
HOUSE BILL 2285

State of Washington**56th Legislature****1999 Regular Session**

By Representatives Van Luven, Veloria, Ballasiotes, Morris, Kenney, H. Sommers, Radcliff, Dunn, D. Schmidt, McDonald, O'Brien, Skinner, Hankins, Campbell and Esser; by request of Governor Locke

Read first time 04/14/1999. Referred to Committee on Economic Development, Housing & Trade.

1 AN ACT Relating to the department of community, trade, and economic
2 development; amending RCW 43.330.020, 43.63A.021, 43.330.040,
3 43.330.050, 43.330.070, 43.330.125, 43.330.135, 43.63A.066, 43.63A.115,
4 43.63A.125, 43.63A.155, 43.63A.245, 43.63A.247, 43.63A.260, 43.63A.275,
5 43.63A.400, 43.63A.410, 43.63A.440, 43.63A.460, 43.63A.600, 43.330.152,
6 43.330.155, 43.330.156, 43.330.904, 43.63A.230, 43.330.065, 43.330.080,
7 43.31.057, 43.31.093, 43.31.205, 43.31.409, 43.31.422, 43.31.504,
8 43.31.522, 43.31.524, 43.31.641, 43.31.830, 43.31.840, 43.31.855,
9 43.31.857, 43.31.960, 43.17.065, 19.02.050, 24.46.010, 28B.20.283,
10 28B.20.289, 28B.20.293, 28B.30.537, 28B.50.262, 28B.65.040, 28B.65.050,
11 28B.65.060, 28B.109.020, 28C.04.440, 28C.04.460, 28C.18.060, 36.01.120,
12 36.110.030, 43.07.360, 43.21A.510, 43.21A.515, 43.21A.612, 43.23.035,
13 43.160.020, 43.160.115, 43.160.180, 43.163.020, 43.163.120, 43.168.020,
14 43.168.031, 43.170.020, 43.172.011, 43.210.030, 43.210.050, 43.210.060,
15 43.330.092, 43.330.094, 50.67.030, 50.72.030, 70.95.265, 70.95.810,
16 70.95H.007, 70.95H.050, 76.09.030, 76.56.020, 77.12.710, 81.80.450,
17 88.12.275, 41.06.070, 41.06.072, 43.06.115, 43.17.020, 43.160.030,
18 43.163.060, 47.39.090, 47.76.230, 50.38.030, and 80.50.030; reenacting
19 and amending RCW 43.17.010; adding new sections to chapter 43.330 RCW;
20 adding new sections to chapter 43.31 RCW; creating new sections;
21 recodifying RCW 43.31.855, 43.31.857, 43.63A.021, 43.63A.066,

1 43.63A.067, 43.63A.105, 43.63A.115, 43.63A.125, 43.63A.150, 43.63A.155,
2 43.63A.190, 43.63A.215, 43.63A.240, 43.63A.245, 43.63A.247, 43.63A.249,
3 43.63A.260, 43.63A.265, 43.63A.270, 43.63A.275, 43.63A.400, 43.63A.410,
4 43.63A.420, 43.63A.440, 43.63A.460, 43.63A.465, 43.63A.4651,
5 43.63A.470, 43.63A.475, 43.63A.480, 43.63A.485, 43.63A.490, 43.63A.500,
6 43.63A.510, 43.63A.550, 43.63A.600, 43.63A.610, 43.63A.620, 43.63A.630,
7 43.63A.640, 43.63A.650, 43.63A.660, 43.63A.670, 43.63A.680, 43.63A.720,
8 43.63A.725, 43.63A.730, 43.63A.735, 43.63A.740, 43.63A.900, 43.63A.901,
9 43.63A.902, 43.63A.903, 43.330.145, 43.330.152, 43.330.155, 43.330.156,
10 43.63A.075, 43.63A.230, 43.63A.700, 43.63A.710, 43.63A.715, 43.330.060,
11 43.330.065, 43.330.080, 43.330.090, 43.330.092, 43.330.094, 43.330.095,
12 43.330.096, 43.63A.690, and 43.330.904; repealing RCW 43.330.005,
13 43.330.007, 43.330.010, 43.330.900, and 43.31.800; providing an
14 effective date; providing expiration dates; and declaring an emergency.

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

16 NEW SECTION. **Sec. 1.** The department of community, trade, and
17 economic development was created in 1993 by dissolving the prior
18 department of community development and the prior department of trade
19 and economic development and transferring their responsibilities and
20 authorities to that newly created department.

21 The purpose of this act is to effectively organize state efforts to
22 address the community and economic development needs of the citizens of
23 the state of Washington by restructuring the department of community,
24 trade, and economic development into two separate agencies, the
25 department of community development and the department of trade and
26 economic development. The department of trade and economic development
27 will consist of the existing divisions of economic development,
28 international trade, and energy. The department of community
29 development will consist of the existing divisions of housing,
30 community services, and local government.

31 It is the intent of the legislature that the restructuring will
32 allow each agency to: (1) Identify and develop a focused mission; (2)
33 organize and deliver services in a manner that is responsive to current
34 and future needs; and (3) effectively target resources to meet the
35 identified mission and needs of the citizens of the state of Washington
36 in the most efficient and effective manner.

1 NEW SECTION. **Sec. 2.** (1) On or before September 1, 1999, the
2 director of community, trade, and economic development shall submit a
3 plan to the governor for transferring the department's trade, business
4 development, tourism, and economic development responsibilities and
5 authorities to the newly created department of trade and economic
6 development, as provided in this act.

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

9 (a) Strategies for a smooth transfer of responsibilities and
10 authorities to the newly created department of trade and economic
11 development, including implementation steps, evaluation measures, and
12 benchmarks to measure the effectiveness of the implementation steps;

13 (b) Division of staff, supplies, equipment, and office space
14 between the newly created department of trade and economic development
15 and the department that is renamed as the department of community
16 development; and

17 (c) Recommendations for statutory changes for a more appropriate
18 division of responsibilities and authorities.

19 (3) In developing the plan required under this section, the
20 director shall establish an advisory committee comprised of: (a) Two
21 members of the house of representatives, one member from each political
22 caucus appointed by the speaker of the house of representatives; (b)
23 two members of the senate, one member from each political caucus
24 appointed by the president of the senate; (c) the director of financial
25 management or the director's designee; and (d) representatives of
26 groups using services and programs of the department that include, but
27 are not limited to counties, cities, port districts, economic
28 development councils, associate development organizations, businesses,
29 low-income housing interests, the for-profit and nonprofit housing
30 industries, Indian tribes, community service organizations, public
31 safety groups, nonprofit community and economic development
32 organizations, international trade organizations, minority and women
33 business organizations, and other organizations the director determines
34 necessary for the development of the plan.

35 (4) The office of financial management, in consultation with the
36 department, shall advise the director and the advisory council on
37 matters relating to the department's budget and program functions.

38 (5) The director shall implement the plan, as approved by the
39 governor.

1 (6) Effective October 1, 1999, the department of trade and economic
2 development shall be created, the transfer of responsibilities and
3 authorities to this newly created department shall occur, and the
4 department of community, trade, and economic development shall be
5 renamed as the department of community development.

6 **PART I**

7 **DEPARTMENT OF COMMUNITY DEVELOPMENT**

8 **Sec. 101.** RCW 43.330.020 and 1993 c 280 s 4 are each amended to
9 read as follows:

10 ((A)) The department of community((, ~~trade, and economic~~))
11 development is created. Except as provided in chapter . . ., Laws of
12 1999 (this act), the department shall be vested with all powers and
13 duties ((established or transferred to it under this chapter)) formerly
14 exercised by the prior department of community development, before its
15 merger with the prior department of trade and economic development into
16 the department of community, trade, and economic development by chapter
17 280, Laws of 1993, and such other powers and duties as may be
18 authorized by law. ((Unless otherwise specifically provided in chapter
19 280, Laws of 1993, the existing responsibilities and functions of the
20 agency programs will continue to be administered in accordance with
21 their implementing legislation.))

22 **Sec. 102.** RCW 43.63A.021 and 1997 c 367 s 5 are each amended to
23 read as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

26 (1) "Department" means the department of community development.

27 (2) "Director" means the director of community development.

28 (3) "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

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

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

16 ~~((+3))~~ (5) "Dislocated salmon fishing worker" means a finfish
17 products worker who: (a)(i) Has been terminated or received notice of
18 termination from employment and is unlikely to return to employment in
19 the individual's principal occupation or previous industry because of
20 a diminishing demand for his or her skills in that occupation or
21 industry; or (ii) is self-employed and has been displaced from his or
22 her business because of the diminishing demand for the business's
23 services or goods; and (b) at the time of last separation from
24 employment, resided in or was employed in a rural natural resources
25 impact area.

26 ~~((+4))~~ (6) "Salmon fishing worker" means a worker in the finfish
27 industry affected by 1994 or future salmon disasters. The workers
28 included within this definition shall be determined by the employment
29 security department, but shall include workers employed in the
30 industries involved in the commercial and recreational harvesting of
31 finfish including buying and processing finfish. The commissioner may
32 adopt rules further interpreting these definitions.

33 **Sec. 103.** RCW 43.330.040 and 1993 c 280 s 6 are each amended to
34 read as follows:

35 (1) The director shall supervise and administer the activities of
36 the department and shall advise the governor and the legislature with
37 respect to community ~~((and economic))~~ development matters affecting the
38 state.

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

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

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

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

9 (d) Appoint ~~((such))~~ a deputy director~~((s,))~~ and assistant
10 directors~~((, and up to seven special assistants))~~ as may be needed to
11 administer the department. These employees are exempt from the
12 provisions of chapter 41.06 RCW;

13 (e) Prepare and submit budgets for the department for executive and
14 legislative action;

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

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

20 (h) Delegate powers, duties, and functions as the director deems
21 necessary for efficient administration, but the director shall be
22 responsible for the official acts of the officers and employees of the
23 department; and

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

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

28 (4) The director may request information and assistance from all
29 other agencies, departments, and officials of the state, and may
30 reimburse such agencies, departments, or officials if such a request
31 imposes any additional expenses upon any such agency, department, or
32 official.

33 (5) The director shall, in carrying out the responsibilities of
34 office, consult with governmental officials, private groups, and
35 individuals and with officials of other states. All state agencies and
36 their officials and the officials of any political subdivision of the
37 state shall cooperate with and give such assistance to the department,
38 including the submission of requested information, to allow the
39 department to carry out its purposes under this chapter.

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

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

15 **Sec. 104.** RCW 43.330.050 and 1993 c 280 s 7 are each amended to
16 read as follows:

17 The department shall be responsible for promoting community ((and
18 economic)) development within the state by assisting the state's
19 communities to increase the quality of life of their citizens and their
20 economic vitality, ((and by assisting the state's businesses to
21 maintain and increase their economic competitiveness,)) while
22 maintaining a healthy environment. Community ((and economic))
23 development efforts ((shall)) include((~~Efforts to increase economic
24 opportunity~~)), but are not limited to, local planning to manage
25 growth((~~+~~)), the promotion and provision of affordable housing and
26 housing-related services((~~+~~)), providing public infrastructure((~~+~~
27 ~~business and trade development; assisting firms and industrial sectors~~
28 ~~to increase their competitiveness; fostering the development of~~
29 ~~minority and women-owned businesses; facilitating technology~~
30 ~~development, transfer, and diffusion~~)), providing community services
31 and advocacy for low-income persons((~~+~~)), and public safety efforts.
32 The department shall have the following general functions and
33 responsibilities:

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

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

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

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

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

15 (6) Participate with other states or subdivisions thereof in
16 interstate programs and assist cities, towns, counties, municipal
17 corporations, governmental conferences or councils, and regional
18 planning commissions to participate with other states and provinces or
19 their subdivisions;

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

22 (8) Conduct research and analysis in furtherance of the state's
23 (~~economic and~~) community development efforts including maintenance of
24 current information on (~~market, demographic, and economic trends as~~
25 ~~they affect different industrial sectors,~~) geographic regions(~~,~~) and
26 communities with special economic and social problems in the state; and

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

28 **Sec. 105.** RCW 43.330.070 and 1993 c 280 s 10 are each amended to
29 read as follows:

30 (1) The department shall work closely with local communities to
31 increase their capacity to respond to economic, environmental, and
32 social problems and challenges. The department shall coordinate the
33 delivery of (~~development services and~~) related technical assistance
34 to local communities or regional areas(~~. It shall promote~~
35 ~~partnerships between the public and private sectors and between state~~
36 ~~and local officials to encourage appropriate economic growth and~~
37 ~~opportunity in communities throughout the state. The department~~) and
38 shall promote appropriate (~~local~~) community development by:

1 (~~Supporting the ability of communities to develop and implement~~
2 ~~strategic development plans; assisting businesses to start up,~~
3 ~~maintain, or expand their operations;~~) Encouraging public
4 infrastructure investment and private and public capital investment in
5 local communities((~~+~~)), supporting efforts to manage growth and provide
6 affordable housing and housing services((~~+~~)), and providing for the
7 identification and preservation of the state's historical and cultural
8 resources((~~+~~ and expanding employment opportunities)).

9 (2) The department shall define a set of services including related
10 training and technical assistance that it will make available to local
11 communities, community-based nonprofit organizations, and regional
12 areas((~~+~~ or businesses)). The department shall simplify access to
13 these programs by providing more centralized and user-friendly
14 information and referral. The department shall coordinate community
15 ((~~and economic~~)) development efforts to minimize program redundancy and
16 maximize accessibility. The department shall develop a set of criteria
17 for targeting services to local communities.

18 (3) The department shall develop a coordinated and systematic
19 approach to providing related training to community-based nonprofit
20 organizations, local communities, and ((~~businesses~~)) regional areas.
21 The approach shall be designed to increase the ((~~economic and~~))
22 community development skills available in local communities by
23 providing training and funding for training for local citizens((~~+~~)) and
24 nonprofit organizations((~~+~~ and businesses)). The department shall
25 emphasize providing training in those communities most in need of state
26 assistance.

27 **Sec. 106.** RCW 43.330.125 and 1995 c 347 s 430 are each amended to
28 read as follows:

29 The department ((~~of community, trade, and economic development~~))
30 shall provide training and technical assistance to counties and cities
31 to assist them in fulfilling the requirements of chapter 36.70B RCW.

32 **Sec. 107.** RCW 43.330.135 and 1995 c 13 s 1 are each amended to
33 read as follows:

34 (1) The department ((~~of community, trade, and economic~~
35 ~~development~~)) shall distribute such funds as are appropriated for the
36 state-wide technical support, development, and enhancement of court-
37 appointed special advocate programs.

1 (2) In order to receive money under subsection (1) of this section,
2 an organization providing state-wide technical support, development,
3 and enhancement of court-appointed special advocate programs must meet
4 all of the following requirements:

5 (a) The organization must provide state-wide support, development,
6 and enhancement of court-appointed special advocate programs that offer
7 guardian ad litem services as provided in RCW 26.12.175, 26.44.053, and
8 13.34.100;

9 (b) All guardians ad litem working under court-appointed special
10 advocate programs supported, developed, or enhanced by the organization
11 must be volunteers and may not receive payment for services rendered
12 pursuant to the program. The organization may include paid positions
13 that are exclusively administrative in nature, in keeping with the
14 scope and purpose of this section; and

15 (c) The organization providing state-wide technical support,
16 development, and enhancement of court-appointed special advocate
17 programs must be a public benefit nonprofit corporation as defined in
18 RCW 24.03.490.

19 (3) If more than one organization is eligible to receive money
20 under this section, the department shall develop criteria for
21 allocation of appropriated money among the eligible organizations.

