

E2SHB 2082 - H AMD 989

By Representative Chandler

OUT OF ORDER 02/12/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The field of dreams program is established.
4 The legislature finds that agriculture is a major and critical employer
5 in Washington state and recognizes that the industry is struggling to
6 attract and retain employees. The purpose of the program is to provide
7 college tuition in the form of GET units to students working for
8 agricultural employers to benefit the agriculture industry and to
9 assist students in accessing postsecondary education. The program
10 shall be administered by the employment security department and the GET
11 units shall be administered by the higher education coordinating board.

12 NEW SECTION. **Sec. 2.** The definitions in this section apply
13 throughout this chapter unless the context clearly requires otherwise.

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

15 (2) "Department" means the employment security department.

16 (3) "GET units" means tuition units under the advanced college
17 tuition payment program in chapter 28B.95 RCW.

18 (4) "Institution of higher education" has the same meaning as in
19 RCW 28B.92.030.

20 (5) "Qualified employer" means an employer whose American industry
21 classification system (NAICS) code is within "111" or "112."

22 (6) "WorkSource" means one-stop delivery system as described in
23 P.L. 105-220, Section 134.

24 NEW SECTION. **Sec. 3.** (1) To be eligible for the field of dreams
25 GET units, a student must be enrolled in the field of dreams program.
26 To enroll, a student must:

27 (a) Meet the criteria for resident tuition and fee rates as defined
28 in RCW 28B.15.012;

1 (b) Be sixteen through twenty-one years of age;
2 (c) Register at WorkSource;
3 (d) Work for a qualified employer in an agricultural job; and
4 (e) Be enrolled in high school, have graduated from high school, or
5 hold a general equivalency diploma.

6 (2) To accrue GET units, a student shall:

7 (a) Register with WorkSource each time he or she accepts employment
8 with an agricultural employer under the field of dreams program to
9 verify that the employment meets the qualifications of this program and
10 that work hours are being counted;

11 (b) Work in a position at a qualified employer; and

12 (c) Consent to the disclosure of information or records deemed
13 private and confidential under chapter 50.13 RCW. Disclosure of this
14 information and these records by the department to the board shall be
15 solely for purposes related to the administration of this chapter.
16 Information obtained from employer records under this chapter is
17 confidential and not open to public inspection, other than to public
18 employees in the performance of their official duties.

19 (3) For each three hundred fifty hours worked for a qualified
20 employer, a student shall earn ten GET units. GET units are not
21 available in denominations fewer than ten. No partial credit shall be
22 awarded for less than three hundred fifty hours of employment.

23 (4) Students may earn a maximum of one hundred GET units.

24 (5) To receive GET units a student shall:

25 (a) Obtain a certificate verifying units earned from the WorkSource
26 office; and

27 (b) Enter an institution of higher education that is accredited by
28 an accrediting agency recognized by rule of the higher education
29 coordinating board.

30 (6) GET units awarded through the field of dreams program may only
31 be used for payment of qualified higher education expenses as detailed
32 by the GET program.

33 NEW SECTION. **Sec. 4.** (1) The department is responsible for
34 administering the field of dreams program. In this capacity, the
35 department shall:

36 (a) Inform WorkSource applicants about the program;

1 (b) Manage student enrollment in the program, including outreach
2 to schools, subject to funds appropriated for the specific purpose of
3 the field of dreams program;

4 (c) Track student hours worked through the unemployment insurance
5 system;

6 (d) Refer interested students to qualified employers;

7 (e) Provide verification of covered employment under Title 50 RCW
8 and verify that the student is working for a qualified employer;

9 (f) Work with the board to develop appropriate procedures for the
10 redemption of certificates for GET units awarded by the program; and

11 (g) Use information sharing and integration technology to
12 facilitate the disclosure of relevant information and records by the
13 employment security department, so long as an individual consents to
14 the disclosure as required under section 3(2) of this act.

15 (2) Information contained in the files and records pertaining to an
16 individual under this chapter are confidential and not open to public
17 inspection, other than to public employees in the performance of their
18 official duties. However, an individual or an authorized
19 representative of the individual may review his or her records or
20 receive specific information from the records on the presentation of
21 the signed authorization of the individual.

