

CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2630**

Chapter 24, Laws of 2010

(partial veto)

61st Legislature  
2010 1st Special Session

OPPORTUNITY EXPRESS PROGRAM

EFFECTIVE DATE: 07/13/10

Passed by the House April 12, 2010  
Yeas 88 Nays 8

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 12, 2010  
Yeas 34 Nays 11

BRAD OWEN

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**President of the Senate**

Approved April 23, 2010, 1:50 p.m., with  
the exception of Section 6 which is  
vetoed.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of  
the House of Representatives of  
the State of Washington, do hereby  
certify that the attached is  
**ENGROSSED SECOND SUBSTITUTE HOUSE  
BILL 2630** as passed by the House of  
Representatives and the Senate on  
the dates hereon set forth.

BARBARA BAKER

\_\_\_\_\_  
**Chief Clerk**

FILED

April 23, 2010

**Secretary of State  
State of Washington**

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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2630

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AS AMENDED BY THE SENATE

Passed Legislature - 2010 1st Special Session

**State of Washington**                      **61st Legislature**                      **2010 Regular Session**

**By** House Education Appropriations (originally sponsored by  
Representatives Probst, Kenney, Conway, Maxwell, Jacks, White,  
Simpson, Seaquist, Sells, Goodman, Ormsby, and Santos)

READ FIRST TIME 02/09/10.

1            AN ACT Relating to creating the opportunity express program;  
2 amending RCW 28C.04.390 and 28C.18.164; adding new sections to chapter  
3 28B.50 RCW; creating a new section; and declaring an emergency.

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

5            NEW SECTION.    **Sec. 1.** (1) The legislature finds that in times of  
6 severe economic recession, the state has a special obligation to help  
7 unemployed and low-income citizens access the training and education  
8 necessary to help them find and keep living wage jobs. The legislature  
9 also finds that during times of recession, when state revenues are at  
10 their lowest, demand for education and training are at their highest,  
11 making it especially important for the legislature to set clear goals  
12 and make the most efficient use of limited state resources.

13            (2) The legislature therefore intends to expand training and  
14 education programs, which have proven to be successful, to help  
15 Washington citizens receive the training they need. These programs  
16 include the worker retraining program, the opportunity grant program,  
17 and the opportunity internship program. The legislature further  
18 intends to create more effective intake and outreach systems to reach

1 the greatest number of citizens and connect them to the resources they  
2 need, including college, apprenticeship, and preapprenticeship.

3 **Sec. 2.** RCW 28C.04.390 and 1999 c 121 s 1 are each amended to read  
4 as follows:

5 (1) The college board worker retraining program funds shall be used  
6 for training programs and related support services, including financial  
7 aid, counseling, referral to training resources, job referral, and job  
8 development that:

9 (a) Are consistent with the unified plan for workforce development;

10 (b) Provide increased enrollments for dislocated workers;

11 (c) Provide customized training opportunities for dislocated  
12 workers; and

13 (d) Provide increased enrollments and support services, including  
14 financial aid for those students not receiving unemployment insurance  
15 benefits, that do not replace or supplant any existing enrollments,  
16 programs, support services, or funding sources.

17 (2) The college board shall develop a plan for use of the worker  
18 retraining program funds in conjunction with the workforce training  
19 customer advisory committee established in subsection (3) of this  
20 section. In developing the plan the college board shall:

21 (a) Provide that applicants for worker retraining program funds  
22 shall solicit financial support for training programs and give priority  
23 in receipt of funds to those applicants which are most successful in  
24 matching public dollars with financial support;

25 (b) Provide that applicants for worker retraining program funds  
26 shall develop training programs in partnership with local businesses,  
27 industry associations, labor, and other partners as appropriate and  
28 give priority in receipt of funds to those applicants who develop  
29 customized training programs in partnership with local businesses,  
30 industry associations, and labor organizations;

31 (c) Give priority in receipt of funds to those applicants serving  
32 rural areas;

33 (d) Ensure that applicants receiving worker retraining program  
34 funds gather information from local workforce development councils on  
35 employer workforce needs, including the needs of businesses with less  
36 than twenty-five employees; (~~and~~)

1 (e) Provide for specialized vocational training at a private career  
2 school or college at the request of a recipient eligible under  
3 subsection (1)(b) of this section. Available tuition for the training  
4 is limited to the amount that would otherwise be payable per enrolled  
5 quarter to a public institution; and

