

E2SHB 2227 - S COMM AMD

By Committee on Economic Development, Trade & Innovation

NOT ADOPTED 04/16/2009

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that the 2009
4 American recovery and reinvestment act includes new investments in
5 research and development for green industries, renewable energy
6 production, and incentives for installation and use of renewable energy
7 and energy efficiency retrofits. The legislature further finds that
8 state level initiatives include additional incentives for installation
9 of renewable energy and energy efficiency retrofits. These initiatives
10 include new incentives for production of renewable energy that will
11 encourage the state to use renewable energy as well as become a major
12 supplier of renewable energy to the world.

13 The legislature believes that these investments and initiatives
14 will significantly increase demand for production of renewable energy
15 and installation of energy efficiency retrofits. The legislature
16 recognizes that these demands will cultivate job opportunities for
17 Washington state residents during economic downturns as such
18 investments are particularly valuable during those times. The
19 legislature also finds that the state's residents and economy may be
20 unable to take full advantage of these opportunities if there is a
21 shortage of workers with the skills needed for jobs in renewable energy
22 and energy efficiency.

23 Further, the legislature finds that the current state and federal
24 economic climate lends itself to the acceleration of the greening of
25 the Washington economy, and presents an opportunity for Washington to
26 take its place as a leader in the overall green economy of the future.
27 The legislature recognizes that in order to most efficiently and
28 effectively capture and use existing and new funding streams and ensure
29 that Washington does in fact become a leader in the green economy, a

1 statewide, comprehensive, and strategic plan must be developed to
2 monitor the use of stimulus funds and ensure that local organizations
3 participating in the programs receive the state support they need.

4 Therefore, the legislature intends that Washington state accelerate
5 the greening of its economy by creating a highly skilled green jobs
6 workforce by emphasizing green jobs skills within existing education
7 and training funds through the evergreen jobs initiative. The
8 legislature intends to establish the evergreen jobs initiative to
9 ensure that the state's workforce is prepared for the new green
10 economy; the state attracts investment and job creation in the green
11 economy; the state is a net exporter of green industry products and
12 services, with special attention to renewable energy technology and
13 components; and Washington is a national and world leader in the green
14 economy.

15 To achieve these ends, the evergreen jobs initiative will create a
16 comprehensive and responsive framework to assist Washington in
17 receiving at least a per capita share of federal stimulus funds and to
18 ensure that state and local agencies and organizations receive the
19 institutional support they need to capture and effectively use those
20 funds.

21 **Sec. 2.** RCW 43.330.310 and 2008 c 14 s 9 are each amended to read
22 as follows:

23 (1) ~~The ((legislature establishes))~~ Washington state evergreen jobs
24 initiative is established as a comprehensive green economy jobs growth
25 initiative ((based on the goal of, by 2020, increasing the number of
26 green economy jobs to twenty five thousand from the eight thousand four
27 hundred green economy jobs the state had in 2004)) with the goals of:

28 (a) Creating fifteen thousand new green economy jobs by 2020, with
29 a target of thirty percent of those jobs going to veterans, members of
30 the national guard, and low-income and disadvantaged populations;

31 (b) Capturing and deploying federal funds in a focused, effective,
32 and coordinated manner;

33 (c) Preparing the state's workforce to take full advantage of green
34 economy job opportunities and to meet the recruitment and training
35 needs of industry and small businesses;

36 (d) Attracting private sector investment that will create new and

1 expand existing jobs, with an emphasis on services and products that
2 have a high economic or environmental impact and can be exported
3 domestically and internationally;

4 (e) Making Washington state a net exporter of green industry
5 products and services, with special attention to renewable energy
6 technology and components;

7 (f) Empowering local agencies and organizations to recruit green
8 economy businesses and jobs into the state by providing state support
9 and assistance;

10 (g) Capitalizing on existing partnership agreements in the
11 Washington works plan and the Washington workforce compact; and

12 (h) Operating in concert with the fourteen guiding principles
13 identified by the department in its Washington state's green economy
14 strategic framework.