22 **Sec. 108.** RCW 43.63A.066 and 1993 c 280 s 58 are each amended to
23 read as follows:

24 The department (~~of community, trade, and economic development~~)
25 shall have primary responsibility for providing child abuse and neglect
26 prevention training to preschool age children participating in the
27 federal head start program or the early childhood education and
28 assistance program established under RCW 28A.215.010 through
29 28A.215.200 and 28A.215.900 through 28A.215.908.

30 **Sec. 109.** RCW 43.63A.115 and 1993 c 280 s 60 are each amended to
31 read as follows:

32 (1) The community action agency network, established initially
33 under the federal economic opportunity act of 1964 and subsequently
34 under the federal community services block grant program of 1981, as
35 amended, shall be a delivery system for federal and state anti-poverty
36 programs in this state, including but not limited to the community

1 services block grant program, the low-income energy assistance program,
2 and the federal department of energy weatherization program.

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

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

13 **Sec. 110.** RCW 43.63A.125 and 1997 c 374 s 2 are each amended to
14 read as follows:

15 If the legislature provides an appropriation to assist nonprofit
16 organizations in acquiring, constructing, or rehabilitating facilities
17 used for the delivery of nonresidential social services, the
18 legislature may direct the department (~~of community, trade, and~~
19 ~~economic development~~) to establish a competitive process to prioritize
20 applications for the assistance as follows:

21 (1) The department shall conduct a state-wide solicitation of
22 project applications from local governments, nonprofit organizations,
23 and other entities, as determined by the department. The department
24 shall evaluate and rank applications in consultation with a citizen
25 advisory committee using objective criteria. At a minimum, applicants
26 must demonstrate that the requested assistance will increase the
27 efficiency or quality of the social services it provides to citizens.
28 The evaluation and ranking process shall also include an examination of
29 existing assets that applicants may apply to projects. Grant
30 assistance under this section shall not exceed twenty-five percent of
31 the total cost of the project. The nonstate portion of the total
32 project cost may include, but is not limited to, land, facilities, and
33 in-kind contributions.

34 (2) The department shall submit a prioritized list of recommended
35 projects to the legislature by November 1st following the effective
36 date of the appropriation. The list shall include a description of
37 each project, the amount of recommended state funding, and
38 documentation of nonstate funds to be used for the project. The

1 department shall not sign contracts or otherwise financially obligate
2 funds under this section until the legislature has approved a specific
3 list of projects.

4 (3) In contracts for grants authorized under this section the
5 department shall include provisions which require that capital
6 improvements shall be held by the grantee for a specified period of
7 time appropriate to the amount of the grant and that facilities shall
8 be used for the express purpose of the grant. If the grantee is found
9 to be out of compliance with provisions of the contract, the grantee
10 shall repay to the state general fund the principal amount of the grant
11 plus interest calculated at the rate of interest on state of Washington
12 general obligation bonds issued most closely to the date of
13 authorization of the grant.

14 (4) The department shall develop model contract provisions for
15 compliance with subsection (3) of this section and shall distribute its
16 recommendations to the appropriate legislative committees, the office
17 of financial management, and to all state agencies which provide
18 capital grants to nonstate entities.

19 **Sec. 111.** RCW 43.63A.155 and 1993 c 280 s 61 are each amended to
20 read as follows:

21 The department (~~(of community, trade, and economic development)~~)
22 shall retain the bond information it receives under RCW 39.44.210 and
23 39.44.230 and shall publish summaries of local government bond issues
24 at least once a year.

25 The department (~~(of community, trade, and economic development)~~)
26 shall adopt rules under chapter 34.05 RCW to implement RCW 39.44.210
27 and 39.44.230.

28 **Sec. 112.** RCW 43.63A.245 and 1993 c 280 s 64 are each amended to
29 read as follows:

30 Unless the context clearly requires otherwise, the definitions in
31 this section apply throughout RCW 43.63A.240 through 43.63A.270 (as
32 recodified by this act).

33 (1) "Agency" means one of the agencies or organizations
34 participating in the activities of the senior environmental corps.

35 (2) "Coordinator" means the person designated by the director (~~(of~~
36 ~~community, trade, and economic development)~~) with the advice of the
37 council to administer the activities of the senior environmental corps.

1 (3) "Corps" means the senior environmental corps.

2 (4) "Council" means the senior environmental corps coordinating
3 council.

4 (~~"Department" means the department of community, trade, and~~
5 ~~economic development.~~

6 ~~"Director" means the director of community, trade, and economic~~
7 ~~development or the director's authorized representative.))~~

8 (5) "Representative" means the person who represents an agency on
9 the council and is responsible for the activities of the senior
10 environmental corps in his or her agency.

11 (6) "Senior" means any person who is fifty-five years of age or
12 over.

13 (7) "Volunteer" means a person who is willing to work without
14 expectation of salary or financial reward, and who chooses where he or
15 she provides services and the type of services he or she provides.

16 **Sec. 113.** RCW 43.63A.247 and 1994 c 264 s 25 are each amended to
17 read as follows:

18 The senior environmental corps is created within the department
19 (~~(of community, trade, and economic development)~~). The department
20 together with the departments of agriculture, (~~(community, trade, and~~
21 ~~economic development, employment security,~~) ecology, fish and
22 wildlife, health, and natural resources, the employment security
23 department, the parks and recreation commission, and the Puget Sound
24 (~~(water quality authority)~~) action team shall participate in the
25 administration and implementation of the corps and shall appoint
26 representatives to the council.

27 **Sec. 114.** RCW 43.63A.260 and 1994 c 264 s 26 are each amended to
28 read as follows:

29 The department shall convene a senior environmental corps
30 coordinating council to meet as needed to establish and assess
31 policies, define standards for projects, evaluate and select projects,
32 develop recruitment, training, and placement procedures, receive and
33 review project status and completion reports, and provide for
34 recognition of volunteer activity. The council shall include
35 representatives appointed by the department, as well as the departments
36 of agriculture, (~~(community, trade, and economic development,~~)
37 ecology, fish and wildlife, health, and natural resources, the parks

1 and recreation commission, and the Puget Sound (~~water quality~~
2 ~~authority~~) action team. The council shall develop bylaws, policies
3 and procedures to govern its activities.

4 The council shall advise the director on distribution of available
5 funding for corps activities.

6 **Sec. 115.** RCW 43.63A.275 and 1993 c 280 s 67 are each amended to
7 read as follows:

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

11 (a) At least sixty-five percent of the moneys may be distributed
12 according to formulae and criteria to be determined by the department
13 (~~of community, trade, and economic development~~) in consultation with
14 the RSVP directors association.

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

19 (c) Ten percent of the moneys may be used by the department (~~of~~
20 ~~community, trade, and economic development~~) for administration,
21 monitoring of the grants, and providing technical assistance to the
22 RSVP projects.

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

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

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

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

33 (i) Developing new roles for senior volunteers in nonprofit and
34 public organizations with special emphasis on areas targeted in section
35 1, chapter 65, Laws of 1992. The roles shall reflect the diversity of
36 the local senior population and shall respect their life experiences;

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

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

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

8 **Sec. 116.** RCW 43.63A.400 and 1993 c 280 s 72 are each amended to
9 read as follows:

10 The department (~~of community, trade, and economic development~~)
11 shall distribute grants to eligible public radio and television
12 broadcast stations under RCW 43.63A.410 and 43.63A.420 (as recodified
13 by this act) to assist with programming, operations, and capital needs.

14 **Sec. 117.** RCW 43.63A.410 and 1993 c 280 s 73 are each amended to
15 read as follows:

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

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

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

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

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

33 (b) Each eligible participating public radio station shall receive
34 an equal share of the radio base grant pool, plus a share of the radio
35 incentive grant pool equal to the proportion its nonfederal financial
36 support bears to the sum of all participating radio stations'

1 nonfederal financial support as most recently reported to the
2 corporation for public broadcasting.

3 (c) Each eligible participating public television station shall
4 receive an equal share of the television base grant pool, plus a share
5 of the television incentive grant pool equal to the proportion its
6 nonfederal financial support bears to the sum of all participating
7 television stations' nonfederal financial support as most recently
8 reported to the corporation for public broadcasting.

9 (3) Annual financial reports to the corporation for public
10 broadcasting by eligible stations shall also be submitted by the
11 stations to the department (~~of community, trade, and economic~~
12 ~~development~~)).

13 **Sec. 118.** RCW 43.63A.440 and 1997 c 367 s 7 are each amended to
14 read as follows:

15 The department (~~of community, trade, and economic development~~)
16 shall provide technical and financial assistance to communities
17 adversely impacted by reductions in timber harvested from federal,
18 state, and private lands and reduction of salmon fishing caused by
19 efforts to maintain the long-term viability of salmon stocks. The
20 department shall use existing technical and financial assistance
21 resources to aid communities in planning, implementing, and assembling
22 financing for high priority community economic development projects.

23 **Sec. 119.** RCW 43.63A.460 and 1993 c 280 s 76 are each amended to
24 read as follows:

25 (~~Beginning on July 1, 1991,~~) The department (~~of community,~~
26 ~~trade, and economic development~~) shall be responsible for performing
27 all the consumer complaint and related functions of the state
28 administrative agency that are required for purposes of complying with
29 the regulations established by the federal department of housing and
30 urban development for manufactured housing, including the preparation
31 and submission of the state administrative plan.

32 The department (~~of community, trade, and economic development~~)
33 may enter into state or local interagency agreements to coordinate site
34 inspection activities with record monitoring and complaint handling.
35 The interagency agreement may also provide for the reimbursement for
36 cost of work that an agency performs. The department may include other

1 related areas in any interagency agreements which are necessary for the
2 efficient provision of services.

3 ~~((The department of labor and industries shall transfer all
4 records, files, books, and documents necessary for the department of
5 community, trade, and economic development to assume these new
6 functions.~~

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

10 **Sec. 120.** RCW 43.63A.600 and 1995 c 226 s 12 are each amended to
11 read as follows:

12 (1) The department ~~((of community, trade, and economic
13 development))~~, as a member of the agency rural community assistance
14 task force shall establish and administer the emergency mortgage and
15 rental assistance program. The department shall identify the
16 communities most adversely affected by reductions in timber and salmon
17 harvest levels and shall prioritize assistance under this program to
18 these communities. The department shall work with the department of
19 social and health services and the rural community assistance
20 ~~((recovery))~~ coordinator to develop the program in rural natural
21 resources impact areas. Organizations eligible to receive grant funds
22 for distribution under the program are those organizations that are
23 eligible to receive assistance through the Washington housing trust
24 fund. The department shall disburse the funds to eligible local
25 organizations as grants. The local organizations shall use the funds
26 to make grants or loans as specified in RCW 43.63A.600 through
27 43.63A.640 (as recodified by this act). If funds are disbursed as
28 loans, the local organization shall establish a revolving grant and
29 loan fund with funds received as loan repayments and shall continue to
30 make grants or loans or both grants and loans from funds received as
31 loan repayments to dislocated forest products and dislocated salmon
32 fishing workers eligible under the provisions of RCW 43.63A.600 through
33 43.63A.640 (as recodified by this act) and to other persons residing in
34 rural natural resources impact areas who meet the requirements of RCW
35 43.63A.600 through 43.63A.640 (as recodified by this act).

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

37 (a) Provide temporary emergency mortgage loans or rental assistance
38 grants or loans on behalf of dislocated forest products and dislocated

1 salmon fishing workers in rural natural resources impact areas who are
2 unable to make mortgage, property tax, or rental payments on their
3 permanent residences and are subject to immediate eviction for
4 nonpayment of mortgage installments, property taxes, or nonpayment of
5 rent;

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

8 (c) Maintain economic and social stability in rural natural
9 resources impact areas.

10 **Sec. 121.** RCW 43.330.152 and 1994 c 284 s 2 are each amended to
11 read as follows:

12 In order to extend its services and programs, the department may
13 charge reasonable fees for services and products provided in the areas
14 of financial assistance, housing, (~~international trade,~~) community
15 assistance, (~~economic development,~~) and other service delivery areas,
16 except as otherwise provided. These fees are not intended to exceed
17 the costs of providing the service or preparing and distributing the
18 product.

19 **Sec. 122.** RCW 43.330.155 and 1994 c 284 s 4 are each amended to
20 read as follows:

21 The community (~~and economic~~) development fee account is created
22 in the state treasury. The department may create subaccounts as
23 necessary. The account consists of all receipts from fees charged by
24 the department under RCW 43.330.150(~~)~~) and 43.330.152(~~)~~
25 43.210.110) (as recodified by this act). Expenditures from the
26 account may be used only for the purposes of this chapter. Only the
27 director or the director's designee may authorize expenditures from the
28 account. Expenditures from the account may be spent only after
29 appropriation.

30 **Sec. 123.** RCW 43.330.156 and 1994 c 284 s 8 are each amended to
31 read as follows:

32 The fees authorized under RCW 43.330.150(~~)~~) and 43.330.152(~~)~~
33 70.95H.040, and 43.210.110) (as recodified by this act) shall be
34 adopted by rule pursuant to chapter 34.05 RCW.

1 NEW SECTION. **Sec. 124.** A new section is added to chapter 43.330
2 RCW to read as follows:

3 All references to the director or department of community, trade,
4 and economic development in the Revised Code of Washington shall be
5 construed to mean the director of community development or the
6 department of community development.

7 NEW SECTION. **Sec. 125.** The following acts or parts of acts are
8 each repealed:

9 (1) RCW 43.330.005 (Intent) and 1993 c 280 s 1;

10 (2) RCW 43.330.007 (Management responsibility) and 1993 c 280 s 2;

11 (3) RCW 43.330.010 (Definitions) and 1993 c 280 s 3; and

12 (4) RCW 43.330.900 (References to director and department) and 1993
13 c 280 s 79.

14 NEW SECTION. **Sec. 126.** The following sections are each recodified
15 as new sections in chapter 43.330 RCW:

16 RCW 43.31.855

17 RCW 43.31.857

18 RCW 43.63A.021

19 RCW 43.63A.066

20 RCW 43.63A.067

21 RCW 43.63A.105

22 RCW 43.63A.115

23 RCW 43.63A.125

24 RCW 43.63A.150

25 RCW 43.63A.155

26 RCW 43.63A.190

27 RCW 43.63A.215

28 RCW 43.63A.240

29 RCW 43.63A.245

30 RCW 43.63A.247

31 RCW 43.63A.249

32 RCW 43.63A.260

33 RCW 43.63A.265

34 RCW 43.63A.270

35 RCW 43.63A.275

36 RCW 43.63A.400

37 RCW 43.63A.410

1 RCW 43.63A.420
2 RCW 43.63A.440
3 RCW 43.63A.460
4 RCW 43.63A.465
5 RCW 43.63A.4651
6 RCW 43.63A.470
7 RCW 43.63A.475
8 RCW 43.63A.480
9 RCW 43.63A.485
10 RCW 43.63A.490
11 RCW 43.63A.500
12 RCW 43.63A.510
13 RCW 43.63A.550
14 RCW 43.63A.600
15 RCW 43.63A.610
16 RCW 43.63A.620
17 RCW 43.63A.630
18 RCW 43.63A.640
19 RCW 43.63A.650
20 RCW 43.63A.660
21 RCW 43.63A.670
22 RCW 43.63A.680
23 RCW 43.63A.720
24 RCW 43.63A.725
25 RCW 43.63A.730
26 RCW 43.63A.735
27 RCW 43.63A.740
28 RCW 43.63A.900
29 RCW 43.63A.901
30 RCW 43.63A.902
31 RCW 43.63A.903
32 RCW 43.330.145

33 NEW SECTION. **Sec. 127.** The following sections are recodified in
34 chapter 43.330 RCW near the end of the chapter:

35 RCW 43.330.152
36 RCW 43.330.155
37 RCW 43.330.156

1 NEW SECTION. **Sec. 128.** The code reviser shall insert notes
2 following all sections containing references to the department of
3 community, trade, and economic development indicating that this agency
4 is now referred to as the department of community development.

