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HOUSE BILL 1132

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State of Washington

55th Legislature

1997 Regular Session

By Representatives Kessler, Hatfield, Chopp, Murray, Cody and Anderson;  
by request of Governor Lowry

Read first time 01/15/97. Referred to Committee on Trade & Economic  
Development.

1 AN ACT Relating to economic and employment impact of natural  
2 resources harvest variation in rural communities; amending RCW  
3 43.31.601, 43.31.611, 43.31.621, 43.63A.021, 43.31.641, 43.63A.440,  
4 43.160.020, 43.160.076, 28B.50.030, 28B.80.570, 28B.80.580, 50.12.270,  
5 43.131.385, and 43.131.386; amending 1995 c 226 s 7 (uncodified);  
6 amending 1995 c 226 s 8 (uncodified); amending 1995 c 226 s 9  
7 (uncodified); reenacting and amending RCW 50.22.090 and 43.20A.750;  
8 creating a new section; repealing RCW 43.31.651; providing an effective  
9 date; providing expiration dates; and declaring an emergency.

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

11 **Sec. 1.** RCW 43.31.601 and 1995 c 226 s 1 are each amended to read  
12 as follows:

13 For the purposes of RCW 43.31.601 through (~~43.31.661~~) 43.31.641:  
14 (1) "Timber impact area" means a county having a population of less  
15 than five hundred thousand, or a city or town located within a county  
16 having a population of less than five hundred thousand, and meeting two  
17 of the following three criteria, as determined by the employment  
18 security department, for the most recent year such data is available:  
19 (a) A lumber and wood products employment location quotient at or above

1 the state average; (b) projected or actual direct lumber and wood  
2 products job losses of one hundred positions or more, except counties  
3 having a population greater than two hundred thousand but less than  
4 five hundred thousand must have direct lumber and wood products job  
5 losses of one thousand positions or more; or (c) an annual unemployment  
6 rate twenty percent or more above the state average.

7 (2)(a) "Rural natural resources impact area" means:

8 (i) A nonmetropolitan county, as defined by the 1990 decennial  
9 census, that meets ~~((two))~~ three of the five criteria set forth in (b)  
10 of this subsection; ~~((or))~~

11 (ii) A nonmetropolitan county with a population of less than forty  
12 thousand in the 1990 decennial census, that meets two of the five  
13 criteria as set forth in (b) of this subsection; or

14 (iii) A nonurbanized area, as defined by the 1990 decennial census,  
15 that is located in a metropolitan county that meets ~~((two))~~ three of  
16 the five criteria set forth in (b) of this subsection.

17 (b) For the purposes of designating rural natural resources impact  
18 areas, the following criteria shall be considered:

19 (i) A lumber and wood products employment location quotient at or  
20 above the state average;

21 (ii) A commercial salmon fishing employment location quotient at or  
22 above the state average;

23 (iii) Projected or actual direct lumber and wood products job  
24 losses of one hundred positions or more;

25 (iv) Projected or actual direct commercial salmon fishing job  
26 losses of one hundred positions or more; and

27 (v) An unemployment rate twenty percent or more above the state  
28 average.

29 The counties that meet these criteria shall be determined by the  
30 employment security department for the most recent year for which data  
31 is available. For the purposes of administration of programs under  
32 this chapter, the United States post office five-digit zip code  
33 delivery areas will be used to determine residence status for  
34 eligibility purposes. For the purpose of this definition, a zip code  
35 delivery area ~~((that is located wholly or partially in an urbanized~~  
36 ~~area or within two))~~ of which any part is ten miles ~~((of))~~ or more from  
37 an urbanized area is considered nonurbanized. A zip code totally  
38 surrounded by zip codes qualifying as nonurbanized under this  
39 definition is also considered nonurbanized. The office of financial

1 management shall make available a zip code listing of the areas to all  
2 agencies and organizations providing services under this chapter.

3 **Sec. 2.** RCW 43.31.611 and 1995 c 226 s 2 are each amended to read  
4 as follows:

5 (1) The governor shall appoint a rural community assistance  
6 coordinator. The coordinator shall coordinate the state and federal  
7 economic and social programs targeted to rural natural resources impact  
8 areas.

9 (2) The coordinator's responsibilities shall include but not be  
10 limited to:

11 (a) Chairing the agency rural community assistance task force and  
12 directing staff associated with the task force.

13 (b) Coordinating and maximizing the impact of state and federal  
14 assistance to rural natural resources impact areas.

15 (c) Coordinating and expediting programs to assist rural natural  
16 resources impact areas.

17 (d) Providing the legislature with a status and impact report on  
18 the rural community assistance program in January ((1996)) 1998.

19 (3) To assist in carrying out the duties set out under this  
20 section, the coordinator shall consult with the Washington state rural  
21 development council and may appoint an advisory body that has  
22 representation from local governments and natural resources interest  
23 groups representing impacted rural communities.

24 (4) This section shall expire June 30, ((1997)) 2000.

25 **Sec. 3.** RCW 43.31.621 and 1996 c 186 s 508 are each amended to  
26 read as follows:

27 (1) There is established the agency rural community assistance task  
28 force. The task force shall be chaired by the rural community  
29 assistance coordinator. It shall be the responsibility of the  
30 coordinator that all directives of chapter 314, Laws of 1991, and  
31 chapter 226, Laws of 1995 are carried out expeditiously by the agencies  
32 represented in the task force. The task force shall consist of the  
33 directors, or representatives of the directors, of the following  
34 agencies: The department of community, trade, and economic  
35 development, employment security department, department of social and  
36 health services, state board for community and technical colleges, work  
37 force training and education coordinating board, department of natural

1 resources, department of transportation, department of fish and  
2 wildlife, University of Washington center for international trade in  
3 forest products, department of agriculture, and department of ecology.  
4 The task force shall solicit and consider input from the rural  
5 development council in coordinating agency programs targeted to rural  
6 natural resources impacted communities. The task force may consult and  
7 enlist the assistance of the following: The higher education  
8 coordinating board, University of Washington college of forest  
9 resources, University of Washington school of fisheries, Washington  
10 State University school of forestry, Northwest policy center, state  
11 superintendent of public instruction, Washington state labor council,  
12 the Evergreen partnership, Washington state association of counties,  
13 and others as needed.

