
SUBSTITUTE HOUSE BILL 2227

State of Washington

61st Legislature

2009 Regular Session

By House Community & Economic Development & Trade (originally sponsored by Representatives Probst, Orwall, Santos, Nelson, Sullivan, Llias, Williams, Carlyle, Maxwell, Conway, Morrell, White, Goodman, Jacks, Kenney, and Seaquist)

READ FIRST TIME 02/23/09.

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

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

1 middle or high-wage occupations in the green economy; (c) eligible
2 veterans or national guard members; and (d) disadvantaged populations,
3 including but not limited to low-income populations and communities of
4 color.

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

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

8 (1) The board shall prioritize workforce training programs that
9 lead to a credential, certificate, or degree in green economy jobs as
10 established in chapter 14, Laws of 2008. For purposes of this section,
11 green economy jobs include those in the primary industries of a green
12 economy, including clean energy, green building, green transportation,
13 and environmental protection. Prioritization efforts shall include but
14 not be limited to: (a) Prioritization of the use of high employer-
15 demand funding for workforce training programs in green economy jobs;
16 (b) increased outreach efforts to public utilities, education, labor
17 and 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 who are in, or are preparing for,
23 middle or high-wage high-demand occupations in the green economy; (b)
24 dislocated workers in declining industries who may be retrained for
25 middle or high-wage occupations in the green economy; (c) eligible
26 veterans or national guard members; and (d) disadvantaged populations,
27 including but not limited to low-income populations and communities of
28 color.

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

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

32 (1) The council shall prioritize workforce training programs that
33 lead to apprenticeship programs in green economy jobs as established in
34 chapter 14, Laws of 2008. For purposes of this section, green economy
35 jobs include those in the primary industries of a green economy,
36 including clean energy, green building, green transportation, and

1 environmental protection. Prioritization efforts shall include but not
2 be limited to: (a) Prioritization of the use of high employer-demand
3 funding for workforce training programs in green economy jobs; (b)
4 increased outreach efforts to public utilities, education, labor and
5 government, and private industry to develop tailored, green-job
6 training programs; and (c) increased outreach efforts to target
7 populations, including but not limited to low-income populations and
8 communities of color.

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

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

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

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

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

30 (3)(a) The employment security department, in consultation with the
31 department, the state workforce training and education coordinating
32 board, the state board for community and technical colleges, the higher
33 education coordinating board, Washington State University small
34 business development center, and the Washington State University
35 extension energy program, shall conduct labor market research to
36 analyze the current labor market and projected job growth in the green
37 economy, the current and projected recruitment and skill requirement of

1 green economy industry employers, the wage and benefits ranges of jobs
2 within green economy industries, and the education and training
3 requirements of entry-level and incumbent workers in those industries.

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

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

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

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

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

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

9 (7) For the purposes of this section, "target populations" means

10 (a) entry-level or incumbent workers (~~(in high demand green~~
11 ~~industries))~~ who are in, or are preparing for, middle or high-wage
12 high-demand occupations in the green economy; (b) dislocated workers in
13 declining industries who may be retrained for middle or high-wage
14 occupations in (~~(high demand green industries))~~ the green economy; (c)
15 (~~(dislocated agriculture, timber, or energy sector workers who may be~~
16 ~~retrained for high wage occupations in high demand green industries;~~
17 ~~(d))~~) eligible veterans or national guard members; (~~(e))~~) (d)
18 disadvantaged populations; or (~~(f))~~) (e) anyone eligible to
19 participate in the state opportunity grant program under RCW
20 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 middle or high-wage
37 occupations, or occupations that are part of career pathways to the
38 same, within the 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 middle or high-wage
27 occupations in 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 (10) The definitions in this subsection apply to this section and
29 sections 2 through 4 of this act unless the context clearly requires
30 otherwise.

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

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

36 NEW SECTION. Sec. 6. A new section is added to chapter 43.330 RCW
37 to read as follows:

1 (1) The evergreen jobs authority is established as provided in law.
2 The authority is responsible for:

3 (a) Managing, directing, inventorying, and coordinating state
4 efforts to promote, develop, and encourage evergreen jobs in
5 Washington;

6 (b) Working with the state board for community and technical
7 colleges, the workforce training and education coordinating board, and
8 Washington state apprenticeship and training councils to develop a
9 plan, or a series of plans, to prioritize existing funding streams
10 related to workforce training programs that lead to a credential,
11 certificate, or degree in green economy jobs;

12 (c) Identifying regional industry clusters and cluster associations
13 in the green jobs industry and working with local workforce development
14 councils, governments, and other entities to support those entities,
15 whenever possible;

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

19 (e) Implementing a green employment study of public sector
20 organizations to provide a comprehensive estimate of green jobs across
21 the state;

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

26 (g) Implementing the programs created in RCW 43.330.310 and chapter
27 43.325 RCW.

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

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

35 NEW SECTION. **Sec. 7.** This act may be known and cited as the

1 evergreen jobs act.

--- END ---