15 ~~(2) ((The department, in consultation with the employment security~~
16 ~~department, the state workforce training and education coordinating~~
17 ~~board, the state board of [for] community and technical colleges, and~~
18 ~~the higher education coordinating board, shall develop a defined list~~
19 ~~of terms, consistent with current workforce and economic development~~
20 ~~terms, associated with green economy industries and jobs.~~

21 (3)(a)) The department and the workforce training and education
22 coordinating board, in consultation with a working group consisting of
23 government agencies, labor, businesses, and the Washington state
24 apprenticeship training council, must develop and regularly update a
25 comprehensive strategic plan to:

26 (a) Coordinate efforts across the state to ensure that federal
27 funds are captured and deployed in a focused, effective, and
28 coordinated manner in order to support green economy projects and
29 accomplish the goals of the evergreen jobs initiative;

30 (b) Accelerate and coordinate efforts by state and local
31 organizations to identify, apply for, and secure all sources of funds,
32 particularly those created by the 2009 American recovery and
33 reinvestment act, and to ensure that distributions of funding to local
34 organizations are allocated in a manner that is time-efficient and
35 user-friendly for the local organizations. Local organizations
36 eligible to receive support include but are not limited to:

37 (i) Associate development organizations;

38 (ii) Workforce development councils;

1 (iii) Public utility districts; and
2 (iv) Community action agencies;
3 (c) Support green economy projects at both the state and local
4 level by developing a process and a framework to provide, at a minimum:
5 (i) Administrative and technical assistance;
6 (ii) Assistance with and expediting of permit processes; and
7 (iii) Priority consideration of opportunities leading to exportable
8 green economy goods and services, including renewable energy
9 technology;
10 (d) Coordinate local and state implementation of projects using
11 federal funds to ensure implementation is time-efficient and user-
12 friendly for local organizations;
13 (e) Emphasize projects that:
14 (i) Have a strong and lasting economic or environmental impact;
15 (ii) Lead to a domestically or internationally exportable good or
16 service, including renewable energy technology;
17 (iii) Create training programs leading to a credential,
18 certificate, or degree in a green economy field;
19 (iv) Strengthen the state's competitiveness in a particular niche
20 of the green economy;
21 (v) Create employment opportunities for veterans, members of the
22 national guard, and low-income and disadvantaged populations;
23 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;
24 (vii) Ensure at least fifteen percent of labor hours are performed
25 by apprentices;
26 (f) Identify emerging technologies and innovations that are likely
27 to contribute to advancements in the green economy, including the
28 activities in designated innovation partnership zones established in
29 RCW 43.330.270;
30 (g) Identify statewide performance metrics for projects receiving
31 agency assistance. Such metrics may include:
32 (i) The number of new green jobs created each year, their wage
33 levels, and, if determinable, the percentage of new green jobs filled
34 by veterans, members of the national guard, and low-income and
35 disadvantaged populations;
36 (ii) The total amount of new federal funding secured, the
37 respective amounts allocated to the state and local levels, and the

1 timeliness of deployment of new funding by state agencies to the local
2 level;

3 (iii) The timeliness of state deployment to local organizations;
4 and

5 (iv) If available, the completion rates, time to completion, and
6 training-related placement rates for green economy postsecondary
7 training programs;

8 (h) Identify strategies to allocate existing and new funding
9 streams for green economy workforce training programs and education to
10 emphasize those leading to a credential, certificate, or degree in a
11 green economy field;

12 (i) Identify and implement strategies to allocate existing and new
13 funding streams for workforce development councils and associate
14 development organizations to increase their effectiveness and
15 efficiency and increase local capacity to respond rapidly and
16 comprehensively to opportunities to attract green jobs to local
17 communities; and

18 (j) Develop targeting criteria for existing investments that are
19 consistent with the economic development commission's economic
20 development strategy and the goals of this section and sections 3
21 through 5 of this act.

22 (3) The department and the workforce training and education
23 coordinating board, in consultation with the department's working
24 group, must provide semiannual performance reports to the governor and
25 appropriate committees of the legislature on:

26 (a) Actual statewide performance based on the performance measures
27 identified in subsection (2)(g) of this section;

28 (b) How the state is emphasizing and supporting projects that lead
29 to a domestically or internationally exportable good or service,
30 including renewable energy technology;

31 (c) A list of projects supported, created, or funded in furtherance
32 of the goals of the evergreen jobs initiative and the actions taken by
33 state and local organizations, including the effectiveness of state
34 agency support provided to local organizations as directed in
35 subsection (2)(b) and (c) of this section;

36 (d) Recommendations for new or expanded financial incentives and
37 comprehensive strategies to:

1 (i) Recruit, retain, and expand green economy industries and small
2 businesses; and

3 (ii) Stimulate research and development of green technology and
4 innovation, which may include designating innovation partnership zones
5 linked to the green economy;

6 (e) Any information that associate development organizations and
7 workforce development councils choose to provide to appropriate
8 legislative committees regarding the effectiveness, timeliness, and
9 coordination of support provided by state agencies under this section
10 and sections 3 through 5 of this act; and

11 (f) Any other recommended statutory changes necessary to increase
12 the effectiveness of the evergreen jobs initiative and state
13 responsiveness to local agencies and organizations.