14 ~~(2) ((The task force, in conjunction with the rural development~~  
15 ~~council, shall undertake a study to determine whether additional~~  
16 ~~communities and industries are impacted, or are likely to be impacted,~~  
17 ~~by salmon preservation and recovery efforts. The task force shall~~  
18 ~~consider possible impacts in the following industries and associated~~  
19 ~~communities: Barge transportation, irrigation dependent agriculture,~~  
20 ~~food processing, aluminum, charter recreational fishing, boatbuilding,~~  
21 ~~and other sectors suggested by the task force. The task force shall~~  
22 ~~report its findings and recommendations to the legislature by January~~  
23 ~~1996.~~

24 ~~(3))~~ This section shall expire June 30, ~~((1997))~~ 2000.

25 **Sec. 4.** RCW 50.22.090 and 1995 c 226 s 5 and 1995 c 57 s 2 are  
26 each reenacted and amended to read as follows:

27 (1) An additional benefit period is established for rural natural  
28 resources impact areas, defined in RCW 43.31.601, and determined by the  
29 office of financial management and the employment security department.  
30 Benefits shall be paid as provided in subsection (3) of this section to  
31 exhaustees eligible under subsection (4) of this section.

32 (2) The additional benefit period for a county may end no sooner  
33 than fifty-two weeks after the additional benefit period begins.

34 (3) Additional benefits shall be paid as follows:

35 (a) No new claims for additional benefits shall be accepted for  
36 weeks beginning after July 1, ~~((1997))~~ 1999, but for claims established  
37 on or before July 1, ~~((1997))~~ 1999, weeks of unemployment occurring

1 after July 1, (~~1997~~) 1999, shall be compensated as provided in this  
2 section.

3 (b) The total additional benefit amount shall be one hundred four  
4 times the individual's weekly benefit amount, reduced by the total  
5 amount of regular benefits and extended benefits paid, or deemed paid,  
6 with respect to the benefit year. Additional benefits shall not be  
7 payable for weeks more than two years beyond the end of the benefit  
8 year of the regular claim for an individual whose benefit year ends on  
9 or after July 27, 1991, and shall not be payable for weeks ending on or  
10 after two years after March 26, 1992, for individuals who become  
11 eligible as a result of chapter 47, Laws of 1992.

12 (c) Notwithstanding the provisions of (b) of this subsection,  
13 individuals will be entitled to up to five additional weeks of benefits  
14 following the completion or termination of training.

15 (d) Notwithstanding the provisions of (b) of this subsection,  
16 individuals enrolled in prerequisite remedial education for a training  
17 program expected to last at least one year will be entitled to up to  
18 thirteen additional weeks of benefits which shall not count toward the  
19 total in (b) of this subsection.

20 (e) The weekly benefit amount shall be calculated as specified in  
21 RCW 50.22.040.

22 (f) Benefits paid under this section shall be paid under the same  
23 terms and conditions as regular benefits. The additional benefit  
24 period shall be suspended with the start of an extended benefit period,  
25 or any totally federally funded benefit program, with eligibility  
26 criteria and benefits comparable to the program established by this  
27 section, and shall resume the first week following the end of the  
28 federal program.

29 (g) The amendments in chapter 316, Laws of 1993 affecting  
30 subsection (3)(b) and (c) of this section shall apply in the case of  
31 all individuals determined to be monetarily eligible under this section  
32 without regard to the date eligibility was determined.

33 (4) An additional benefit eligibility period is established for any  
34 exhaustee who:

35 (a)(i) At the time of last separation from employment, resided in  
36 or was employed in a rural natural resources impact area defined in RCW  
37 43.31.601 and determined by the office of financial management and the  
38 employment security department; or

1 (ii) During his or her base year, earned wages in at least six  
2 hundred eighty hours in either the forest products industry, which  
3 shall be determined by the department but shall include the industries  
4 assigned the major group standard industrial classification codes "24"  
5 and "26" and the industries involved in the harvesting and management  
6 of logs, transportation of logs and wood products, processing of wood  
7 products, and the manufacturing and distribution of wood processing and  
8 logging equipment or the fishing industry assigned the standard  
9 industrial classification code "0912". The commissioner may adopt  
10 rules further interpreting the industries covered under this  
11 subsection. For the purposes of this subsection, "standard industrial  
12 classification code" means the code identified in RCW 50.29.025(6)(c);  
13 and

14 (b)(i) Has received notice of termination or layoff; and

15 (ii) Is unlikely to return to employment in his or her principal  
16 occupation or previous industry because of a diminishing demand within  
17 his or her labor market for his or her skills in the occupation or  
18 industry; and

19 (c)(i) Is notified by the department of the requirements of this  
20 section and develops an individual training program that is submitted  
21 to the commissioner for approval not later than sixty days after the  
22 individual is notified of the requirements of this section, and enters  
23 the approved training program not later than ninety days after the date  
24 of the individual's termination or layoff, or ninety days after July 1,  
25 1991, whichever is later, unless the department determines that the  
26 training is not available during the ninety-day period, in which case  
27 the individual shall enter training as soon as it is available; or

28 (ii) Is enrolled in training approved under this section on a full-  
29 time basis and maintains satisfactory progress in the training.

30 (5) For the purposes of this section:

31 (a) "Training program" means:

32 (i) A remedial education program determined to be necessary after  
33 counseling at the educational institution in which the individual  
34 enrolls pursuant to his or her approved training program; or

35 (ii) A vocational training program at an educational institution  
36 that:

37 (A) Is training for a labor demand occupation; and

38 (B) Is likely to facilitate a substantial enhancement of the  
39 individual's marketable skills and earning power.

1 (b) "Educational institution" means an institution of higher  
2 education as defined in RCW 28B.10.016 or an educational institution as  
3 defined in RCW 28C.04.410(3).