5 **PART II**

6 **DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT**

7 NEW SECTION. **Sec. 201.** The department of trade and economic
8 development is created. Except as provided in this act, the department
9 shall be vested with all powers and duties formerly exercised by the
10 prior department of trade and economic development, before its merger
11 with the prior department of community development into the department
12 of community, trade, and economic development by chapter 280, Laws of
13 1993, and such other powers and duties as may be authorized by law.

14 NEW SECTION. **Sec. 202.** Unless the context clearly requires
15 otherwise, the definitions in this section apply throughout this
16 chapter.

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

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

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

24 NEW SECTION. **Sec. 203.** (1) The director shall supervise and
25 administer the activities of the department and shall advise the
26 governor and the legislature with respect to economic development
27 matters affecting the state.

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

30 (a) To enter into contracts on behalf of the state to carry out the
31 purposes of this chapter;

32 (b) To act for the state in the initiation of or participation in
33 any multigovernmental program relative to the purpose of this chapter;

34 (c) To accept and expend gifts and grants, whether such grants be
35 of federal or other funds;

1 (d) To appoint a deputy director and assistant directors as may be
2 needed to administer the department. These employees are exempt from
3 the provisions of chapter 41.06 RCW;

4 (e) To prepare and submit budgets for the department for executive
5 and legislative action;

6 (f) To submit recommendations for legislative actions as are deemed
7 necessary to further the purposes of this chapter;

8 (g) To adopt rules in accordance with chapter 34.05 RCW and perform
9 all other functions necessary and proper to carry out the purposes of
10 this chapter;

11 (h) To delegate powers, duties, and functions as the director deems
12 necessary for efficient administration, but the director shall be
13 responsible for the official acts of the officers and employees of the
14 department; and

15 (i) To perform other duties as are necessary and consistent with
16 law.

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

20 (4) The director may request information and assistance from all
21 other agencies, departments, and officials of the state, and may
22 reimburse such agencies, departments, or officials if such a request
23 imposes any additional expenses upon any such agency, department, or
24 official.

25 (5) The director shall, in carrying out the responsibilities of
26 office, consult with governmental officials, private groups, and
27 individuals and with officials of other states. All state agencies and
28 their officials and the officials of any political subdivision of the
29 state shall cooperate with and give such assistance to the department,
30 including the submission of requested information, to allow the
31 department to carry out its purposes under this chapter.

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

37 (7) The internal affairs of the department shall be under the
38 control of the director in order that the director may manage the
39 department in a flexible and intelligent manner as dictated by changing

1 contemporary circumstances. Unless specifically limited by law, the
2 director shall have complete charge and supervisory powers over the
3 department. The director may create such administrative structures as
4 the director deems appropriate, except as otherwise specified by law,
5 and the director may employ such personnel as may be necessary in
6 accordance with chapter 41.06 RCW, except as otherwise provided by law.

7 NEW SECTION. **Sec. 204.** The department shall be responsible for
8 promoting economic development within the state by assisting the
9 state's communities to increase the quality of life and their economic
10 vitality, while maintaining a quality environment. Economic
11 development efforts include, but are not limited to, efforts to
12 increase economic opportunities, business and trade development,
13 assisting firms and industrial sectors to increase their
14 competitiveness, fostering the development of minority and women-owned
15 businesses, and facilitating the development, transfer, and diffusion
16 of technology.

17 NEW SECTION. **Sec. 205.** (1) The department shall work closely with
18 local communities to increase their capacity to respond to economic
19 problems and challenges. The department shall coordinate the delivery
20 of development services and related technical assistance to local
21 communities or regional areas. It shall promote partnerships between
22 the public and private sectors and between state and local officials to
23 encourage appropriate economic growth and opportunity in communities
24 throughout the state and shall promote appropriate local economic
25 development by supporting the ability of communities to develop and
26 implement strategic development plans, assisting businesses to start
27 up, maintain, or expand their operations, and expanding employment
28 opportunities.

29 (2) The department shall define a set of services including related
30 training and technical assistance that it will make available to local
31 communities, community-based nonprofit organizations, regional areas,
32 or businesses. The department shall simplify access to these programs
33 by providing more centralized and user-friendly information and
34 referral. The department shall coordinate economic development efforts
35 to minimize program redundancy and maximize accessibility. The
36 department shall develop a set of criteria for targeting services to
37 local communities.

1 (3) The department shall develop a coordinated and systematic
2 approach to providing related training to community-based nonprofit
3 organizations, local communities, and businesses. The approach shall
4 be designed to increase the economic development skills available in
5 local communities by providing training and funding for training for
6 local citizens, nonprofit organizations, and businesses. The
7 department shall emphasize providing training in those communities most
8 in need of state assistance.

9 **Sec. 206.** RCW 43.330.904 and 1996 c 186 s 101 are each amended to
10 read as follows:

11 (1) All powers, duties, and functions of the state energy office
12 relating to energy resource policy and planning and energy facility
13 siting are transferred to the department (~~of community, trade, and~~
14 ~~economic development~~). All references to the director or the state
15 energy office in the Revised Code of Washington shall be construed to
16 mean the director or the department (~~of community, trade, and economic~~
17 ~~development~~) when referring to the functions transferred in this
18 section.

19 The director shall appoint an assistant director for energy policy,
20 and energy policy staff shall have no additional responsibilities
21 beyond activities concerning energy policy.

22 (2)(a) All reports, documents, surveys, books, records, files,
23 papers, or written material in the possession of the state energy
24 office pertaining to the powers, functions, and duties transferred
25 shall be delivered to the custody of the department (~~of community,~~
26 ~~trade, and economic development~~). All cabinets, furniture, office
27 equipment, software, data base, motor vehicles, and other tangible
28 property employed by the state energy office in carrying out the
29 powers, functions, and duties transferred shall be made available to
30 the department (~~of community, trade, and economic development~~).

31 (b) Any appropriations made to the state energy office for carrying
32 out the powers, functions, and duties transferred (~~shall, on July 1,~~
33 ~~1996, be~~) are transferred and credited to the department (~~of~~
34 ~~community, trade, and economic development~~).

35 (c) Whenever any question arises as to the transfer of any funds,
36 books, documents, records, papers, files, software, data base,
37 equipment, or other tangible property used or held in the exercise of
38 the powers and the performance of the duties and functions transferred,

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

4 (3) All employees of the state energy office engaged in performing
5 the powers, functions, and duties pertaining to the energy facility
6 site evaluation council are transferred to the jurisdiction of the
7 department (~~of community, trade, and economic development~~). All
8 employees engaged in energy facility site evaluation council duties
9 classified under chapter 41.06 RCW, the state civil service law, are
10 assigned to the department (~~of community, trade, and economic
11 development~~) to perform their usual duties upon the same terms as
12 formerly, without any loss of rights, subject to any action that may be
13 appropriate thereafter in accordance with the laws and rules governing
14 state civil service.

15 (4) All rules and all pending business before the state energy
16 office pertaining to the powers, functions, and duties transferred
17 shall be continued and acted upon by the department (~~of community,
18 trade, and economic development~~). All existing contracts and
19 obligations shall remain in full force and shall be performed by the
20 department (~~of community, trade, and economic development~~).

21 (5) The transfer of the powers, duties, and functions of the state
22 energy office does not affect the validity of any act performed before
23 July 1, 1996.

24 (6) If apportionments of budgeted funds are required because of the
25 transfers directed by this section, the director of the office of
26 financial management shall certify the apportionments to the agencies
27 affected, the state auditor, and the state treasurer. Each of these
28 shall make the appropriate transfer and adjustments in funds and
29 appropriation.

30 (7) The department (~~of community, trade, and economic
31 development~~) shall direct the closure of the financial records of the
32 state energy office.

33 (8) Responsibility for implementing energy education, applied
34 research, and technology transfer programs rests with Washington State
35 University. The department (~~of community, trade, and economic
36 development~~) shall provide Washington State University available
37 existing and future oil overcharge restitution and federal energy block
38 funding for a minimum period of five years to carry out energy programs
39 under an interagency agreement with the department (~~of community,~~

1 ~~trade, and economic development~~). The interagency agreement shall
2 also outline the working relationship between the department (~~of~~
3 ~~community, trade, and economic development~~) and Washington State
4 University as it pertains to the relationship between energy policy
5 development and public outreach. Nothing in chapter 186, Laws of 1996
6 prohibits Washington State University from seeking grant, contract, or
7 fee-for-service funding for energy or related programs directly from
8 other entities.

9 **Sec. 207.** RCW 43.63A.230 and 1993 c 280 s 63 are each amended to
10 read as follows:

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

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

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

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

4 **Sec. 208.** RCW 43.330.065 and 1996 c 253 s 303 are each amended to
5 read as follows:

6 The department (~~(of community, trade, and economic development)~~),
7 in consultation with the office of protocol, the office of the
8 secretary of state, the department of agriculture, and the employment
9 security department shall identify up to fifteen countries that are of
10 strategic importance to the development of Washington's international
11 trade relations.

12 **Sec. 209.** RCW 43.330.080 and 1997 c 60 s 1 are each amended to
13 read as follows:

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

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

36 (3) The department shall consult with associate development
37 organizations, port districts, local governments, and other local

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

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

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

31 **Sec. 210.** RCW 43.31.057 and 1993 c 280 s 39 are each amended to
32 read as follows:

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

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

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

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

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

12 **Sec. 211.** RCW 43.31.093 and 1995 c 399 s 71 are each amended to
13 read as follows:

14 The department (~~(of community, trade, and economic development)~~)
15 shall contract with public and private agencies, institutions, and
16 organizations to conduct entrepreneurial training courses for minority
17 and women-owned small businesses. The instruction shall be intensive,
18 practical training courses in financing, marketing, managing,
19 accounting, and recordkeeping for a small business, with an emphasis on
20 federal, state, local, or private programs available to assist small
21 businesses. The (~~(business assistance center)~~) department may
22 recommend professional instructors, with practical knowledge and
23 experience on how to start and operate a business, to teach the
24 courses. Instruction shall be offered in major population centers
25 throughout the state at times and locations which are convenient for
26 minority and women small business owners and entrepreneurs.

27 **Sec. 212.** RCW 43.31.205 and 1993 c 280 s 41 are each amended to
28 read as follows:

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

1 the lease, the department shall work in cooperation with any associate
2 development organization located in or near the Tri-Cities area.

3 **Sec. 213.** RCW 43.31.409 and 1993 c 280 s 42 are each amended to
4 read as follows:

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

9 **Sec. 214.** RCW 43.31.422 and 1998 c 76 s 1 are each amended to read
10 as follows:

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

31 **Sec. 215.** RCW 43.31.504 and 1993 c 280 s 45 are each amended to
32 read as follows:

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

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

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

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

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

12 (c) One child care services expert; and

13 (d) One early childhood development expert.

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

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

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

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

33 **Sec. 216.** RCW 43.31.522 and 1993 c 280 s 46 are each amended to
34 read as follows:

35 (~~(Unless the context clearly requires otherwise, the definitions in~~
36 ~~this section apply throughout)~~) As used in RCW 43.31.524 and
37 43.31.526(~~(÷~~

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

3 ~~(2) "Center" means the business assistance center established under~~
4 ~~RCW 43.31.083.~~

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

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

12 **Sec. 217.** RCW 43.31.524 and 1993 c 280 s 47 are each amended to
13 read as follows:

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

23 **Sec. 218.** RCW 43.31.641 and 1997 c 367 s 6 are each amended to
24 read as follows:

25 The department ~~((of community, trade, and economic development)),~~
26 as a member of the agency rural community assistance task force, shall:

27 (1) Administer available federal grant funds to support strategic
28 diversification needs and opportunities of timber-dependent
29 communities, value-added forest products firms, and the value-added
30 forest products industry in Washington state.

31 (2) Provide value-added wood products companies with building
32 products export development assistance.

33 **Sec. 219.** RCW 43.31.830 and 1993 c 280 s 53 are each amended to
34 read as follows:

35 (1) It shall be the duty of the director ~~((of community, trade, and~~
36 ~~economic development))~~ to certify, from the applications received, the

1 state international trade fair or fairs qualified and entitled to
2 receive funds under RCW (~~67.16.100~~) 15.76.115, and under rules
3 established by the director.

4 (2) The director shall make annual allotments to state
5 international trade fairs determined qualified to be entitled to
6 participate in the state trade fair fund and shall fix times for the
7 division of and payment from the state trade fair fund: PROVIDED, That
8 total payment to any one state international trade fair shall not
9 exceed sixty thousand dollars in any one year, where participation or
10 presentation occurs within the United States, and eighty thousand
11 dollars in any one year, where participation or presentation occurs
12 outside the United States: PROVIDED FURTHER, That a state
13 international trade fair may qualify for the full allotment of funds
14 under either category. Upon certification of the allotment and
15 division of fair funds by the director the treasurer shall proceed to
16 pay the same to carry out the purposes of RCW 67.16.100.

17 **Sec. 220.** RCW 43.31.840 and 1993 c 280 s 54 are each amended to
18 read as follows:

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

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

31 **Sec. 221.** RCW 43.31.855 and 1997 c 377 s 1 are each amended to
32 read as follows:

33 (1) The Washington state rural development council is established
34 and governed by an executive committee consisting of eleven members,
35 appointed by the governor. The members will include representatives
36 from the following categories: Business; natural resources;

1 agriculture; environment; economic development; education; health;
2 human services; counties; cities; and tribal governments.

3 (2) New members of the executive committee are appointed for terms
4 of three years from the current membership list of the rural
5 development council, as much as possible. Committee members should be
6 people who either live, work, or provide direct services in rural
7 areas. Committee membership must consist of no less than ninety
8 percent of the members living in a rural area. As a transition
9 strategy for the council, four representatives (business, counties,
10 health, agriculture) will be appointed in 1997, four (human services,
11 natural resources, cities, environment) in 1998, and three (economic
12 development, tribal government, education) in 1999. The new council
13 will be fully formed in 1999.

14 (3) The governor may make appointments from a list of candidates
15 generated by the executive committee. The executive committee shall
16 generate a list of at least three but not more than six candidates from
17 recommendations from state-wide associations. The list of candidates
18 for the county representative shall be generated by the Washington
19 state association of counties. The list of candidates for the city
20 representative shall be generated by the association of Washington
21 cities. In making appointments, the governor shall consider an
22 equitable geographic distribution.

23 (4) Members of the Washington state rural development council shall
24 receive no compensation for their services, but shall be eligible to
25 receive reimbursement for travel expenses as provided in RCW 43.03.050
26 and 43.03.060.

27 (5) The department ((of community, trade, and economic
28 development)) may provide staff support, administrative assistance, and
29 office space to the council as available.

30 (6) The Washington state rural development council executive
31 committee is authorized to establish operating procedures, policies,
32 and bylaws, and appoint committees. In addition, the executive
33 committee is responsible for hiring, evaluating, and if necessary,
34 firing the ((execute [executive])) executive director according to
35 state policies and rules.

36 (7) The Washington state rural development council is directed to:
37 Inform legislators, the governor's office, state agencies, and federal
38 agencies about the rural perspective on community development issues;
39 identify and in some cases develop recommended improvements to existing

1 resource delivery systems; and serve as a liaison or intermediary
2 between rural communities and public and private resource providers.
3 The council's mission is to improve the delivery and accessibility of
4 public and private resources to meet the needs of rural communities.

5 (8) This section expires June 30, 2003.

6 **Sec. 222.** RCW 43.31.857 and 1997 c 377 s 2 are each amended to
7 read as follows:

8 (1) The legislature encourages state agencies to contribute
9 financially to the rural development council. In addition to the
10 United States department of agriculture and the (~~state~~) department
11 (~~of community, trade, and economic development~~), all state agencies,
12 federal agencies, and state-wide associations that make a significant
13 financial contribution to the rural development council shall be ex
14 officio members. In particular, state agencies serving rural areas,
15 including the departments of agriculture, fish and wildlife, ecology,
16 employment security, health, natural resources, social and health
17 services, and transportation, and the utilities and transportation
18 commission, are encouraged to contribute financially. Financial
19 contributions from state agencies along with those from the private
20 sector and state-wide associations will enable the rural development
21 council to leverage federal funds at a three-to-one ratio annually.