22 NEW SECTION. **Sec. 5.** The board shall administer GET units earned
23 through the field of dreams program. In this capacity, the board
24 shall:

25 (1) Purchase GET units to be owned and held in trust by the board,
26 for the purpose of field of dreams awards as provided for in this
27 section;

28 (2) Distribute award funds, in the form of GET units, to
29 institutions of higher education on behalf of eligible recipients
30 identified by the program administrator beginning on July 1, 2011;

31 (3) Work with the department to develop appropriate procedures for
32 the redemption of certificates for GET units;

33 (4) Provide annual reports to the appropriate higher education and
34 fiscal committees of the house of representatives and the senate
35 regarding use of GET units, enrollment, and graduation information of
36 GET field of dreams recipients, if the recipients have given permission
37 for the board to do so; and

1 (5) Submit a report, developed jointly with the department, to the
2 appropriate higher education and fiscal committees of the house of
3 representatives and the senate by December 1, 2011, December 1, 2013,
4 and December 1, 2015, that describes the utilization of the program.
5 The reports shall include, but are not limited to, the demographic,
6 geographic, and income distribution of the student participants.

7 NEW SECTION. **Sec. 6.** (1) The GET field of dreams account is
8 created in the custody of the state treasurer.

9 (2) The board shall deposit into the account all money received for
10 the GET field of dreams account from appropriations and private
11 sources. The account shall be self-sustaining.

12 (3) Expenditures from the account shall be used for purchases of
13 GET units. Purchased GET units shall be owned and held in trust by the
14 board.

15 (4) With the exception of the operating costs associated with the
16 management of the account by the treasurer's office as authorized in
17 chapter 43.79A RCW, the account shall be credited with all investment
18 income earned by the account.

19 (5) Disbursements from the account are exempt from appropriations
20 and the allotment provisions of chapter 43.88 RCW.

21 (6) Disbursements from the account shall be made only on the
22 authorization of the board.

23 NEW SECTION. **Sec. 7.** This chapter expires December 31, 2015.

24 NEW SECTION. **Sec. 8.** A new section is added to chapter 28B.95 RCW
25 to read as follows:

26 (1) Ownership of tuition units purchased by the higher education
27 coordinating board for the GET field of dreams program under section 5
28 of this act shall be in the name of the state of Washington and may be
29 redeemed by the state of Washington on behalf of recipients of GET
30 field of dreams awards for tuition and fees.

31 (2) This section expires December 31, 2015.

32 **Sec. 9.** RCW 28B.95.060 and 2007 c 214 s 13 are each amended to
33 read as follows:

34 (1) The Washington advanced college tuition payment program account

1 is created in the custody of the state treasurer. The account shall be
2 a discrete nontreasury account retaining its interest earnings in
3 accordance with RCW 43.79A.040.

4 (2)(a) Except as provided in (b) and (c) of this subsection, the
5 governing body shall deposit in the account all money received for the
6 program. The account shall be self-sustaining and consist of payments
7 received from purchasers of tuition units and funds received from other
8 sources, public or private. With the exception of investment and
9 operating costs associated with the investment of money by the
10 investment board paid under RCW 43.33A.160 and 43.84.160, the account
11 shall be credited with all investment income earned by the account.
12 Disbursements from the account are exempt from appropriations and the
13 allotment provisions of chapter 43.88 RCW. Money used for program
14 administration is subject to the allotment of all expenditures.
15 However, an appropriation is not required for such expenditures.
16 Program administration shall include, but not be limited to: The
17 salaries and expenses of the program personnel including lease
18 payments, travel, and goods and services necessary for program
19 operation; contracts for program promotion and advertisement, audits,
20 and account management; and other general costs of conducting the
21 business of the program.

22 (b) All money received by the program from the higher education
23 coordinating board for the GET ready for math and science scholarship
24 program shall be deposited in the GET ready for math and science
25 scholarship account created in RCW 28B.105.110.

26 (c) All money received by the program from the higher education
27 coordinating board for the GET field of dreams program shall be
28 deposited in the GET field of dreams account created in section 6 of
29 this act.

30 (3) The assets of the account may be spent without appropriation
31 for the purpose of making payments to institutions of higher education
32 on behalf of the qualified beneficiaries, making refunds, transfers, or
33 direct payments upon the termination of the Washington advanced college
34 tuition payment program. Disbursements from the account shall be made
35 only on the authorization of the governing body.