4 (c) "Training allowance or stipend" means discretionary use, cash-  
5 in-hand payments available to the individual to be used as the  
6 individual sees fit, but does not mean direct or indirect compensation  
7 for training costs, such as tuition or books and supplies.

8 (6) The commissioner shall adopt rules as necessary to implement  
9 this section.

10 (7) The provisions of RCW 50.22.010(10) shall not apply to anyone  
11 who establishes eligibility for additional benefits under this section  
12 and whose benefit year ends after January 1, 1994. These individuals  
13 will have the option of remaining on the original claim or filing a new  
14 claim.

15 **Sec. 5.** RCW 43.63A.021 and 1995 c 226 s 11 are each amended to  
16 read as follows:

17 Unless the context clearly requires otherwise, the definitions in  
18 this section apply throughout this chapter.

19 (1) "Dislocated forest products worker" means a forest products  
20 worker who: (a)(i) Has been terminated or received notice of  
21 termination from employment and is unlikely to return to employment in  
22 the individual's principal occupation or previous industry because of  
23 a diminishing demand for his or her skills in that occupation or  
24 industry; or (ii) is self-employed and has been displaced from his or  
25 her business because of the diminishing demand for the business's  
26 services or goods; and (b) at the time of last separation from  
27 employment, resided in or was employed in a rural natural resources  
28 impact area.

29 (2) "Forest products worker" means a worker in the forest products  
30 industries affected by the reduction of forest fiber enhancement,  
31 transportation, or production. The workers included within this  
32 definition shall be determined by the employment security department,  
33 but shall include workers employed in the industries assigned the major  
34 group standard industrial classification codes "24" and "26" and the  
35 industries involved in the harvesting and management of logs,  
36 transportation of logs and wood products, processing of wood products,  
37 and the manufacturing and distribution of wood processing and logging  
38 equipment. The commissioner may adopt rules further interpreting these

1 definitions. For the purposes of this subsection, "standard industrial  
2 classification code" means the code identified in RCW 50.29.025(6)(c).

3 (3) "Dislocated salmon fishing worker" means a ~~((salmon))~~ finfish  
4 products worker who: (a)(i) Has been terminated or received notice of  
5 termination from employment and is unlikely to return to employment in  
6 the individual's principal occupation or previous industry because of  
7 a diminishing demand for his or her skills in that occupation or  
8 industry; or (ii) is self-employed and has been displaced from his or  
9 her business because of the diminishing demand for the business's  
10 services or goods; and (b) at the time of last separation from  
11 employment, resided in or was employed in a rural natural resources  
12 impact area.

13 (4) "Salmon fishing worker" means a worker in the ~~((salmon))~~  
14 finfish industry affected by 1994 or future salmon disasters. The  
15 workers included within this definition shall be determined by the  
16 employment security department, but shall include workers employed in  
17 the industries involved in the commercial and recreational harvesting  
18 of ~~((salmon))~~ finfish including buying and processing ~~((salmon))~~  
19 finfish. The commissioner may adopt rules further interpreting these  
20 definitions.

21 **Sec. 6.** RCW 43.31.641 and 1995 c 226 s 4 are each amended to read  
22 as follows:

23 The department of community, trade, and economic development, as a  
24 member of the agency rural community assistance task force, shall:

25 (1) ~~((Implement an expanded value-added forest products development~~  
26 ~~industrial extension program. The department shall provide technical~~  
27 ~~assistance to small and medium-sized forest products companies to~~  
28 ~~include:~~

29 ~~(a) Secondary manufacturing product development;~~

30 ~~(b) Plant and equipment maintenance;~~

31 ~~(c) Identification and development of domestic market~~  
32 ~~opportunities;~~

33 ~~(d) Building products export development assistance;~~

34 ~~(e) At risk business development assistance;~~

35 ~~(f) Business network development; and~~

36 ~~(g) Timber impact area industrial diversification.~~

37 (2) ~~Provide local contracts for small and medium-sized forest~~  
38 ~~product companies, start-ups, and business organizations for business~~

1 feasibility, market development, and business network contracts that  
2 will benefit value added production efforts in the industry.

3 ~~(3) Contract with local business organizations in timber impact~~  
4 ~~areas for development of programs to promote industrial~~  
5 ~~diversification. The department shall provide local capacity building~~  
6 ~~grants to local governments and community based organizations in timber~~  
7 ~~impact areas, which may include long range planning and needs~~  
8 ~~assessments.~~

9 For the 1991-93 biennium, the department of community, trade, and  
10 economic development shall use funds appropriated for this section for  
11 contracts and for no more than two additional staff positions))  
12 Administer available federal grant funds to support strategic  
13 diversification needs and opportunities of timber-dependent  
14 communities, value-added forest products firms, and the value-added  
15 forest products industry in Washington state.

16 (2) Provide technical aid to value-added wood products companies  
17 for new investment and job creation; and work with wood products firms  
18 to assure the continued operation and help retain jobs.

19 (3) Provide value-added wood products companies with building  
20 products export development assistance.

21 **Sec. 7.** RCW 43.63A.440 and 1995 c 226 s 13 are each amended to  
22 read as follows:

23 The department of community, trade, and economic development shall  
24 provide technical and financial assistance to communities adversely  
25 impacted by reductions in timber harvested from federal, state, and  
26 private lands and reduction of salmon fishing caused by efforts to  
27 maintain the long-term viability of salmon stocks. ((This assistance  
28 shall include the formation and implementation of community economic  
29 development plans. The department of community, trade, and economic  
30 development shall utilize existing state technical and financial  
31 assistance programs, and shall aid communities in seeking private and  
32 federal financial assistance for the purposes of this section. The  
33 department may contract for services provided for under this section))  
34 The department shall use existing technical and financial assistance  
35 resources to aid communities in planning, implementing, and assembling  
36 financing for high priority community economic development projects.

1       **Sec. 8.** RCW 43.160.020 and 1996 c 51 s 2 are each amended to read  
2 as follows:

3       Unless the context clearly requires otherwise, the definitions in  
4 this section apply throughout this chapter.

5       (1) "Board" means the community economic revitalization board.