6 (f) Give priority in receipt of funds to those applicants working  
7 toward careers in the aerospace, health care, advanced manufacturing,  
8 construction, forest product, and renewable energy industries; high-  
9 demand occupations in strategic industry clusters identified in the  
10 state comprehensive plan and the workforce development councils' local  
11 comprehensive plans for workforce educational training as identified in  
12 RCW 28C.18.080 and 28C.18.150; and occupations and industries  
13 identified by community and technical colleges in collaboration with  
14 local workforce development councils. For purposes of this section,  
15 health care includes long-term care.

16 (3) The executive director of the college board shall appoint a  
17 workforce training customer advisory committee by July 1, 1999, to:

18 (a) Assist in the development of the plan for the use of the  
19 college board worker retraining program funds and recommend guidelines  
20 to the college board for the operation of worker retraining programs;

21 (b) Recommend selection criteria for worker retraining programs and  
22 grant applicants for receipt of worker retraining program grants;

23 (c) Provide advice to the college board on other workforce  
24 development activities of the community and technical colleges;

25 (d) Recommend selection criteria for job skills grants, consistent  
26 with criteria established in this chapter and chapter 121, Laws of  
27 1999. Such criteria shall include a prioritization of job skills  
28 applicants in rural areas;

29 (e) Recommend guidelines to the college board for the operation of  
30 the job skills program; and

31 (f) Recommend grant applicants for receipt of job skills program  
32 grants.

33 (4) Members of the workforce training customer advisory committee  
34 shall consist of three college system representatives selected by the  
35 executive director of the college board, three representatives of  
36 business selected from nominations provided by statewide business  
37 organizations, and three representatives of labor selected from

1 nominations provided by a statewide labor organization representing a  
2 cross-section of workers in the state.

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

5 By July 1, 2010, and within existing resources, the college board  
6 may create a single web site for the purpose of advertising the  
7 availability of opportunity express funding to Washington citizens;  
8 explaining that opportunity express helps people who want to pursue  
9 college and apprenticeship for certain targeted industries; and  
10 explaining that opportunity express includes the following tracks:  
11 Worker retraining for unemployed adults; training programs approved by  
12 the commissioner of the employment security department, training  
13 programs administered by labor and management partnerships, and  
14 training programs prioritized by industry, for unemployed adults and  
15 incumbent workers; opportunity internships for high school students;  
16 and opportunity grants for low-income adults. The web site may also  
17 direct interested individuals to the appropriate local intake office.  
18 The web site may also include a link to the Washington state department  
19 of labor and industries apprenticeship program.

20 **Sec. 4.** RCW 28C.18.164 and 2009 c 238 s 4 are each amended to read  
21 as follows:

22 (1) Opportunity internship consortia may apply to the board to  
23 offer an opportunity internship program.

24 (a) The board, in consultation with the Washington state  
25 apprenticeship and training council, may select those consortia that  
26 demonstrate the strongest commitment and readiness to implement a high  
27 quality opportunity internship program for low-income high school  
28 students. The board shall place a priority on consortia with  
29 demonstrated experience working with similar populations of students  
30 and demonstrated capacity to assist a large number of students through  
31 the progression of internship or preapprenticeship, high school  
32 graduation, postsecondary education, and retention in a high-demand  
33 occupation. The board shall place a priority on programs that  
34 emphasize secondary career and technical education and nonbaccalaureate  
35 postsecondary education; however, programs that target four-year  
36 postsecondary degrees are eligible to participate.

1        (b)(i) Except as provided in (b)(ii) of this subsection (1), the  
2 board shall enter into a contract with each consortium selected to  
3 participate in the program. No more than ten consortia per year shall  
4 be selected to participate in the program, and to the extent possible,  
5 the board shall assure a geographic distribution of consortia in  
6 regions across the state emphasizing a variety of targeted industries.  
7 Each consortium may select no more than one hundred low-income high  
8 school students per year to participate in the program.

9        (ii) For fiscal years 2011 through 2013, the board shall enter into  
10 a contract with each consortium selected to participate in the program.  
11 No more than twelve consortia per year shall be selected to participate  
12 in the program, and to the extent possible, the board shall assure a  
13 geographic distribution of consortia in regions across the state  
14 emphasizing a variety of targeted industries. No more than five  
15 thousand low-income high school students per year may be selected to  
16 participate in the program.

