

2 **2SHB 1201** - CONF REPT
3 By Conference Committee

4 ON MOTION, CC RELIEVED OF FURTHER CONSIDERATION 4/26/97

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

7 "Sec. 1. RCW 43.31.601 and 1995 c 226 s 1 are each amended to read
8 as follows:

9 For the purposes of RCW 43.31.601 through (~~43.31.661~~) 43.31.641:

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

22 (2)(a) "Rural natural resources impact area" means:

23 (i) A nonmetropolitan county, as defined by the 1990 decennial
24 census, that meets (~~two~~) three of the five criteria set forth in (b)
25 of this subsection; (~~or~~)

26 (ii) A nonmetropolitan county with a population of less than forty
27 thousand in the 1990 decennial census, that meets two of the five
28 criteria as set forth in (b) of this subsection; or

29 (iii) A nonurbanized area, as defined by the 1990 decennial census,
30 that is located in a metropolitan county that meets (~~two~~) three of
31 the five criteria set forth in (b) of this subsection.

32 (b) For the purposes of designating rural natural resources impact
33 areas, the following criteria shall be considered:

34 (i) A lumber and wood products employment location quotient at or
35 above the state average;

- 1 (ii) A commercial salmon fishing employment location quotient at or
2 above the state average;
- 3 (iii) Projected or actual direct lumber and wood products job
4 losses of one hundred positions or more;
- 5 (iv) Projected or actual direct commercial salmon fishing job
6 losses of one hundred positions or more; and
- 7 (v) An unemployment rate twenty percent or more above the state
8 average.

9 The counties that meet these criteria shall be determined by the
10 employment security department for the most recent year for which data
11 is available. For the purposes of administration of programs under
12 this chapter, the United States post office five-digit zip code
13 delivery areas will be used to determine residence status for
14 eligibility purposes. For the purpose of this definition, a zip code
15 delivery area (~~that is located wholly or partially in an urbanized~~
16 ~~area or within two~~) of which any part is ten miles ((of)) or more from
17 an urbanized area is considered nonurbanized. A zip code totally
18 surrounded by zip codes qualifying as nonurbanized under this
19 definition is also considered nonurbanized. The office of financial
20 management shall make available a zip code listing of the areas to all
21 agencies and organizations providing services under this chapter.

22 **Sec. 2.** RCW 43.31.611 and 1995 c 226 s 2 are each amended to read
23 as follows:

24 (1) The governor shall appoint a rural community assistance
25 coordinator. The coordinator shall coordinate the state and federal
26 economic and social programs targeted to rural natural resources impact
27 areas.

28 (2) The coordinator's responsibilities shall include but not be
29 limited to:

30 (a) Chairing the agency rural community assistance task force and
31 directing staff associated with the task force.

32 (b) Coordinating and maximizing the impact of state and federal
33 assistance to rural natural resources impact areas.

34 (c) Coordinating and expediting programs to assist rural natural
35 resources impact areas.

36 (d) Providing the legislature with a status and impact report on
37 the rural community assistance program in January ((1996)) 1998.

1 (3) To assist in carrying out the duties set out under this
2 section, the coordinator shall consult with the Washington state rural
3 development council and may appoint an advisory body that has
4 representation from local governments and natural resources interest
5 groups representing impacted rural communities.

6 (4) This section shall expire June 30, ((1997)) 2000.

7 **Sec. 3.** RCW 43.31.621 and 1996 c 186 s 508 are each amended to
8 read as follows:

9 (1) There is established the agency rural community assistance task
10 force. The task force shall be chaired by the rural community
11 assistance coordinator. It shall be the responsibility of the
12 coordinator that all directives of chapter 314, Laws of 1991, and
13 chapter 226, Laws of 1995 are carried out expeditiously by the agencies
14 represented in the task force. The task force shall consist of the
15 directors, or representatives of the directors, of the following
16 agencies: The department of community, trade, and economic
17 development, employment security department, department of social and
18 health services, state board for community and technical colleges, work
19 force training and education coordinating board, department of natural
20 resources, department of transportation, department of fish and
21 wildlife, University of Washington center for international trade in
22 forest products, department of agriculture, and department of ecology.
23 The task force shall solicit and consider input from the rural
24 development council in coordinating agency programs targeted to rural
25 natural resources impacted communities. The task force may consult and
26 enlist the assistance of the following: The higher education
27 coordinating board, University of Washington college of forest
28 resources, University of Washington school of fisheries, Washington
29 State University school of forestry, Northwest policy center, state
30 superintendent of public instruction, Washington state labor council,
31 the Evergreen partnership, Washington state association of counties,
32 and others as needed.

33 (2) ~~((The task force, in conjunction with the rural development~~
34 ~~council, shall undertake a study to determine whether additional~~
35 ~~communities and industries are impacted, or are likely to be impacted,~~
36 ~~by salmon preservation and recovery efforts. The task force shall~~
37 ~~consider possible impacts in the following industries and associated~~
38 ~~communities: Barge transportation, irrigation dependent agriculture,~~

1 ~~food processing, aluminum, charter recreational fishing, boatbuilding,~~
2 ~~and other sectors suggested by the task force. The task force shall~~
3 ~~report its findings and recommendations to the legislature by January~~
4 ~~1996)) Recognizing that some rural natural resources areas have greater~~
5 ~~economic distress than others, the task force will consider the~~
6 ~~severity of the impact as a significant project selection criteria,~~
7 ~~both at the county and subcounty level.~~

8 (3) This section shall expire June 30, ((1997)) 2000.