6       (2) "Bond" means any bond, note, debenture, interim certificate, or  
7 other evidence of financial indebtedness issued by the board pursuant  
8 to this chapter.

9       (3) "Department" means the department of community, trade, and  
10 economic development.

11       (4) "Financial institution" means any bank, savings and loan  
12 association, credit union, development credit corporation, insurance  
13 company, investment company, trust company, savings institution, or  
14 other financial institution approved by the board and maintaining an  
15 office in the state.

16       (5) "Industrial development facilities" means "industrial  
17 development facilities" as defined in RCW 39.84.020.

18       (6) "Industrial development revenue bonds" means tax-exempt revenue  
19 bonds used to fund industrial development facilities.

20       (7) "Local government" or "political subdivision" means any port  
21 district, county, city, town, special purpose district, and any other  
22 municipal corporations or quasi-municipal corporations in the state  
23 providing for public facilities under this chapter.

24       (8) "Sponsor" means any of the following entities which customarily  
25 provide service or otherwise aid in industrial or other financing and  
26 are approved as a sponsor by the board: A bank, trust company, savings  
27 bank, investment bank, national banking association, savings and loan  
28 association, building and loan association, credit union, insurance  
29 company, or any other financial institution, governmental agency, or  
30 holding company of any entity specified in this subsection.

31       (9) "Umbrella bonds" means industrial development revenue bonds  
32 from which the proceeds are loaned, transferred, or otherwise made  
33 available to two or more users under this chapter.

34       (10) "User" means one or more persons acting as lessee, purchaser,  
35 mortgagor, or borrower under a financing document and receiving or  
36 applying to receive revenues from bonds issued under this chapter.

37       (11) "Public facilities" means bridges, roads, domestic and  
38 industrial water, sanitary sewer, storm sewer, railroad, electricity,  
39 natural gas, buildings or structures, and port facilities.

1 (12) "Rural natural resources impact area" means:

2 (a) A nonmetropolitan county, as defined by the 1990 decennial  
3 census, that meets ~~((two))~~ three of the five criteria set forth in  
4 subsection (13) of this section; ~~((or))~~

5 (b) A nonmetropolitan county with a population of less than forty  
6 thousand in the 1990 decennial census, that meets two of the five  
7 criteria as set forth in subsection (13) of this section; or

8 (c) A nonurbanized area, as defined by the 1990 decennial census,  
9 that is located in a metropolitan county that meets ~~((two))~~ three of  
10 the five criteria set forth in subsection (13) of this section.

11 (13) For the purposes of designating rural natural resources impact  
12 areas, the following criteria shall be considered:

13 (a) A lumber and wood products employment location quotient at or  
14 above the state average;

15 (b) A commercial salmon fishing employment location quotient at or  
16 above the state average;

17 (c) Projected or actual direct lumber and wood products job losses  
18 of one hundred positions or more;

19 (d) Projected or actual direct commercial salmon fishing job losses  
20 of one hundred positions or more; and

21 (e) An unemployment rate twenty percent or more above the state  
22 average. The counties that meet these criteria shall be determined by  
23 the employment security department for the most recent year for which  
24 data is available. For the purposes of administration of programs  
25 under this chapter, the United States post office five-digit zip code  
26 delivery areas will be used to determine residence status for  
27 eligibility purposes. For the purpose of this definition, a zip code  
28 delivery area ~~((that is located wholly or partially in an urbanized~~  
29 ~~area or within two))~~ of which any part is ten miles ((of)) or more from  
30 an urbanized area is considered nonurbanized. A zip code totally  
31 surrounded by zip codes qualifying as nonurbanized under this  
32 definition is also considered nonurbanized. The office of financial  
33 management shall make available a zip code listing of the areas to all  
34 agencies and organizations providing services under this chapter.

35 **Sec. 9.** RCW 43.160.076 and 1996 c 51 s 7 are each amended to read  
36 as follows:

37 (1) Except as authorized to the contrary under subsection (2) of  
38 this section, from all funds available to the board for financial

1 assistance in a biennium, the board shall spend at least (~~fifty~~)  
2 seventy-five percent for financial assistance for projects in  
3 distressed counties or rural natural resources impact areas. For  
4 purposes of this section, the term "distressed counties" includes any  
5 county, in which the average level of unemployment for the three years  
6 before the year in which an application for financial assistance is  
7 filed, exceeds the average state employment for those years by twenty  
8 percent.

9 (2) If at any time during the last six months of a biennium the  
10 board finds that the actual and anticipated applications for qualified  
11 projects in distressed counties or rural natural resources impact areas  
12 are clearly insufficient to use up the (~~fifty~~) seventy-five percent  
13 allocation, then the board shall estimate the amount of the  
14 insufficiency and during the remainder of the biennium may use that  
15 amount of the allocation for financial assistance to projects not  
16 located in distressed counties or rural natural resources impact areas.

17 **Sec. 10.** 1995 c 226 s 7 (uncodified) is amended to read as follows:  
18 RCW 43.160.076 and 1991 c 314 s 24 & 1985 c 446 s 6 are each  
19 repealed effective June 30, (~~1997~~) 2000.

20 **Sec. 11.** 1995 c 226 s 8 (uncodified) is amended to read as follows:  
21 RCW 43.160.200 expires June 30, (~~1997~~) 2000.

22 **Sec. 12.** 1995 c 226 s 9 (uncodified) is amended to read as follows:  
23 RCW 43.160.210 shall take effect June 30, (~~1997~~) 2000.

24 **Sec. 13.** RCW 28B.50.030 and 1995 c 226 s 17 are each amended to  
25 read as follows:

26 As used in this chapter, unless the context requires otherwise, the  
27 term:

28 (1) "System" shall mean the state system of community and technical  
29 colleges, which shall be a system of higher education.

30 (2) "Board" shall mean the work force training and education  
31 coordinating board.

32 (3) "College board" shall mean the state board for community and  
33 technical colleges created by this chapter.

34 (4) "Director" shall mean the administrative director for the state  
35 system of community and technical colleges.

1 (5) "District" shall mean any one of the community and technical  
2 college districts created by this chapter.