14 (4) The employment security department, in consultation with the
15 department, the state workforce training and education coordinating
16 board, (~~the state board for community and technical colleges, the~~
17 higher education coordinating board, Washington State University small
18 business development center, and the Washington State University
19 extension energy program, shall)) and the department's working group
20 must take the following actions:

21 (a) Conduct labor market research to analyze the current labor
22 market and projected job growth in the green economy, the current and
23 projected recruitment and skill requirement of green economy industry
24 employers, the wage and benefits ranges of jobs within green economy
25 industries, and the education and training requirements of entry-level
26 and incumbent workers in those industries(~~(-)~~);

27 (b) (~~The University of Washington business and economic~~
28 development center shall: Analyze the current opportunities for and
29 participation in the green economy by minority and women-owned business
30 enterprises in Washington; identify existing barriers to their
31 successful participation in the green economy; and develop strategies
32 with specific policy recommendations to improve their successful
33 participation in the green economy. The research may be informed by
34 the research of the Puget Sound regional council prosperity
35 partnership, as well as other entities. The University of Washington
36 business and economic development center shall report to the
37 appropriate committees of the house of representatives and the senate
38 on their research, analysis, and recommendations by December 1, 2008.

1 ~~(4) Based on the findings from subsection (3) of this section, the~~
2 ~~employment security department, in consultation with the department and~~
3 ~~taking into account the requirements and goals of chapter 14, Laws of~~
4 ~~2008 and other state clean energy and energy efficiency policies,~~
5 ~~shall)) Propose which industries will be considered high-demand green~~
6 ~~industries, based on current and projected job creation and their~~
7 ~~strategic importance to the development of the state's green economy((~~
8 ~~The employment security department and the department shall take into~~
9 ~~account)) ; and~~

10 ~~(c) Define which ((jobs)) family-sustaining wage and benefits~~
11 ~~ranges within green economy industries will be considered middle or~~
12 ~~high-wage occupations and occupations that are part of career pathways~~
13 ~~to the same((, based on family-sustaining wage and benefits ranges.~~
14 ~~These)).~~

15 ~~(5) The definitions, designations, and ((the)) results of the~~
16 ~~employment security department's broader labor market research((~~
17 ~~under subsection (4) of this section shall inform the planning and~~
18 ~~strategic direction of the department, the state workforce training and~~
19 ~~education coordinating board, the state board for community and~~
20 ~~technical colleges, and the higher education coordinating board.~~

21 ~~((5) The department shall identify emerging technologies and~~
22 ~~innovations that are likely to contribute to advancements in the green~~
23 ~~economy, including the activities in designated innovation partnership~~
24 ~~zones established in RCW 43.330.270.~~

25 ~~(6) The department, consistent with the priorities established by~~
26 ~~the state economic development commission, shall:~~

27 ~~(a) Develop targeting criteria for existing investments, and make~~
28 ~~recommendations for new or expanded financial incentives and~~
29 ~~comprehensive strategies, to recruit, retain, and expand green economy~~
30 ~~industries and small businesses; and~~

31 ~~(b) Make recommendations for new or expanded financial incentives~~
32 ~~and comprehensive strategies to stimulate research and development of~~
33 ~~green technology and innovation, including designating innovation~~
34 ~~partnership zones linked to the green economy.~~

35 ~~(7) For the purposes of this section, "target populations" means~~
36 ~~(a) entry level or incumbent workers in high-demand green industries~~
37 ~~who are in, or are preparing for, high-wage occupations; (b) dislocated~~
38 ~~workers in declining industries who may be retrained for high-wage~~

1 ~~occupations in high demand green industries; (c) dislocated~~
2 ~~agriculture, timber, or energy sector workers who may be retrained for~~
3 ~~high wage occupations in high demand green industries; (d) eligible~~
4 ~~veterans or national guard members; (e) disadvantaged populations; or~~
5 ~~(f) anyone eligible to participate in the state opportunity grant~~
6 ~~program under RCW 28B.50.271.~~