9 **Sec. 4.** RCW 50.22.090 and 1995 c 226 s 5 and 1995 c 57 s 2 are
10 each reenacted and amended to read as follows:

11 (1) An additional benefit period is established for rural natural
12 resources impact areas, defined in ((RCW 43.31.601)) this section, and
13 determined by the office of financial management and the employment
14 security department. Benefits shall be paid as provided in subsection
15 (3) of this section to exhaustees eligible under subsection (4) of this
16 section.

17 (2) The additional benefit period for a county may end no sooner
18 than fifty-two weeks after the additional benefit period begins.

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

20 (a) No new claims for additional benefits shall be accepted for
21 weeks beginning after July 1, ((1997)) 1999, but for claims established
22 on or before July 1, ((1997)) 1999, weeks of unemployment occurring
23 after July 1, ((1997)) 1999, shall be compensated as provided in this
24 section.

25 (b) The total additional benefit amount shall be one hundred four
26 times the individual's weekly benefit amount, reduced by the total
27 amount of regular benefits and extended benefits paid, or deemed paid,
28 with respect to the benefit year. Additional benefits shall not be
29 payable for weeks more than two years beyond the end of the benefit
30 year of the regular claim for an individual whose benefit year ends on
31 or after July 27, 1991, and shall not be payable for weeks ending on or
32 after two years after March 26, 1992, for individuals who become
33 eligible as a result of chapter 47, Laws of 1992.

34 (c) Notwithstanding the provisions of (b) of this subsection,
35 individuals will be entitled to up to five additional weeks of benefits
36 following the completion or termination of training.

37 (d) Notwithstanding the provisions of (b) of this subsection,
38 individuals enrolled in prerequisite remedial education for a training

1 program expected to last at least one year will be entitled to up to
2 thirteen additional weeks of benefits which shall not count toward the
3 total in (b) of this subsection.

4 (e) The weekly benefit amount shall be calculated as specified in
5 RCW 50.22.040.

6 (f) Benefits paid under this section shall be paid under the same
7 terms and conditions as regular benefits. The additional benefit
8 period shall be suspended with the start of an extended benefit period,
9 or any totally federally funded benefit program, with eligibility
10 criteria and benefits comparable to the program established by this
11 section, and shall resume the first week following the end of the
12 federal program.

13 (g) The amendments in chapter 316, Laws of 1993 affecting
14 subsection (3)(b) and (c) of this section shall apply in the case of
15 all individuals determined to be monetarily eligible under this section
16 without regard to the date eligibility was determined.

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

19 (a)(i) ~~At the time of last separation from employment ((, resided in~~
20 ~~or was employed in a rural natural resources impact area defined in RCW~~
21 ~~43.31.601 and determined by the office of financial management and the~~
22 ~~employment security department))~~ resides in a county with an
23 unemployment rate for 1996 at least fifty percent or more above the
24 state average or at least fifteen percent above their own county
25 unemployment rate in 1988 and the county meets one of the following two
26 criteria:

27 (A) It is a county with a lumber and woods products employment
28 quotient at least three times the state average and has experienced
29 actual job losses in these industries since 1988 of one hundred jobs or
30 more or fifty or more jobs in a county with a population of forty
31 thousand or less; or

32 (B) It is a county with a commercial salmon fishing employment
33 quotient at least three times the state average and has experienced
34 actual job losses in this industry since 1988 of one hundred jobs or
35 more or fifty or more jobs in a county with a population of forty
36 thousand or less; and

37 (I) The exhaustee has during his or her base year earned wages of
38 at least one thousand hours; and

1 (II) The exhaustee is determined by the employment security
2 department in consultation with its labor market and economic analysis
3 division to be a displaced worker; or

4 (ii) During his or her base year, earned wages in at least (~~six~~
5 ~~hundred eighty~~) one thousand hours in either the forest products
6 industry, which shall be determined by the department but shall include
7 the industries assigned the major group standard industrial
8 classification codes "24" and "26" and the industries involved in the
9 harvesting and management of logs, transportation of logs and wood
10 products, processing of wood products, and the manufacturing and
11 distribution of wood processing and logging equipment or the fishing
12 industry assigned the standard industrial classification code "0912".
13 The commissioner may adopt rules further interpreting the industries
14 covered under this subsection. For the purposes of this subsection,
15 "standard industrial classification code" means the code identified in
16 RCW 50.29.025(6)(c); and

17 (b)(i) Has received notice of termination or layoff; and

18 (ii) Is unlikely, in the determination of the employment security
19 department in consultation with its labor market and economic analysis
20 division, to return to employment in his or her principal occupation or
21 previous industry because of a diminishing demand within his or her
22 labor market for his or her skills in the occupation or industry; and

23 (c)(i) Is notified by the department of the requirements of this
24 section and develops an individual training program that is submitted
25 to the commissioner for approval not later than sixty days after the
26 individual is notified of the requirements of this section, and enters
27 the approved training program not later than ninety days after the date
28 of the individual's termination or layoff, or ninety days after July 1,
29 1991, whichever is later, unless the department determines that the
30 training is not available during the ninety-day period, in which case
31 the individual shall enter training as soon as it is available; or

32 (ii) Is enrolled in training approved under this section on a full-
33 time basis and maintains satisfactory progress in the training.

