Participate in the development of coordination criteria for
21 activities under the job training partnership act with related programs
22 and services provided by state and local education and training
23 agencies.

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

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

36 (19) Facilitate the location of support services, including but not
37 limited to, child care, financial aid, career counseling, and job
38 placement services, for students and trainees at institutions in the

1 state training system, and advocate for support services for trainees
2 and students in the state training system.

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

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

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

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

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

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

23 (26) Work with the director of the department of commerce and
24 community development to ensure the coordination of work force training
25 efforts with that department's technology diffusion, self-employment,
26 and business start-up efforts.

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

28 The board may delegate to the director any of the functions of this
29 section.

30 **Sec. 14.** RCW 43.17.010 and 1989 1st ex.s. c 9 s 810 are each
31 amended to read as follows:

32 There shall be departments of the state government which shall be
33 known as (1) the department of social and health services, (2) the
34 department of ecology, (3) the department of labor and industries, (4)
35 the department of agriculture, (5) the department of fisheries, (6) the
36 department of wildlife, (7) the department of transportation, (8) the
37 department of licensing, (9) the department of general administration,
38 (10) the department of (~~trade and economic~~) commerce and community

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

8 **Sec. 15.** RCW 43.17.020 and 1989 1st ex.s. c 9 s 811 are each
9 amended to read as follows:

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

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

30 NEW SECTION. **Sec. 16.** The department of community development is
31 hereby abolished and its powers, duties, and functions are hereby
32 transferred to the department of commerce and community development.

33 NEW SECTION. **Sec. 17.** All reports, documents, surveys, books,
34 records, files, papers, or written material in the possession of the
35 department of community development shall be delivered to the custody
36 of the department of commerce and community development. All cabinets,

1 furniture, office equipment, motor vehicles, and other tangible
2 property employed by the department of community development shall be
3 made available to the department of commerce and community development.
4 All funds, credits, or other assets held by the department of community
5 development shall be assigned to the department of commerce and
6 community development.

7 Any appropriations made to the department of community development
8 shall, on the effective date of this section, be transferred and
9 credited to the department of commerce and community development.

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

16 NEW SECTION. **Sec. 18.** All employees of the department of
17 community development are transferred to the jurisdiction of the
18 department of commerce and community development. All employees
19 classified under chapter 41.06 RCW, the state civil service law, are
20 assigned to the department of commerce and community development to
21 perform their usual duties upon the same terms as formerly, without any
22 loss of rights, subject to any action that may be appropriate
23 thereafter in accordance with the laws and rules governing state civil
24 service.

25 NEW SECTION. **Sec. 19.** All rules and all pending business before
26 the department of community development shall be continued and acted
27 upon by the department of commerce and community development. All
28 existing contracts and obligations shall remain in full force and shall
29 be performed by the department of commerce and community development.

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

34 NEW SECTION. **Sec. 21.** If apportionments of budgeted funds are
35 required because of the transfers directed by sections 17 through 20 of

1 this act, the director of financial management shall certify the
2 apportionments to the agencies affected, the state auditor, and the
3 state treasurer. Each of these shall make the appropriate transfer and
4 adjustments in funds and appropriation accounts and equipment records
5 in accordance with the certification.

6 NEW SECTION. **Sec. 22.** Nothing contained in sections 16 through 21
7 of this act may be construed to alter any existing collective
8 bargaining unit or the provisions of any existing collective bargaining
9 agreement until the agreement has expired or until the bargaining unit
10 has been modified by action of the personnel board as provided by law.

11 NEW SECTION. **Sec. 23.** The department of trade and economic
12 development is hereby abolished and its powers, duties, and functions
13 are hereby transferred to the department of commerce and community
14 development.

15 NEW SECTION. **Sec. 24.** All reports, documents, surveys, books,
16 records, files, papers, or written material in the possession of the
17 department of trade and economic development shall be delivered to the
18 custody of the department of commerce and community development. All
19 cabinets, furniture, office equipment, motor vehicles, and other
20 tangible property employed by the department of trade and economic
21 development shall be made available to the department of commerce and
22 community development. All funds, credits, or other assets held by the
23 department of trade and economic development shall be assigned to the
24 department of commerce and community development.

25 Any appropriations made to the department of trade and economic
26 development shall, on the effective date of this section, be
27 transferred and credited to the department of commerce and community
28 development.

29 Whenever any question arises as to the transfer of any personnel,
30 funds, books, documents, records, papers, files, equipment, or other
31 tangible property used or held in the exercise of the powers and the
32 performance of the duties and functions transferred, the director of
33 financial management shall make a determination as to the proper
34 allocation and certify the same to the state agencies concerned.

1 NEW SECTION. **Sec. 25.** All employees of the department of trade
2 and economic development are transferred to the jurisdiction of the
3 department of commerce and community development. All employees
4 classified under chapter 41.06 RCW, the state civil service law, are
5 assigned to the department of commerce and community development to
6 perform their usual duties upon the same terms as formerly, without any
7 loss of rights, subject to any action that may be appropriate
8 thereafter in accordance with the laws and rules governing state civil
9 service.

10 NEW SECTION. **Sec. 26.** All rules and all pending business before
11 the department of trade and economic development shall be continued and
12 acted upon by the department of commerce and community development.
13 All existing contracts and obligations shall remain in full force and
14 shall be performed by the department of commerce and community
15 development.

16 NEW SECTION. **Sec. 27.** The transfer of the powers, duties,
17 functions, and personnel of the department of trade and economic
18 development shall not affect the validity of any act performed prior to
19 the effective date of this section.

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

27 NEW SECTION. **Sec. 29.** Nothing contained in sections 23 through 28
28 of this act may be construed to alter any existing collective
29 bargaining unit or the provisions of any existing collective bargaining
30 agreement until the agreement has expired or until the bargaining unit
31 has been modified by action of the personnel board as provided by law.

32 **Sec. 30.** RCW 19.85.020 and 1989 c 374 s 1 are each amended to read
33 as follows:

1 Unless the context clearly indicates otherwise, the definitions in
2 this section apply through this chapter.

3 (1) "Small business" has the meaning given in ((RCW 43.31.025(4)))
4 section 2 of this act.

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

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

11 **Sec. 31.** RCW 42.17.310 and 1992 c 139 s 5 and 1992 c 71 s 12 are
12 each reenacted and amended to read as follows:

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

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

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

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

25 (d) Specific intelligence information and specific investigative
26 records compiled by investigative, law enforcement, and penology
27 agencies, and state agencies vested with the responsibility to
28 discipline members of any profession, the nondisclosure of which is
29 essential to effective law enforcement or for the protection of any
30 person's right to privacy.

31 (e) Information revealing the identity of persons who are witnesses
32 to or victims of crime or who file complaints with investigative, law
33 enforcement, or penology agencies, other than the public disclosure
34 commission, if disclosure would endanger any person's life, physical
35 safety, or property. If at the time a complaint is filed the
36 complainant, victim or witness indicates a desire for disclosure or
37 nondisclosure, such desire shall govern. However, all complaints filed
38 with the public disclosure commission about any elected official or

1 candidate for public office must be made in writing and signed by the
2 complainant under oath.