36 (4) With regard to the assets of the account, the state acts in a
37 fiduciary, not ownership, capacity. Therefore the assets of the

1 program are not considered state money, common cash, or revenue to the
2 state.

3 **Sec. 10.** RCW 43.79A.040 and 2007 c 523 s 5, 2007 c 357 s 21, and
4 2007 c 214 s 14 are each reenacted and amended to read as follows:

5 (1) Money in the treasurer's trust fund may be deposited, invested,
6 and reinvested by the state treasurer in accordance with RCW 43.84.080
7 in the same manner and to the same extent as if the money were in the
8 state treasury.

9 (2) All income received from investment of the treasurer's trust
10 fund shall be set aside in an account in the treasury trust fund to be
11 known as the investment income account.

12 (3) The investment income account may be utilized for the payment
13 of purchased banking services on behalf of treasurer's trust funds
14 including, but not limited to, depository, safekeeping, and
15 disbursement functions for the state treasurer or affected state
16 agencies. The investment income account is subject in all respects to
17 chapter 43.88 RCW, but no appropriation is required for payments to
18 financial institutions. Payments shall occur prior to distribution of
19 earnings set forth in subsection (4) of this section.

20 (4)(a) Monthly, the state treasurer shall distribute the earnings
21 credited to the investment income account to the state general fund
22 except under (b) and (c) of this subsection.

23 (b) The following accounts and funds shall receive their
24 proportionate share of earnings based upon each account's or fund's
25 average daily balance for the period: The Washington promise
26 scholarship account, the college savings program account, the
27 Washington advanced college tuition payment program account, the
28 agricultural local fund, the American Indian scholarship endowment
29 fund, the foster care scholarship endowment fund, the foster care
30 endowed scholarship trust fund, the students with dependents grant
31 account, the basic health plan self-insurance reserve account, the
32 contract harvesting revolving account, the Washington state combined
33 fund drive account, the commemorative works account, the Washington
34 international exchange scholarship endowment fund, the developmental
35 disabilities endowment trust fund, the energy account, the fair fund,
36 the family leave insurance account, the fruit and vegetable inspection
37 account, the future teachers conditional scholarship account, the game

1 farm alternative account, the GET field of dreams account, the GET
2 ready for math and science scholarship account, the grain inspection
3 revolving fund, the juvenile accountability incentive account, the law
4 enforcement officers' and firefighters' plan 2 expense fund, the local
5 tourism promotion account, the produce railcar pool account, the
6 regional transportation investment district account, the rural
7 rehabilitation account, the stadium and exhibition center account, the
8 youth athletic facility account, the self-insurance revolving fund, the
9 sulfur dioxide abatement account, the children's trust fund, the
10 Washington horse racing commission Washington bred owners' bonus fund
11 account, the Washington horse racing commission class C purse fund
12 account, the individual development account program account, the
13 Washington horse racing commission operating account (earnings from the
14 Washington horse racing commission operating account must be credited
15 to the Washington horse racing commission class C purse fund account),
16 the life sciences discovery fund, the Washington state heritage center
17 account, and the reading achievement account. However, the earnings to
18 be distributed shall first be reduced by the allocation to the state
19 treasurer's service fund pursuant to RCW 43.08.190.

20 (c) The following accounts and funds shall receive eighty percent
21 of their proportionate share of earnings based upon each account's or
22 fund's average daily balance for the period: The advanced right-of-way
23 revolving fund, the advanced environmental mitigation revolving
24 account, the city and county advance right-of-way revolving fund, the
25 federal narcotics asset forfeitures account, the high occupancy vehicle
26 account, the local rail service assistance account, and the
27 miscellaneous transportation programs account.

28 (5) In conformance with Article II, section 37 of the state
29 Constitution, no trust accounts or funds shall be allocated earnings
30 without the specific affirmative directive of this section.

31 NEW SECTION. **Sec. 11.** Sections 1 through 7 of this act constitute
32 a new chapter in Title 28B RCW.

33 NEW SECTION. **Sec. 12.** If specific funding for the purposes of
34 this act, referencing this act by bill or chapter number, is not
35 provided by June 30, 2008, in the omnibus appropriations act, this act
36 is null and void."

1 Correct the title.

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