34 By April 1, 1998, the employment security department must
35 redetermine a new list of eligible and ineligible counties based on a
36 comparison of 1988 and 1997 employment rates. Any changed eligibility
37 status will apply only to new claims for regular unemployment insurance
38 effective after April 1, 1998.

39 (5) For the purposes of this section:

1 (a) "Training program" means:

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

5 (ii) A vocational training program at an educational institution
6 that:

7 (A) Is training for a labor demand occupation; and

8 (B) Is likely to facilitate a substantial enhancement of the
9 individual's marketable skills and earning power.

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

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

17 (6) The commissioner shall adopt rules as necessary to implement
18 this section.

19 (7) The provisions of RCW 50.22.010(10) shall not apply to anyone
20 who establishes eligibility for additional benefits under this section
21 and whose benefit year ends after January 1, 1994. These individuals
22 will have the option of remaining on the original claim or filing a new
23 claim.

24 **Sec. 5.** RCW 43.63A.021 and 1995 c 226 s 11 are each amended to
25 read as follows:

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

28 (1) "Dislocated forest products worker" means a forest products
29 worker who: (a)(i) Has been terminated or received notice of
30 termination from employment and is unlikely to return to employment in
31 the individual's principal occupation or previous industry because of
32 a diminishing demand for his or her skills in that occupation or
33 industry; or (ii) is self-employed and has been displaced from his or
34 her business because of the diminishing demand for the business's
35 services or goods; and (b) at the time of last separation from
36 employment, resided in or was employed in a rural natural resources
37 impact area.

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

13 (3) "Dislocated salmon fishing worker" means a ~~((salmon))~~ finfish
14 products worker who: (a)(i) Has been terminated or received notice of
15 termination from employment and is unlikely to return to employment in
16 the individual's principal occupation or previous industry because of
17 a diminishing demand for his or her skills in that occupation or
18 industry; or (ii) is self-employed and has been displaced from his or
19 her business because of the diminishing demand for the business's
20 services or goods; and (b) at the time of last separation from
21 employment, resided in or was employed in a rural natural resources
22 impact area.

23 (4) "Salmon fishing worker" means a worker in the ~~((salmon))~~
24 finfish industry affected by 1994 or future salmon disasters. The
25 workers included within this definition shall be determined by the
26 employment security department, but shall include workers employed in
27 the industries involved in the commercial and recreational harvesting
28 of ~~((salmon))~~ finfish including buying and processing ~~((salmon))~~
29 finfish. The commissioner may adopt rules further interpreting these
30 definitions.

31 **Sec. 6.** RCW 43.31.641 and 1995 c 226 s 4 are each amended to read
32 as follows:

33 The department of community, trade, and economic development, as a
34 member of the agency rural community assistance task force, shall:

35 (1) ~~((Implement an expanded value-added forest products development
36 industrial extension program. The department shall provide technical
37 assistance to small and medium-sized forest products companies to
38 include:~~

- 1 ~~(a) Secondary manufacturing product development;~~
2 ~~(b) Plant and equipment maintenance;~~
3 ~~(c) Identification and development of domestic market~~
4 ~~opportunities;~~
5 ~~(d) Building products export development assistance;~~
6 ~~(e) At risk business development assistance;~~
7 ~~(f) Business network development; and~~
8 ~~(g) Timber impact area industrial diversification.~~

9 ~~(2) Provide local contracts for small and medium sized forest~~
10 ~~product companies, start-ups, and business organizations for business~~
11 ~~feasibility, market development, and business network contracts that~~
12 ~~will benefit value added production efforts in the industry.~~

13 ~~(3) Contract with local business organizations in timber impact~~
14 ~~areas for development of programs to promote industrial~~
15 ~~diversification. The department shall provide local capacity building~~
16 ~~grants to local governments and community based organizations in timber~~
17 ~~impact areas, which may include long range planning and needs~~
18 ~~assessments.~~

19 ~~For the 1991-93 biennium, the department of community, trade, and~~
20 ~~economic development shall use funds appropriated for this section for~~
21 ~~contracts and for no more than two additional staff positions))~~
22 Administer available federal grant funds to support strategic
23 diversification needs and opportunities of timber-dependent
24 communities, value-added forest products firms, and the value-added
25 forest products industry in Washington state.

26 ~~(2) Provide value-added wood products companies with building~~
27 ~~products export development assistance.~~

28 **Sec. 7.** RCW 43.63A.440 and 1995 c 226 s 13 are each amended to
29 read as follows:

30 The department of community, trade, and economic development shall
31 provide technical and financial assistance to communities adversely
32 impacted by reductions in timber harvested from federal, state, and
33 private lands and reduction of salmon fishing caused by efforts to
34 maintain the long-term viability of salmon stocks. ((This assistance
35 shall include the formation and implementation of community economic
36 development plans. The department of community, trade, and economic
37 development shall utilize existing state technical and financial
38 assistance programs, and shall aid communities in seeking private and

1 ~~federal financial assistance for the purposes of this section.—The~~
2 ~~department may contract for services provided for under this section))~~
3 The department shall use existing technical and financial assistance
4 resources to aid communities in planning, implementing, and assembling
5 financing for high priority community economic development projects.