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

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

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

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

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

23 (k) Records, maps, or other information identifying the location of
24 archaeological sites in order to avoid the looting or depredation of
25 such sites.

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

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

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

1 (o) Financial and commercial information and records supplied by
2 private persons pertaining to export services provided pursuant to
3 chapter 43.163 RCW and chapter 53.31 RCW.

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

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

9 (r) Financial and commercial information and records supplied by
10 businesses during application for loans or program services provided by
11 chapters 43.163 (~~(RCW and chapters 43.31, 43.63A)~~), 43.-- (sections 1
12 through 12 of this act), and 43.168 RCW.

13 (s) Membership lists or lists of members or owners of interests of
14 units in timeshare projects, subdivisions, camping resorts,
15 condominiums, land developments, or common-interest communities
16 affiliated with such projects, regulated by the department of
17 licensing, in the files or possession of the department.

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

21 (u) The residential addresses and residential telephone numbers of
22 employees or volunteers of a public agency which are held by the agency
23 in personnel records, employment or volunteer rosters, or mailing lists
24 of employees or volunteers.

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

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

30 (x) Information obtained by the board of pharmacy or the department
31 of health and its representatives as provided in RCW 69.41.044,
32 69.41.280, and 18.64.420.

33 (y) Financial information, business plans, examination reports, and
34 any information produced or obtained in evaluating or examining a
35 business and industrial development corporation organized or seeking
36 certification under chapter 31.24 RCW.

37 (z) Financial and commercial information supplied to the state
38 investment board by any person when the information relates to the
39 investment of public trust or retirement funds and when disclosure

1 would result in loss to such funds or in private loss to the providers
2 of this information.

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

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

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

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

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

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

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

33 **Sec. 32.** RCW 42.17.319 and 1989 c 312 s 7 are each amended to read
34 as follows:

35 Notwithstanding the provisions of RCW 42.17.260 through 42.17.340,
36 no financial or proprietary information supplied by investors or
37 entrepreneurs under chapter (~~43.31~~) 43.-- RCW (sections 1 through 12
38 of this act) shall be made available to the public.

1 **Sec. 33.** RCW 43.17.065 and 1991 c 314 s 28 are each amended to
2 read as follows:

3 (1) Where power is vested in a department to issue permits,
4 licenses, certifications, contracts, grants, or otherwise authorize
5 action on the part of individuals, businesses, local governments, or
6 public or private organizations, such power shall be exercised in an
7 expeditious manner. All departments with such power shall cooperate
8 with officials of the business assistance center of the department of
9 (~~trade and economic~~) commerce and community development, and any
10 other state officials, when such officials request timely action on the
11 part of the issuing department.

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

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

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

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

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

26 **Sec. 34.** RCW 43.20A.750 and 1992 c 21 s 4 are each amended to read
27 as follows:

28 (1) The department of social and health services shall help
29 families and workers in timber impact areas make the transition through
30 economic difficulties and shall provide services to assist workers to
31 gain marketable skills. The department, as a member of the agency
32 timber task force and in consultation with the economic recovery
33 coordination board, and, where appropriate, under an interagency
34 agreement with the department of commerce and community development,
35 shall provide grants through the office of the secretary for services
36 to the unemployed in timber impact areas, including providing direct or
37 referral services, establishing and operating service delivery
38 programs, and coordinating delivery programs and delivery of services.

1 These grants may be awarded for family support centers, reemployment
2 centers, or other local service agencies.

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

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

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

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

24 (5) "Timber impact area" means:

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

37 (b) Additional communities as the economic recovery coordinating
38 board, established in RCW 43.31.631, designates based on a finding by
39 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. 35.** RCW 43.31.057 and 1986 c 183 s 2 are each amended to read
4 as follows:

5 The department of (~~trade and economic~~) commerce and community
6 development is directed to develop and promote means to stimulate the
7 expansion of the market for Washington products and shall have the
8 following powers and duties:

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

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

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

19 (4) In carrying out these powers and duties the department shall
20 cooperate and coordinate with other agencies of government and the
21 private sector.

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

24 The business assistance center shall:

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

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

28 (3) Provide comprehensive referral services to businesses requiring
29 government assistance.

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

33 (5) Aggressively promote business awareness of the state's business
34 programs and distribute information on the services available to
35 businesses.

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

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

9 (8) In collaboration with the child care coordinating committee in
10 the department of social and health services, prepare and disseminate
11 information on child care options for employers and the existence of
12 the program. As much as possible, and through interagency agreements
13 where necessary, such information should be included in the routine
14 communications to employers from (a) the department of revenue, (b) the
15 department of labor and industries, (c) ~~((the department of community
16 development, ~~(d)~~))~~ the employment security department, ~~((~~(e)~~))~~ (d) the
17 department of ~~((trade and economic))~~ commerce and community
18 development, ~~((~~(f)~~))~~ (e) the small business development center, and
19 ~~((~~(g)~~))~~ (f) the department of social and health services.

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

25 (10) Actively seek public and private money to support the child
26 care facility fund described in RCW 43.31.502, staff and assist the
27 child care facility fund committee as described in RCW 43.31.504, and
28 work to promote applications to the committee for loan guarantees,
29 loans, and grants.

30 **Sec. 37.** RCW 43.31.205 and 1992 c 228 s 2 are each amended to read
31 as follows:

32 In an effort to enhance the economy of the Tri-Cities area, the
33 department of ~~((trade and economic))~~ commerce and community development
34 is directed to promote the existence of the lease between the state of
35 Washington and the federal government executed September 10, 1964,
36 covering one thousand acres of land lying within the Hanford
37 reservation near Richland, Washington, and the opportunity of
38 subleasing the land to entities for nuclear-related industry, in

1 agreement with the terms of the lease. When promoting the existence of
2 the lease, the department shall work in cooperation with any associate
3 development organization(~~(s)~~) located in or near the Tri-Cities area.

4 **Sec. 38.** RCW 43.31.409 and 1989 c 312 s 3 are each amended to read
5 as follows:

6 There is created in the business assistance center of the
7 department of (~~trade and economic~~) commerce and community development
8 the Washington investment opportunities office.

9 **Sec. 39.** RCW 43.31.411 and 1989 c 312 s 4 are each amended to read
10 as follows:

11 The Washington investment opportunities office shall:

12 (1) Maintain a list of all entrepreneurs engaged in manufacturing,
13 wholesaling, transportation services, development of destination
14 tourism resorts, or traded services throughout the state seeking
15 capital resources and interested in the services of the investment
16 opportunities office.