7 ~~(8))~~ (6) The legislature directs the state workforce training and
8 education coordinating board to create and pilot green industry skill
9 panels. These panels shall consist of business representatives from
10 industry sectors related to clean energy, labor unions representing
11 workers in those industries or labor affiliates administering state-
12 approved, joint apprenticeship programs or labor-management partnership
13 programs that train workers for these industries, state and local
14 veterans agencies, employer associations, educational institutions, and
15 local workforce development councils within the region that the panels
16 propose to operate, and other key stakeholders as determined by the
17 applicant. Any of these stakeholder organizations are eligible to
18 receive grants under this section and serve as the intermediary that
19 convenes and leads the panel. Panel applicants must provide labor
20 market and industry analysis that demonstrates high demand, or demand
21 of strategic importance to the development of the state's clean energy
22 economy as identified in this section, for middle or high-wage
23 occupations, or occupations that are part of career pathways to the
24 same, within the relevant industry sector. The panel shall, in
25 consultation with the department and its working group:

26 (a) Conduct labor market and industry analyses, in consultation
27 with the employment security department, and drawing on the findings of
28 its research when available;

29 ~~((Plan))~~ Recommend strategies to meet the recruitment and
30 training needs of the industry and small businesses; and

31 Recommend strategies to leverage and align other public and
32 private funding sources.

33 ~~((9))~~ (7) The ~~((green industries))~~ evergreen jobs training
34 account is created in the state treasury. Funds deposited to the
35 account may include gifts, grants, or endowments from public or private
36 sources, in trust or otherwise. Moneys from the account must be
37 utilized to supplement the state opportunity grant program established
38 under RCW 28B.50.271. All receipts from appropriations directed to the

1 account must be deposited into the account. Expenditures from the
2 account may be used only for the activities identified in this
3 subsection. The state board for community and technical colleges, in
4 consultation with the state (~~(workforce training and education~~
5 ~~coordinating board, informed by the research of the employment security~~
6 ~~department and the strategies developed in this section)) department
7 and its working group, may authorize expenditures from the account(~~(-~~
8 ~~The state board for community and technical colleges)) but must
9 distribute grants from the account on a competitive basis. Grant funds
10 from the evergreen jobs training account should be used when other
11 public or private funds are insufficient or unavailable.~~~~

12 (a)(~~((i) Allowable uses of)) These grant funds(~~(, which should be~~
13 ~~used when other public or private funds are insufficient or~~
14 ~~unavailable, may include)) may be used for, but are not limited to uses
15 for:~~~~

16 ((~~(A)~~)) (i) Curriculum development;

17 ((~~(B)~~)) (ii) Transitional jobs strategies for dislocated workers in
18 declining industries who may be retrained for high-wage occupations in
19 green industries;

20 ((~~(C)~~)) (iii) Workforce education to target populations; (~~and~~

21 ~~(D)~~)) (iv) Adult basic and remedial education as necessary linked
22 to occupation skills training; and

23 (v) Coordinated outreach efforts by institutions of higher
24 education and workforce development councils.

25 ((~~(ii) Allowable uses of)) (b) These grant funds (~~(do not include))~~
26 may not be used for student assistance and support services available
27 through the state opportunity grant program under RCW 28B.50.271.~~

28 ((~~(b)~~)) (c) Applicants eligible to receive these grants may be any
29 organization or a partnership of organizations that has demonstrated
30 expertise in:

31 (i) Implementing effective education and training programs that
32 meet industry demand; and

33 (ii) Recruiting and supporting, to successful completion of those
34 training programs carried out under these grants, the target
35 populations of workers.

36 ((~~(e)~~)) (d) In awarding grants from the (~~(green industries))~~
37 evergreen jobs training account, the state board for community and

1 technical colleges shall give priority to applicants that demonstrate
2 the ability to:

3 (i) Use labor market and industry analysis developed by the
4 employment security department and green industry skill panels in the
5 design and delivery of the relevant education and training program, and
6 otherwise utilize strategies developed by green industry (~~skills~~
7 ~~{skill}~~) skill panels;

8 (ii) Leverage and align existing public programs and resources and
9 private resources toward the goal of recruiting, supporting, educating,
10 and training target populations of workers;

11 (iii) Work collaboratively with other relevant stakeholders in the
12 regional economy;

13 (iv) Link adult basic and remedial education, where necessary, with
14 occupation skills training;

15 (v) Involve employers and, where applicable, labor unions in the
16 determination of relevant skills and competencies and, where relevant,
17 the validation of career pathways; and

18 (vi) Ensure that supportive services, where necessary, are
19 integrated with education and training and are delivered by
20 organizations with direct access to and experience with the targeted
21 population of workers.

22 (8) The definitions in this subsection apply throughout this
23 section and sections 3 through 5 of this act unless the context clearly
24 requires otherwise.

25 (a) "Apprentice" means an apprentice enrolled in an apprenticeship
26 training program approved by the Washington state apprenticeship
27 council.