6 **Sec. 8.** RCW 43.160.020 and 1996 c 51 s 2 are each amended to read
7 as follows:

8 Unless the context clearly requires otherwise, the definitions in
9 this section apply throughout this chapter.

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

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

14 (3) "Department" means the department of community, trade, and
15 economic development.

16 (4) "Financial institution" means any bank, savings and loan
17 association, credit union, development credit corporation, insurance
18 company, investment company, trust company, savings institution, or
19 other financial institution approved by the board and maintaining an
20 office in the state.

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

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

25 (7) "Local government" or "political subdivision" means any port
26 district, county, city, town, special purpose district, and any other
27 municipal corporations or quasi-municipal corporations in the state
28 providing for public facilities under this chapter.

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

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

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

4 (11) "Public facilities" means bridges, roads, domestic and
5 industrial water, sanitary sewer, storm sewer, railroad, electricity,
6 natural gas, buildings or structures, and port facilities.

7 (12) "Rural natural resources impact area" means:

8 (a) A nonmetropolitan county, as defined by the 1990 decennial
9 census, that meets ~~((two))~~ three of the five criteria set forth in
10 subsection (13) of this section; ~~((or))~~

11 (b) A nonmetropolitan county with a population of less than forty
12 thousand in the 1990 decennial census, that meets two of the five
13 criteria as set forth in subsection (13) of this section; or

14 (c) A nonurbanized area, as defined by the 1990 decennial census,
15 that is located in a metropolitan county that meets ~~((two))~~ three of
16 the five criteria set forth in subsection (13) of this section.

17 (13) For the purposes of designating rural natural resources impact
18 areas, the following criteria shall be considered:

19 (a) A lumber and wood products employment location quotient at or
20 above the state average;

21 (b) A commercial salmon fishing employment location quotient at or
22 above the state average;

23 (c) Projected or actual direct lumber and wood products job losses
24 of one hundred positions or more;

25 (d) Projected or actual direct commercial salmon fishing job losses
26 of one hundred positions or more; and

27 (e) An unemployment rate twenty percent or more above the state
28 average. The counties that meet these criteria shall be determined by
29 the employment security department for the most recent year for which
30 data is available. For the purposes of administration of programs
31 under this chapter, the United States post office five-digit zip code
32 delivery areas will be used to determine residence status for
33 eligibility purposes. For the purpose of this definition, a zip code
34 delivery area ~~((that is located wholly or partially in an urbanized~~
35 ~~area or within two))~~ of which any part is ten miles ~~((or))~~ or more from
36 an urbanized area is considered nonurbanized. A zip code totally
37 surrounded by zip codes qualifying as nonurbanized under this
38 definition is also considered nonurbanized. The office of financial

1 management shall make available a zip code listing of the areas to all
2 agencies and organizations providing services under this chapter.

3 **Sec. 9.** RCW 43.160.076 and 1996 c 51 s 7 are each amended to read
4 as follows:

5 (1) Except as authorized to the contrary under subsection (2) of
6 this section, from all funds available to the board for financial
7 assistance in a biennium, the board shall spend at least ((fifty))
8 seventy-five percent for financial assistance for projects in
9 distressed counties or rural natural resources impact areas. For
10 purposes of this section, the term "distressed counties" includes any
11 county, in which the average level of unemployment for the three years
12 before the year in which an application for financial assistance is
13 filed, exceeds the average state employment for those years by twenty
14 percent.

15 (2) If at any time during the last six months of a biennium the
16 board finds that the actual and anticipated applications for qualified
17 projects in distressed counties or rural natural resources impact areas
18 are clearly insufficient to use up the ((fifty)) seventy-five percent
19 allocation, then the board shall estimate the amount of the
20 insufficiency and during the remainder of the biennium may use that
21 amount of the allocation for financial assistance to projects not
22 located in distressed counties or rural natural resources impact areas.

23 **Sec. 10.** 1995 c 226 s 7 (uncodified) is amended to read as follows:
24 RCW 43.160.076 and 1991 c 314 s 24 & 1985 c 446 s 6 are each
25 repealed effective June 30, ((1997)) 2000.

26 **Sec. 11.** 1995 c 226 s 8 (uncodified) is amended to read as follows:
27 RCW 43.160.200 expires June 30, ((1997)) 2000.

28 **Sec. 12.** 1995 c 226 s 9 (uncodified) is amended to read as follows:
29 RCW 43.160.210 shall take effect June 30, ((1997)) 2000.

30 **Sec. 13.** RCW 28B.50.030 and 1995 c 226 s 17 are each amended to
31 read as follows:

32 As used in this chapter, unless the context requires otherwise, the
33 term:

1 (1) "System" shall mean the state system of community and technical
2 colleges, which shall be a system of higher education.

3 (2) "Board" shall mean the work force training and education
4 coordinating board.

5 (3) "College board" shall mean the state board for community and
6 technical colleges created by this chapter.

7 (4) "Director" shall mean the administrative director for the state
8 system of community and technical colleges.

9 (5) "District" shall mean any one of the community and technical
10 college districts created by this chapter.

11 (6) "Board of trustees" shall mean the local community and
12 technical college board of trustees established for each college
13 district within the state.

14 (7) "Occupational education" shall mean that education or training
15 that will prepare a student for employment that does not require a
16 baccalaureate degree.

