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HOUSE BILL 2227

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Probst, Orwall, Santos, Nelson, Sullivan, Lias, Williams, Carlyle, Maxwell, Conway, Morrell, White, Goodman, Jacks, Kenney, and Seaquist

Read first time 02/16/09. Referred to Committee on Community & Economic Development & Trade.

1 AN ACT Relating to green jobs; amending RCW 43.330.310; adding a  
2 new section to chapter 28B.50 RCW; adding a new section to chapter  
3 28C.18 RCW; adding a new section to chapter 49.04 RCW; adding a new  
4 section to chapter 43.330 RCW; and creating new 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 jobs economy by creating a highly skilled green jobs  
8 workforce. Furthermore, the legislature intends to establish an even  
9 stronger focus on skills for green jobs within existing education and  
10 training funds, and to the maximum extent possible, allocate funds  
11 received from any federal appropriation to the evergreen jobs account.

12 Finally, the legislature intends to establish an evergreen jobs  
13 authority 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 28B.50 RCW  
19 to read as follows:

20 (1) The college board shall prioritize programs of study that lead  
21 to a credential, certificate, or degree in green industry occupations  
22 as established in chapter 14, Laws of 2008. For purposes of this  
23 section, green industry occupations include those in the primary  
24 industries of a green economy, rooted in the development and use of  
25 products and services that promote environmental protection, energy  
26 independence, and economic development. Prioritization efforts shall  
27 include but not be limited to: (a) Prioritization of the use of high-  
28 demand funding for job-specific training programs in green industry  
29 occupations; (b) increased outreach efforts to public utilities,  
30 education, labor and government, and private industry to develop  
31 tailored, green-job training programs; and (c) increased outreach  
32 efforts to target populations, including but not limited to low-income  
33 populations and communities of color. Outreach efforts shall be  
34 conducted in partnership with local workforce development councils.

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

1 workers who may be retrained for high-wage occupations in high-demand  
2 green industries; (c) eligible veterans or national guard members; and  
3 (d) disadvantaged populations, including but not limited to low-income  
4 populations and communities of color.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 28C.18 RCW  
6 to read as follows:

7 (1) The board shall prioritize programs of study that lead to a  
8 credential, certificate, or degree in green industry occupations as  
9 established in chapter 14, Laws of 2008. For purposes of this section,  
10 green industry occupations include those in the primary industries of  
11 a green economy, rooted in the development and use of products and  
12 services that promote environmental protection, energy independence,  
13 and economic development. Prioritization efforts shall include but not  
14 be limited to: (a) Prioritization of the use of high-demand funding  
15 for job-specific training programs in green industry occupations; (b)  
16 increased outreach efforts to public utilities, education, labor and  
17 government, and private industry to develop tailored, green-job  
18 training programs; and (c) increased outreach efforts to target  
19 populations, including but not limited to low-income populations and  
20 communities of color.

21 (2) For purposes of this section, "target populations" means (a)  
22 entry-level or incumbent workers in high-demand green industries who  
23 are in, or are preparing for, high-wage occupations; (b) dislocated  
24 workers in declining industries who may be retrained for high-wage  
25 occupations in high-demand green industries; (c) dislocated  
26 agriculture, timber, or energy sector workers who may be retrained for  
27 high-wage occupations in high-demand green industries; (d) eligible  
28 veterans or national guard members; and (e) disadvantaged populations,  
29 including but not limited to low-income populations and communities of  
30 color.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 49.04 RCW  
32 to read as follows:

33 (1) The council shall prioritize programs of study that lead to  
34 apprenticeship programs in green industry occupations as established in  
35 chapter 14, Laws of 2008. For purposes of this section, green industry  
36 occupations include those in the primary industries of a green economy,

1 rooted in the development and use of products and services that promote  
2 environmental protection, energy independence, and economic  
3 development. Prioritization efforts shall include but not be limited  
4 to: (a) Prioritization of the use of high-demand funding for job-  
5 specific training programs in green industry occupations; (b) increased  
6 outreach efforts to public utilities, education, labor and government,  
7 and private industry to develop tailored, green-job training programs;  
8 and (c) increased outreach efforts to target populations, including but  
9 not limited to low-income populations and communities of color.