22 (2) This section expires June 30, 2003.

23 **Sec. 223.** RCW 43.31.960 and 1995 c 399 s 72 are each amended to
24 read as follows:

25 The principal proceeds from the sale of the bonds authorized in RCW
26 43.31.956 shall be administered by the director (~~of community, trade,~~
27 ~~and economic development~~)).

28 NEW SECTION. **Sec. 224.** In order to extend its services and
29 programs, the department may charge reasonable fees for services and
30 products provided in the areas of financial assistance, international
31 trade, economic development, and other service delivery areas, except
32 as otherwise provided. These fees are not intended to exceed the costs
33 of providing the service or preparing and distributing the product.

34 NEW SECTION. **Sec. 225.** The economic development fee account is
35 created in the state treasury. The department may create subaccounts

1 as necessary. The account consists of all receipts from fees charged
2 by the department under RCW 43.210.110. Expenditures from the account
3 may be used only for the purposes of this chapter. Only the director
4 or the director's designee may authorize expenditures from the account.
5 Expenditures from the account may be spent only after appropriation.

6 NEW SECTION. **Sec. 226.** The fees authorized under RCW 70.95H.040
7 shall be adopted by rule pursuant to chapter 34.05 RCW.

8 NEW SECTION. **Sec. 227.** RCW 43.31.800 (State international trade
9 fairs--"Director" defined) and 1993 c 280 s 52, 1987 c 195 s 4, & 1965
10 c 148 s 2 are each repealed.

11 NEW SECTION. **Sec. 228.** The following sections are each recodified
12 as new sections in chapter 43.31 RCW:

- 13 RCW 43.63A.075
- 14 RCW 43.63A.230
- 15 RCW 43.63A.700
- 16 RCW 43.63A.710
- 17 RCW 43.63A.715
- 18 RCW 43.330.060
- 19 RCW 43.330.065
- 20 RCW 43.330.080
- 21 RCW 43.330.090
- 22 RCW 43.330.092
- 23 RCW 43.330.094
- 24 RCW 43.330.095
- 25 RCW 43.330.096
- 26 RCW 43.63A.690
- 27 RCW 43.330.904

28 **PART III**

29 **REFERENCES TO DEPARTMENT OF**
30 **TRADE AND ECONOMIC DEVELOPMENT**

31 **Sec. 301.** RCW 43.17.065 and 1995 c 226 s 24 are each amended to
32 read as follows:

33 (1) Where power is vested in a department to issue permits,
34 licenses, certifications, contracts, grants, or otherwise authorize

1 action on the part of individuals, businesses, local governments, or
2 public or private organizations, such power shall be exercised in an
3 expeditious manner. All departments with such power shall cooperate
4 with officials of the (~~business assistance center of the~~) department
5 of (~~community,~~) trade(~~(,)~~) and economic development, and any other
6 state officials, when such officials request timely action on the part
7 of the issuing department.

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

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

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

18 (3) The agency rural community assistance task force established in
19 RCW 43.31.621 shall oversee implementation of this section.

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

22 **Sec. 302.** RCW 19.02.050 and 1997 c 391 s 11 are each amended to
23 read as follows:

24 The legislature hereby directs the full participation by the
25 following agencies in the implementation of this chapter:

26 (1) Department of agriculture;

27 (2) Secretary of state;

28 (3) Department of social and health services;

29 (4) Department of revenue;

30 (5) Department of fish and wildlife;

31 (6) Department of employment security;

32 (7) Department of labor and industries;

33 (8) Department of (~~community,~~) trade(~~(,)~~) and economic
34 development;

35 (9) Liquor control board;

36 (10) Department of health;

37 (11) Department of licensing;

38 (12) Parks and recreation commission;

- 1 (13) Utilities and transportation commission; and
2 (14) Other agencies as determined by the governor.

3 **Sec. 303.** RCW 24.46.010 and 1995 c 399 s 12 are each amended to
4 read as follows:

5 It is the finding of the legislature that foreign trade zones serve
6 an important public purpose by the creation of employment opportunities
7 within the state and that the establishment of zones designed to
8 accomplish this purpose is to be encouraged. It is the further intent
9 of the legislature that the department of ((community₇)) trade((₇)) and
10 economic development provide assistance to entities planning to apply
11 to the United States for permission to establish such zones.

12 **Sec. 304.** RCW 28B.20.283 and 1995 c 399 s 25 are each amended to
13 read as follows:

14 The legislature finds that the development and commercialization of
15 new technology is a vital part of economic development.

16 The legislature also finds that it is in the interests of the state
17 of Washington to provide a mechanism to transfer and apply research and
18 technology developed at the institutions of higher education to the
19 private sector in order to create new products and technologies which
20 provide job opportunities in advanced technology for the citizens of
21 this state.

22 It is the intent of the legislature that the University of
23 Washington, the Washington State University, and the department of
24 ((community₇)) trade((₇)) and economic development work cooperatively
25 with the private sector in the development and implementation of a
26 world class technology transfer program.

27 **Sec. 305.** RCW 28B.20.289 and 1995 c 399 s 26 are each amended to
28 read as follows:

29 (1) The technology center shall be administered by the board of
30 directors of the technology center.

31 (2) The board shall consist of the following members: Fourteen
32 members from among individuals who are associated with or employed by
33 technology-based industries and have broad business experience and an
34 understanding of high technology; eight members from the state's
35 universities with graduate science and engineering programs; the
36 executive director of the Spokane Intercollegiate Research and

1 Technology Institute or his or her designated representative; the
2 provost of the University of Washington or his or her designated
3 representative; the provost of the Washington State University or his
4 or her designated representative; and the director of the department of
5 ((community_)) trade((_)) and economic development or his or her
6 designated representative. The term of office for each board member,
7 excluding the executive director of the Spokane Intercollegiate
8 Research and Technology Institute, the provost of the University of
9 Washington, the provost of the Washington State University, and the
10 director of the department of ((community_)) trade((_)) and economic
11 development, shall be three years. The executive director of the
12 technology center shall be an ex officio, nonvoting member of the
13 board. The board shall meet at least quarterly. Board members shall
14 be appointed by the governor based on the recommendations of the
15 existing board of the technology center, and the research universities.
16 The governor shall stagger the terms of the first group of appointees
17 to ensure the long term continuity of the board.

18 (3) The duties of the board include:

19 (a) Developing the general operating policies for the technology
20 center;

21 (b) Appointing the executive director of the technology center;

22 (c) Approving the annual operating budget of the technology center;

23 (d) Establishing priorities for the selection and funding of
24 research projects that guarantee the greatest potential return on the
25 state's investment;

26 (e) Approving and allocating funding for research projects
27 conducted by the technology center, based on the recommendations of the
28 advisory committees for each of the research centers;

29 (f) In cooperation with the department of ((community_)) trade((_))
30 and economic development, developing a biennial work plan and five-year
31 strategic plan for the technology center that are consistent with the
32 state-wide technology development and commercialization goals;

33 (g) Coordinating with the University of Washington, Washington
34 State University, and other participating institutions of higher
35 education in the development of training, research, and development
36 programs to be conducted at the technology center that shall be
37 targeted to meet industrial needs;

38 (h) Assisting the department of ((community_)) trade((_)) and
39 economic development in the department's efforts to develop state

1 science and technology public policies and coordinate publicly funded
2 programs;

3 (i) Reviewing annual progress reports on funded research projects
4 that are prepared by the advisory committees for each of the research
5 centers;

6 (j) Providing an annual report to the governor and the legislature
7 detailing the activities and performance of the technology center; and

8 (k) Submitting annually to the department of community, trade, and
9 economic development an updated strategic plan and a statement of
10 performance measured against the mission, roles, and contractual
11 obligations of the technology center.

12 **Sec. 306.** RCW 28B.20.293 and 1995 c 399 s 27 are each amended to
13 read as follows:

14 The department of ((community,)) trade((,)) and economic
15 development shall contract with the University of Washington for the
16 expenditure of state-appropriated funds for the operation of the
17 Washington technology center. The department of ((community,))
18 trade((,)) and economic development shall provide guidance to the
19 technology center regarding expenditure of state-appropriated funds and
20 the development of the center's strategic plan. The director of the
21 department of ((community,)) trade((,)) and economic development shall
22 not withhold funds appropriated for the technology center if the
23 technology center complies with the provisions of its contract with the
24 department of ((community,)) trade((,)) and economic development. The
25 department shall be responsible to the legislature for the contractual
26 performance of the center.

27 **Sec. 307.** RCW 28B.30.537 and 1998 c 245 s 20 are each amended to
28 read as follows:

29 The IMPACT center shall:

30 (1) Coordinate the teaching, research, and extension expertise of
31 the college of agriculture and home economics at Washington State
32 University to assist in:

33 (a) The design and development of information and strategies to
34 expand the long-term international markets for Washington agricultural
35 products; and

1 (b) The dissemination of such information and strategies to
2 Washington exporters, overseas users, and public and private trade
3 organizations;

4 (2) Research and identify current impediments to increased exports
5 of Washington agricultural products, and determine methods of
6 surmounting those impediments and opportunities for exporting new
7 agricultural products and commodities to foreign markets;

8 (3) Prepare curricula to present and distribute information
9 concerning international trade in agricultural commodities and products
10 to students, exporters, international traders, and the public;

11 (4) Provide high-quality research and graduate education and
12 professional nondegree training in international trade in agricultural
13 commodities in cooperation with other existing programs;

14 (5) Ensure that activities of the center adequately reflect the
15 objectives for the state's agricultural market development programs
16 established by the department of agriculture as the lead state agency
17 for such programs under chapter 43.23 RCW; and

18 (6) Link itself through cooperative agreements with the center for
19 international trade in forest products at the University of Washington,
20 the state department of agriculture, the department of ((community,))
21 trade((,)) and economic development, Washington's agriculture
22 businesses and associations, and other state agency data collection,
23 processing, and dissemination efforts.

24 **Sec. 308.** RCW 28B.50.262 and 1995 c 226 s 19 are each amended to
25 read as follows:

26 The state board for community and technical colleges shall develop,
27 in conjunction with the center for international trade in forest
28 products, the Washington State University wood materials and
29 engineering laboratory, and the department of ((community,)) trade((,))
30 and economic development, a competency-based technical degree program
31 in wood product manufacturing and wood technology and make it available
32 in every college district that serves a rural natural resources impact
33 area.

34 **Sec. 309.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to
35 read as follows:

36 (1) The Washington high-technology coordinating board is hereby
37 created.

1 (2) The board shall be composed of eighteen members as follows:

2 (a) Eleven shall be citizen members appointed by the governor, with
3 the consent of the senate, for four-year terms. In making the
4 appointments the governor shall ensure that a balanced geographic
5 representation of the state is achieved and shall attempt to choose
6 persons experienced in high-technology fields, including at least one
7 representative of labor. Any person appointed to fill a vacancy
8 occurring before a term expires shall be appointed only for the
9 remainder of that term; and

10 (b) Seven of the members shall be as follows: One representative
11 from each of the state's two research universities, one representative
12 of the state college and regional universities, the director for the
13 state system of community and technical colleges or the director's
14 designee, the superintendent of public instruction or the
15 superintendent's designee, a representative of the higher education
16 coordinating board, and the director of the department of
17 ((community,)) trade((,)) and economic development or the director's
18 designee.

19 (3) Members of the board shall not receive any salary for their
20 services, but shall be reimbursed for travel expenses under RCW
21 43.03.050 and 43.03.060 for each day actually spent in attending to
22 duties as a member of the board.

23 (4) A citizen member of the board shall not be, during the term of
24 office, a member of the governing board of any public or private
25 educational institution, or an employee of any state or local agency.

26 **Sec. 310.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
27 read as follows:

28 (1) The board shall oversee, coordinate, and evaluate the high-
29 technology programs.

30 (2) The board shall:

31 (a) Determine the specific high-technology occupational fields in
32 which technical training is needed and advise the institutions of
33 higher education and the higher education coordinating board on their
34 findings;

35 (b) Identify economic areas and high-technology industries in need
36 of technical training and research and development critical to economic
37 development and advise the institutions of higher education and the
38 higher education coordinating board on their findings;

1 (c) Oversee and coordinate the Washington high-technology education
2 and training program to ensure high standards, efficiency, and
3 effectiveness;

4 (d) Work cooperatively with the superintendent of public
5 instruction to identify the skills prerequisite to the high-technology
6 programs in the institutions of higher education;

7 (e) Work cooperatively with and provide any information or advice
8 which may be requested by the higher education coordinating board
9 during the board's review of new baccalaureate degree program proposals
10 which are submitted under this chapter. Nothing in this chapter shall
11 be construed as altering or superseding the powers or prerogatives of
12 the higher education coordinating board over the review of new degree
13 programs as established in (~~section 6(2) of this 1985 act~~) RCW
14 28B.80.340;

15 (f) Work cooperatively with the department of (~~community~~)
16 trade(~~(7)~~) and economic development to identify the high-technology
17 education and training needs of existing Washington businesses and
18 businesses with the potential to locate in Washington;

19 (g) Work towards increasing private sector participation and
20 contributions in Washington high-technology programs;

21 (h) Identify and evaluate the effectiveness of state sponsored
22 research related to high technology; and

23 (i) Establish and maintain a plan, including priorities, to guide
24 high-technology program development in public institutions of higher
25 education, which plan shall include an assessment of current high-
26 technology programs, steps to increase existing programs, new
27 initiatives and programs necessary to promote high technology, and
28 methods to coordinate and target high-technology programs to changing
29 market opportunities in business and industry.

30 (3) The board may adopt rules under chapter 34.05 RCW as it deems
31 necessary to carry out the purposes of this chapter.

32 (4) The board shall cease to exist on June 30, 1987, unless
33 extended by law for an additional fixed period of time.

34 **Sec. 311.** RCW 28B.65.060 and 1995 c 399 s 31 are each amended to
35 read as follows:

36 Staff support for the high-technology coordinating board shall be
37 provided by the department of (~~community~~) trade(~~(7)~~) and economic
38 development.

1 **Sec. 312.** RCW 28B.109.020 and 1996 c 253 s 402 are each amended to
2 read as follows:

3 The Washington international exchange scholarship program is
4 created subject to funding under RCW 28B.109.060. The program shall be
5 administered by the board. In administering the program, the board
6 may:

7 (1) Convene an advisory committee that may include but need not be
8 limited to representatives of the office of the superintendent of
9 public instruction, the department of ((community₇)) trade((₇)) and
10 economic development, the secretary of state, private business, and
11 institutions of higher education;

12 (2) Select students to receive the scholarship with the assistance
13 of a screening committee composed of leaders in business, international
14 trade, and education;

15 (3) Adopt necessary rules and guidelines including rules for
16 disbursing scholarship funds to participants;

17 (4) Publicize the program;

18 (5) Solicit and accept grants and donations from public and private
19 sources for the program;

20 (6) Establish and notify participants of service obligations; and

21 (7) Establish a formula for selecting the countries from which
22 participants may be selected in consultation with the department of
23 ((community₇)) trade((₇)) and economic development.

24 **Sec. 313.** RCW 28C.04.440 and 1995 c 399 s 32 are each amended to
25 read as follows:

26 The department of ((community₇)) trade((₇)) and economic
27 development and the employment security department shall each enter
28 into an interagency agreement with the commission on vocational
29 education to establish cooperative working arrangements for the
30 purposes of RCW 28C.04.410 through 28C.04.480.