17 (8) "K-12 system" shall mean the public school program including
18 kindergarten through the twelfth grade.

19 (9) "Common school board" shall mean a public school district board
20 of directors.

21 (10) "Community college" shall include those higher education
22 institutions that conduct education programs under RCW 28B.50.020.

23 (11) "Technical college" shall include those higher education
24 institutions with the sole mission of conducting occupational
25 education, basic skills, literacy programs, and offering on short
26 notice, when appropriate, programs that meet specific industry needs.
27 The programs of technical colleges shall include, but not be limited
28 to, continuous enrollment, competency-based instruction, industry-
29 experienced faculty, curriculum integrating vocational and basic skills
30 education, and curriculum approved by representatives of employers and
31 labor. For purposes of this chapter, technical colleges shall include
32 Lake Washington Vocational-Technical Institute, Renton Vocational-
33 Technical Institute, Bates Vocational-Technical Institute, Clover Park
34 Vocational Institute, and Bellingham Vocational-Technical Institute.

35 (12) "Adult education" shall mean all education or instruction,
36 including academic, vocational education or training, basic skills and
37 literacy training, and "occupational education" provided by public
38 educational institutions, including common school districts for persons
39 who are eighteen years of age and over or who hold a high school

1 diploma or certificate. However, "adult education" shall not include
2 academic education or instruction for persons under twenty-one years of
3 age who do not hold a high school degree or diploma and who are
4 attending a public high school for the sole purpose of obtaining a high
5 school diploma or certificate, nor shall "adult education" include
6 education or instruction provided by any four year public institution
7 of higher education.

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

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

31 (15) "Dislocated salmon fishing worker" means a (~~salmon~~) finfish
32 products worker who: (a)(i) Has been terminated or received notice of
33 termination from employment and is unlikely to return to employment in
34 the individual's principal occupation or previous industry because of
35 a diminishing demand for his or her skills in that occupation or
36 industry; or (ii) is self-employed and has been displaced from his or
37 her business because of the diminishing demand for the business's
38 services or goods; and (b) at the time of last separation from

1 employment, resided in or was employed in a rural natural resources
2 impact area.

3 (16) "Salmon fishing worker" means a worker in the (~~salmon~~)
4 finfish industry affected by 1994 or future salmon disasters. The
5 workers included within this definition shall be determined by the
6 employment security department, but shall include workers employed in
7 the industries involved in the commercial and recreational harvesting
8 of (~~salmon~~) finfish including buying and processing (~~salmon~~)
9 finfish. The commissioner may adopt rules further interpreting these
10 definitions.

11 (17) "Rural natural resources impact area" means:

12 (a) A nonmetropolitan county, as defined by the 1990 decennial
13 census, that meets (~~two~~) three of the five criteria set forth in
14 subsection (18) of this section; (~~or~~)

15 (b) A nonmetropolitan county with a population of less than forty
16 thousand in the 1990 decennial census, that meets two of the five
17 criteria as set forth in subsection (18) of this section; or

18 (c) A nonurbanized area, as defined by the 1990 decennial census,
19 that is located in a metropolitan county that meets (~~two~~) three of
20 the five criteria set forth in subsection (18) of this section.

21 (18) For the purposes of designating rural natural resources impact
22 areas, the following criteria shall be considered:

23 (a) A lumber and wood products employment location quotient at or
24 above the state average;

25 (b) A commercial salmon fishing employment location quotient at or
26 above the state average;

27 (c) Projected or actual direct lumber and wood products job losses
28 of one hundred positions or more;

29 (d) Projected or actual direct commercial salmon fishing job losses
30 of one hundred positions or more; and

31 (e) An unemployment rate twenty percent or more above the state
32 average. The counties that meet these criteria shall be determined by
33 the employment security department for the most recent year for which
34 data is available. For the purposes of administration of programs
35 under this chapter, the United States post office five-digit zip code
36 delivery areas will be used to determine residence status for
37 eligibility purposes. For the purpose of this definition, a zip code
38 delivery area (~~that is located wholly or partially in an urbanized~~
39 ~~area or within two~~) of which any part is ten miles (~~of~~) or more from

1 an urbanized area is considered nonurbanized. A zip code totally
2 surrounded by zip codes qualifying as nonurbanized under this
3 definition is also considered nonurbanized. The office of financial
4 management shall make available a zip code listing of the areas to all
5 agencies and organizations providing services under this chapter.

6 **Sec. 14.** RCW 28B.80.570 and 1995 c 226 s 20 are each amended to
7 read as follows:

8 Unless the context clearly requires otherwise, the definitions in
9 this section apply throughout RCW 28B.80.575 through 28B.80.585.

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

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

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

33 (4) "Dislocated salmon fishing worker" means a (~~salmon~~) finfish
34 products worker who: (a)(i) Has been terminated or received notice of
35 termination from employment and is unlikely to return to employment in
36 the individual's principal occupation or previous industry because of
37 a diminishing demand for his or her skills in that occupation or
38 industry; or (ii) is self-employed and has been displaced from his or

1 her business because of the diminishing demand for the business's
2 services or goods; and (b) at the time of last separation from
3 employment, resided in or was employed in a rural natural resources
4 impact area.