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

20 (3) Assist entrepreneurs in procuring the managerial and technical
21 assistance necessary to attract potential investors. Such assistance
22 shall include the automatic referral to the small business innovators
23 opportunity program of any entrepreneur with a new product meriting the
24 services of the program.

25 (4) Provide entrepreneurs with information about potential
26 investors and provide investors with information about those
27 entrepreneurs which meet the investment criteria of the investor.

28 (5) Promote small business securities financing.

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

32 (7) Publicize the services of the investment opportunities office
33 through public meetings throughout the state, appropriately targeted
34 media, and private meetings. Whenever practical, the office shall use
35 the existing services of local associate development organizations in
36 outreach and identification of entrepreneurs and investors.

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

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

9 (b) The number of investments made in entrepreneurs, segregated as
10 required by (a) of this subsection, as a result of contact with the
11 investment opportunities office, the dollar amount of each such
12 investment, the source, by state or nation, of each investment, and the
13 number of jobs created as a result of each investment;

14 (c) The number of entrepreneurs on the list referred to in
15 subsection (1) of this section segregated by counties, the number of
16 investments, the dollar amount of investments, and the number of jobs
17 created through investments in each county as a result of contact with
18 the investment opportunities office;

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

23 (e) The results of client satisfaction surveys distributed to
24 entrepreneurs and investors using the services of the investment
25 opportunities office; and

26 (f) Such other information as the managing director finds
27 appropriate.

28 **Sec. 40.** RCW 43.31.422 and 1991 c 272 s 19 are each amended to
29 read as follows:

30 The Hanford area economic investment fund is established in the
31 custody of the state treasurer. Moneys in the fund shall only be used
32 pursuant to the recommendations of the committee created in RCW
33 43.31.425 and the approval of the director of the department of (~~trade~~
34 ~~and economic~~) commerce and community development for Hanford area
35 revolving loan funds, Hanford area infrastructure projects, or other
36 Hanford area economic development and diversification projects, but may
37 not be used for government or nonprofit organization operating
38 expenses. Up to five percent of moneys in the fund may be used for

1 program administration. For the purpose of this chapter "Hanford area"
2 means Benton and Franklin counties. Disbursements from the fund shall
3 be on the authorization of the director of (~~trade and economic~~)
4 commerce and community development or the director's designee after an
5 affirmative vote of at least six members of the committee created in
6 RCW 43.31.425 on any recommendations by the committee created in RCW
7 43.31.425. The fund is subject to the allotment procedures under
8 chapter 43.88 RCW, but no appropriation is required for disbursements.
9 The legislature intends to establish similar economic investment funds
10 for areas that develop low-level radioactive waste disposal facilities.

11 **Sec. 41.** RCW 43.31.504 and 1989 c 430 s 4 are each amended to read
12 as follows:

13 The child care facility fund committee is established within the
14 business assistance center of the department of (~~trade and economic~~)
15 commerce and community development. The committee shall administer the
16 child care facility fund, with review by the director of the department
17 of (~~trade and economic~~) commerce and community development.

18 (1) The committee shall have five members. The director of the
19 department of (~~trade and economic~~) commerce and community development
20 shall appoint the members, who shall include:

21 (a) Two persons experienced in investment finance and having skills
22 in providing capital to new businesses, in starting and operating
23 businesses, and providing professional services to small or expanding
24 businesses;

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

27 (c) One child care services expert; and

28 (d) One early childhood development expert.

29 In making these appointments, the director shall give careful
30 consideration to ensure that the various geographic regions of the
31 state are represented and that members will be available for meetings
32 and are committed to working cooperatively to address child care needs
33 in Washington state.

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

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

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

11 **Sec. 42.** RCW 43.31.522 and 1990 c 57 s 2 are each amended to read
12 as follows:

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

15 (1) "Department" means the department of (~~trade and economic~~)
16 commerce and community development.

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

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

21 (4) "Local nonprofit organization" means a local nonprofit
22 organization organized to provide economic development or community
23 development services, including but not limited to associate
24 development organizations, economic development councils, and community
25 development corporations.

26 **Sec. 43.** RCW 43.31.524 and 1990 c 57 s 3 are each amended to read
27 as follows:

28 There is established a Washington marketplace program within the
29 business assistance center established under RCW 43.31.083. The
30 program shall assist businesses to competitively meet their needs for
31 goods and services within Washington state by providing information
32 relating to the replacement of imports or the fulfillment of new
33 requirements with Washington products produced in Washington state.
34 The program shall place special emphasis on strengthening rural
35 economies in economically distressed areas of the state meeting the
36 criteria of an "eligible area" as defined in RCW 82.60.020(3). (~~The~~

1 ~~Washington marketplace program shall consult with the community~~
2 ~~revitalization team established pursuant to chapter 43.165 RCW.))~~

3 **Sec. 44.** RCW 43.31.526 and 1990 c 57 s 4 are each amended to read
4 as follows:

5 (1) The department shall contract with local nonprofit
6 organizations in at least three economically distressed areas of the
7 state that meet the criteria of an "eligible area" as defined in RCW
8 82.60.020(3) to implement the Washington marketplace program in these
9 areas. The department, in order to foster cooperation and linkages
10 between distressed and nondistressed areas and urban and rural areas,
11 may enter into joint contracts with multiple nonprofit organizations.
12 Contracts with economic development organizations to foster cooperation
13 and linkages between distressed and nondistressed areas and urban and
14 rural areas shall be structured by the department and the distressed
15 area marketplace programs. Contracts with economic development
16 organizations shall:

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

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

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

23 The department may require that contractors contribute at least
24 twenty percent local funding.

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

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

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

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

36 (d) Advertising market opportunities described in (c) of this
37 subsection; and

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

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

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

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

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

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

13 (d) Provide continuing management and technical assistance to local
14 contractors; and

15 (e) Report by December 31 of each year to the ~~((senate))~~
16 appropriate economic development ~~((and labor committee and to))~~
17 committees of the senate and the house of representatives ~~((trade and~~
18 ~~economic development committee))~~ describing the activities of the
19 Washington marketplace program.

20 **Sec. 45.** RCW 43.31.641 and 1991 c 314 s 7 are each amended to read
21 as follows:

22 The department of ~~((trade and economic))~~ commerce and community
23 development, as a member of the agency timber task force and in
24 consultation with the board, shall:

25 (1) Implement an expanded value-added forest products development
26 industrial extension program. The department shall provide technical
27 assistance to small and medium-sized forest products companies to
28 include:

29 (a) Secondary manufacturing product development;

30 (b) Plant and equipment maintenance;

31 (c) Identification and development of domestic market
32 opportunities;

33 (d) Building products export development assistance;

34 (e) At-risk business development assistance;

35 (f) Business network development; and

36 (g) Timber impact area industrial diversification.

37 (2) Provide local contracts for small and medium-sized forest
38 product companies, start-ups, and business organizations for business

1 feasibility, market development, and business network contracts that
2 will benefit value-added production efforts in the industry.