28 (b) "High-demand occupation" means an occupation with a substantial
29 number of current or projected employment opportunities.

30 (c) "Labor hours" means the total hours of workers receiving an
31 hourly wage who are directly employed on the site of the project. This
32 includes hours performed by workers employed by the contractor and all
33 subcontractors working on the project but does not include hours worked
34 by foremen, superintendents, and owners.

35 (d) "Target populations" means:

36 (i) Entry-level or incumbent workers who are in, or are preparing
37 for, middle or high-wage, high-demand occupations in the green economy;

1 (ii) Dislocated workers in declining industries who may be
2 retrained for middle or high-wage occupations in the green economy;
3 (iii) Eligible veterans or national guard members;
4 (iv) Disadvantaged populations; or
5 (v) Anyone eligible to participate in the state opportunity grant
6 program under RCW 28B.50.271.

7 NEW SECTION. Sec. 3. A new section is added to chapter 28B.50 RCW
8 to read as follows:

9 (1) The college board may prioritize workforce training programs
10 that lead to a credential, certificate, or degree in green economy
11 jobs. For purposes of this section, green economy jobs include those
12 in the primary industries of a green economy including clean energy,
13 high-efficiency building, green transportation, and environmental
14 protection. Prioritization efforts may include but are not limited to:
15 (a) Prioritization of the use of high employer-demand funding for
16 workforce training programs in green economy jobs, if the programs meet
17 minimum criteria for identification as a high-demand program of study
18 as defined by the state board for community and technical colleges,
19 however any additional community and technical college high-demand
20 funding authorized for the 2009-2011 fiscal biennium and thereafter may
21 be subject to prioritization; (b) increased outreach efforts to public
22 utilities, education, labor, government, and private industry to
23 develop tailored, green job training programs; and (c) increased
24 outreach efforts to target populations. Outreach efforts shall be
25 conducted in partnership with local workforce development councils.

26 (2) The definitions in RCW 43.330.310(8) apply to this section.

27 NEW SECTION. Sec. 4. A new section is added to chapter 28C.18 RCW
28 to read as follows:

29 (1) The board may prioritize workforce training programs that lead
30 to a credential, certificate, or degree in green economy jobs. For
31 purposes of this section, green economy jobs include those in the
32 primary industries of a green economy, including clean energy, high-
33 efficiency building, green transportation, and environmental
34 protection. Prioritization efforts may include but are not limited to:
35 (a) Prioritization of the use of high employer-demand funding for
36 workforce training programs in green economy jobs; (b) increased

1 outreach efforts to public utilities, education, labor, government, and
2 private industry to develop tailored, green job training programs; and
3 (c) increased outreach efforts to target populations. Outreach efforts
4 may be conducted in partnership with local workforce development
5 councils.

6 (2) The definitions in RCW 43.330.310(8) apply to this section.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 49.04 RCW
8 to read as follows:

9 (1) The council may prioritize workforce training programs that
10 lead to apprenticeship programs in green economy jobs. For purposes of
11 this section, green economy jobs include those in the primary
12 industries of a green economy, including clean energy, high-efficiency
13 building, green transportation, and environmental protection.
14 Prioritization efforts may include but are not limited to: (a)
15 Prioritization of the use of high employer-demand funding for workforce
16 training programs in green economy jobs; (b) increased outreach efforts
17 to public utilities, education, labor, government, and private industry
18 to develop tailored, green job training programs; and (c) increased
19 outreach efforts to target populations. Outreach efforts shall be
20 conducted in partnership with local workforce development councils.

21 (2) The definitions in RCW 43.330.310(8) apply to this section.

22 NEW SECTION. **Sec. 6.** Nothing in this act may be construed as a
23 requirement for any agency to gain approval from another before
24 allocating funding to the local level. Nothing in this act may be
25 construed as precluding nonstate agencies from directly applying for
26 and securing funds from the federal government. Nothing in this act
27 may be construed as allowing agencies to require additional reporting
28 or approval processes from local organizations or to impose unfunded
29 mandates on local organizations.

30 NEW SECTION. **Sec. 7.** This act may be known and cited as the
31 evergreen jobs act."

E2SHB 2227 - S COMM AMD

By Committee on Economic Development, Trade & Innovation

NOT ADOPTED 04/16/2009

1 On page 1, line 1 of the title, after "jobs;" strike the remainder
2 of the title and insert "amending RCW 43.330.310; adding a new section
3 to chapter 28B.50 RCW; adding a new section to chapter 28C.18 RCW;
4 adding a new section to chapter 49.04 RCW; and creating new sections."

--- END ---