3 (6) "Board of trustees" shall mean the local community and  
4 technical college board of trustees established for each college  
5 district within the state.

6 (7) "Occupational education" shall mean that education or training  
7 that will prepare a student for employment that does not require a  
8 baccalaureate degree.

9 (8) "K-12 system" shall mean the public school program including  
10 kindergarten through the twelfth grade.

11 (9) "Common school board" shall mean a public school district board  
12 of directors.

13 (10) "Community college" shall include those higher education  
14 institutions that conduct education programs under RCW 28B.50.020.

15 (11) "Technical college" shall include those higher education  
16 institutions with the sole mission of conducting occupational  
17 education, basic skills, literacy programs, and offering on short  
18 notice, when appropriate, programs that meet specific industry needs.  
19 The programs of technical colleges shall include, but not be limited  
20 to, continuous enrollment, competency-based instruction, industry-  
21 experienced faculty, curriculum integrating vocational and basic skills  
22 education, and curriculum approved by representatives of employers and  
23 labor. For purposes of this chapter, technical colleges shall include  
24 Lake Washington Vocational-Technical Institute, Renton Vocational-  
25 Technical Institute, Bates Vocational-Technical Institute, Clover Park  
26 Vocational Institute, and Bellingham Vocational-Technical Institute.

27 (12) "Adult education" shall mean all education or instruction,  
28 including academic, vocational education or training, basic skills and  
29 literacy training, and "occupational education" provided by public  
30 educational institutions, including common school districts for persons  
31 who are eighteen years of age and over or who hold a high school  
32 diploma or certificate. However, "adult education" shall not include  
33 academic education or instruction for persons under twenty-one years of  
34 age who do not hold a high school degree or diploma and who are  
35 attending a public high school for the sole purpose of obtaining a high  
36 school diploma or certificate, nor shall "adult education" include  
37 education or instruction provided by any four year public institution  
38 of higher education.

1 (13) "Dislocated forest product worker" shall mean a forest  
2 products worker who: (a)(i) Has been terminated or received notice of  
3 termination from employment and is unlikely to return to employment in  
4 the individual's principal occupation or previous industry because of  
5 a diminishing demand for his or her skills in that occupation or  
6 industry; or (ii) is self-employed and has been displaced from his or  
7 her business because of the diminishing demand for the business's  
8 services or goods; and (b) at the time of last separation from  
9 employment, resided in or was employed in a rural natural resources  
10 impact area.

11 (14) "Forest products worker" shall mean a worker in the forest  
12 products industries affected by the reduction of forest fiber  
13 enhancement, transportation, or production. The workers included  
14 within this definition shall be determined by the employment security  
15 department, but shall include workers employed in the industries  
16 assigned the major group standard industrial classification codes "24"  
17 and "26" and the industries involved in the harvesting and management  
18 of logs, transportation of logs and wood products, processing of wood  
19 products, and the manufacturing and distribution of wood processing and  
20 logging equipment. The commissioner may adopt rules further  
21 interpreting these definitions. For the purposes of this subsection,  
22 "standard industrial classification code" means the code identified in  
23 RCW 50.29.025(6)(c).

24 (15) "Dislocated salmon fishing worker" means a ~~((salmon))~~ finfish  
25 products worker who: (a)(i) Has been terminated or received notice of  
26 termination from employment and is unlikely to return to employment in  
27 the individual's principal occupation or previous industry because of  
28 a diminishing demand for his or her skills in that occupation or  
29 industry; or (ii) is self-employed and has been displaced from his or  
30 her business because of the diminishing demand for the business's  
31 services or goods; and (b) at the time of last separation from  
32 employment, resided in or was employed in a rural natural resources  
33 impact area.

34 (16) "Salmon fishing worker" means a worker in the ~~((salmon))~~  
35 finfish industry affected by 1994 or future salmon disasters. The  
36 workers included within this definition shall be determined by the  
37 employment security department, but shall include workers employed in  
38 the industries involved in the commercial and recreational harvesting  
39 of ~~((salmon))~~ finfish including buying and processing ~~((salmon))~~

1 finfish. The commissioner may adopt rules further interpreting these  
2 definitions.

3 (17) "Rural natural resources impact area" means:

4 (a) A nonmetropolitan county, as defined by the 1990 decennial  
5 census, that meets ~~((two))~~ three of the five criteria set forth in  
6 subsection (18) of this section; ~~((or))~~

7 (b) A nonmetropolitan county with a population of less than forty  
8 thousand in the 1990 decennial census, that meets two of the five  
9 criteria as set forth in subsection (18) of this section; or

10 (c) A nonurbanized area, as defined by the 1990 decennial census,  
11 that is located in a metropolitan county that meets ~~((two))~~ three of  
12 the five criteria set forth in subsection (18) of this section.

13 (18) For the purposes of designating rural natural resources impact  
14 areas, the following criteria shall be considered:

15 (a) A lumber and wood products employment location quotient at or  
16 above the state average;

17 (b) A commercial salmon fishing employment location quotient at or  
18 above the state average;

19 (c) Projected or actual direct lumber and wood products job losses  
20 of one hundred positions or more;

21 (d) Projected or actual direct commercial salmon fishing job losses  
22 of one hundred positions or more; and

23 (e) An unemployment rate twenty percent or more above the state  
24 average. The counties that meet these criteria shall be determined by  
25 the employment security department for the most recent year for which  
26 data is available. For the purposes of administration of programs  
27 under this chapter, the United States post office five-digit zip code  
28 delivery areas will be used to determine residence status for  
29 eligibility purposes. For the purpose of this definition, a zip code  
30 delivery area ~~((that is located wholly or partially in an urbanized~~  
31 ~~area or within two))~~ of which any part is ten miles ((of)) or more from  
32 an urbanized area is considered nonurbanized. A zip code totally  
33 surrounded by zip codes qualifying as nonurbanized under this  
34 definition is also considered nonurbanized. The office of financial  
35 management shall make available a zip code listing of the areas to all  
36 agencies and organizations providing services under this chapter.