3 (3) ~~Contract with local business organizations in timber impact~~
4 ~~areas for development of programs to promote industrial~~
5 ~~diversification. ((In addition, the department shall develop an~~
6 ~~interagency agreement with the department of community development for~~
7 ~~local capacity building grants to local governments and community based~~
8 ~~organizations in timber impact areas, which may include long range~~
9 ~~planning and needs assessments.))~~

10 (4) Implement a community assistance program to enable communities
11 to build local capacity for sustainable economic development efforts.
12 The program shall provide resources and technical assistance to timber
13 impact areas.

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

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

22 **Sec. 46.** RCW 43.31.830 and 1987 c 195 s 7 are each amended to read
23 as follows:

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

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

30 (a) Have had at least two or more years of experience in the
31 presentation of or participation in state international trade fairs;
32 and

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

36 (3) The director shall make annual allotments to state
37 international trade fairs determined qualified to be entitled to
38 participate in the state trade fair fund and shall fix times for the

1 division of and payment from the state trade fair fund: PROVIDED, That
2 total payment to any one state international trade fair shall not
3 exceed sixty thousand dollars in any one year, where participation or
4 presentation occurs within the United States, and eighty thousand
5 dollars in any one year, where participation or presentation occurs
6 outside the United States: PROVIDED FURTHER, That a state
7 international trade fair may qualify for the full allotment of funds
8 under either category. Upon certification of the allotment and
9 division of fair funds by the director (~~(of trade and economic~~
10 ~~development)~~) the treasurer shall proceed to pay the same to carry out
11 the purposes of RCW (~~(43.31.790 through 43.31.850 and)~~) 67.16.100(~~(, as~~
12 ~~now or hereafter amended)~~).

13 **Sec. 47.** RCW 43.31.840 and 1975 1st ex.s. c 292 s 6 are each
14 amended to read as follows:

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

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

27 **Sec. 48.** RCW 43.31.850 and 1987 c 195 s 9 are each amended to read
28 as follows:

29 State international trade fair as used in RCW (~~(43.31.790 through~~
30 ~~43.31.840 and)~~) 67.16.100(~~(, as now or hereafter amended,~~) shall mean
31 a fair supported by public agencies basically for the purpose of
32 introducing and promoting the sale of manufactured or cultural products
33 and services of a given area, whether presented in this state, the
34 United States or its territories, or in a foreign country.

35 **Sec. 49.** RCW 43.160.020 and 1992 c 21 s 3 are each amended to read
36 as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this chapter.

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

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

7 (3) "Department" means the department of (~~trade and economic~~)
8 commerce and community development (~~or its successor with respect to~~
9 ~~the powers granted by this chapter~~)).

10 (4) "Financial institution" means any bank, savings and loan
11 association, credit union, development credit corporation, insurance
12 company, investment company, trust company, savings institution, or
13 other financial institution approved by the board and maintaining an
14 office in the state.

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

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

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

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

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

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

34 (11) "Timber impact area" means:

35 (a) A county having a population of less than five hundred
36 thousand, or a city or town located within a county having a population
37 of less than five hundred thousand, and meeting two of the following
38 three criteria, as determined by the employment security department,
39 for the most recent year such data is available: (i) A lumber and wood

1 products employment location quotient at or above the state average;
2 (ii) projected or actual direct lumber and wood products job losses of
3 one hundred positions or more, except counties having a population
4 greater than two hundred thousand but less than five hundred thousand
5 must have direct lumber and wood products job losses of one thousand
6 positions or more; or (iii) an annual unemployment rate twenty percent
7 or more above the state average; or

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

13 **Sec. 50.** RCW 43.168.020 and 1991 c 314 s 19 are each amended to
14 read as follows:

15 Unless the context clearly requires otherwise, the definitions in
16 this section apply throughout this chapter.

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

19 (2) "Department" means the department of commerce and community
20 development.

21 (3) "Director" means the director of the department of commerce and
22 community development.

23 (4) "Distressed area" means: (a) A county which has an
24 unemployment rate which is twenty percent above the state average for
25 the immediately previous three years; (b) a metropolitan statistical
26 area, as defined by the office of federal statistical policy and
27 standards, United States department of commerce, in which the average
28 level of unemployment for the calendar year immediately preceding the
29 year in which an application is filed under this chapter exceeds the
30 average state unemployment for such calendar year by twenty percent.
31 Applications under this subsection (4)(b) shall be filed by April 30,
32 1989; (c) an area within a county, which area: (i) Is composed of
33 contiguous census tracts; (ii) has a minimum population of five
34 thousand persons; (iii) has at least seventy percent of its families
35 and unrelated individuals with incomes below eighty percent of the
36 county's median income for families and unrelated individuals; and (iv)
37 has an unemployment rate which is at least forty percent higher than
38 the county's unemployment rate; (~~(e)~~) (d) a neighborhood reinvestment

1 area designated under chapter (House Bill No. 1986), Laws of
2 1993; (e) an enterprise zone certified under chapter (House
3 Bill No. 1909), Laws of 1993; or (f) a county designated as a timber
4 impact area under RCW 43.31.601 if an application is filed by July 1,
5 1993. For purposes of this definition, "families and unrelated
6 individuals" has the same meaning that is ascribed to that term by the
7 federal department of housing and urban development in its regulations
8 authorizing action grants for economic development and neighborhood
9 revitalization projects.

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

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

16 (7) "Project" means the establishment of a new or expanded business
17 in an area which when completed will provide employment opportunities.
18 "Project" also means the retention of an existing business in an area
19 which when completed will provide employment opportunities.

20 **Sec. 51.** RCW 43.210.110 and 1991 c 314 s 12 are each amended to
21 read as follows:

22 (1) The small business export finance assistance center has the
23 following powers and duties when exercising its authority under RCW
24 43.210.100(3):

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

28 (b) Offer comprehensive export assistance and counseling to
29 manufacturers relatively new to exporting with gross annual revenues
30 less than twenty-five million dollars. As close to ninety percent as
31 possible of each year's new cadre of clients must have gross annual
32 revenues of less than five million dollars at the time of their initial
33 contract. At least fifty percent of each year's new cadre of clients
34 shall be from timber impact areas as defined in RCW 43.31.601.
35 Counseling may include, but not be limited to, helping clients obtain
36 debt or equity financing, in constructing competent proposals, and
37 assessing federal guarantee and/or insurance programs that underwrite
38 exporting risk; assisting clients in evaluating their international

1 marketplace by developing marketing materials, assessing and selecting
2 targeted markets; assisting firms in finding foreign customers by
3 conducting foreign market research, evaluating distribution systems,
4 selecting and assisting in identification of and/or negotiations with
5 foreign agents, distributors, retailers, and by promoting products
6 through attending trade shows abroad; advising companies on their
7 products, guarantees, and after sales service requirements necessary to
8 compete effectively in a foreign market; designing a competitive
9 strategy for a firm's products in targeted markets and methods of
10 minimizing their commercial and political risks; securing for clients
11 specific assistance as needed, outside the center's field of expertise,
12 by referrals to other public or private organizations. The Pacific
13 Northwest export assistance project shall focus its efforts on
14 facilitating export transactions for its clients, and in doing so,
15 provide such technical services as are appropriate to accomplish its
16 mission either with staff or outside consultants;