31 **Sec. 314.** RCW 28C.04.460 and 1995 c 399 s 33 are each amended to
32 read as follows:

33 The department of ((community₇)) trade((₇)) and economic
34 development or its successor shall for the purposes of RCW 28C.04.410
35 through 28C.04.480:

1 (1) Work cooperatively with the commission on vocational education
2 to market the job skills program to business and economic development
3 agencies and other firms;

4 (2) Recruit industries from outside the state to participate in the
5 job skills training program; and

6 (3) Refer business and industry interested in developing a job
7 skills training program to the commission on vocational education.

8 **Sec. 315.** RCW 28C.18.060 and 1996 c 99 s 4 are each amended to
9 read as follows:

10 The board, in cooperation with the operating agencies of the state
11 training system and private career schools and colleges shall:

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

15 (2) Advocate for the state training system and for meeting the
16 needs of employers and the work force for work force education and
17 training.

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

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

1 in formal surveys and other input from program participants and the
2 labor community.

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

9 (6) Provide for coordination among the different operating agencies
10 and components of the state training system at the state level and at
11 the regional level.

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

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

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

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

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

34 (11) In cooperation with the employment security department,
35 provide for the improvement and maintenance of quality and utility in
36 occupational information and forecasts for use in training system
37 planning and evaluation. Improvements shall include, but not be
38 limited to, development of state-based occupational change factors
39 involving input by employers and employees, and delineation of skill

1 and training requirements by education level associated with current
2 and forecasted occupations.

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

6 (13) Provide for effectiveness and efficiency reviews of the state
7 training system.

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

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

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

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

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

32 (19) Facilitate the location of support services, including but not
33 limited to, child care, financial aid, career counseling, and job
34 placement services, for students and trainees at institutions in the
35 state training system, and advocate for support services for trainees
36 and students in the state training system.

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

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

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

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

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

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

18 (26) Work with the director of ((community~~7~~)) trade((~~7~~)) and
19 economic development to ensure coordination between work force training
20 priorities and that department's economic development efforts.

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

22 The board may delegate to the director any of the functions of this
23 section.

24 **Sec. 316.** RCW 36.01.120 and 1995 c 399 s 40 are each amended to
25 read as follows:

26 It is the finding of the legislature that foreign trade zones serve
27 an important public purpose by the creation of employment opportunities
28 within the state and that the establishment of zones designed to
29 accomplish this purpose is to be encouraged. It is the further intent
30 of the legislature that the department of ((community~~7~~)) trade((~~7~~)) and
31 economic development provide assistance to entities planning to apply
32 to the United States for permission to establish such zones.

33 **Sec. 317.** RCW 36.110.030 and 1995 c 399 s 45 are each amended to
34 read as follows:

35 A state-wide jail industries board of directors is established.
36 The board shall consist of the following members:

1 (1) One sheriff and one police chief, to be selected by the
2 Washington association of sheriffs and police chiefs;

3 (2) One county commissioner or one county councilmember to be
4 selected by the Washington state association of counties;

5 (3) One city official to be selected by the association of
6 Washington cities;

7 (4) Two jail administrators to be selected by the Washington state
8 jail association, one of whom shall be from a county or a city with an
9 established jail industries program;

10 (5) One prosecuting attorney to be selected by the Washington
11 association of prosecuting attorneys;

12 (6) One administrator from a city or county corrections department
13 to be selected by the Washington correctional association;

14 (7) One county clerk to be selected by the Washington association
15 of county clerks;

16 (8) Three representatives from labor to be selected by the
17 governor. The representatives may be chosen from a list of nominations
18 provided by state-wide labor organizations representing a cross-section
19 of trade organizations;

20 (9) Three representatives from business to be selected by the
21 governor. The representatives may be chosen from a list of nominations
22 provided by state-wide business organizations representing a cross-
23 section of businesses, industries, and all sizes of employers;

24 (10) The governor's representative from the employment security
25 department;

26 (11) One member representing crime victims, to be selected by the
27 governor;

28 (12) One member representing on-line law enforcement officers, to
29 be selected by the governor;

30 (13) One member from the department of ((community,)) trade((,))
31 and economic development to be selected by the governor;

32 (14) One member representing higher education, vocational
33 education, or adult basic education to be selected by the governor; and

34 (15) The governor's representative from the correctional industries
35 division of the state department of corrections shall be an ex officio
36 member for the purpose of coordination and cooperation between prison
37 and jail industries and to further a positive relationship between
38 state and local government offender programs.

1 **Sec. 318.** RCW 43.07.360 and 1996 c 253 s 301 are each amended to
2 read as follows:

3 (1) The legislature finds that knowledge of international exchange
4 students who have studied in Washington state institutions of higher
5 education, especially those from key trading partner countries, and
6 knowledge of Washington state students, interns, and citizens working
7 and studying abroad, is critical to the ability of Washington
8 businesses and citizens to establish contacts and networks in the
9 competitive world market.

10 (2) The legislature also finds that knowledge of worldwide business
11 contacts, government contacts, cultural contacts, and international
12 friends is critical to building a solid network of opportunities for
13 developing trade relations for our state.

14 (3) The secretary of state may develop and maintain a data base, to
15 be known as the international contact data base, listing, in addition
16 to any other information: (a) Washington students, interns, and
17 citizens working and studying overseas; (b) international students who
18 have studied at Washington educational institutions; (c) exchange
19 opportunities for Washington residents wishing to participate in
20 education, internships, or technical assistance programs in the areas
21 of agriculture, hydroelectric power, aerospace, computers and
22 technology, academics, medicine, and communications; (d) international
23 business contacts of those people interested in doing business with
24 Washington business; and (e) international government contacts,
25 particularly with our key trading partners.

26 The data base may be designed to be used as a resource for
27 Washington citizens, businesses, and other entities seeking contacts in
28 international trade markets overseas.

29 (4) The department of ((community,)) trade((,)) and economic
30 development, the department of agriculture, and the governor's office
31 of protocol may assist the secretary of state in designing and
32 developing the data base and in obtaining data for inclusion in the
33 data base. Four-year educational institutions and their alumni
34 associations are encouraged to maintain data concerning students
35 studying or working abroad, international students attending their
36 institutions, and exchange opportunities available to their students
37 and other citizens, and to make such data freely available to the
38 secretary of state for inclusion in the data base.

1 (5) The information contained in the data base may be made
2 available on request for inspection or copying for free or at cost.
3 The secretary of state shall not distinguish among persons requesting
4 information from the data base, though the secretary of state may
5 request information from requesters for purposes of monitoring trade
6 contacts and evaluating the uses and effectiveness of the data base.

7 (6) Any person listed in the data base may request in writing that
8 his or her name, address, telephone number, or other identifying
9 information be omitted from the data base. Nothing in this section
10 prohibits the secretary of state from refusing to disclose information
11 exempt from disclosure under RCW 42.17.310.

12 **Sec. 319.** RCW 43.21A.510 and 1995 c 399 s 66 are each amended to
13 read as follows:

14 In order to assist the department of ((community)) trade(()) and
15 economic development in providing information to businesses interested
16 in locating in Washington state, the department shall develop an
17 environmental profile of the state. This profile shall identify the
18 state's natural resources and describe how these assets are valuable to
19 industry. Examples of information to be included are water resources
20 and quality, air quality, and recreational opportunities related to
21 natural resources.

22 **Sec. 320.** RCW 43.21A.515 and 1995 c 399 s 67 are each amended to
23 read as follows:

24 In order to emphasize the importance of the state's environmental
25 laws and regulations and to facilitate compliance with them, the
26 department of ecology shall provide assistance to businesses interested
27 in locating in Washington state. When the department of ((community))
28 trade(()) and economic development receives a query from an interested
29 business through its industrial marketing activities, it shall arrange
30 for the department of ecology to provide information on the state's
31 environmental laws and regulations and methods of compliance. This
32 section shall facilitate compliance with state environmental laws and
33 regulations and shall not weaken their application or effectiveness.

34 **Sec. 321.** RCW 43.21A.612 and 1995 c 399 s 68 are each amended to
35 read as follows:

1 Before the director shall construct said steam generating facility
2 within the state, or make application for any permit, license or other
3 right necessary thereto, the director shall give notice thereof by
4 publishing once a week for four consecutive weeks in a newspaper of
5 general circulation in the county or counties in which such project is
6 located a statement of intention setting forth the general nature,
7 extent and location of the project. If any public utility in the state
8 or any operating agency desires to construct such facility, such
9 utility or operating agency shall notify the director thereof within
10 ten days after the last date of publication of such notice. If the
11 director determines that it is in the best public interest that the
12 director proceed with such construction rather than the public utility
13 or operating agency, the director shall so notify the director of
14 ((community,)) trade((,)) and economic development, who shall set a
15 date for hearing thereon. If after considering the evidence introduced
16 the director of ((community,)) trade((,)) and economic development
17 finds that the public utility or operating agency making the request
18 intends to immediately proceed with such construction and is
19 financially capable of carrying out such construction and further finds
20 that the plan of such utility or operating agency is equally well
21 adapted to serve the public interest, the director shall enter an order
22 so finding and such order shall divest the director of authority to
23 proceed further with such construction or acquisition until such time
24 as the other public utility or agency voluntarily causes an assignment
25 of its right or interest in the project to the director or fails to
26 procure any further required governmental permit, license or authority
27 or having procured such, has the same revoked or withdrawn, in
28 accordance with the laws and regulations of such governmental entity,
29 in which event the director shall have the same authority to proceed as
30 though the director had originally entered an order so authorizing the
31 director to proceed. If, after considering the evidence introduced,
32 the director of ((community,)) trade((,)) and economic development
33 finds that the public utility or agency making the request does not
34 intend to immediately proceed with such construction or acquisition or
35 is not financially capable of carrying out such construction or
36 acquisition, or finds that the plan of such utility or operating agency
37 is not equally well adapted to serve the public interest, the director
38 shall then enter an order so finding and authorizing the director to
39 proceed with the construction or acquisition of the facility.

1 **Sec. 322.** RCW 43.23.035 and 1995 c 399 s 70 are each amended to
2 read as follows:

3 The department of agriculture is hereby designated as the agency of
4 state government for the administration and implementation of state
5 agricultural market development programs and activities, both domestic
6 and foreign, and shall, in addition to the powers and duties otherwise
7 imposed by law, have the following powers and duties:

8 (1) To study the potential marketability of various agricultural
9 commodities of this state in foreign and domestic trade;

10 (2) To collect, prepare, and analyze foreign and domestic market
11 data;

12 (3) To establish a program to promote and assist in the marketing
13 of Washington-bred horses: PROVIDED, That the department shall present
14 a proposal to the legislature no later than December 1, 1986, that
15 provides for the elimination of all state funding for the program after
16 June 30, 1989;

17 (4) To encourage and promote the sale of Washington's agricultural
18 commodities and products at the site of their production through the
19 development and dissemination of referral maps and other means;

20 (5) To encourage and promote those agricultural industries, such as
21 the wine industry, which attract visitors to rural areas in which other
22 agricultural commodities and products are produced and are, or could
23 be, made available for sale;

24 (6) To encourage and promote the establishment and use of public
25 markets in this state for the sale of Washington's agricultural
26 products;

27 (7) To maintain close contact with foreign firms and governmental
28 agencies and to act as an effective intermediary between foreign
29 nations and Washington traders;

30 (8) To publish and disseminate to interested citizens and others
31 information which will aid in carrying out the purposes of chapters
32 43.23, 15.64, 15.65, and 15.66 RCW;

33 (9) To encourage and promote the movement of foreign and domestic
34 agricultural goods through the ports of Washington;

35 (10) To conduct an active program by sending representatives to, or
36 engaging representatives in, foreign countries to promote the state's
37 agricultural commodities and products;

1 (11) To assist and to make Washington agricultural concerns more
2 aware of the potentials of foreign trade and to encourage production of
3 those commodities that will have high export potential and appeal;

4 (12) To coordinate the trade promotional activities of appropriate
5 federal, state, and local public agencies, as well as civic
6 organizations; and

7 (13) To develop a coordinated marketing program with the department
8 of ((community,)) trade((,)) and economic development, utilizing
9 existing trade offices and participating in mutual trade missions and
10 activities.

11 As used in this section, "agricultural commodities" includes
12 products of both terrestrial and aquatic farming.

13 **Sec. 323.** RCW 43.160.020 and 1997 c 367 s 8 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) "Board" means the community economic revitalization board.

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

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

23 (4) "Financial institution" means any bank, savings and loan
24 association, credit union, development credit corporation, insurance
25 company, investment company, trust company, savings institution, or
26 other financial institution approved by the board and maintaining an
27 office in the state.

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

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

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

36 (8) "Sponsor" means any of the following entities which customarily
37 provide service or otherwise aid in industrial or other financing and
38 are approved as a sponsor by the board: A bank, trust company, savings

1 bank, investment bank, national banking association, savings and loan
2 association, building and loan association, credit union, insurance
3 company, or any other financial institution, governmental agency, or
4 holding company of any entity specified in this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 eligibility purposes. For the purpose of this definition, a zip code
2 delivery area of which any part is ten miles or more from an urbanized
3 area is considered nonurbanized. A zip code totally surrounded by zip
4 codes qualifying as nonurbanized under this definition is also
5 considered nonurbanized. The office of financial management shall make
6 available a zip code listing of the areas to all agencies and
7 organizations providing services under this chapter.

8 **Sec. 324.** RCW 43.160.115 and 1995 c 399 s 87 are each amended to
9 read as follows:

10 In addition to its powers and duties under this chapter, the
11 community economic revitalization board shall cooperate with the
12 (~~Washington state development loan fund committee~~) department in
13 order to provide for coordination of their very similar programs.
14 Under this chapter, it is the duty of the department (~~of community,~~
15 ~~trade, and economic development and the board~~) to financially assist
16 the committee to the extent required by law. (~~Funds appropriated to~~
17 ~~the board or the department of community, trade, and economic~~
18 ~~development for the use of the board shall be transferred to the~~
19 ~~department of community, trade, and economic development to the extent~~
20 ~~required by law.~~)

21 **Sec. 325.** RCW 43.160.180 and 1995 c 399 s 88 are each amended to
22 read as follows:

23 (1) There is hereby created the private activity bond subcommittee
24 of the board.

25 (2) The subcommittee shall be primarily responsible for reviewing
26 and making recommendations to the board on requests for certification
27 and allocation pursuant to the provisions of chapter 39.86 RCW and as
28 authorized by rules adopted by the board.

29 (3) The subcommittee shall consist of the following members: Six
30 members of the board including: (a) The chair; (b) the county
31 official; (c) the city official; (d) the port district official; (e) a
32 legislator, appointed by the chair; and (f) the representative of the
33 public. The members' terms shall coincide with their terms of
34 appointment to the board.

35 (4) Staff support to the subcommittee shall be provided by the
36 department (~~of community, trade, and economic development~~).

1 (5) Members of the subcommittee shall receive no compensation but
2 shall be reimbursed for travel expenses under RCW 43.03.050 and
3 43.03.060.

4 (6) If a vacancy on the subcommittee occurs by death, resignation,
5 failure to hold the office from which the member was appointed, or
6 otherwise, the vacancy shall be filled through the procedures specified
7 for filling the corresponding vacancy on the board.

8 **Sec. 326.** RCW 43.163.020 and 1995 c 399 s 89 are each amended to
9 read as follows:

10 The Washington economic development finance authority is
11 established as a public body corporate and politic, with perpetual
12 corporate succession, constituting an instrumentality of the state of
13 Washington exercising essential governmental functions. The authority
14 is a public body within the meaning of RCW 39.53.010.