37 **Sec. 14.** RCW 28B.80.570 and 1995 c 226 s 20 are each amended to  
38 read as follows:

1 Unless the context clearly requires otherwise, the definitions in  
2 this section apply throughout RCW 28B.80.575 through 28B.80.585.

3 (1) "Board" means the higher education coordinating board.

4 (2) "Dislocated forest products worker" means a forest products  
5 worker who: (a)(i) Has been terminated or received notice of  
6 termination from employment and is unlikely to return to employment in  
7 the individual's principal occupation or previous industry because of  
8 a diminishing demand for his or her skills in that occupation or  
9 industry; or (ii) is self-employed and has been displaced from his or  
10 her business because of the diminishing demand for the business's  
11 services or goods; and (b) at the time of last separation from  
12 employment, resided in or was employed in a rural natural resources  
13 impact area.

14 (3) "Forest products worker" means a worker in the forest products  
15 industries affected by the reduction of forest fiber enhancement,  
16 transportation, or production. The workers included within this  
17 definition shall be determined by the employment security department,  
18 but shall include workers employed in the industries assigned the major  
19 group standard industrial classification codes "24" and "26" and the  
20 industries involved in the harvesting and management of logs,  
21 transportation of logs and wood products, processing of wood products,  
22 and the manufacturing and distribution of wood processing and logging  
23 equipment. The commissioner may adopt rules further interpreting these  
24 definitions. For the purposes of this subsection, "standard industrial  
25 classification code" means the code identified in RCW 50.29.025(6)(c).

26 (4) "Dislocated salmon fishing worker" means a (~~salmon~~) finfish  
27 products worker who: (a)(i) Has been terminated or received notice of  
28 termination from employment and is unlikely to return to employment in  
29 the individual's principal occupation or previous industry because of  
30 a diminishing demand for his or her skills in that occupation or  
31 industry; or (ii) is self-employed and has been displaced from his or  
32 her business because of the diminishing demand for the business's  
33 services or goods; and (b) at the time of last separation from  
34 employment, resided in or was employed in a rural natural resources  
35 impact area.

36 (5) "Salmon fishing worker" means a worker in the (~~salmon~~)  
37 finfish industry affected by 1994 or future salmon disasters. The  
38 workers included within this definition shall be determined by the  
39 employment security department, but shall include workers employed in

1 the industries involved in the commercial and recreational harvesting  
2 of ~~((salmon))~~ finfish including buying and processing ~~((salmon))~~  
3 finfish. The commissioner may adopt rules further interpreting these  
4 definitions.

5 (6) "Rural natural resources impact area" means:

6 (a) A nonmetropolitan county, as defined by the 1990 decennial  
7 census, that meets ~~((two))~~ three of the five criteria set forth in  
8 subsection (7) of this section; ~~((or))~~

9 (b) A nonmetropolitan county with a population of less than forty  
10 thousand in the 1990 decennial census, that meets two of the five  
11 criteria as set forth in subsection (7) of this section; or

12 (c) A nonurbanized area, as defined by the 1990 decennial census,  
13 that is located in a metropolitan county that meets ~~((two))~~ three of  
14 the five criteria set forth in subsection (7) of this section.

15 (7) For the purposes of designating rural natural resources impact  
16 areas, the following criteria shall be considered:

17 (a) A lumber and wood products employment location quotient at or  
18 above the state average;

19 (b) A commercial salmon fishing employment location quotient at or  
20 above the state average;

21 (c) Projected or actual direct lumber and wood products job losses  
22 of one hundred positions or more;

23 (d) Projected or actual direct commercial salmon fishing job losses  
24 of one hundred positions or more; and

25 (e) An unemployment rate twenty percent or more above the state  
26 average. The counties that meet these criteria shall be determined by  
27 the employment security department for the most recent year for which  
28 data is available. For the purposes of administration of programs  
29 under this chapter, the United States post office five-digit zip code  
30 delivery areas will be used to determine residence status for  
31 eligibility purposes. For the purpose of this definition, a zip code  
32 delivery area ~~((that is located wholly or partially in an urbanized~~  
33 ~~area or within two))~~ of which any part is ten miles ~~((of))~~ or more from  
34 an urbanized area is considered nonurbanized. A zip code totally  
35 surrounded by zip codes qualifying as nonurbanized under this  
36 definition is also considered nonurbanized. The office of financial  
37 management shall make available a zip code listing of the areas to all  
38 agencies and organizations providing services under this chapter.

1       **Sec. 15.** RCW 28B.80.580 and 1995 c 226 s 22 are each amended to  
2 read as follows:

3       (1) The board shall contract with institutions of higher education  
4 to provide upper division classes to serve additional placebound  
5 students in the rural natural resources impact areas meeting the  
6 following criteria, as determined by the employment security  
7 department: (a) A lumber and wood products employment location  
8 quotient at or above the state average; (b) a commercial salmon fishing  
9 employment location quotient at or above the state average; (c) a  
10 direct lumber and wood products job loss of one hundred positions or  
11 more; (d) projected or actual direct commercial salmon fishing job  
12 losses of one hundred positions or more; and (e) an annual unemployment  
13 rate twenty percent above the state average; and which are not served  
14 by an existing state-funded upper division degree program. The number  
15 of full-time equivalent students served in this manner shall be  
16 determined by the applicable omnibus appropriations act. The board may  
17 direct that all the full-time equivalent enrollments be served in one  
18 of the eligible rural natural resources impact areas if it should  
19 determine that this would be the most viable manner of establishing the  
20 program and using available resources. The institutions shall utilize  
21 telecommunication technology, if available, to carry out the purposes  
22 of this section. Subject to the limitations of RCW 28B.15.910, the  
23 institutions providing the service may waive all or a portion of the  
24 tuition, and service and activities fees for dislocated forest products  
25 workers and dislocated salmon fishing workers or their unemployed  
26 spouses enrolled as one of the full-time equivalent students allocated  
27 to the college under this section.

28       (2) Unemployed spouses of eligible dislocated forest products  
29 workers and dislocated salmon fishing workers may participate in the  
30 program, but tuition and fees may be waived under the program only for  
31 the worker or the spouse and not both.

