
SECOND SUBSTITUTE HOUSE BILL 2227

State of Washington 61st Legislature 2009 Regular Session

By House Education Appropriations (originally sponsored by Representatives Probst, Orwall, Santos, Nelson, Sullivan, Lias, Williams, Carlyle, Maxwell, Conway, Morrell, White, Goodman, Jacks, Kenney, and Seaquist)

READ FIRST TIME 03/02/09.

1 AN ACT Relating to green jobs; amending RCW 43.330.310; adding new
2 sections to chapter 28C.18 RCW; adding a new section to chapter 28B.50
3 RCW; adding a new section to chapter 49.04 RCW; and creating new
4 sections.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that 2009 American
7 recovery and reinvestment act proposals include both new investments in
8 research and development for green industries, green energy production,
9 and incentives for installation and use of green energy and energy
10 efficiency retrofits. The legislature further finds that state level
11 proposals include additional incentives for installation of green
12 energy and energy efficiency retrofits. These proposals also include
13 new incentives for production of green energy, so that the state is not
14 only using green energy, but also becoming a major supplier of green
15 energy to the world.

16 The legislature believes that these inputs will significantly
17 increase demand for installation and production of green energy and
18 energy efficiency retrofits. The legislature recognizes that this
19 demand will cultivate job opportunities for Washington state residents

1 during economic downturns when such opportunities are particularly
2 valuable. However, the state's residents and economy may be unable to
3 take full advantage of these opportunities if there is a shortage of
4 workers with the skills needed for production and installation jobs in
5 green energy and energy efficiency.

6 Therefore, the legislature intends that Washington state excel in
7 the green economy by creating a highly skilled green jobs workforce.
8 Furthermore, the legislature intends to establish an even stronger
9 focus on skills for green jobs within existing education and training
10 funds, and to the maximum extent possible, allocate funds received from
11 any federal appropriation to the evergreen jobs account.

12 Finally, the legislature intends to establish an evergreen jobs
13 initiative to ensure that the state's workforce is prepared for the new
14 green economy; the state attracts investment and job creation in the
15 green economy; makes Washington a net exporter of green energy
16 technology and components; and otherwise ensures that Washington is a
17 national and world leader in the green economy.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 28C.18 RCW
19 to read as follows:

20 (1) The Washington state evergreen jobs initiative is established
21 with the following primary goals:

22 (a) To create fifteen thousand new green economy jobs by 2020;

23 (b) To target thirty percent of these new jobs to veterans or
24 members of the national guard, and to disadvantaged populations such as
25 low-income persons and communities of color;

26 (c) To prepare the state's workforce to take full advantage of
27 green economy job opportunities;

28 (d) To attract private sector investment that will result in job
29 creation and expansion;

30 (e) To make the state a net exporter of green energy technology and
31 components;

32 (f) To empower green job recruitment and training by local
33 workforce development councils and associate development organizations
34 by providing rapidly accessible funding to recruit and develop green
35 economy projects and green economy employers, and provide them with a
36 reliable supply of skilled workers; and

1 (g) To capitalize upon partnership agreements already established
2 in the governor's Washington works plan and the Washington workforce
3 compact.

4 (2) The board shall convene an evergreen jobs initiative working
5 group including representation from the following agencies and
6 stakeholder interests, and is encouraged to use its own members in
7 these roles as appropriate:

8 (a) The state board for community and technical colleges;

9 (b) The Washington state apprenticeship and training council;

10 (c) The department of community, trade, and economic development;

11 (d) The employment security department;

12 (e) The higher education coordinating board;

13 (f) The council of presidents;

14 (g) Organized labor;

15 (h) A business organization;

16 (i) Associate development organizations;

17 (j) Workforce development councils;

18 (k) One member from each of the two major caucuses of the senate,
19 appointed by the president of the senate; and

20 (l) One member of each of the two major caucuses of the house of
21 representatives, appointed by the speaker of the house of
22 representatives.

23 (3) The board and working group shall accelerate and coordinate
24 efforts to identify and secure any and all potential sources of funding
25 to accomplish the goals of this initiative, with a particular emphasis
26 on funds available from the federal government, including a coordinated
27 effort to maximize receipt of competitive funding available under the
28 American recovery and reinvestment act.

29 (4) The board and working group shall develop a plan or a series of
30 plans to prioritize existing and new funding streams related to
31 workforce training programs and education that lead to a credential,
32 certificate, or degree in green economy jobs.