10 (2) For purposes of this section, "target populations" means (a)  
11 entry-level or incumbent workers in high-demand green industries who  
12 are in, or are preparing for, high-wage occupations; (b) dislocated  
13 workers in declining industries who may be retrained for high-wage  
14 occupations in high-demand green industries; (c) dislocated  
15 agriculture, timber, or energy sector workers who may be retrained for  
16 high-wage occupations in high-demand green industries; (d) eligible  
17 veterans or national guard members; and (e) disadvantaged populations,  
18 including but not limited to low-income populations and communities of  
19 color.

20 **Sec. 5.** RCW 43.330.310 and 2008 c 14 s 9 are each amended to read  
21 as follows:

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

26 (2) The department, in consultation with the employment security  
27 department, the state workforce training and education coordinating  
28 board, the state board (~~(of—[for])~~) for community and technical  
29 colleges, and the higher education coordinating board, shall develop a  
30 defined list of terms, consistent with current workforce and economic  
31 development terms, associated with green economy industries and jobs.

32 (3)(a) The employment security department, in consultation with the  
33 department, the state workforce training and education coordinating  
34 board, the state board for community and technical colleges, the higher  
35 education coordinating board, Washington State University small  
36 business development center, and the Washington State University  
37 extension energy program, shall conduct labor market research to

1 analyze the current labor market and projected job growth in the green  
2 economy, the current and projected recruitment and skill requirement of  
3 green economy industry employers, the wage and benefits ranges of jobs  
4 within green economy industries, and the education and training  
5 requirements of entry-level and incumbent workers in those industries.

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

18 (4) Based on the findings from subsection (3) of this section, the  
19 employment security department, in consultation with the department and  
20 taking into account the requirements and goals of chapter 14, Laws of  
21 2008 and other state clean energy and energy efficiency policies, shall  
22 propose which industries will be considered high-demand green  
23 industries, based on current and projected job creation and their  
24 strategic importance to the development of the state's green economy.  
25 The employment security department and the department shall take into  
26 account which jobs within green economy industries will be considered  
27 high-wage occupations and occupations that are part of career pathways  
28 to the same, based on family-sustaining wage and benefits ranges.  
29 These designations, and the results of the employment security  
30 department's broader labor market research, shall inform the planning  
31 and strategic direction of the department, the state workforce training  
32 and education coordinating board, the state board for community and  
33 technical colleges, and the higher education coordinating board.

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

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

3 (a) Develop targeting criteria for existing investments, and make  
4 recommendations for new or expanded financial incentives and  
5 comprehensive strategies, to recruit, retain, and expand green economy  
6 industries and small businesses; and

7 (b) Make recommendations for new or expanded financial incentives  
8 and comprehensive strategies to stimulate research and development of  
9 green technology and innovation, including designating innovation  
10 partnership zones linked to the green economy.

11 (7) For the purposes of this section, "target populations" means  
12 (a) entry-level or incumbent workers in high-demand green industries  
13 who are in, or are preparing for, high-wage occupations; (b) dislocated  
14 workers in declining industries who may be retrained for high-wage  
15 occupations in high-demand green industries; (c) dislocated  
16 agriculture, timber, or energy sector workers who may be retrained for  
17 high-wage occupations in high-demand green industries; (d) eligible  
18 veterans or national guard members; (e) disadvantaged populations; or  
19 (f) anyone eligible to participate in the state opportunity grant  
20 program under RCW 28B.50.271.