5 (5) "Salmon fishing worker" means a worker in the (~~salmon~~)
6 finfish industry affected by 1994 or future salmon disasters. The
7 workers included within this definition shall be determined by the
8 employment security department, but shall include workers employed in
9 the industries involved in the commercial and recreational harvesting
10 of (~~salmon~~) finfish including buying and processing (~~salmon~~)
11 finfish. The commissioner may adopt rules further interpreting these
12 definitions.

13 (6) "Rural natural resources impact area" means:

14 (a) A nonmetropolitan county, as defined by the 1990 decennial
15 census, that meets (~~two~~) three of the five criteria set forth in
16 subsection (7) of this section; (~~or~~)

17 (b) A nonmetropolitan county with a population of less than forty
18 thousand in the 1990 decennial census, that meets two of the five
19 criteria as set forth in subsection (7) of this section; or

20 (c) A nonurbanized area, as defined by the 1990 decennial census,
21 that is located in a metropolitan county that meets (~~two~~) three of
22 the five criteria set forth in subsection (7) of this section.

23 (7) For the purposes of designating rural natural resources impact
24 areas, the following criteria shall be considered:

25 (a) A lumber and wood products employment location quotient at or
26 above the state average;

27 (b) A commercial salmon fishing employment location quotient at or
28 above the state average;

29 (c) Projected or actual direct lumber and wood products job losses
30 of one hundred positions or more;

31 (d) Projected or actual direct commercial salmon fishing job losses
32 of one hundred positions or more; and

33 (e) An unemployment rate twenty percent or more above the state
34 average. The counties that meet these criteria shall be determined by
35 the employment security department for the most recent year for which
36 data is available. For the purposes of administration of programs
37 under this chapter, the United States post office five-digit zip code
38 delivery areas will be used to determine residence status for
39 eligibility purposes. For the purpose of this definition, a zip code

1 delivery area (~~that is located wholly or partially in an urbanized~~
2 ~~area or within two~~) of which any part is ten miles (of) or more from
3 an urbanized area is considered nonurbanized. A zip code totally
4 surrounded by zip codes qualifying as nonurbanized under this
5 definition is also considered nonurbanized. The office of financial
6 management shall make available a zip code listing of the areas to all
7 agencies and organizations providing services under this chapter.

8 **Sec. 15.** RCW 28B.80.580 and 1995 c 226 s 22 are each amended to
9 read as follows:

10 (1) The board shall contract with institutions of higher education
11 to provide upper division classes to serve additional placebound
12 students in the rural natural resources impact areas meeting the
13 following criteria, as determined by the employment security
14 department: (a) A lumber and wood products employment location
15 quotient at or above the state average; (b) a commercial salmon fishing
16 employment location quotient at or above the state average; (c) a
17 direct lumber and wood products job loss of one hundred positions or
18 more; (d) projected or actual direct commercial salmon fishing job
19 losses of one hundred positions or more; and (e) an annual unemployment
20 rate twenty percent above the state average; and which are not served
21 by an existing state-funded upper division degree program. The number
22 of full-time equivalent students served in this manner shall be
23 determined by the applicable omnibus appropriations act. The board may
24 direct that all the full-time equivalent enrollments be served in one
25 of the eligible rural natural resources impact areas if it should
26 determine that this would be the most viable manner of establishing the
27 program and using available resources. The institutions shall utilize
28 telecommunication technology, if available, to carry out the purposes
29 of this section. Subject to the limitations of RCW 28B.15.910, the
30 institutions providing the service may waive all or a portion of the
31 tuition, and service and activities fees for dislocated forest products
32 workers and dislocated salmon fishing workers or their unemployed
33 spouses enrolled as one of the full-time equivalent students allocated
34 to the college under this section.

35 (2) Unemployed spouses of eligible dislocated forest products
36 workers and dislocated salmon fishing workers may participate in the
37 program, but tuition and fees may be waived under the program only for
38 the worker or the spouse and not both.

1 (3) Subject to the limitations of RCW 28B.15.910, for any eligible
2 participant, all or a portion of tuition may be waived for a maximum of
3 (~~four semesters or six quarters within a two-year time period~~) ninety
4 quarter credit hours or sixty semester credit hours earned within four
5 years. The participant must be enrolled for a minimum of (~~ten credits~~
6 ~~per semester or quarter~~) five credit hours per quarter or three credit
7 hours per semester.

8 **Sec. 16.** RCW 43.20A.750 and 1995 c 269 s 1901 and 1995 c 226 s 25
9 are each reenacted and amended to read as follows:

10 (1) The department of social and health services shall help
11 families and workers in rural natural resources impact areas make the
12 transition through economic difficulties and shall provide services to
13 assist workers to gain marketable skills. The department, as a member
14 of the agency rural community assistance task force and, where
15 appropriate, under an interagency agreement with the department of
16 community, trade, and economic development, shall provide grants
17 through the office of the secretary for services to the unemployed in
18 rural natural resources impact areas and to dislocated salmon fishing
19 workers as defined in RCW 43.63A.021 who live in urban areas of
20 qualifying rural natural resource impact counties, including providing
21 direct or referral services, establishing and operating service
22 delivery programs, and coordinating delivery programs and delivery of
23 services. These grants may be awarded for family support centers,
24 reemployment centers, or other local service agencies.

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

31 (3) Funding for these services shall be coordinated through the
32 agency rural community assistance task force which will establish a
33 fund to provide child care assistance, mortgage assistance, and
34 counseling which cannot be met through current programs. No funds
35 shall be used for additional full-time equivalents for administering
36 this section.