17 (c) Sign three-year counseling agreements with its clients that
18 provide for termination if adequate funding for the Pacific Northwest
19 export assistance project is not provided in future appropriations.
20 Counseling agreements shall not be renewed unless there are compelling
21 reasons to do so, and under no circumstances shall they be renewed for
22 more than two additional years. A counseling agreement may not be
23 renewed more than once. The counseling agreements shall have mutual
24 performance clauses, that if not met, will be grounds for releasing
25 each party, without penalty, from the provisions of the agreement.
26 Clients shall be immediately released from a counseling agreement with
27 the Pacific Northwest export assistance project, without penalty, if a
28 client wishes to switch to a private export management service and
29 produces a valid contract signed with a private export management
30 service, or if the president of the small business export finance
31 assistance center determines there are compelling reasons to release a
32 client from the provisions of the counseling agreement;

33 (d) May contract with private or public international trade
34 education services to provide Pacific Northwest export assistance
35 project clients with training in international business. The president
36 and board of directors shall decide the amount of funding allocated for
37 educational services based on the availability of resources in the
38 operating budget of the Pacific Northwest export assistance project;

1 (e) May contract with the Washington state international trade fair
2 to provide services for Pacific Northwest export assistance project
3 clients to participate in one trade show annually. The president and
4 board of directors shall decide the amount of funding allocated for
5 trade fair assistance based on the availability of resources in the
6 operating budget of the Pacific Northwest export assistance project;

7 (f) Provide biennial assessments of its performance. Project
8 personnel shall work with the department of revenue and employment
9 security department to confidentially track the performance of the
10 project's clients in increasing tax revenues to the state, increasing
11 gross sales revenues and volume of products destined to foreign
12 clients, and in creating new jobs for Washington citizens. A biennial
13 report shall be prepared for the governor and legislature to assess the
14 costs and benefits to the state from creating the project. The
15 president of the small business export finance assistance center shall
16 design an appropriate methodology for biennial assessments in
17 consultation with the director of the department of (~~trade and~~
18 ~~economic~~) commerce and community development and the director of the
19 Washington state department of agriculture. The department of revenue
20 and the employment security department shall provide data necessary to
21 complete this biennial evaluation, if the data being requested is
22 available from existing data bases. Client-specific information
23 generated from the files of the department of revenue and the
24 employment security department for the purposes of this evaluation
25 shall be kept strictly confidential by each department and the small
26 business export finance assistance center;

27 (g) Take whatever action may be necessary to accomplish the
28 purposes set forth in RCW 43.210.070 and 43.210.100 through 43.210.120;
29 and

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

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

37 (3) The Pacific Northwest export assistance project may not use any
38 Washington state funds which come from the public treasury of the state
39 of Washington to make loans or to make any payment under a loan

1 guarantee agreement. Under no circumstances may the center use any
2 funds received under RCW 43.210.050 to make or assist in making any
3 loan or to pay or assist in paying any amount under a loan guarantee
4 agreement. Debts of the center shall be center debts only and may be
5 satisfied only from the resources of the center. The state of
6 Washington shall not in any way be liable for such debts.

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

9 (5) The Pacific Northwest export assistance project shall take
10 whatever steps are necessary to provide its services, if requested, to
11 the states of Oregon, Idaho, Montana, Alaska, and the Canadian
12 provinces of British Columbia and Alberta. Interstate services shall
13 not be provided by the Pacific Northwest export assistance project
14 during its first biennium of operation. The provision of services may
15 be temporary and subject to the payment of fees, or each state may
16 request permanent services contingent upon a level of permanent funding
17 adequate for services provided. Temporary services and fees may be
18 negotiated by the small business export finance assistance center's
19 president subject to approval of the board of directors. The president
20 of the small business export finance assistance center may enter into
21 negotiations with neighboring states to contract for delivery of the
22 project's services. Final contracts for providing the project's
23 counseling and services outside of the state of Washington on a
24 permanent basis shall be subject to approval of the governor,
25 appropriate legislative oversight committees, and the small business
26 export finance assistance center's board of directors.

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

33 (7) The president of the small business export finance assistance
34 center, in consultation with the board of directors, may use the
35 following formula in determining the number of clients that can be
36 reasonably served by the Pacific Northwest export assistance project
37 relative to its appropriation. Divide the amount appropriated for
38 administration of the Pacific Northwest export assistance project by
39 the marginal cost of adding each additional Pacific Northwest export

1 assistance project client. For the purposes of this calculation, and
2 only for the first biennium of operation, the biennial marginal cost of
3 adding each additional Pacific Northwest export assistance project
4 client shall be fifty-seven thousand ninety-five dollars. The biennial
5 marginal cost of adding each additional client after the first biennium
6 of operation shall be established from the actual operating experience
7 of the Pacific Northwest export assistance project.

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

10 **Sec. 52.** RCW 43.63A.066 and 1990 c 33 s 579 are each amended to
11 read as follows:

12 The department of commerce and community development shall have
13 primary responsibility for providing child abuse and neglect prevention
14 training to preschool age children participating in the federal head
15 start program or the early childhood education and assistance program
16 established under RCW 28A.215.010 through 28A.215.200 and 28A.215.900
17 through 28A.215.908.

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

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

31 **Sec. 54.** RCW 43.63A.115 and 1990 c 156 s 1 are each amended to
32 read as follows:

33 (1) The community action agency network, established initially
34 under the federal economic opportunity act of 1964 and subsequently
35 under the federal community services block grant program of 1981, as
36 amended, shall be a delivery system for federal and state anti-poverty

1 programs in this state, including but not limited to the community
2 services block grant program, the low-income energy assistance program,
3 and the federal department of energy weatherization program.

4 (2) Local community action agencies comprise the community action
5 agency network. The community action agency network shall serve low-
6 income persons in the counties. Each community action agency and its
7 service area shall be designated in the state federal community service
8 block grant plan as prepared by the department of commerce and
9 community development.

10 (3) Funds for anti-poverty programs may be distributed to the
11 community action agencies by the department of commerce and community
12 development and other state agencies in consultation with the
13 authorized representatives of community action agency networks.

14 **Sec. 55.** RCW 43.63A.155 and 1989 c 225 s 5 are each amended to
15 read as follows:

16 The department of commerce and community development shall retain
17 the bond information it receives under RCW 39.44.210 and 39.44.230 and
18 shall publish summaries of local government bond issues at least once
19 a year.

20 The department of commerce and community development shall adopt
21 rules under chapter 34.05 RCW to implement RCW 39.44.210 and 39.44.230.