15 The authority shall consist of eighteen (~~(seventeen)~~) members as
16 follows: The director of the department of (~~community,~~) trade(~~(7)~~)
17 and economic development, the director of the department of community
18 development, the director of the department of agriculture, the state
19 treasurer, one member from each caucus in the house of representatives
20 appointed by the speaker of the house, one member from each caucus in
21 the senate appointed by the president of the senate, and ten public
22 members with one representative of women-owned businesses and one
23 representative of minority-owned businesses and with at least three of
24 the members residing east of the Cascades. The public members shall be
25 residents of the state appointed by the governor on the basis of their
26 interest or expertise in trade, agriculture or business finance or jobs
27 creation and development. One of the public members shall be appointed
28 by the governor as chair of the authority and shall serve as chair of
29 the authority at the pleasure of the governor. The authority may
30 select from its membership such other officers as it deems appropriate.

31 The term of the persons appointed by the governor as public members
32 of the authority, including the public member appointed as chair, shall
33 be four years from the date of appointment, except that the term of
34 three of the initial appointees shall be for two years from the date of
35 appointment and the term of four of the initial appointees shall be for
36 three years from the date of appointment. The governor shall designate
37 the appointees who will serve the two-year and three-year terms.

1 In the event of a vacancy on the authority due to death,
2 resignation or removal of one of the public members, or upon the
3 expiration of the term of one of the public members, the governor shall
4 appoint a successor for the remainder of the unexpired term. If either
5 of the state offices is abolished, the resulting vacancy on the
6 authority shall be filled by the state officer who shall succeed
7 substantially to the power and duties of the abolished office.

8 Any public member of the authority may be removed by the governor
9 for misfeasance, malfeasance or willful neglect of duty after notice
10 and a public hearing, unless such notice and hearing shall be expressly
11 waived in writing by the affected public member.

12 The state officials serving in ex officio capacity may each
13 designate an employee of their respective departments to act on their
14 behalf in all respects with regard to any matter to come before the
15 authority. Such designations shall be made in writing in such manner
16 as is specified by the rules of the authority.

17 The members of the authority shall serve without compensation but
18 shall be entitled to reimbursement, solely from the funds of the
19 authority, for expenses incurred in the discharge of their duties under
20 this chapter. The authority may borrow funds from the department for
21 the purpose of reimbursing members for expenses; however, the authority
22 shall repay the department as soon as practicable.

23 A majority of the authority shall constitute a quorum.

24 **Sec. 327.** RCW 43.163.120 and 1998 c 245 s 51 are each amended to
25 read as follows:

26 The authority shall receive no appropriation of state funds. The
27 department of ((community₇)) trade((₇)) and economic development shall
28 provide staff to the authority, to the extent permitted by law, to
29 enable the authority to accomplish its purposes; the staff from the
30 department of ((community₇)) trade((₇)) and economic development may
31 assist the authority in organizing itself and in designing programs,
32 but shall not be involved in the issuance of bonds or in making credit
33 decisions regarding financing provided to borrowers by the authority.

34 **Sec. 328.** RCW 43.168.020 and 1996 c 290 s 3 are each amended to
35 read as follows:

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

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

3 ~~(2))~~ "Department" means the department of (~~(community,~~)
4 ~~trade((~~7~~)) and economic development.~~

5 ~~((3))~~ (2) "Director" means the director of (~~(community,~~)
6 ~~trade((~~7~~)) and economic development.~~

7 ~~((4))~~ (3) "Distressed area" means: (a) A county which has an
8 unemployment rate which is twenty percent above the state average for
9 the immediately previous three years; (b) a county that has a median
10 household income that is less than seventy-five percent of the state
11 median household income for the previous three years; (c) a
12 metropolitan statistical area, as defined by the office of federal
13 statistical policy and standards, United States department of commerce,
14 in which the average level of unemployment for the calendar year
15 immediately preceding the year in which an application is filed under
16 this chapter exceeds the average state unemployment for such calendar
17 year by twenty percent; (d) an area within a county, which area: (i)
18 Is composed of contiguous census tracts; (ii) has a minimum population
19 of five thousand persons; (iii) has at least seventy percent of its
20 families and unrelated individuals with incomes below eighty percent of
21 the county's median income for families and unrelated individuals; and
22 (iv) has an unemployment rate which is at least forty percent higher
23 than the county's unemployment rate; or (e) a county designated as a
24 rural natural resources impact area under RCW 43.31.601 if an
25 application is filed by July 1, 1997. For purposes of this definition,
26 "families and unrelated individuals" has the same meaning that is
27 ascribed to that term by the federal department of housing and urban
28 development in its regulations authorizing action grants for economic
29 development and neighborhood revitalization projects.

30 ~~((5))~~ (4) "Fund" means the Washington state development loan
31 fund.

32 ~~((6))~~ (5) "Local development organization" means a nonprofit
33 organization which is organized to operate within an area, demonstrates
34 a commitment to a long-standing effort for an economic development
35 program, and makes a demonstrable effort to assist in the employment of
36 unemployed or underemployed residents in an area.

37 ~~((7))~~ (6) "Project" means the establishment of a new or expanded
38 business in an area which when completed will provide employment
39 opportunities. "Project" also means the retention of an existing

1 business in an area which when completed will provide employment
2 opportunities.

3 **Sec. 329.** RCW 43.168.031 and 1995 c 399 s 92 are each amended to
4 read as follows:

5 The Washington state development loan fund committee shall be
6 terminated on June 30, 1994, and its powers and duties transferred to
7 the director of the department of ((community~~7~~)) trade((~~7~~)) and
8 economic development.

9 **Sec. 330.** RCW 43.170.020 and 1995 c 399 s 93 are each amended to
10 read as follows:

11 Unless the context clearly requires otherwise, the definitions in
12 this section apply throughout this chapter.

13 (1) "Department" means the department of ((community~~7~~)) trade((~~7~~))
14 and economic development.

15 (2) "Director" means the director of ((community~~7~~)) trade((~~7~~)) and
16 economic development.

17 (3) "Program" means the small business innovators' opportunity
18 program.

19 (4) "Inventor" or "innovator" means one who thinks of, imagines, or
20 creates something new which may result in a device, contrivance, or
21 process for the first time, through the use of the imagination or
22 ingenious thinking and experimentation.

23 (5) "Proposal" means a plan provided by an inventor or innovator on
24 an idea for an invention or an improvement.

25 (6) "Higher education" means any university, college, community
26 college, or technical institute in this state.

27 **Sec. 331.** RCW 43.172.011 and 1995 c 399 s 96 are each amended to
28 read as follows:

29 Unless the context clearly requires otherwise, the definitions in
30 this section apply throughout RCW 43.172.020 through 43.172.110.

31 (1) "Approved surety company" means a surety company approved by
32 the department for participation in providing direct bonding assistance
33 to qualified contractors.

34 (2) "Bond" means any bond or security required for bid, payment, or
35 performance of contracts.

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

3 (4) "Program" means the Washington state small business bonding
4 assistance program provided for in this chapter.

5 (5) "Qualified contractor" means any resident minority business
6 enterprise or women's business enterprise, as determined by the
7 department to be consistent with the requirements of chapter 39.19 RCW
8 and engaged in the contracting business, which has obtained a
9 certificate of accreditation from the Washington state small business
10 bonding assistance program.

11 **Sec. 332.** RCW 43.210.030 and 1998 c 109 s 2 are each amended to
12 read as follows:

13 The small business export finance assistance center and its
14 branches shall be governed and managed by a board of seven directors
15 appointed by the governor, with the advice of the board, and confirmed
16 by the senate. The directors shall serve terms of four years following
17 the terms of service established by the initial appointments after June
18 11, 1998. Three appointees, including directors on June 11, 1998, who
19 are reappointed, must serve initial terms of two years and, if a
20 director is reappointed that director may serve a consecutive four-year
21 term. Four appointees, including directors on June 11, 1998, who are
22 reappointed, must serve initial terms of four years and, if a director
23 is reappointed that director may serve a consecutive four-year term.
24 After the initial appointments, directors may serve two consecutive
25 terms. The directors may provide for the payment of their expenses.
26 The directors shall include the director of ((community,)) trade((,))
27 and economic development or the director's designee; representatives of
28 a large financial institution engaged in financing export transactions
29 in the state of Washington; a small financial institution engaged in
30 financing export transactions in the state of Washington; a large
31 exporting company domiciled in the state of Washington; a small
32 exporting company in the state of Washington; organized labor in a
33 trade involved in international commerce; and a representative at
34 large. To the extent possible, appointments to the board shall reflect
35 geographical balance and the diversity of the state population. Any
36 vacancies on the board due to the expiration of a term or for any other
37 reason shall be filled by appointment by the governor for the unexpired
38 term.

1 **Sec. 333.** RCW 43.210.050 and 1998 c 245 s 84 are each amended to
2 read as follows:

3 The small business export finance assistance center formed under
4 RCW 43.210.020 and 43.210.030 shall enter into a contract under this
5 chapter with the department of ((community)) trade(()) and economic
6 development or its statutory successor. The contract shall require the
7 center to provide export assistance services, consistent with RCW
8 43.210.070 and 43.210.100 through 43.210.120, shall have a duration of
9 two years, and shall require the center to aggressively seek to fund
10 its continued operation from nonstate funds. The contract shall also
11 require the center to report annually to the department on its success
12 in obtaining nonstate funding. Upon expiration of the contract, any
13 provisions within the contract applicable to the Pacific Northwest
14 export assistance project shall be automatically renewed without change
15 provided the legislature appropriates funds for administration of the
16 small business export assistance center and the Pacific Northwest
17 export assistance project. The provisions of the contract related to
18 the Pacific Northwest export assistance project may be changed at any
19 time if the director of the department of ((community)) trade(()) and
20 economic development or the president of the small business export
21 finance assistance center present compelling reasons supporting the
22 need for a contract change to the board of directors and a majority of
23 the board of directors agrees to the changes. The department of
24 agriculture shall be included in the contracting negotiations with the
25 department of ((community)) trade(()) and economic development and
26 the small business export finance assistance center when the Pacific
27 Northwest export assistance project provides export services to
28 industrial sectors within the administrative domain of the Washington
29 state department of agriculture.

30 **Sec. 334.** RCW 43.210.060 and 1995 c 399 s 108 are each amended to
31 read as follows:

32 The department of ((community)) trade(()) and economic
33 development or its statutory successor shall adopt rules under chapter
34 34.05 RCW as necessary to carry out the purposes of this chapter.

35 **Sec. 335.** RCW 43.330.092 and 1997 c 220 s 222 (Referendum Bill No.
36 48) are each amended to read as follows:

1 The film and video promotion account is created in the state
2 treasury. All receipts from RCW 36.102.060(14) must be deposited into
3 the account. Moneys in the account may be spent only after
4 appropriation. Expenditures from the account may be used by the
5 department ((of community, trade, and economic development)) only for
6 the purposes of promotion of the film and video production industry in
7 the state of Washington.

8 **Sec. 336.** RCW 43.330.094 and 1997 c 220 s 223 (Referendum Bill No.
9 48) are each amended to read as follows:

10 The tourism development and promotion account is created in the
11 state treasury. All receipts from RCW 36.102.060(10) must be deposited
12 into the account. Moneys in the account may be spent only after
13 appropriation. Expenditures from the account may be used by the
14 department ((of community, trade, and economic development)) only for
15 the purposes of promotion of the tourism industry in the state of
16 Washington.

17 **Sec. 337.** RCW 50.67.030 and 1994 sp.s. c 3 s 8 are each amended to
18 read as follows:

19 In addition to its duties under this chapter, the Washington state
20 job training coordinating council shall advise the employment security
21 department and the department of ((community,)) trade((,)) and economic
22 development on the development and implementation of the Washington
23 youthbuild program created under chapter 50.72 RCW.

24 **Sec. 338.** RCW 50.72.030 and 1994 sp.s. c 3 s 3 are each amended to
25 read as follows:

26 The Washington youthbuild program is established within the
27 department. The commissioner, in cooperation and consultation with the
28 director of the department of ((community,)) trade((,)) and economic
29 development, shall:

30 (1) Make grants, up to the lesser of three hundred thousand dollars
31 or twenty-five percent of the total costs of the youthbuild activities,
32 to applicants eligible to provide education and employment training
33 under federal or state employment training programs, for the purpose of
34 carrying out a wide range of multidisciplinary activities and services
35 to assist economically disadvantaged youth under the federal
36 opportunities for youth: Youthbuild program (106 Stat. 3723; 42 U.S.C.

1 Sec. 8011), or locally developed youthbuild-type programs for
2 economically disadvantaged youth; and

3 (2) Coordinate youth employment and training efforts under the
4 department's jurisdiction and cooperate with other agencies and
5 departments providing youth services to ensure that funds appropriated
6 for the purposes of this chapter will be used to supplement funding
7 from federal, state, local, or private sources.

8 **Sec. 339.** RCW 70.95.265 and 1995 c 399 s 190 are each amended to
9 read as follows:

10 The department shall work closely with the department of
11 ((community₇)) trade((₇)) and economic development, the department of
12 general administration, and with other state departments and agencies,
13 the Washington state association of counties, the association of
14 Washington cities, and business associations, to carry out the
15 objectives and purposes of chapter 41, Laws of 1975-'76 2nd ex. sess.

16 **Sec. 340.** RCW 70.95.810 and 1998 c 245 s 132 are each amended to
17 read as follows:

18 (1) In order to establish the feasibility of composting food and
19 yard wastes, the department shall provide funds, as available, to local
20 governments submitting a proposal to compost such wastes.

21 (2) The department, in cooperation with the department of
22 ((community₇)) trade((₇)) and economic development, may approve an
23 application if the project can demonstrate the essential parameters for
24 successful composting, including, but not limited to, cost-
25 effectiveness, handling and safety requirements, and current and
26 potential markets.

27 **Sec. 341.** RCW 70.95H.007 and 1995 c 399 s 192 are each amended to
28 read as follows:

29 There is created the clean Washington center within the department
30 of ((community₇)) trade((₇)) and economic development. As used in this
31 chapter, "center" means the clean Washington center.

32 **Sec. 342.** RCW 70.95H.050 and 1995 c 399 s 194 are each amended to
33 read as follows:

34 The center shall solicit financial contributions and support from
35 manufacturing industries and other private sector sources, foundations,

1 and grants from governmental sources to assist in conducting its
2 activities. It may also use separately appropriated funds of the
3 department of ((community~~7~~)) trade((~~7~~)) and economic development for
4 the center's activities.

5 **Sec. 343.** RCW 76.09.030 and 1995 c 399 s 207 are each amended to
6 read as follows:

7 (1) There is hereby created the forest practices board of the state
8 of Washington as an agency of state government consisting of members as
9 follows:

10 (a) The commissioner of public lands or the commissioner's
11 designee;

12 (b) The director of the department of ((community~~7~~)) trade((~~7~~)) and
13 economic development or the director's designee;

14 (c) The director of the department of agriculture or the director's
15 designee;

16 (d) The director of the department of ecology or the director's
17 designee;

18 (e) An elected member of a county legislative authority appointed
19 by the governor: PROVIDED, That such member's service on the board
20 shall be conditioned on the member's continued service as an elected
21 county official; and

22 (f) Six members of the general public appointed by the governor,
23 one of whom shall be an owner of not more than five hundred acres of
24 forest land, and one of whom shall be an independent logging
25 contractor.

26 (2) The members of the initial board appointed by the governor
27 shall be appointed so that the term of one member shall expire December
28 31, 1975, the term of one member shall expire December 31, 1976, the
29 term of one member shall expire December 31, 1977, the terms of two
30 members shall expire December 31, 1978, and the terms of two members
31 shall expire December 31, 1979. Thereafter, each member shall be
32 appointed for a term of four years. Vacancies on the board shall be
33 filled in the same manner as the original appointments. Each member of
34 the board shall continue in office until his or her successor is
35 appointed and qualified. The commissioner of public lands or the
36 commissioner's designee shall be the chairman of the board.