33 (5) The board and working group shall identify strategies to
34 allocate and direct existing and new funding streams to workforce
35 development councils and associate development organizations in a
36 coordinated and efficient manner, to reduce local staff time needed to
37 draw down funds, and to increase local capacity to respond rapidly and

1 comprehensively to opportunities to attract green jobs to local
2 communities.

3 (6) To provide guidance to the governor and the legislature for
4 accomplishing the primary goals outlined in subsection (1) of this
5 section, the board and working group shall develop a strategic plan
6 that at a minimum identifies recommended state policies, programs,
7 funding sources, and performance metrics.

8 (7) The board and working group may focus on additional high-demand
9 fields as necessary, and shall track additional jobs created in these
10 fields in the same manner as it tracks green job creation for the
11 purposes of chapter . . . , Laws of 2009 (this act).

12 (8)(a) The board and working group shall provide a preliminary
13 progress report to the appropriate committees of the legislature by
14 December 1, 2009. The report shall include, but not be limited to:
15 (i) Methods to encourage the creation and promotion of businesses in
16 the green jobs industry in Washington state; and (ii) efforts and
17 accomplishments to date in securing funds from the federal government
18 and other external sources.

19 (b) The board and working group shall provide the strategic plan
20 required in subsection (6) of this section to the appropriate
21 committees of the legislature by December 1, 2010.

22 (9) If the working group does not secure competitive federal
23 funding by December 31, 2010, the working group terminates.

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

26 (1) The college board shall prioritize workforce training programs
27 that lead to a credential, certificate, or degree in green economy jobs
28 as established in chapter 14, Laws of 2008. For purposes of this
29 section, green economy jobs include those in the primary industries of
30 a green economy including clean energy, green building, green
31 transportation, and environmental protection. Prioritization efforts
32 shall include but not be limited to: (a) Prioritization of the use of
33 high employer-demand funding for workforce training programs in green
34 economy jobs. Any additional community and technical college high-
35 demand funding authorized for the 2009-2011 fiscal biennium and
36 thereafter is subject to prioritization; (b) increased outreach efforts
37 to public utilities, education, labor and government, and private

1 industry to develop tailored, green-job training programs; and (c)
2 increased outreach efforts to target populations, including but not
3 limited to low-income populations and communities of color. Outreach
4 efforts shall be conducted in partnership with local workforce
5 development councils.

6 (2) For purposes of this section, "target populations" means (a)
7 entry-level or incumbent workers who are in, or are preparing for,
8 middle or high-wage high-demand occupations in the green economy; (b)
9 dislocated workers in declining industries who may be retrained for
10 middle or high-wage occupations in the green economy; (c) eligible
11 veterans or national guard members; and (d) disadvantaged populations,
12 including but not limited to low-income populations and communities of
13 color.

14 (3) The definitions in RCW 43.330.310(10) apply to this section.

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

17 (1) The board shall prioritize workforce training programs that
18 lead to a credential, certificate, or degree in green economy jobs as
19 established in chapter 14, Laws of 2008. For purposes of this section,
20 green economy jobs include those in the primary industries of a green
21 economy, including clean energy, green building, green transportation,
22 and environmental protection. Prioritization efforts shall include but
23 not be limited to: (a) Prioritization of the use of high employer-
24 demand funding for workforce training programs in green economy jobs;
25 (b) increased outreach efforts to public utilities, education, labor
26 and government, and private industry to develop tailored, green-job
27 training programs; and (c) increased outreach efforts to target
28 populations, including but not limited to low-income populations and
29 communities of color.

30 (2) For purposes of this section, "target populations" means (a)
31 entry-level or incumbent workers who are in, or are preparing for,
32 middle or high-wage high-demand occupations in the green economy; (b)
33 dislocated workers in declining industries who may be retrained for
34 middle or high-wage occupations in the green economy; (c) eligible
35 veterans or national guard members; and (d) disadvantaged populations,
36 including but not limited to low-income populations and communities of
37 color.

1 (3) The definitions in RCW 43.330.310(10) apply to this section.