22 **Sec. 56.** RCW 43.63A.220 and 1987 c 505 s 34 are each amended to
23 read as follows:

24 (1) The department of commerce and community development is
25 directed to undertake a study as to the best means of providing
26 encouragement and assistance to the formulation of employee stock
27 ownership plans providing for the partial or total acquisition, through
28 purchase, distribution in lieu of compensation, or a combination of
29 these means or any other lawful means, of shares of stock or other
30 instruments of equity in facilities by persons employed at these
31 facilities in cases in which operations at these facilities would,
32 absent employee equity ownership, be terminated, relocated outside of
33 the state, or so reduced in volume as to entail the permanent layoff of
34 a substantial number of the employees.

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

36 (a) Consider federal and state law relating directly or indirectly
37 to plans proposed under subsection (1) of this section, and to the

1 organization and operation of any trusts established pursuant to the
2 plans, including but not limited to, the federal internal revenue code
3 and any regulations promulgated under the internal revenue code, the
4 federal securities act of 1933 as amended and other federal statutes
5 providing for regulation of the issuance of securities, the federal
6 employee retirement income and security act of 1974 as amended, the
7 Chrysler loan guarantee legislation enacted by the United States
8 congress in 1979, and other federal and state laws relating to
9 employment, compensation, taxation, and retirement;

10 (b) Consult with relevant persons in the public sector, relevant
11 persons in the private sector, including trustees of any existing
12 employee stock ownership trust, and employees of any firm operating
13 under an employee stock ownership trust, and with members of the
14 academic community and of relevant branches of the legal profession;

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

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

19 (3) Pursuant to the findings and conclusions of the study conducted
20 under subsection (2) of this section, the department of commerce and
21 community development shall develop a plan to encourage and assist the
22 formulation of employee stock ownership plans providing for the
23 acquisition of stock by employees of facilities in this state which are
24 subject to closure or drastically curtailed operation. The department
25 shall determine the amount of any costs of implementing the plan.

26 (4) The director of commerce and community development shall,
27 within one year of July 28, 1985, report the findings and conclusion of
28 the study, together with details of the plan developed pursuant to the
29 study, to the legislature, and shall include in the report any
30 recommendations for legislation which the director deems appropriate.

31 (5) The department of commerce and community development shall
32 carry out its duties under this section using available resources.

33 **Sec. 57.** RCW 43.63A.230 and 1988 c 186 s 17 are each amended to
34 read as follows:

35 (1) The department of commerce and community development shall
36 integrate an employee ownership program within its existing technical
37 assistance programs. The employee ownership program shall provide
38 technical assistance to cooperatives authorized under chapter 23.78 RCW

1 and conduct educational programs on employee ownership and self-
2 management. The department shall include information on the option of
3 employee ownership wherever appropriate in its various programs.

4 (2) The department shall maintain a list of firms and individuals
5 with expertise in the field of employee ownership and utilize such
6 firms and individuals, as appropriate, in delivering and coordinating
7 the delivery of technical, managerial, and educational services. In
8 addition, the department shall work with and rely on the services of
9 (~~the department of trade and economic development,~~) the employment
10 security department(~~(7)~~) and state institutions of higher education to
11 promote employee ownership.

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

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

26 **Sec. 58.** RCW 43.63A.245 and 1992 c 63 s 2 are each amended to read
27 as follows:

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

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

32 "Coordinator" means the person designated by the director of the
33 department of commerce and community development with the advice of the
34 council to administer the activities of the senior environmental corps.

35 "Corps" means the senior environmental corps.

36 "Council" means the senior environmental corps coordinating
37 council.

1 "Department" means the department of commerce and community
2 development.

3 "Director" means the director of the department of commerce and
4 community development or the director's authorized representative.

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

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

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

12 **Sec. 59.** RCW 43.63A.247 and 1992 c 63 s 3 are each amended to read
13 as follows:

14 The senior environmental corps is created within the department of
15 commerce and community development. The departments of agriculture,
16 commerce and community development, employment security, ecology,
17 fisheries, health, natural resources, and wildlife, the parks and
18 recreation commission, and the Puget Sound water quality authority
19 shall participate in the administration and implementation of the corps
20 and shall appoint representatives to the council.

21 **Sec. 60.** RCW 43.63A.260 and 1992 c 63 s 5 are each amended to read
22 as follows:

23 The department shall convene a senior environmental corps
24 coordinating council to meet as needed to establish and assess
25 policies, define standards for projects, evaluate and select projects,
26 develop recruitment, training, and placement procedures, receive and
27 review project status and completion reports, and provide for
28 recognition of volunteer activity. The council shall include
29 representatives appointed by the departments of agriculture, commerce
30 and community development, employment security, ecology, fisheries,
31 health, natural resources, and wildlife, the parks and recreation
32 commission, and the Puget Sound water quality authority. The council
33 shall develop bylaws, policies and procedures to govern its activities.

34 The council shall advise the director on distribution of available
35 funding for corps activities.

1 **Sec. 61.** RCW 43.63A.275 and 1992 c 65 s 2 are each amended to read
2 as follows:

3 (1) Each biennium the department of commerce and community
4 development shall distribute such funds as are appropriated for retired
5 senior volunteer programs (RSVP) as follows:

6 (a) At least sixty-five percent of the moneys may be distributed
7 according to formulae and criteria to be determined by the department
8 of commerce and community development in consultation with the RSVP
9 directors association.

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

14 (c) Ten percent of the moneys may be used by the department of
15 commerce and community development for administration, monitoring of
16 the grants, and providing technical assistance to the RSVP projects.

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

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

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

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

27 (i) Developing new roles for senior volunteers in nonprofit and
28 public organizations with special emphasis on areas targeted in section
29 1, chapter 65, Laws of 1992. The roles shall reflect the diversity of
30 the local senior population and shall respect their life experiences;

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

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

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

1 **Sec. 62.** RCW 43.63A.300 and 1986 c 266 s 54 are each amended to
2 read as follows:

3 The legislature finds that fire protection services at the state
4 level are provided by different, independent state agencies. This has
5 resulted in a lack of a comprehensive state-level focus for state fire
6 protection services, funding, and policy. It is the intent of the
7 legislature to consolidate fire protection services into a single state
8 agency and to create a state board with the responsibility of (1)
9 establishing a comprehensive state policy regarding fire protection
10 services and (2) advising the director of commerce and community
11 development and the director of fire protection on matters relating to
12 their duties under state law. It is also the intent of the legislature
13 that the fire protection services program created herein will assist
14 local fire protection agencies in program development without
15 encroaching upon their historic autonomy.