37 (3) The board shall meet at such times and places as shall be
38 designated by the chairman or upon the written request of the majority

1 of the board. The principal office of the board shall be at the state
2 capital.

3 (4) Members of the board, except public employees and elected
4 officials, shall be compensated in accordance with RCW 43.03.250. Each
5 member shall be entitled to reimbursement for travel expenses incurred
6 in the performance of their duties as provided in RCW 43.03.050 and
7 43.03.060.

8 (5) The board may employ such clerical help and staff pursuant to
9 chapter 41.06 RCW as is necessary to carry out its duties.

10 **Sec. 344.** RCW 76.56.020 and 1994 c 282 s 1 are each amended to
11 read as follows:

12 The center shall:

13 (1) Coordinate the University of Washington's college of forest
14 resources' faculty and staff expertise to assist in:

15 (a) The development of research and analysis for developing
16 policies and strategies which will expand forest-based international
17 trade, including a major focus on secondary manufacturing;

18 (b) The development of technology or commercialization support for
19 manufactured products that will meet the evolving needs of
20 international customers;

21 (c) The development of research and analysis on other factors
22 critical to forest-based trade, including the quality and availability
23 of raw wood resources; and

24 (d) The coordination, development, and dissemination of market and
25 technical information relevant to international trade in forest
26 products, including a major focus on secondary manufacturing;

27 (2) Further develop and maintain computer data bases on world-wide
28 forest products production and trade in order to monitor and report on
29 trends significant to the Northwest forest products industry and
30 support the center's research functions; and coordinate this system
31 with state, federal, and private sector efforts to insure a cost-
32 effective information resource that will avoid unnecessary duplication;

33 (3) Monitor international forest products markets and assess the
34 status of the state's forest products industry, including the
35 competitiveness of small and medium-sized secondary manufacturing firms
36 in the forest products industry, which for the purposes of this chapter
37 shall be firms with annual revenues of twenty-five million or less, and

1 including the increased exports of Washington-produced products of
2 small and medium-sized secondary manufacturing firms;

3 (4) Provide high-quality research and graduate education and
4 professional nondegree training in international trade in forest
5 products in cooperation with the University of Washington's graduate
6 school of business administration, the school of law, the Jackson
7 school of international studies, the Northwest policy center of the
8 graduate school of public administration, and other supporting academic
9 units;

10 (5) Develop cooperative linkages with the international marketing
11 program for agricultural commodities and trade at Washington State
12 University, the international trade project of the United States forest
13 service, the department of natural resources, the department of
14 ((community,)) trade((,)) and economic development, the small business
15 export finance assistance center, and other state and federal agencies
16 to avoid duplication of effort and programs;

17 (6) Cooperate with personnel from the state's community and
18 technical colleges in their development of wood products manufacturing
19 and wood technology curriculum and offer periodic workshops on wood
20 products manufacturing, wood technology, and trade opportunities to
21 community colleges and private educators and trainers;

22 (7) Provide for public dissemination of research, analysis, and
23 results of the center's programs to all groups, including direct
24 assistance groups, through technical workshops, short courses,
25 international and national symposia, cooperation with private sector
26 networks and marketing associations, or other means, including
27 appropriate publications;

28 (8) Establish an executive policy board, including representatives
29 of small and medium-sized businesses, with at least fifty percent of
30 its business members representing small businesses with one hundred or
31 fewer employees and medium-sized businesses with one hundred to five
32 hundred employees. The executive policy board shall also include a
33 representative of the community and technical colleges, representatives
34 of state and federal agencies, and a representative of a wood products
35 manufacturing network or trade association of small and medium-sized
36 wood product manufacturers. The executive policy board shall provide
37 advice on: Overall policy direction and program priorities, state and
38 federal budget requests, securing additional research funds,
39 identifying priority areas of focus for research efforts, selection of

1 projects for research, and dissemination of results of research
2 efforts; and

3 (9) Establish advisory or technical committees for each research
4 program area, to advise on research program area priorities, consistent
5 with the international trade opportunities achievable by the forest
6 products sector of the state and region, to help ensure projects are
7 relevant to industry needs, and to advise on and support effective
8 dissemination of research results. Each advisory or technical
9 committee shall include representatives of forest products industries
10 that might benefit from this research.

11 Service on the committees and the executive policy board
12 established in subsections (8) and (9) of this section shall be without
13 compensation but actual travel expenses incurred in connection with
14 service to the center may be reimbursed from appropriated funds in
15 accordance with RCW 43.03.050 and 43.03.060.

16 **Sec. 345.** RCW 77.12.710 and 1998 c 245 s 159 are each amended to
17 read as follows:

18 The legislature hereby directs the department to determine the
19 feasibility and cost of doubling the state-wide game fish production by
20 the year 2000. The department shall seek to equalize the effort and
21 investment expended on anadromous and resident game fish programs. The
22 department shall provide the legislature with a specific plan for
23 legislative approval that will outline the feasibility of increasing
24 game fish production by one hundred percent over current levels by the
25 year 2000. The plan shall contain specific provisions to increase both
26 hatchery and naturally spawning game fish to a level that will support
27 the production goal established in this section consistent with
28 department policies. Steelhead trout, searun cutthroat trout, resident
29 trout, and warmwater fish producing areas of the state shall be
30 included in the plan.

31 The plan shall include the following critical elements:

32 (1) Methods of determining current catch and production, and catch
33 and production in the year 2000;

34 (2) Methods of involving fishing groups, including Indian tribes,
35 in a cooperative manner;

36 (3) Methods for using low capital cost projects to produce game
37 fish as inexpensively as possible;

1 (4) Methods for renovating and modernizing all existing hatcheries
2 and rearing ponds to maximize production capability;

3 (5) Methods for increasing the productivity of natural spawning
4 game fish;

5 (6) Application of new technology to increase hatchery and natural
6 productivity;

7 (7) Analysis of the potential for private contractors to produce
8 game fish for public fisheries;

9 (8) Methods to optimize public volunteer efforts and cooperative
10 projects for maximum efficiency;

11 (9) Methods for development of trophy game fish fisheries;

12 (10) Elements of coordination with the Pacific Northwest Power
13 Council programs to ensure maximum Columbia river benefits;

14 (11) The role that should be played by private consulting companies
15 in developing and implementing the plan;

16 (12) Coordination with federal fish and wildlife agencies, Indian
17 tribes, and department fish production programs;

18 (13) Future needs for game fish predator control measures;

19 (14) Development of disease control measures;

20 (15) Methods for obtaining access to waters currently not available
21 to anglers; and

22 (16) Development of research programs to support game fish
23 management and enhancement programs.

24 The department, in cooperation with the department of revenue,
25 shall assess various funding mechanisms and make recommendations to the
26 legislature in the plan. The department, in cooperation with the
27 department of ((community₇)) trade((₇)) and economic development, shall
28 prepare an analysis of the economic benefits to the state that will
29 occur when the game fish production is increased by one hundred percent
30 in the year 2000.

31 **Sec. 346.** RCW 81.80.450 and 1998 c 245 s 167 are each amended to
32 read as follows:

33 (1) The department of ((community₇)) trade((₇)) and economic
34 development, in conjunction with the utilities and transportation
35 commission and the department of ecology, shall evaluate the effect of
36 exempting motor vehicles transporting recovered materials from rate
37 regulation as provided under RCW 81.80.440. The evaluation shall, at
38 a minimum, describe the effect of such exemption on:

1 (a) The cost and timeliness of transporting recovered materials
2 within the state;

3 (b) The volume of recovered materials transported within the state;

4 (c) The number of safety violations and traffic accidents related
5 to transporting recovered materials within the state; and

6 (d) The availability of service related to transporting recovered
7 materials from rural areas of the state.

8 (2) The commission shall adopt rules requiring persons transporting
9 recovered materials to submit information required under RCW 70.95.280.
10 In adopting such rules, the commission shall include procedures to
11 ensure the confidentiality of proprietary information.

12 **Sec. 347.** RCW 88.12.275 and 1997 c 391 s 7 are each amended to
13 read as follows:

14 (1) The department of licensing shall issue a whitewater river
15 outfitter's license to an applicant who submits a completed
16 application, pays the required fee, and complies with the requirements
17 of this section.

18 (2) An applicant for a whitewater river outfitter's license shall
19 make application upon a form provided by the department of licensing.
20 The form must be submitted annually and include the following
21 information:

22 (a) The name, residence address, and residence telephone number,
23 and the business name, address, and telephone number of the applicant;

24 (b) Certification that all employees, subcontractors, or
25 independent contractors hired as guides meet training standards under
26 RCW 88.12.245(2) before carrying any passengers for hire;

27 (c) Proof that the applicant has liability insurance for a minimum
28 of three hundred thousand dollars per claim for occurrences by the
29 applicant and the applicant's employees that result in bodily injury or
30 property damage. All guides must be covered by the applicant's
31 insurance policy;

32 (d) Certification that the applicant will maintain the insurance
33 for a period of not less than one year from the date of issuance of the
34 license; and

35 (e) Certification by the applicant that for a period of not less
36 than twenty-four months immediately preceding the application the
37 applicant:

1 (i) Has not had a license, permit, or certificate to carry
2 passengers for hire on a river revoked by another state or by an agency
3 of the government of the United States due to a conviction for a
4 violation of safety or insurance coverage requirements no more
5 stringent than the requirements of this chapter; and

6 (ii) Has not been denied the right to apply for a license, permit,
7 or certificate to carry passengers for hire on a river by another
8 state.

9 (3) The department of licensing shall charge a fee for each
10 application, to be set in accordance with RCW 43.24.086.

11 (4) Any person advertising or representing himself or herself as a
12 whitewater river outfitter who is not currently licensed is guilty of
13 a gross misdemeanor.

14 (5) The department of licensing shall submit annually a list of
15 licensed persons and companies to the department of ((community,))
16 trade((,)) and economic development, tourism promotion division.

17 (6) If an insurance company cancels or refuses to renew insurance
18 for a licensee, the insurance company shall notify the department of
19 licensing in writing of the termination of coverage and its effective
20 date not less than thirty days before the effective date of
21 termination.

22 (a) Upon receipt of an insurance company termination notice, the
23 department of licensing shall send written notice to the licensee that
24 on the effective date of termination the department of licensing will
25 suspend the license unless proof of insurance as required by this
26 section is filed with the department of licensing before the effective
27 date of the termination.

28 (b) If an insurance company fails to give notice of coverage
29 termination, this failure shall not have the effect of continuing the
30 coverage.

31 (c) The department of licensing may suspend a license under this
32 section if the licensee fails to maintain in full force and effect the
33 insurance required by this section.

34 (7) The state of Washington shall be immune from any civil action
35 arising from the issuance of a license under this section.

36 **PART IV**

37 **REFERENCES TO DEPARTMENT OF COMMUNITY DEVELOPMENT**
38 **AND DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT**

1 **Sec. 401.** RCW 41.06.070 and 1998 c 245 s 40 are each amended to
2 read as follows:

3 (1) The provisions of this chapter do not apply to:

4 (a) The members of the legislature or to any employee of, or
5 position in, the legislative branch of the state government including
6 members, officers, and employees of the legislative council, joint
7 legislative audit and review committee, statute law committee, and any
8 interim committee of the legislature;

9 (b) The justices of the supreme court, judges of the court of
10 appeals, judges of the superior courts or of the inferior courts, or to
11 any employee of, or position in the judicial branch of state
12 government;

13 (c) Officers, academic personnel, and employees of technical
14 colleges;

15 (d) The officers of the Washington state patrol;

16 (e) Elective officers of the state;

17 (f) The chief executive officer of each agency;

18 (g) In the departments of employment security and social and health
19 services, the director and the director's confidential secretary; in
20 all other departments, the executive head of which is an individual
21 appointed by the governor, the director, his or her confidential
22 secretary, and his or her statutory assistant directors;

23 (h) In the case of a multimember board, commission, or committee,
24 whether the members thereof are elected, appointed by the governor or
25 other authority, serve ex officio, or are otherwise chosen:

26 (i) All members of such boards, commissions, or committees;

27 (ii) If the members of the board, commission, or committee serve on
28 a part-time basis and there is a statutory executive officer: The
29 secretary of the board, commission, or committee; the chief executive
30 officer of the board, commission, or committee; and the confidential
31 secretary of the chief executive officer of the board, commission, or
32 committee;

33 (iii) If the members of the board, commission, or committee serve
34 on a full-time basis: The chief executive officer or administrative
35 officer as designated by the board, commission, or committee; and a
36 confidential secretary to the chair of the board, commission, or
37 committee;

1 (iv) If all members of the board, commission, or committee serve ex
2 officio: The chief executive officer; and the confidential secretary
3 of such chief executive officer;

4 (i) The confidential secretaries and administrative assistants in
5 the immediate offices of the elective officers of the state;

6 (j) Assistant attorneys general;

7 (k) Commissioned and enlisted personnel in the military service of
8 the state;

9 (l) Inmate, student, part-time, or temporary employees, and part-
10 time professional consultants, as defined by the Washington personnel
11 resources board;

12 (m) The public printer or to any employees of or positions in the
13 state printing plant;

14 (n) Officers and employees of the Washington state fruit
15 commission;

16 (o) Officers and employees of the Washington state apple
17 advertising commission;

18 (p) Officers and employees of the Washington state dairy products
19 commission;

20 (q) Officers and employees of the Washington tree fruit research
21 commission;

22 (r) Officers and employees of the Washington state beef commission;

23 (s) Officers and employees of any commission formed under chapter
24 15.66 RCW;

25 ~~(t) ((Officers and employees of the state wheat commission formed
26 under chapter 15.63 RCW;~~

27 ~~(u))~~ Officers and employees of agricultural commissions formed
28 under chapter 15.65 RCW;

29 ~~((v))~~ (u) Officers and employees of the nonprofit corporation
30 formed under chapter 67.40 RCW;

31 ~~((w))~~ (v) Executive assistants for personnel administration and
32 labor relations in all state agencies employing such executive
33 assistants including but not limited to all departments, offices,
34 commissions, committees, boards, or other bodies subject to the
35 provisions of this chapter and this subsection shall prevail over any
36 provision of law inconsistent herewith unless specific exception is
37 made in such law;

38 ~~((x))~~ (w) In each agency with fifty or more employees: Deputy
39 agency heads, assistant directors or division directors, and not more

1 than three principal policy assistants who report directly to the
2 agency head or deputy agency heads;

3 ~~((y))~~ (x) All employees of the marine employees' commission;

4 ~~((z))~~ Up to a total of five senior staff positions of the western
5 library network under chapter 27.26 RCW responsible for formulating
6 policy or for directing program management of a major administrative
7 unit. This subsection ~~(1)(z)~~ shall expire on June 30, 1997;

8 ~~(aa))~~ (y) Staff employed by the departments of community ~~(, trade,~~
9 ~~and economic))~~ development and trade and economic development to
10 administer energy policy functions and manage energy site evaluation
11 council activities under RCW 43.21F.045(2)(m);

12 ~~((bb))~~ (z) Staff employed by Washington State University to
13 administer energy education, applied research, and technology transfer
14 programs under RCW 43.21F.045 as provided in RCW 28B.30.900(5).

