

February 24, 1997

BILL ANALYSIS

TO: Members, Committee on Trade and Economic Development
FROM: Kenny Pittman, Research Analyst (786-7392)
RE: HB 1765 - Creating the jobs for the environment program.

BACKGROUND:

The Legislature created the Environmental Restoration Jobs Act in 1993. The purpose of the program is to award funds for scientifically sound water restoration projects while providing family wage jobs and training to displaced natural resource workers. The job training prepares workers for other opportunities for employment in watershed restoration. The environmental enhancement and job creation task force is responsible for the administration of the program. The task force is responsible for ranking the proposals and determining funding allocations.

The Joint Legislative Audit and Review Committee must prepare an evaluation of the implementation of the environmental restoration jobs act and report its finding to the Legislature by June 30, 1998.

SUMMARY:

The jobs for the environment program is created. The purpose of the program is to restore and conserve watersheds within the state and provide family wage jobs and training opportunities for: (1) new certified dislocated natural resource workers; (2) dislocated workers from fisheries and timber-dependent communities; and (3) workers employed under the previous jobs for the environment program.

The jobs for the environment restoration account is established in the state treasury. Money in the account may only be spent after appropriation by the Legislature. Eligibility for funding

is limited to private nonprofits, small private for-profits, and local, state, and tribal governments.

The Department of Natural Resources (DNR) must evaluate and recommend proposals for funding from the account. The proposals are evaluated on: (1) ability of the applicant to quantify the projected improvement on water or habitat quality and quantity; (2) inclusion of the project as a priority in a federal, state, tribal or local plan; (3) number and duration of jobs with family wages and benefits to be created or retained, priority given to projects that create stable, long-term jobs of one year or longer; (4) ability to help avoid further listings of threatened or endangered species; and (5) participation as a co-sponsor or employer by a tribal government or private for-profit. All programs are encouraged to promote training that is offered through a state-approved apprenticeship program.

Funds may only be expended for agreements entered into by the state that are part of a long-term restoration or conservation planning effort. Local matching funds or in-kind contribution/services, of at least 20 percent nonstate sources the first year, increasing to 50 percent nonstate sources in 5 percent increments per year, are required.

Up to 8 percent administrative and technical assistance costs are authorized. Use of funds is restricted to nonpermanent employees. Start-up costs of up to 5 percent are authorized for nonprofit organizations.

The DNR is required to notify local Employment Security Department offices, local labor organizations, and central labor councils on potential new job openings. The Employment Security Department recruits dislocated and otherwise unemployed workers, develops a pool of unemployed workers, and establishes application procedures for workers. The Employment Security Department refers eligible workers to employers hiring under the program. Employers are required to first consider these workers before any interview or hiring decisions are made.

Employees receiving funds from the account are not state employees subject to public employment, civil service or pension rules, but may receive medical and dental benefits, and industrial insurance coverage if they are hired by a state agency. Employment in the program may not displace state civil service employees or normally contracted services.

Individuals are provided the protection of the unemployment compensation system at the conclusion of training or employment. A special base year and benefit year are established for workers in the program: (1) special base year is based on the first four of the last five complete calendar quarters or the last four complete calendar quarters prior to employment or training under

the program; and (2) special benefit year is the entire period of training or employment provided by the program and a 52 consecutive week period beginning with the first day of the calendar week in which the person last participated in employment or training.

The Department of Labor and Industries must expedite administrative approval of program wages as prevailing wages for watershed restoration workers.

The environmental restoration jobs act program is repealed. The evaluation and report requirements to the Legislature are retained.

Appropriation: None.

Fiscal Note: Requested February 11, 1997.

Effective Date: The bill has an emergency clause and takes effect July 1, 1997.