32       (3) Subject to the limitations of RCW 28B.15.910, for any eligible  
33 participant, all or a portion of tuition may be waived for a maximum of  
34 ~~((four semesters or six quarters within a two-year time period))~~ ninety  
35 quarter credit hours or sixty semester credit hours earned within four  
36 years. The participant must be enrolled for a minimum of ~~((ten credits~~  
37 ~~per semester or quarter))~~ five credit hours per quarter or three credit  
38 hours per semester.

1       **Sec. 16.** RCW 43.20A.750 and 1995 c 269 s 1901 and 1995 c 226 s 25  
2 are each reenacted and amended to read as follows:

3       (1) The department of social and health services shall help  
4 families and workers in rural natural resources impact areas make the  
5 transition through economic difficulties and shall provide services to  
6 assist workers to gain marketable skills. The department, as a member  
7 of the agency rural community assistance task force and, where  
8 appropriate, under an interagency agreement with the department of  
9 community, trade, and economic development, shall provide grants  
10 through the office of the secretary for services to the unemployed in  
11 rural natural resources impact areas, including providing direct or  
12 referral services, establishing and operating service delivery  
13 programs, and coordinating delivery programs and delivery of services.  
14 These grants may be awarded for family support centers, reemployment  
15 centers, or other local service agencies.

16       (2) The services provided through the grants may include, but need  
17 not be limited to: Credit counseling; social services including  
18 marital counseling; psychotherapy or psychological counseling; mortgage  
19 foreclosures and utilities problems counseling; drug and alcohol abuse  
20 services; medical services; and residential heating and food  
21 acquisition.

22       (3) Funding for these services shall be coordinated through the  
23 agency rural community assistance task force which will establish a  
24 fund to provide child care assistance, mortgage assistance, and  
25 counseling which cannot be met through current programs. No funds  
26 shall be used for additional full-time equivalents for administering  
27 this section.

28       (4)(a) Grants for family support centers are intended to provide  
29 support to families by responding to needs identified by the families  
30 and communities served by the centers. Services provided by family  
31 support centers may include parenting education, child development  
32 assessments, health and nutrition education, counseling, and  
33 information and referral services. Such services may be provided  
34 directly by the center or through referral to other agencies  
35 participating in the interagency team.

36       (b) The department shall consult with the council on child abuse or  
37 neglect regarding grants for family support centers.

38       (5) "Rural natural resources impact area" means:

1 (a) A nonmetropolitan county, as defined by the 1990 decennial  
2 census, that meets ~~((two))~~ three of the five criteria set forth in  
3 subsection (6) of this section; ~~((or))~~

4 (b) A nonmetropolitan county with a population of less than forty  
5 thousand in the 1990 decennial census, that meets two of the five  
6 criteria as set forth in subsection (6) of this section; or

7 (c) A nonurbanized area, as defined by the 1990 decennial census,  
8 that is located in a metropolitan county that meets ~~((two))~~ three of  
9 the five criteria set forth in subsection (6) of this section.

10 (6) For the purposes of designating rural natural resources impact  
11 areas, the following criteria shall be considered:

12 (a) A lumber and wood products employment location quotient at or  
13 above the state average;

14 (b) A commercial salmon fishing employment location quotient at or  
15 above the state average;

16 (c) Projected or actual direct lumber and wood products job losses  
17 of one hundred positions or more;

18 (d) Projected or actual direct commercial salmon fishing job losses  
19 of one hundred positions or more; and

20 (e) An unemployment rate twenty percent or more above the state  
21 average. The counties that meet these criteria shall be determined by  
22 the employment security department for the most recent year for which  
23 data is available. For the purposes of administration of programs  
24 under this chapter, the United States post office five-digit zip code  
25 delivery areas will be used to determine residence status for  
26 eligibility purposes. For the purpose of this definition, a zip code  
27 delivery area ~~((that is located wholly or partially in an urbanized~~  
28 ~~area or within two))~~ of which any part is ten miles ~~((of))~~ or more from  
29 an urbanized area is considered nonurbanized. A zip code totally  
30 surrounded by zip codes qualifying as nonurbanized under this  
31 definition is also considered nonurbanized. The office of financial  
32 management shall make available a zip code listing of the areas to all  
33 agencies and organizations providing services under this chapter.

34 **Sec. 17.** RCW 50.12.270 and 1995 c 226 s 30 are each amended to  
35 read as follows:

36 (1) Subject to the availability of state or federal funds, the  
37 employment security department, as a member of the agency rural  
38 community assistance task force, shall consult with and may subcontract

1 with local educational institutions, local businesses, local labor  
2 organizations, local associate development organizations, local private  
3 industry councils, local social service organizations, and local  
4 governments in carrying out a program of training and services,  
5 including training through the entrepreneurial training program, for  
6 dislocated workers in rural natural resources impact areas.

7 (2) The department shall conduct a survey to determine the actual  
8 future employment needs and jobs skills in rural natural resources  
9 impact areas.

10 (3) The department shall coordinate the services provided in this  
11 section with all other services provided by the department and with the  
12 other economic recovery efforts undertaken by state and local  
13 government agencies on behalf of the rural natural resources impact  
14 areas.

15 (4) The department shall make every effort to procure additional  
16 federal and other moneys for the efforts enumerated in this section.

17 (5) For the purposes of this section, "rural natural resources  
18 impact area" means:

19 (a) A nonmetropolitan county, as defined by the 1990 decennial  
20 census, that meets ~~((two))~~ three of the five criteria set forth in  
21 subsection (6) of this section; ~~((or))~~

22 (b) A nonmetropolitan county with a population of less than forty  
23 thousand in the 1990 decennial census, that meets two of the five  
24 criteria as set forth in subsection (6) of this section; or

25 (c) A nonurbanized area, as defined by the 1990 decennial census,  
26 that is located in a metropolitan county that meets ~~((two))~~ three of  
27 the five criteria set forth in subsection (6) of this section.