16 **Sec. 63.** RCW 43.63A.320 and 1986 c 266 s 56 are each amended to
17 read as follows:

18 Except for matters relating to the statutory duties of the director
19 of commerce and community development which are to be carried out
20 through the director of fire protection, the board shall have the
21 responsibility of developing a comprehensive state policy regarding
22 fire protection services. In carrying out its duties, the board shall:

- 23 (1) Adopt a state fire protection master plan;
- 24 (2) Monitor fire protection in the state and develop objectives and
25 priorities to improve fire protection for the state's citizens;
- 26 (3) Establish and promote state arson control programs and ensure
27 development of local arson control programs;
- 28 (4) Provide representation for local fire protection services to
29 the governor in state-level fire protection planning matters such as,
30 but not limited to, hazardous materials;
- 31 (5) Seek and solicit grants, gifts, bequests, devices, and matching
32 funds for use in furthering the objectives and duties of the board, and
33 establish procedures for administering them;
- 34 (6) Promote mutual aid and disaster planning for fire services in
35 this state;
- 36 (7) Assure the dissemination of information concerning the amount
37 of fire damage including that damage caused by arson, and its causes
38 and prevention;

1 (8) Submit annually a report to the governor containing a statement
2 of its official acts pursuant to this chapter, and make such studies,
3 reports, and recommendations to the governor and the legislature as are
4 requested;

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

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

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

14 (12) Adopt standards for state-wide fire service training and
15 education courses including courses in arson detection and
16 investigation for personnel of fire, police, and prosecutor's
17 departments;

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

21 (14) Cooperate with the common schools, community colleges,
22 institutions of higher education, and any department or division of the
23 state, or of any county or municipal corporation in establishing and
24 maintaining instruction in fire service training and education in
25 accordance with any act of Congress and legislation enacted by the
26 legislature in pursuance thereof and in establishing, building, and
27 operating training and education facilities.

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

32 **Sec. 64.** RCW 43.63A.330 and 1986 c 266 s 57 are each amended to
33 read as follows:

34 In regards to the statutory duties of the director of commerce and
35 community development which are to be carried out through the director
36 of fire protection, the board shall serve in an advisory capacity in
37 order to enhance the continuity of state fire protection services. In
38 this capacity, the board shall:

1 (1) Advise the director of commerce and community development and
2 the director of fire protection on matters pertaining to their duties
3 under law; and

4 (2) Advise the director of commerce and community development and
5 the director of fire protection on all budgeting and fiscal matters
6 pertaining to the duties of the director of fire protection and the
7 board.

8 **Sec. 65.** RCW 43.63A.340 and 1986 c 266 s 58 are each amended to
9 read as follows:

10 (1) Wherever the term state fire marshal appears in the Revised
11 Code of Washington or the Washington Administrative Code it shall mean
12 the director of fire protection.

13 (2) The director of commerce and community development shall
14 appoint an assistant director who shall be known as the director of
15 fire protection. The board, after consulting with the director, shall
16 prescribe qualifications for the position of director of fire
17 protection. The board shall submit to the director a list containing
18 the names of three persons whom the board believes meet its
19 qualifications. If requested by the director, the board shall submit
20 one additional list of three persons whom the board believes meet its
21 qualifications. The appointment shall be from one of the lists of
22 persons submitted by the board.

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

26 (4) The director of commerce and community development, through the
27 director of fire protection, shall, after consultation with the board,
28 prepare a biennial budget pertaining to fire protection services. Such
29 biennial budget shall be submitted as part of the department's budget
30 request.

31 (5) The director of commerce and community development, through the
32 director of fire protection, shall implement and administer, within the
33 constraints established by budgeted resources, the policies of the
34 board and all duties of the director of commerce and community
35 development which are to be carried out through the director of fire
36 protection.

1 (6) The director of commerce and community development, through the
2 director of fire protection, shall seek the advice of the board in
3 carrying out his or her duties under law.

4 **Sec. 66.** RCW 43.63A.400 and 1987 c 308 s 2 are each amended to
5 read as follows:

6 The department of commerce and community development shall
7 distribute grants to eligible public radio and television broadcast
8 stations under RCW 43.63A.410 and 43.63A.420 to assist with
9 programming, operations, and capital needs.

10 **Sec. 67.** RCW 43.63A.410 and 1987 c 308 s 3 are each amended to
11 read as follows:

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

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

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

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

22 (a) Appropriations under this section shall be divided into a radio
23 fund, which shall be twenty-five percent of the total appropriation
24 under this section, and a television fund, which shall be seventy-five
25 percent of the total appropriation under this section. Each of the two
26 funds shall be divided into a base grant pool, which shall be fifty
27 percent of the fund, and an incentive grant pool, which shall be the
28 remaining fifty percent of the fund.

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

35 (c) Each eligible participating public television station shall
36 receive an equal share of the television base grant pool, plus a share
37 of the television incentive grant pool equal to the proportion its

1 nonfederal financial support bears to the sum of all participating
2 television stations' nonfederal financial support as most recently
3 reported to the corporation for public broadcasting.

4 (3) Annual financial reports to the corporation for public
5 broadcasting by eligible stations shall also be submitted by the
6 stations to the department of commerce and community development.

7 **Sec. 68.** RCW 43.63A.440 and 1989 c 424 s 7 are each amended to
8 read as follows:

9 (1) The department of commerce and community development shall
10 provide technical and financial assistance to communities adversely
11 impacted by reductions in timber harvested from federal lands. This
12 assistance shall include the formation and implementation of community
13 economic development plans. The department of commerce and community
14 development shall utilize existing state technical and financial
15 assistance programs, and shall aid communities in seeking private and
16 federal financial assistance for the purposes of this section. The
17 department may contract for services provided for under this section.

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

23 **Sec. 69.** RCW 43.63A.450 and 1990 c 278 s 2 are each amended to
24 read as follows:

25 The community diversification program is created in the department
26 of commerce and community development. The program shall include:

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

32 (2) The identification of cities, counties, or regions within the
33 state that are primarily dependent on defense or other federal
34 contracting and the identification of firms dependent on federal
35 defense contracts;

36 (3) Assistance to communities in broadening the local economic base
37 through the provision of management assistance, assistance in

1 financing, entrepreneurial training, and assistance to businesses in
2 using off-the-shelf technology to start new production processes or
3 introduce new products;

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

10 (5) The identification of diversification efforts conducted by
11 other states, the federal government, and other nations, and the
12 provision of information on these efforts, as well as information
13 gained through carrying out subsections (1) and (2) of this section, to
14 firms, communities, and work forces that are defense dependent.

15 The department shall, beginning January 1, 1992, report annually to
16 the governor and the legislature on the activities of the community
17 diversification program.

18 **Sec. 70.** RCW 43.63A.460 and 1990 c 176 s 2 are each amended to
19 read as follows:

20 Beginning on July 1, 1991, the department of commerce and community
21 development shall be responsible for performing all the consumer
22 complaint and related functions of the state administrative agency that
23 are required for purposes of complying with the regulations established
24 by the federal department of housing and urban development for
25 manufactured housing, including the preparation and submission of the
26 state administrative plan.

