

SENATE BILL REPORT

SB 5386

As Reported By Senate Committee On:
Natural Resources & Parks, February 14, 1997

Title: An act relating to the jobs for the environment program.

Brief Description: Creating the jobs for the environment program.

Sponsors: Senators Oke, Prentice, Patterson, Kline, Haugen, Kohl, Winsley, Franklin and Rasmussen; by request of Department of Fish and Wildlife, Commissioner of Public Lands and Department of Natural Resources.

Brief History:

Committee Activity: Natural Resources & Parks: 2/7/97, 2/14/97 [DPS-WM].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 5386 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Oke, Chair; Rossi, Vice Chair; Hargrove, Jacobsen, Morton, Prentice, Roach, Snyder, Spanel, Stevens and Swecker.

Staff: Aldo Melchiori (786-7439)

Background: The Jobs for the Environment program awards funds for scientifically sound water restoration while providing family wage jobs and training to displaced natural resource workers. The jobs prepare these workers for other opportunities in the Northwest's watershed restoration efforts. The program is managed by the Department of Natural Resources (DNR) with assistance from the Washington Department of Fish and Wildlife. It is guided by the diverse members of its task force. This program was established by the 1993 Legislature through the Environmental Enhancement and Job Creation Act (ESB 1785).

After three years' experience starting up and running the Jobs for the Environment program, DNR proposes to improve the program.

Summary of Substitute Bill: The jobs for the environment restoration account is established in the state treasury. Money may only be spent after appropriation by the Legislature. Private nonprofit, small private for-profit, and local, state, and tribal governments are eligible to apply for funds.

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 services, of at least a 20 percent nonstate investment the first year, increasing to 50 percent nonstate investment in 5 percent increments per year, are required.

Funds are awarded on a competitive basis for programs identified by the Department of Natural Resources and the Department of Fish and Wildlife with task force input. The task force is issued guidelines for the recommendation of projects or programs.

Up to 12 percent administrative and technical assistance costs are authorized, except as otherwise limited by statute. Use of funds is restricted to nonpermanent employees. Start-up costs of up to 10 percent are authorized for nonprofit organizations.

Funds cannot be awarded for administrative rulemaking, community outreach, real property acquisition, mitigation of work requiring state or federal permits, incentives or bonuses to salaried employees, or marketing studies or research.

The Jobs for the Environment Task Force is created within the Department of Natural Resources. Terms of members are staggered. The Commissioner of Public Lands appoints the chair and public members; the Governor appoints governmental members. All members serve without pay, except public members are reimbursed for travel costs. The Department of Natural Resources provides staff and administrative support.

The task force is responsible for reviewing and selecting projects and programs; soliciting and evaluating requests for funds; recommending projects, agreements and training programs to the Commissioner of Public Lands; assisting state and local agencies in program implementation and development; and submitting a biennial report to the Legislature. The criteria for evaluating and recommending proposals are established.

The Department of Natural Resources administers the program and may enter into agreements and partnerships. The Department of Fish and Wildlife and the Department of Ecology provide knowledge and technical expertise as needed.

Participants are considered to be in training with the approval of the Commissioner of Employment Security and are eligible for unemployment insurance benefits while actively participating in training. Participants are eligible for employment security benefits.

Employment Security offices, local labor organizations and central labor councils are notified by the task force. The Employment Security Department recruits dislocated and otherwise unemployed workers, including high-risk youth, and establishes application procedures. The Employment Security Department refers eligible workers to employers hiring under the program.

Persons 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. Workers who must commute over 60 miles round trip using private vehicles are eligible for expenses.

Employment in the program does 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, and special benefit years and base years are established if they are not otherwise covered under current unemployment compensation

statutes. Procedures for initial unemployment compensation benefits determinations are established.

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

The Department of Natural Resources reports to the Legislature on or before June 30, 2000 with an evaluation of the program, and nine criteria are identified as indicators of success.

Watershed restoration– is defined to mean altering current conditions in measurable ways to provide water quality and habitat adequate to contribute to the sustainability of healthy, diverse populations of fish and wildlife in a watershed.

Matching funds requirements may be adjusted by the task force to avoid hardship that would result in ineligibility.

Up to one-half of funding is available for watershed partnerships not able to meet program requirements.

The task force is responsible for recommending plans.

The Employment Security Department certifies eligible workers.

Substitute Bill Compared to Original Bill: Affected natural resource worker– includes other workers from fisheries or timber-dependent communities that have at least a two-year work history in a timber dependent community. Other employed workers, including high-risk youth, are notified by the Employment Security Department if they have at least a two-year work history in a timber dependent community.

The Employment Security Department audits each employer at the beginning of each project and every three months during the project and certifies that dislocated fishers and forest workers are being utilized to the greatest extent possible.

The Department of Natural Resources will include the number of displaced fishers and forest workers employed by each project in its report due on or before June 30, 2000.

Appropriation: None.

Fiscal Note: Requested on January 27, 1997.

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

Testimony For: This program is supported by fishers and forest timber workers. Displaced workers should be served first and are. The state needs the trained natural resource workers and well-rounded forestry workers that this program produces. The program creates goodwill and a spirit of cooperation between government and industry. The program is well thought out and proactive. Capital budget authority would be helpful so that long-term programs are not lost due to time constraints.

Testimony Against: None.

Testified: PRO: Ed Owens, Coalition of Coastal Fisheries; Bruce Wisher, People for Puget Sound; Rick Abbot; Peter West; Roger Heally; Jeff Johnson, WA State Research Council; Tina Edwards, Ecosystem Environmental Consultants; Katherine Lynch, Seattle Public Utilities; Greg Martenson, Seattle Light; Larry Outhout, South Puget Sound Salmon Enhancement Group; Jim Wallis, Columbia-Pacific RC&D; Dave Rux, Woodworkers' Union; Harold Abby, AWPPW; Tim Boyd, WA Forest Protection Assn.; Allen Liebowitz, Willapa Alliance; Sue Kuehl, fish biologist; Art Stearns, Dept. of Natural Resources, Dept. of Fish and Wildlife.