28 (6) For the purposes of designating rural natural resources impact  
29 areas, the following criteria shall be considered:

30 (a) A lumber and wood products employment location quotient at or  
31 above the state average;

32 (b) A commercial salmon fishing employment location quotient at or  
33 above the state average;

34 (c) Projected or actual direct lumber and wood products job losses  
35 of one hundred positions or more;

36 (d) Projected or actual direct commercial salmon fishing job losses  
37 of one hundred positions or more; and

38 (e) An unemployment rate twenty percent or more above the state  
39 average. The counties that meet these criteria shall be determined by

1 the employment security department for the most recent year for which  
2 data is available. For the purposes of administration of programs  
3 under this chapter, the United States post office five-digit zip code  
4 delivery areas will be used to determine residence status for  
5 eligibility purposes. For the purpose of this definition, a zip code  
6 delivery area (~~that is located wholly or partially in an urbanized~~  
7 ~~area or within two~~) of which any part is ten miles ((of)) or more from  
8 an urbanized area is considered nonurbanized. A zip code totally  
9 surrounded by zip codes qualifying as nonurbanized under this  
10 definition is also considered nonurbanized. The office of financial  
11 management shall make available a zip code listing of the areas to all  
12 agencies and organizations providing services under this chapter.

13 **Sec. 18.** RCW 43.131.385 and 1995 c 226 s 34 are each amended to  
14 read as follows:

15 The rural natural resources impact area programs shall be  
16 terminated on June 30, (~~(1998))~~ 2000, as provided in RCW 43.131.386.

17 **Sec. 19.** RCW 43.131.386 and 1996 c 168 s 5 are each amended to  
18 read as follows:

19 The following acts or parts of acts are each repealed, effective  
20 June 30, (~~(1999))~~ 2001:

21 (1) RCW 43.31.601 and 1995 c 226 s 1, 1992 c 21 s 2, & 1991 c 314  
22 s 2;

23 (2) RCW 43.31.641 and 1995 c 226 s 4, 1993 c 280 s 50, & 1991 c 314  
24 s 7;

25 (3) RCW 50.22.090 and 1995 c 226 s 5, 1993 c 316 s 10, 1992 c 47 s  
26 2, & 1991 c 315 s 4;

27 (4) RCW 43.160.212 and 1996 c 168 s 4, 1995 c 226 s 6, & 1993 c 316  
28 s 5;

29 (5) (~~(RCW 43.31.651 and 1995 c 226 s 10, 1993 c 280 s 51, & 1991 c~~  
30 ~~314 s 9;~~

31 ~~(6))~~ RCW 43.63A.021 and 1995 c 226 s 11;

32 (~~(7))~~ (6) RCW 43.63A.600 and 1995 c 226 s 12, 1994 c 114 s 1,  
33 1993 c 280 s 77, & 1991 c 315 s 23;

34 (~~(8))~~ (7) RCW 43.63A.440 and 1995 c 226 s 13, 1993 c 280 s 74, &  
35 1989 c 424 s 7;

36 (~~(9))~~ (8) RCW 43.160.200 and 1995 c 226 s 16, 1993 c 320 s 7,  
37 1993 c 316 s 4, & 1991 c 314 s 23;

1       (~~(10)~~) (9) RCW 28B.50.258 and 1995 c 226 s 18 & 1991 c 315 s 16;  
2       (~~(11)~~) (10) RCW 28B.50.262 and 1995 c 226 s 19 & 1994 c 282 s 3;  
3       (~~(12)~~) (11) RCW 28B.80.570 and 1995 c 226 s 20, 1992 c 21 s 6, &  
4 1991 c 315 s 18;  
5       (~~(13)~~) (12) RCW 28B.80.575 and 1995 c 226 s 21 & 1991 c 315 s 19;  
6       (~~(14)~~) (13) RCW 28B.80.580 and 1995 c 226 s 22, 1993 sp.s. c 18  
7 s 34, 1992 c 231 s 31, & 1991 c 315 s 20;  
8       (~~(15)~~) (14) RCW 28B.80.585 and 1995 c 226 s 23 & 1991 c 315 s 21;  
9       (~~(16)~~) (15) RCW 43.17.065 and 1995 c 226 s 24, 1993 c 280 s 37,  
10 1991 c 314 s 28, & 1990 1st ex.s. c 17 s 77;  
11       (~~(17)~~) (16) RCW 43.20A.750 and 1995 c 226 s 25, 1993 c 280 s 38,  
12 1992 c 21 s 4, & 1991 c 153 s 28;  
13       (~~(18)~~) (17) RCW 43.168.140 and 1995 c 226 s 28 & 1991 c 314 s 20;  
14       (~~(19)~~) (18) RCW 50.12.270 and 1995 c 226 s 30 & 1991 c 315 s 3;  
15       (~~(20)~~) (19) RCW 50.70.010 and 1995 c 226 s 31, 1992 c 21 s 1, &  
16 1991 c 315 s 5; and  
17       (~~(21)~~) (20) RCW 50.70.020 and 1995 c 226 s 32 & 1991 c 315 s 6.

18       NEW SECTION.   **Sec. 20.** RCW 43.31.651 and 1995 c 226 s 10, 1993 c  
19 280 s 51, & 1991 c 314 s 9 are each repealed.

20       NEW SECTION.   **Sec. 21.** If any provision of this act or its  
21 application to any person or circumstance is held invalid, the  
22 remainder of the act or the application of the provision to other  
23 persons or circumstances is not affected.

24       NEW SECTION.   **Sec. 22.** If any part of this act is found to be in  
25 conflict with federal requirements that are a prescribed condition to  
26 the allocation of federal funds to the state, the conflicting part of  
27 this act is inoperative solely to the extent of the conflict and with  
28 respect to the agencies directly affected, and this finding does not  
29 affect the operation of the remainder of this act in its application to  
30 the agencies concerned. The rules under this act shall meet federal  
31 requirements that are a necessary condition to the receipt of federal  
32 funds by the state.

33       NEW SECTION.   **Sec. 23.** This act is necessary for the immediate  
34 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect  
2 July 1, 1997.

--- END ---