27 The department of commerce and community development may enter into
28 state or local interagency agreements to coordinate site inspection
29 activities with record monitoring and complaint handling. The
30 interagency agreement may also provide for the reimbursement for cost
31 of work that an agency performs. The department may include other
32 related areas in any interagency agreements which are necessary for the
33 efficient provision of services.

34 (~~The department of labor and industries shall transfer all~~
35 ~~records, files, books, and documents necessary for the department of~~
36 ~~community development to assume these new functions.~~

1 ~~The directors of the department of community development and the~~
2 ~~department of labor and industries shall immediately take such steps as~~
3 ~~are necessary to ensure that this act is implemented on June 7, 1990.)~~)

4 **Sec. 71.** RCW 43.63A.600 and 1991 c 315 s 23 are each amended to
5 read as follows:

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

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

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

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

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

27 **Sec. 72.** RCW 43.105.020 and 1990 c 208 s 3 are each amended to
28 read as follows:

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

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

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

33 (3) "Local governments" includes all municipal and quasi municipal
34 corporations and political subdivisions, and all agencies of such
35 corporations and subdivisions authorized to contract separately;

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

1 (5) "Purchased services" means services provided by a vendor to
2 accomplish routine, continuing, and necessary functions. This term
3 includes, but is not limited to, services acquired for equipment
4 maintenance and repair, operation of a physical plant, security,
5 computer hardware and software installation and maintenance, data
6 entry, keypunch services, programming services, and computer time-
7 sharing;

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

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

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

20 (9) "Information services" means data processing,
21 telecommunications, and office automation;

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

25 (11) "Proprietary software" means that software offered for sale or
26 license;

27 (12) "Video telecommunications" means the electronic
28 interconnection of two or more sites for the purpose of transmitting
29 and/or receiving visual and associated audio information. Video
30 telecommunications shall not include existing public television
31 broadcast stations as currently designated by the department of
32 commerce and community development under chapter ((43.63A)) 43.-- RCW
33 (sections 1 through 12 of this act).

34 NEW SECTION. Sec. 73. The following acts or parts of acts are
35 each repealed:

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

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

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

- 1 (4) RCW 43.31.035 and 1990 1st ex.s. c 17 s 69 & 1985 c 466 s 4;
- 2 (5) RCW 43.31.045 and 1985 c 466 s 5;
- 3 (6) RCW 43.31.055 and 1985 c 466 s 6;
- 4 (7) RCW 43.31.065 and 1985 c 466 s 9;
- 5 (8) RCW 43.31.075 and 1985 c 466 s 10;
- 6 (9) RCW 43.31.095 and 1985 c 466 s 12;
- 7 (10) RCW 43.31.097 and 1990 1st ex.s. c 17 s 71;
- 8 (11) RCW 43.31.105 and 1985 c 466 s 13;
- 9 (12) RCW 43.31.115 and 1985 c 466 s 14;
- 10 (13) RCW 43.31.130 and 1975-'76 2nd ex.s. c 34 s 110 & 1965 c 8 s
- 11 43.31.130;
- 12 (14) RCW 43.31.135 and 1987 c 505 s 30 & 1985 c 466 s 17;
- 13 (15) RCW 43.31.373 and 1988 c 35 s 1, 1985 c 466 s 24, & 1984 c 175
- 14 s 1;
- 15 (16) RCW 43.31.375 and 1985 c 466 s 25 & 1984 c 175 s 2;
- 16 (17) RCW 43.31.377 and 1988 c 35 s 2, 1985 c 466 s 26, & 1984 c 175
- 17 s 3;
- 18 (18) RCW 43.31.379 and 1988 c 35 s 3, 1985 c 466 s 27, & 1984 c 175
- 19 s 4;
- 20 (19) RCW 43.31.381 and 1988 c 35 s 4, 1985 c 466 s 28, & 1984 c 175
- 21 s 5;
- 22 (20) RCW 43.31.383 and 1985 c 466 s 29 & 1984 c 175 s 6;
- 23 (21) RCW 43.31.387 and 1985 c 466 s 31 & 1984 c 175 s 8;
- 24 (22) RCW 43.31.430 and 1989 c 423 s 2;
- 25 (23) RCW 43.31.432 and 1989 c 423 s 3;
- 26 (24) RCW 43.31.434 and 1989 c 423 s 6;
- 27 (25) RCW 43.31.436 and 1989 c 423 s 7;
- 28 (26) RCW 43.31.438 and 1989 c 423 s 8;
- 29 (27) RCW 43.31.440 and 1989 c 423 s 9;
- 30 (28) RCW 43.31.442 and 1989 c 423 s 10;
- 31 (29) RCW 43.31.651 and 1991 c 314 s 9;
- 32 (30) RCW 43.31.790 and 1975 1st ex.s. c 292 s 2 & 1965 c 148 s 1;
- 33 (31) RCW 43.31.800 and 1987 c 195 s 4 & 1965 c 148 s 2;
- 34 (32) RCW 43.31.810 and 1987 c 195 s 5, 1975 1st ex.s. c 292 s 3, &
- 35 1965 c 148 s 3;
- 36 (33) RCW 43.31.820 and 1987 c 195 s 6, 1975 1st ex.s. c 292 s 4, &
- 37 1965 c 148 s 4;
- 38 (34) RCW 43.63A.020 and 1986 c 266 s 136, 1984 c 125 s 2, & 1967 c
- 39 74 s 2;

- 1 (35) RCW 43.63A.030 and 1984 c 125 s 1 & 1967 c 74 s 3;
2 (36) RCW 43.63A.040 and 1984 c 125 s 3, 1975 c 40 s 10, & 1967 c 74
3 s 4;
4 (37) RCW 43.63A.050 and 1967 c 74 s 5;
5 (38) RCW 43.63A.060 and 1987 c 505 s 32, 1984 c 125 s 4, & 1967 c
6 74 s 6;
7 (39) RCW 43.63A.065 and 1992 c 198 s 7, 1990 1st ex.s. c 17 s 70,
8 1986 c 266 s 137, & 1984 c 125 s 5;
9 (40) RCW 43.63A.078 and 1987 c 505 s 33 & 1984 c 125 s 7;
10 (41) RCW 43.63A.095 and 1984 c 125 s 8;
11 (42) RCW 43.63A.100 and 1984 c 125 s 9 & 1967 c 74 s 10;
12 (43) RCW 43.63A.130 and 1983 c 52 s 6, 1981 c 157 s 6, & 1967 c 74
13 s 13;
14 (44) RCW 43.63A.140 and 1967 c 74 s 14;
15 (45) RCW 43.63A.210 and 1985 c 85 s 1; and
16 (46) RCW 43.63A.560 and 1990 1st ex.s. c 17 s 67.

17 NEW SECTION. **Sec. 74.** Sections 1 through 12 of this act shall
18 constitute a new chapter in Title 43 RCW.

19 NEW SECTION. **Sec. 75.** If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 remainder of the act or the application of the provision to other
22 persons or circumstances is not affected.

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