17        (2) Under the terms of an opportunity internship program contract,  
18 an opportunity internship consortium shall commit to the following  
19 activities which shall be conducted using existing federal, state,  
20 local, or private funds available to the consortium:

21        (a) Identify high-demand occupations in targeted industries for  
22 which opportunity internships or preapprenticeships shall be developed  
23 and provided;

24        (b) Develop and implement the components of opportunity  
25 internships, including paid or unpaid internships or preapprenticeships  
26 of at least ninety hours in length in high-demand occupations with  
27 employers in the consortium, mentoring and guidance for students who  
28 participate in the program, assistance with applications for  
29 postsecondary programs and financial aid, and a guarantee of a job  
30 interview with a participating employer for all opportunity internship  
31 graduates who successfully complete a postsecondary program of study;

32        (c) Once the internship or preapprenticeship components have been  
33 developed, conduct outreach efforts to inform low-income high school  
34 students about high-demand occupations, the opportunity internship  
35 program, options for postsecondary programs of study, and the  
36 incentives and opportunities provided to students who participate in  
37 the program;

1 (d) Obtain appropriate documentation of the low-income status of  
2 students who participate in the program;

3 (e) Maintain communication with opportunity internship graduates of  
4 the consortium who enroll in postsecondary programs of study; and

5 (f) Submit an annual report to the board on the progress of and  
6 participation in the opportunity internship program of the consortium.

7 (3) Opportunity internship consortia are encouraged to:

8 (a) Provide paid opportunity internships or preapprenticeships,  
9 including during the summer months to encourage students to stay  
10 enrolled in high school;

11 (b) Work with high schools to offer opportunity internships as  
12 approved worksite learning experiences where students can earn high  
13 school credit;

14 (c) Designate the local workforce development council as fiscal  
15 agent for the opportunity internship program contract;

16 (d) Work with area high schools to incorporate the opportunity  
17 internship program into comprehensive guidance and counseling programs  
18 such as the navigation 101 program; and

19 (e) Coordinate the opportunity internship program with other  
20 workforce development and postsecondary education programs, including  
21 opportunity grants, the college bound scholarship program, federal  
22 workforce investment act initiatives, and college access challenge  
23 grants.

24 (4) The board shall seek federal funds that may be used to support  
25 the opportunity internship program, including providing the incentive  
26 payments under RCW 28C.18.168.

27 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.50 RCW  
28 to read as follows:

29 A separate and identifiable account, which shall be known as the  
30 opportunity express account, is established. Moneys in the account may  
31 be spent only after appropriation. Moneys in the account shall be used  
32 only for the worker retraining program, training programs approved by  
33 the commissioner of the employment security department, training  
34 programs administered by labor and management partnerships, industry-  
35 prioritized training programs, training programs that facilitate career  
36 progression in health care occupations, the opportunity internship  
37 program, and the opportunity grant program, and for administrative

1 costs related to these programs. Moneys in the account shall be used  
2 to supplement, not supplant, existing funding for the opportunity grant  
3 program.

4 ***\*NEW SECTION. Sec. 6. This act is necessary for the immediate***  
5 ***preservation of the public peace, health, or safety, or support of the***  
6 ***state government and its existing public institutions, and takes effect***  
7 ***immediately.***

*\*Sec. 6 was vetoed. See message at end of chapter.*

Passed by the House April 12, 2010.

Passed by the Senate April 12, 2010.

Approved by the Governor April 23, 2010, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State April 23, 2010.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 6,  
Engrossed Second Substitute House Bill 2630 entitled:

"AN ACT Relating to creating the opportunity express program."

Section 6 is an unnecessary emergency clause. The general fund  
appropriation to the Opportunity Express Account created in the bill  
is a Fiscal Year 2011 appropriation. Engrossed Second Substitute  
House Bill 2630 can take effect ninety days after the adjournment of  
the session at which it was enacted and still allow timely transfer of  
funding to the new account.

For these reasons, I have vetoed Section 6 of Engrossed Second  
Substitute House Bill 2630.

With the exception of Section 6 of Engrossed Second Substitute House  
Bill 2630 is approved."