21 (8) The legislature directs the state workforce training and  
22 education coordinating board to create and pilot green industry skill  
23 panels. These panels shall consist of business representatives from  
24 industry sectors related to clean energy, labor unions representing  
25 workers in those industries or labor affiliates administering state-  
26 approved, joint apprenticeship programs or labor-management partnership  
27 programs that train workers for these industries, state and local  
28 veterans agencies, employer associations, educational institutions, and  
29 local workforce development councils within the region that the panels  
30 propose to operate, and other key stakeholders as determined by the  
31 applicant. Any of these stakeholder organizations are eligible to  
32 receive grants under this section and serve as the intermediary that  
33 convenes and leads the panel. Panel applicants must provide labor  
34 market and industry analysis that demonstrates high demand, or demand  
35 of strategic importance to the development of the state's clean energy  
36 economy as identified in this section, for high-wage occupations, or  
37 occupations that are part of career pathways to the same, within the  
38 relevant industry sector. The panel shall:

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

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

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

7 (9) The (~~green industries~~) evergreen jobs (~~training~~) account is  
8 created in the state treasury. Funds deposited to the account may  
9 include gifts, grants, or endowments from public or private sources, in  
10 trust or otherwise. Moneys from the account must be utilized to  
11 supplement the state opportunity grant program established under RCW  
12 28B.50.271. All receipts from appropriations directed to the account  
13 must be deposited into the account. Expenditures from the account may  
14 be used only for the activities identified in this subsection. The  
15 state board for community and technical colleges, in consultation with  
16 the state workforce training and education coordinating board, informed  
17 by the research of the employment security department and the  
18 strategies developed in this section, may authorize expenditures from  
19 the account. The state board for community and technical colleges must  
20 distribute grants from the account on a competitive basis.

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

24 (A) Curriculum development;

25 (B) Transitional jobs strategies for dislocated workers in  
26 declining industries who may be retrained for high-wage occupations in  
27 green industries;

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

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

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

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

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

1 (i) Implementing effective education and training programs that  
2 meet industry demand; and

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

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

9 (i) Use labor market and industry analysis developed by the  
10 employment security department and green industry skill panels in the  
11 design and delivery of the relevant education and training program, and  
12 otherwise utilize strategies developed by green industry (~~skills~~  
13 ~~{skill}~~) skill panels;

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

17 (iii) Work collaboratively with other relevant stakeholders in the  
18 regional economy;

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

21 (v) Involve employers and, where applicable, labor unions in the  
22 determination of relevant skills and competencies and, where relevant,  
23 the validation of career pathways; and

24 (vi) Ensure that supportive services, where necessary, are  
25 integrated with education and training and are delivered by  
26 organizations with direct access to and experience with the targeted  
27 population of workers.

28 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.330 RCW  
29 to read as follows:

30 (1) The legislature establishes an evergreen jobs authority. The  
31 authority is responsible for:

32 (a) Managing, directing, inventorying, and coordinating state  
33 efforts to promote, develop, and encourage evergreen jobs in  
34 Washington;

35 (b) Working with the state board for community and technical  
36 colleges, the workforce training and education coordinating board, and  
37 the apprenticeship councils to develop a plan, or a series of plans, to

1 prioritize existing funding streams related to programs of study that  
2 lead to a credential, certificate, or degree in green industry  
3 occupations;

4 (c) Identifying regional industry clusters and cluster associations  
5 in the green jobs industry and working with local workforce development  
6 councils, governments, and other entities to support those entities,  
7 whenever possible;

8 (d) In collaboration with local businesses in the green jobs  
9 industry, identifying existing and anticipated statewide and local  
10 skill gaps and labor shortages;

11 (e) Implementing a green employment study of public sector  
12 organizations to provide a comprehensive estimate of green jobs across  
13 the state;

14 (f) In collaboration with the employment security department and  
15 the workforce training and education coordinating board, developing a  
16 strategic plan with performance metrics to create fifteen thousand  
17 green jobs statewide by the year 2020; and

18 (g) Implementing the programs created in RCW 43.330.310 and chapter  
19 43.325 RCW.

20 (2)(a) The authority shall issue a preliminary progress report to  
21 the appropriate committees of the legislature by December 1, 2009. The  
22 report shall include, but not be limited to, methods to encourage the  
23 creation and promotion of businesses in the green jobs industry in  
24 Washington state.

25 (b) The authority shall issue a final report, updating the findings  
26 from the preliminary report, by December 1, 2010.

27 NEW SECTION. **Sec. 7.** This act may be known and cited as the  
28 evergreen jobs act.

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