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

4 (1) The council shall prioritize workforce training programs that
5 lead to apprenticeship programs in green economy jobs as established in
6 chapter 14, Laws of 2008. For purposes of this section, green economy
7 jobs include those in the primary industries of a green economy,
8 including clean energy, green building, green transportation, and
9 environmental protection. Prioritization efforts shall include but not
10 be limited to: (a) Prioritization of the use of high employer-demand
11 funding for workforce training programs in green economy jobs; (b)
12 increased outreach efforts to public utilities, education, labor and
13 government, and private industry to develop tailored, green-job
14 training programs; and (c) increased outreach efforts to target
15 populations, including but not limited to low-income populations and
16 communities of color.

17 (2) For purposes of this section, "target populations" means (a)
18 entry-level or incumbent workers who are in, or are preparing for,
19 middle or high-wage high-demand occupations in the green economy; (b)
20 dislocated workers in declining industries who may be retrained for
21 middle or high-wage occupations in the green economy; (c) eligible
22 veterans or national guard members; and (d) disadvantaged populations,
23 including but not limited to low-income populations and communities of
24 color.

25 (3) The definitions in RCW 43.330.310(10) apply to this section.

26 **Sec. 6.** RCW 43.330.310 and 2008 c 14 s 9 are each amended to read
27 as follows:

28 (1) The legislature establishes a comprehensive green economy jobs
29 growth initiative based on the goal of, by 2020, increasing the number
30 of green economy jobs to twenty-five thousand from the eight thousand
31 four hundred green economy jobs the state had in 2004.

32 (2) The department, in consultation with the employment security
33 department, the state workforce training and education coordinating
34 board, the state board (~~of~~~~for~~) for community and technical
35 colleges, and the higher education coordinating board, shall develop a

1 defined list of terms, consistent with current workforce and economic
2 development terms, associated with green economy industries and jobs.

3 (3)(a) The employment security department, in consultation with the
4 department, the state workforce training and education coordinating
5 board, the state board for community and technical colleges, the higher
6 education coordinating board, Washington State University small
7 business development center, and the Washington State University
8 extension energy program, shall conduct labor market research to
9 analyze the current labor market and projected job growth in the green
10 economy, the current and projected recruitment and skill requirement of
11 green economy industry employers, the wage and benefits ranges of jobs
12 within green economy industries, and the education and training
13 requirements of entry-level and incumbent workers in those industries.

14 (b) The University of Washington business and economic development
15 center shall: Analyze the current opportunities for and participation
16 in the green economy by minority and women-owned business enterprises
17 in Washington; identify existing barriers to their successful
18 participation in the green economy; and develop strategies with
19 specific policy recommendations to improve their successful
20 participation in the green economy. The research may be informed by
21 the research of the Puget Sound regional council prosperity
22 partnership, as well as other entities. The University of Washington
23 business and economic development center shall report to the
24 appropriate committees of the house of representatives and the senate
25 on their research, analysis, and recommendations by December 1, 2008.

26 (4) Based on the findings from subsection (3) of this section, the
27 employment security department, in consultation with the department and
28 taking into account the requirements and goals of chapter 14, Laws of
29 2008 and other state clean energy and energy efficiency policies, shall
30 propose which industries will be considered high-demand green
31 industries, based on current and projected job creation and their
32 strategic importance to the development of the state's green economy.
33 The employment security department and the department shall take into
34 account which jobs within green economy industries will be considered
35 middle or high-wage occupations and occupations that are part of career
36 pathways to the same, based on family-sustaining wage and benefits
37 ranges. These designations, and the results of the employment security
38 department's broader labor market research, shall inform the planning

1 and strategic direction of the department, the state workforce training
2 and education coordinating board, the state board for community and
3 technical colleges, and the higher education coordinating board.

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

8 (6) The department, consistent with the priorities established by
9 the state economic development commission, shall:

10 (a) Develop targeting criteria for existing investments, and make
11 recommendations for new or expanded financial incentives and
12 comprehensive strategies, to recruit, retain, and expand green economy
13 industries and small businesses; and

14 (b) Make recommendations for new or expanded financial incentives
15 and comprehensive strategies to stimulate research and development of
16 green technology and innovation, including designating innovation
17 partnership zones linked to the green economy.