37 (4)(a) Grants for family support centers are intended to provide
38 support to families by responding to needs identified by the families

1 and communities served by the centers. Services provided by family
2 support centers may include parenting education, child development
3 assessments, health and nutrition education, counseling, and
4 information and referral services. Such services may be provided
5 directly by the center or through referral to other agencies
6 participating in the interagency team.

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

9 (5) "Rural natural resources impact area" means:

10 (a) A nonmetropolitan county, as defined by the 1990 decennial
11 census, that meets ~~((two))~~ three of the five criteria set forth in
12 subsection (6) of this section; ~~((or))~~

13 (b) A nonmetropolitan county with a population of less than forty
14 thousand in the 1990 decennial census, that meets two of the five
15 criteria as set forth in subsection (6) of this section; or

16 (c) A nonurbanized area, as defined by the 1990 decennial census,
17 that is located in a metropolitan county that meets ~~((two))~~ three of
18 the five criteria set forth in subsection (6) of this section.

19 (6) For the purposes of designating rural natural resources impact
20 areas, the following criteria shall be considered:

21 (a) A lumber and wood products employment location quotient at or
22 above the state average;

23 (b) A commercial salmon fishing employment location quotient at or
24 above the state average;

25 (c) Projected or actual direct lumber and wood products job losses
26 of one hundred positions or more;

27 (d) Projected or actual direct commercial salmon fishing job losses
28 of one hundred positions or more; and

29 (e) An unemployment rate twenty percent or more above the state
30 average. The counties that meet these criteria shall be determined by
31 the employment security department for the most recent year for which
32 data is available. For the purposes of administration of programs
33 under this chapter, the United States post office five-digit zip code
34 delivery areas will be used to determine residence status for
35 eligibility purposes. For the purpose of this definition, a zip code
36 delivery area ~~((that is located wholly or partially in an urbanized~~
37 ~~area or within two))~~ of which any part is ten miles ~~((or))~~ or more from
38 an urbanized area is considered nonurbanized. A zip code totally
39 surrounded by zip codes qualifying as nonurbanized under this

1 definition is also considered nonurbanized. The office of financial
2 management shall make available a zip code listing of the areas to all
3 agencies and organizations providing services under this chapter.

4 **Sec. 17.** RCW 50.12.270 and 1995 c 226 s 30 are each amended to
5 read as follows:

6 (1) Subject to the availability of state or federal funds, the
7 employment security department, as a member of the agency rural
8 community assistance task force, shall consult with and may subcontract
9 with local educational institutions, local businesses, local labor
10 organizations, local associate development organizations, local private
11 industry councils, local social service organizations, and local
12 governments in carrying out a program of training and services,
13 including training through the entrepreneurial training program, for
14 dislocated workers in rural natural resources impact areas.

15 (2) The department shall conduct a survey to determine the actual
16 future employment needs and jobs skills in rural natural resources
17 impact areas.

18 (3) The department shall coordinate the services provided in this
19 section with all other services provided by the department and with the
20 other economic recovery efforts undertaken by state and local
21 government agencies on behalf of the rural natural resources impact
22 areas.

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

25 (5) For the purposes of this section, "rural natural resources
26 impact area" means:

27 (a) A nonmetropolitan county, as defined by the 1990 decennial
28 census, that meets ~~((two))~~ three of the five criteria set forth in
29 subsection (6) of this section; ~~((or))~~

30 (b) A nonmetropolitan county with a population of less than forty
31 thousand in the 1990 decennial census, that meets two of the five
32 criteria as set forth in subsection (6) of this section; or

33 (c) A nonurbanized area, as defined by the 1990 decennial census,
34 that is located in a metropolitan county that meets ~~((two))~~ three of
35 the five criteria set forth in subsection (6) of this section.

36 (6) For the purposes of designating rural natural resources impact
37 areas, the following criteria shall be considered:

1 (a) A lumber and wood products employment location quotient at or
2 above the state average;

3 (b) A commercial salmon fishing employment location quotient at or
4 above the state average;

5 (c) Projected or actual direct lumber and wood products job losses
6 of one hundred positions or more;

7 (d) Projected or actual direct commercial salmon fishing job losses
8 of one hundred positions or more; and

9 (e) An unemployment rate twenty percent or more above the state
10 average. The counties that meet these criteria shall be determined by
11 the employment security department for the most recent year for which
12 data is available. For the purposes of administration of programs
13 under this chapter, the United States post office five-digit zip code
14 delivery areas will be used to determine residence status for
15 eligibility purposes. For the purpose of this definition, a zip code
16 delivery area (~~that is located wholly or partially in an urbanized
17 area or within two~~) of which any part is ten miles ((of)) or more from
18 an urbanized area is considered nonurbanized. A zip code totally
19 surrounded by zip codes qualifying as nonurbanized under this
20 definition is also considered nonurbanized. The office of financial
21 management shall make available a zip code listing of the areas to all
22 agencies and organizations providing services under this chapter.

23 **Sec. 18.** RCW 43.131.385 and 1995 c 226 s 34 are each amended to
24 read as follows:

25 The rural natural resources impact area programs shall be
26 terminated on June 30, (~~(1998))~~ 2000, as provided in RCW 43.131.386.