15 (2) The following classifications, positions, and employees of
16 institutions of higher education and related boards are hereby exempted
17 from coverage of this chapter:

18 (a) Members of the governing board of each institution of higher
19 education and related boards, all presidents, vice-presidents, and
20 their confidential secretaries, administrative, and personal
21 assistants; deans, directors, and chairs; academic personnel; and
22 executive heads of major administrative or academic divisions employed
23 by institutions of higher education; principal assistants to executive
24 heads of major administrative or academic divisions; other managerial
25 or professional employees in an institution or related board having
26 substantial responsibility for directing or controlling program
27 operations and accountable for allocation of resources and program
28 results, or for the formulation of institutional policy, or for
29 carrying out personnel administration or labor relations functions,
30 legislative relations, public information, development, senior computer
31 systems and network programming, or internal audits and investigations;
32 and any employee of a community college district whose place of work is
33 one which is physically located outside the state of Washington and who
34 is employed pursuant to RCW 28B.50.092 and assigned to an educational
35 program operating outside of the state of Washington;

36 (b) Student, part-time, or temporary employees, and part-time
37 professional consultants, as defined by the Washington personnel
38 resources board, employed by institutions of higher education and
39 related boards;

1 (c) The governing board of each institution, and related boards,
2 may also exempt from this chapter classifications involving research
3 activities, counseling of students, extension or continuing education
4 activities, graphic arts or publications activities requiring
5 prescribed academic preparation or special training as determined by
6 the board: PROVIDED, That no nonacademic employee engaged in office,
7 clerical, maintenance, or food and trade services may be exempted by
8 the board under this provision;

9 (d) Printing craft employees in the department of printing at the
10 University of Washington.

11 (3) In addition to the exemptions specifically provided by this
12 chapter, the Washington personnel resources board may provide for
13 further exemptions pursuant to the following procedures. The governor
14 or other appropriate elected official may submit requests for exemption
15 to the Washington personnel resources board stating the reasons for
16 requesting such exemptions. The Washington personnel resources board
17 shall hold a public hearing, after proper notice, on requests submitted
18 pursuant to this subsection. If the board determines that the position
19 for which exemption is requested is one involving substantial
20 responsibility for the formulation of basic agency or executive policy
21 or one involving directing and controlling program operations of an
22 agency or a major administrative division thereof, the Washington
23 personnel resources board shall grant the request and such
24 determination shall be final as to any decision made before July 1,
25 1993. The total number of additional exemptions permitted under this
26 subsection shall not exceed one percent of the number of employees in
27 the classified service not including employees of institutions of
28 higher education and related boards for those agencies not directly
29 under the authority of any elected public official other than the
30 governor, and shall not exceed a total of twenty-five for all agencies
31 under the authority of elected public officials other than the
32 governor.

33 The salary and fringe benefits of all positions presently or
34 hereafter exempted except for the chief executive officer of each
35 agency, full-time members of boards and commissions, administrative
36 assistants and confidential secretaries in the immediate office of an
37 elected state official, and the personnel listed in subsections (1)(j)
38 through ~~((v), (y), (z),)~~ (u) and (x) and (2) of this section, shall
39 be determined by the Washington personnel resources board. However,

1 beginning with changes proposed for the 1997-99 fiscal biennium,
2 changes to the classification plan affecting exempt salaries must meet
3 the same provisions for classified salary increases resulting from
4 adjustments to the classification plan as outlined in RCW 41.06.152.

5 Any person holding a classified position subject to the provisions
6 of this chapter shall, when and if such position is subsequently
7 exempted from the application of this chapter, be afforded the
8 following rights: If such person previously held permanent status in
9 another classified position, such person shall have a right of
10 reversion to the highest class of position previously held, or to a
11 position of similar nature and salary.

12 Any classified employee having civil service status in a classified
13 position who accepts an appointment in an exempt position shall have
14 the right of reversion to the highest class of position previously
15 held, or to a position of similar nature and salary.

16 A person occupying an exempt position who is terminated from the
17 position for gross misconduct or malfeasance does not have the right of
18 reversion to a classified position as provided for in this section.

19 **Sec. 402.** RCW 41.06.072 and 1995 c 399 s 59 are each amended to
20 read as follows:

21 In addition to the exemptions set forth in this chapter, this
22 chapter shall not apply within the departments of community(~~(, trade,~~
23 ~~and economic)) development and trade and economic development to the
24 director(~~(,)) and one confidential secretary for each department, the
25 deputy directors, all assistant directors, the state historic
26 preservation officer, and up to two professional staff members within
27 the emergency management program.~~~~

28 **Sec. 403.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
29 read as follows:

30 (1) The governor may, by executive order, after consultation with
31 or notification of the executive-legislative committee on economic
32 development created by chapter . . . (Senate Bill No. 5300), Laws of
33 1993, declare a community to be a "military impacted area." A
34 "military impacted area" means a community or communities, as
35 identified in the executive order, that experience serious social and
36 economic hardships because of a change in defense spending by the
37 federal government in that community or communities.

1 (2) If the governor executes an order under subsection (1) of this
2 section, the governor shall establish a response team to coordinate
3 state efforts to assist the military impacted community. The response
4 team may include, but not be limited to, one member from each of the
5 following agencies: (a) The department of community(~~(, trade, and~~
6 ~~economic)) development; (b) the department of trade and economic
7 development; (c) the department of social and health services; (~~(e))~~
8 (d) the employment security department; (~~(d))~~ (e) the state board for
9 community and technical colleges; (~~(e))~~ (f) the higher education
10 coordinating board; and (~~(f))~~ (g) the department of transportation.
11 The governor may appoint a response team coordinator. The governor
12 shall seek to actively involve the impacted community or communities in
13 planning and implementing a response to the crisis. The governor may
14 seek input or assistance from the community diversification advisory
15 committee, and the governor may establish task forces in the community
16 or communities to assist in the coordination and delivery of services
17 to the local community. The state and community response shall
18 consider economic development, human service, and training needs of the
19 community or communities impacted.~~

20 **Sec. 404.** RCW 43.17.010 and 1993 sp.s. c 2 s 16, 1993 c 472 s 17,
21 and 1993 c 280 s 18 are each reenacted and amended to read as follows:

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

36 **Sec. 405.** RCW 43.17.020 and 1995 1st sp.s. c 2 s 2 are each
37 amended to read as follows:

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

12 Such officers, except the secretary of transportation and the
13 director of fish and wildlife, shall be appointed by the governor, with
14 the consent of the senate, and hold office at the pleasure of the
15 governor. The secretary of transportation shall be appointed by the
16 transportation commission as prescribed by RCW 47.01.041. The director
17 of fish and wildlife shall be appointed by the fish and wildlife
18 commission as prescribed by RCW 77.04.055.

19 **Sec. 406.** RCW 43.160.030 and 1996 c 51 s 3 are each amended to
20 read as follows:

21 (1) The community economic revitalization board is hereby created
22 to exercise the powers granted under this chapter.

23 (2) The board shall consist of the chairman of and one minority
24 member appointed by the speaker of the house of representatives from
25 the committee of the house of representatives that deals with issues of
26 economic development, the chairman of and one minority member appointed
27 by the president of the senate from the committee of the senate that
28 deals with issues of economic development, and the following members
29 appointed by the governor: A recognized private or public sector
30 economist; one port district official; one county official; one city
31 official; one representative of the public; one representative of small
32 businesses each from: (a) The area west of Puget Sound, (b) the area
33 east of Puget Sound and west of the Cascade range, (c) the area east of
34 the Cascade range and west of the Columbia river, and (d) the area east
35 of the Columbia river; one executive from large businesses each from
36 the area west of the Cascades and the area east of the Cascades. The
37 appointive members shall initially be appointed to terms as follows:
38 Three members for one-year terms, three members for two-year terms, and

1 three members for three-year terms which shall include the chair.
2 Thereafter each succeeding term shall be for three years. The chair of
3 the board shall be selected by the governor. The members of the board
4 shall elect one of their members to serve as vice-chair. The director
5 of community(~~(, trade, and economic)~~) development, the director of
6 trade and economic development, the director of revenue, the
7 commissioner of employment security, and the secretary of
8 transportation shall serve as nonvoting advisory members of the board.

9 (3) Management services, including fiscal and contract services,
10 shall be provided by the department to assist the board in implementing
11 this chapter and the allocation of private activity bonds.

12 (4) Members of the board shall be reimbursed for travel expenses as
13 provided in RCW 43.03.050 and 43.03.060.

14 (5) If a vacancy occurs by death, resignation, or otherwise of
15 appointive members of the board, the governor shall fill the same for
16 the unexpired term. Members of the board may be removed for
17 malfeasance or misfeasance in office, upon specific written charges by
18 the governor, under chapter 34.05 RCW.

19 (6) A member appointed by the governor may not be absent from more
20 than fifty percent of the regularly scheduled meetings in any one
21 calendar year. Any member who exceeds this absence limitation is
22 deemed to have withdrawn from the office and may be replaced by the
23 governor.

24 **Sec. 407.** RCW 43.163.060 and 1995 c 399 s 90 are each amended to
25 read as follows:

26 (1) The authority is authorized to participate fully in federal and
27 other governmental economic development finance programs and to take
28 such actions as are necessary and consistent with this chapter to
29 secure to itself and the people of the state the benefits of those
30 programs and to meet their requirements.

31 (2) The authority shall coordinate its programs with those
32 contributing to a common purpose found elsewhere in the departments of
33 community(~~(, trade, and economic)~~) development, trade and economic
34 development, agriculture or employment security, or any other
35 department or organization of, or affiliated with, the state or federal
36 government, and shall avoid any duplication of such activities or
37 programs provided elsewhere. The departments of community(~~(, trade,~~
38 ~~and economic)~~) development, trade and economic development,

1 agriculture, employment security and other relevant state agencies
2 shall provide to the authority all reports prepared in the course of
3 their ongoing activities which may assist in the identification of
4 unmet capital financing needs by small-sized and medium-sized
5 businesses in the state.

6 **Sec. 408.** RCW 47.39.090 and 1995 c 399 s 123 are each amended to
7 read as follows:

8 In developing the scenic and recreational highways program, the
9 department shall consult with the department of community(~~(, trade, and~~
10 ~~economic))~~ development, the department of trade and economic
11 development, the department of natural resources, the parks and
12 recreation commission, affected cities, towns, and counties, regional
13 transportation planning organizations, state-wide bicycling
14 organizations, and other interested parties. The scenic and
15 recreational highways program may identify entire highway loops or
16 similar tourist routes that could be developed to promote tourist
17 activity and provide concurrent economic growth while protecting the
18 scenic and recreational quality surrounding state highways.

19 **Sec. 409.** RCW 47.76.230 and 1995 c 380 s 4 are each amended to
20 read as follows:

21 (1) The department of transportation shall continue its
22 responsibility for the development and implementation of the state rail
23 plan and programs, and the utilities and transportation commission
24 shall continue its responsibility for intrastate rates, service, and
25 safety issues.

26 (2) The department of transportation shall maintain an enhanced
27 data file on the rail system. Proprietary annual station traffic data
28 from each railroad and the modal use of major shippers shall be
29 obtained to the extent that such information is available.

30 (3) The department of transportation shall provide technical
31 assistance, upon request, to state agencies and local interests.
32 Technical assistance includes, but is not limited to, the following:

33 (a) Rail project cost-benefit analyses conducted in accordance with
34 methodologies recommended by the Federal Railroad Administration;

35 (b) Assistance in the formation of county rail districts and port
36 districts; and

1 (c) Feasibility studies for rail service continuation and/or rail
2 service assistance.

3 (4) With funding authorized by the legislature, the department of
4 transportation, in collaboration with the department of community(~~(~~
5 ~~trade, and economic~~)) development, the department of trade and economic
6 development, and local economic development agencies, and other
7 interested public and private organizations, shall develop a
8 cooperative process to conduct community and business information
9 programs and to regularly disseminate information on rail matters.

10 **Sec. 410.** RCW 50.38.030 and 1995 c 399 s 142 are each amended to
11 read as follows:

12 The employment security department shall consult with the following
13 agencies prior to the issuance of the state occupational forecast:

- 14 (1) Office of financial management;
- 15 (2) Department of community(~~(~~~~trade, and economic~~)) development;
- 16 (3) Department of labor and industries;
- 17 (4) State board for community and technical colleges;
- 18 (5) Superintendent of public instruction;
- 19 (6) Department of social and health services;
- 20 (7) Department of trade and economic development;
- 21 (8) Work force training and education coordinating board; and
- 22 ~~((+8))~~ (9) Other state and local agencies as deemed appropriate by
23 the commissioner of the employment security department.

24 These agencies shall cooperate with the employment security
25 department, submitting information relevant to the generation of
26 occupational forecasts.

27 **Sec. 411.** RCW 80.50.030 and 1996 c 186 s 108 are each amended to
28 read as follows:

29 (1) There is created and established the energy facility site
30 evaluation council.

31 (2)(a) The chairman of the council shall be appointed by the
32 governor with the advice and consent of the senate, shall have a vote
33 on matters before the council, shall serve for a term coextensive with
34 the term of the governor, and is removable for cause. The chairman may
35 designate a member of the council to serve as acting chairman in the
36 event of the chairman's absence. The chairman is a "state employee"
37 for the purposes of chapter 42.52 RCW. As applicable, when attending

1 meetings of the council, members may receive reimbursement for travel
2 expenses in accordance with RCW 43.03.050 and 43.03.060, and are
3 eligible for compensation under RCW 43.03.250.

4 (b) The chairman or a designee shall execute all official
5 documents, contracts, and other materials on behalf of the council.
6 The ~~((Washington state))~~ department of community~~((, trade, and~~
7 ~~economic))~~ development and the department of trade and economic
8 development shall provide all administrative and staff support for the
9 council. The director of the department of community, trade, and
10 economic development has supervisory authority over the staff of the
11 council and shall employ such personnel as are necessary to implement
12 this chapter. Not more than three such employees may be exempt from
13 chapter 41.06 RCW.

14 (3) The council shall consist of the directors, administrators, or
15 their designees, of the following departments, agencies, commissions,
16 and committees or their statutory successors:

- 17 (a) Department of ecology;
- 18 (b) Department of fish and wildlife;
- 19 (c) Department of health;
- 20 (d) Military department;
- 21 (e) Department of community~~((, trade, and economic))~~ development;
- 22 (f) Utilities and transportation commission;
- 23 (g) Department of natural resources;
- 24 (h) Department of agriculture;
- 25 (i) Department of trade and economic development; and
- 26 (j) Department of transportation.

27 (4) The appropriate county legislative authority of every county
28 wherein an application for a proposed site is filed shall appoint a
29 member or designee as a voting member to the council. The member or
30 designee so appointed shall sit with the council only at such times as
31 the council considers the proposed site for the county which he or she
32 represents, and such member or designee shall serve until there has
33 been a final acceptance or rejection of the proposed site.

34 (5) The city legislative authority of every city within whose
35 corporate limits an energy plant is proposed to be located shall
36 appoint a member or designee as a voting member to the council. The
37 member or designee so appointed shall sit with the council only at such
38 times as the council considers the proposed site for the city which he

1 or she represents, and such member or designee shall serve until there
2 has been a final acceptance or rejection of the proposed site.

3 (6) For any port district wherein an application for a proposed
4 port facility is filed subject to this chapter, the port district shall
5 appoint a member or designee as a nonvoting member to the council. The
6 member or designee so appointed shall sit with the council only at such
7 times as the council considers the proposed site for the port district
8 which he or she represents, and such member or designee shall serve
9 until there has been a final acceptance or rejection of the proposed
10 site. The provisions of this subsection shall not apply if the port
11 district is the applicant, either singly or in partnership or
12 association with any other person.

13 **PART V**
14 **MISCELLANEOUS**

15 NEW SECTION. **Sec. 501.** Part headings used in this act are not any
16 part of the law.

17 NEW SECTION. **Sec. 502.** Sections 201 through 205 and 224 through
18 226 of this act are each added to chapter 43.31 RCW.

19 NEW SECTION. **Sec. 503.** Section 318 of this act expires December
20 31, 2000.

21 NEW SECTION. **Sec. 504.** Sections 101 through 128, 201 through 228,
22 301 through 347, 401 through 411, and 501 of this act take effect
23 October 1, 1999.

24 NEW SECTION. **Sec. 505.** Sections 1 and 2 of this act are necessary
25 for the immediate preservation of the public peace, health, or safety,
26 or support of the state government and its existing public
27 institutions, and take effect immediately.

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