18 (7) For the purposes of this section, "target populations" means
19 (a) ~~entry-level or incumbent workers ((in high demand green~~
20 ~~industries))~~ who are in, or are preparing for, middle or high-wage
21 high-demand occupations in the green economy; (b) dislocated workers in
22 declining industries who may be retrained for middle or high-wage
23 occupations in ~~((high demand green industries))~~ the green economy; (c)
24 ~~((dislocated agriculture, timber, or energy sector workers who may be~~
25 ~~retrained for high wage occupations in high demand green industries;~~
26 ~~(d))~~ eligible veterans or national guard members; ~~((e))~~ (d)
27 disadvantaged populations; or ~~((f))~~ (e) anyone eligible to
28 participate in the state opportunity grant program under RCW
29 28B.50.271.

30 (8) The legislature directs the state workforce training and
31 education coordinating board to create and pilot green industry skill
32 panels. These panels shall consist of business representatives from
33 industry sectors related to clean energy, labor unions representing
34 workers in those industries or labor affiliates administering state-
35 approved, joint apprenticeship programs or labor-management partnership
36 programs that train workers for these industries, state and local
37 veterans agencies, employer associations, educational institutions, and
38 local workforce development councils within the region that the panels

1 propose to operate, and other key stakeholders as determined by the
2 applicant. Any of these stakeholder organizations are eligible to
3 receive grants under this section and serve as the intermediary that
4 convenes and leads the panel. Panel applicants must provide labor
5 market and industry analysis that demonstrates high demand, or demand
6 of strategic importance to the development of the state's clean energy
7 economy as identified in this section, for middle or high-wage
8 occupations, or occupations that are part of career pathways to the
9 same, within the relevant industry sector. The panel shall:

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

13 (b) Plan strategies to meet the recruitment and training needs of
14 the industry and small businesses; and

15 (c) Leverage and align other public and private funding sources.

16 (9) The (~~green industries~~) evergreen jobs (~~training~~) account is
17 created in the state treasury. Funds deposited to the account may
18 include gifts, grants, or endowments from public or private sources, in
19 trust or otherwise. Moneys from the account must be utilized to
20 supplement the state opportunity grant program established under RCW
21 28B.50.271. All receipts from appropriations directed to the account
22 must be deposited into the account. Expenditures from the account may
23 be used only for the activities identified in this subsection. The
24 state board for community and technical colleges, in consultation with
25 the state workforce training and education coordinating board, informed
26 by the research of the employment security department and the
27 strategies developed in this section, may authorize expenditures from
28 the account. The state board for community and technical colleges must
29 distribute grants from the account on a competitive basis.

30 (a)(i) Allowable uses of these grant funds, which should be used
31 when other public or private funds are insufficient or unavailable, may
32 include:

33 (A) Curriculum development;

34 (B) Transitional jobs strategies for dislocated workers in
35 declining industries who may be retrained for middle or high-wage
36 occupations in green industries;

37 (C) Workforce education to target populations; (~~and~~)

1 (D) Adult basic and remedial education as necessary linked to
2 occupation skills training; and

3 (E) Coordination of outreach efforts by institutions of higher
4 education and workforce development councils.

5 (ii) Allowable uses of these grant funds do not include student
6 assistance and support services available through the state opportunity
7 grant program under RCW 28B.50.271.

8 (b) Applicants eligible to receive these grants may be any
9 organization or a partnership of organizations that has demonstrated
10 expertise in:

11 (i) Implementing effective education and training programs that
12 meet industry demand; and

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

16 (c) In awarding grants from the green industries jobs training
17 account, the state board for community and technical colleges shall
18 give priority to applicants that demonstrate the ability to:

19 (i) Use labor market and industry analysis developed by the
20 employment security department and green industry skill panels in the
21 design and delivery of the relevant education and training program, and
22 otherwise utilize strategies developed by green industry (~~skills~~
23 ~~{skill}~~) skill panels;

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

27 (iii) Work collaboratively with other relevant stakeholders in the
28 regional economy;

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

31 (v) Involve employers and, where applicable, labor unions in the
32 determination of relevant skills and competencies and, where relevant,
33 the validation of career pathways; and

34 (vi) Ensure that supportive services, where necessary, are
35 integrated with education and training and are delivered by
36 organizations with direct access to and experience with the targeted
37 population of workers.

1 (10) The definitions in this subsection apply to this section and
2 sections 2 through 5 of this act unless the context clearly requires
3 otherwise.

4 (a) "Green economy" means the development and use of products and
5 services that promote environmental protection, energy security, or
6 both.

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

9 NEW SECTION. Sec. 7. This act may be known and cited as the
10 evergreen jobs act.

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