27 **Sec. 19.** RCW 43.131.386 and 1996 c 168 s 5 are each amended to
28 read as follows:

29 The following acts or parts of acts are each repealed, effective
30 June 30, (~~(1999))~~ 2001:

31 (1) RCW 43.31.601 and 1995 c 226 s 1, 1992 c 21 s 2, & 1991 c 314
32 s 2;

33 (2) RCW 43.31.641 and 1995 c 226 s 4, 1993 c 280 s 50, & 1991 c 314
34 s 7;

35 (3) RCW 50.22.090 and 1995 c 226 s 5, 1993 c 316 s 10, 1992 c 47 s
36 2, & 1991 c 315 s 4;

1 (4) RCW 43.160.212 and 1996 c 168 s 4, 1995 c 226 s 6, & 1993 c 316
2 s 5;
3 (5) (~~RCW 43.31.651 and 1995 c 226 s 10, 1993 c 280 s 51, & 1991 c~~
4 ~~314 s 9;~~
5 ~~(6)~~) RCW 43.63A.021 and 1995 c 226 s 11;
6 (~~(7)~~) (6) RCW 43.63A.600 and 1995 c 226 s 12, 1994 c 114 s 1,
7 1993 c 280 s 77, & 1991 c 315 s 23;
8 (~~(8)~~) (7) RCW 43.63A.440 and 1995 c 226 s 13, 1993 c 280 s 74, &
9 1989 c 424 s 7;
10 (~~(9)~~) (8) RCW 43.160.200 and 1995 c 226 s 16, 1993 c 320 s 7,
11 1993 c 316 s 4, & 1991 c 314 s 23;
12 (~~(10)~~) (9) RCW 28B.50.258 and 1995 c 226 s 18 & 1991 c 315 s 16;
13 (~~(11)~~) (10) RCW 28B.50.262 and 1995 c 226 s 19 & 1994 c 282 s 3;
14 (~~(12)~~) (11) RCW 28B.80.570 and 1995 c 226 s 20, 1992 c 21 s 6, &
15 1991 c 315 s 18;
16 (~~(13)~~) (12) RCW 28B.80.575 and 1995 c 226 s 21 & 1991 c 315 s 19;
17 (~~(14)~~) (13) RCW 28B.80.580 and 1995 c 226 s 22, 1993 sp.s. c 18
18 s 34, 1992 c 231 s 31, & 1991 c 315 s 20;
19 (~~(15)~~) (14) RCW 28B.80.585 and 1995 c 226 s 23 & 1991 c 315 s 21;
20 (~~(16)~~) (15) RCW 43.17.065 and 1995 c 226 s 24, 1993 c 280 s 37,
21 1991 c 314 s 28, & 1990 1st ex.s. c 17 s 77;
22 (~~(17)~~) (16) RCW 43.20A.750 and 1995 c 226 s 25, 1993 c 280 s 38,
23 1992 c 21 s 4, & 1991 c 153 s 28;
24 (~~(18)~~) (17) RCW 43.168.140 and 1995 c 226 s 28 & 1991 c 314 s 20;
25 (~~(19)~~) (18) RCW 50.12.270 and 1995 c 226 s 30 & 1991 c 315 s 3;
26 (~~(20)~~) (19) RCW 50.70.010 and 1995 c 226 s 31, 1992 c 21 s 1, &
27 1991 c 315 s 5; and
28 (~~(21)~~) (20) RCW 50.70.020 and 1995 c 226 s 32 & 1991 c 315 s 6.

29 NEW SECTION. **Sec. 20.** RCW 43.31.651 and 1995 c 226 s 10, 1993 c
30 280 s 51, & 1991 c 314 s 9 are each repealed.

31 NEW SECTION. **Sec. 21.** If any provision of this act or its
32 application to any person or circumstance is held invalid, the
33 remainder of the act or the application of the provision to other
34 persons or circumstances is not affected.

35 NEW SECTION. **Sec. 22.** If any part of this act is found to be in
36 conflict with federal requirements that are a prescribed condition to

1 the allocation of federal funds to the state, the conflicting part of
2 this act is inoperative solely to the extent of the conflict and with
3 respect to the agencies directly affected, and this finding does not
4 affect the operation of the remainder of this act in its application to
5 the agencies concerned. The rules under this act shall meet federal
6 requirements that are a necessary condition to the receipt of federal
7 funds by the state.

8 NEW SECTION. **Sec. 23.** This act is necessary for the immediate
9 preservation of the public peace, health, or safety, or support of the
10 state government and its existing public institutions, and takes effect
11 July 1, 1997."

12 **2SHB 1201** - CONF REPT
13 By Conference Committee

14

15 On page 1, line 2 of the title, after "communities;" strike the
16 remainder of the title and insert "amending RCW 43.31.601, 43.31.611,
17 43.31.621, 43.63A.021, 43.31.641, 43.63A.440, 43.160.020, 43.160.076,
18 28B.50.030, 28B.80.570, 28B.80.580, 50.12.270, 43.131.385, and
19 43.131.386; amending 1995 c 226 s 7 (uncodified); amending 1995 c 226
20 s 8 (uncodified); amending 1995 c 226 s 9 (uncodified); reenacting and
21 amending RCW 50.22.090 and 43.20A.750; creating a new section;
22 repealing RCW 43.31.651; providing an effective date; providing
23 expiration dates; and declaring an emergency."

--- END ---