
HOUSE BILL 2130

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By Representatives Koster, O'Brien, Cairnes, Blalock, McMorris, Regala, Conway, Delvin, Thompson, Cooper and Veloria

Read first time 02/21/97. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to inmate labor; amending RCW 72.09.010, 72.09.015,
2 72.09.070, 72.09.080, 72.09.090, 72.09.100, 72.09.104, 72.09.106,
3 72.09.111, 72.64.001, 72.64.010, 72.64.020, 72.64.030, 72.64.040,
4 72.64.050, 72.64.060, 72.64.070, 72.64.080, 72.64.090, 72.64.100,
5 72.64.110, 72.63.010, 72.63.020, 72.63.030, 72.63.040, 72.01.010,
6 72.01.110, 72.01.140, 72.01.150, 72.01.450, 72.01.452, 72.60.110,
7 72.60.160, 72.60.220, 43.19.534, 43.19.535, 72.62.010, 72.62.020,
8 72.62.030, 72.62.040, and 72.62.050; adding a new section to chapter
9 72.09 RCW; adding new sections to chapter 72.64 RCW; creating a new
10 section; repealing RCW 72.60.235; providing an effective date; and
11 declaring an emergency.

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

13 **Sec. 1.** RCW 72.09.010 and 1995 1st sp.s. c 19 s 2 are each amended
14 to read as follows:

15 It is the intent of the legislature to establish a comprehensive
16 system of corrections for convicted law violators within the state of
17 Washington to accomplish the following objectives.

1 (1) The system should ensure the public safety. The system should
2 be designed and managed to provide the maximum feasible safety for the
3 persons and property of the general public, the staff, and the inmates.

4 (2) The system should punish the ((~~offender~~)) inmate for violating
5 the laws of the state of Washington. This punishment should generally
6 be limited to the denial of liberty of the ((~~offender~~)) inmate.

7 (3) The system should positively impact ((~~offenders~~)) inmates by
8 stressing personal responsibility and accountability and by
9 discouraging recidivism.

10 (4) The system should treat all ((~~offenders~~)) inmates fairly and
11 equitably without regard to race, religion, sex, national origin,
12 residence, or social condition.

13 (5) The system, as much as possible, should reflect the values of
14 the community including:

15 (a) Avoiding idleness. Idleness is not only wasteful but
16 destructive to the individual and to the community.

17 (b) Adoption of the work ethic. It is the community expectation
18 that all individuals should work and through their efforts benefit both
19 themselves and the community.

20 (c) Providing opportunities for self improvement. All individuals
21 should have opportunities to grow and expand their skills and abilities
22 so as to fulfill their role in the community.

23 (d) Linking the receipt or denial of privileges to responsible
24 behavior and accomplishments. The individual who works to improve
25 himself or herself and the community should be rewarded for these
26 efforts. As a corollary, there should be no rewards for no effort.

27 (e) Sharing in the obligations of the community. All citizens, the
28 public and inmates alike, have a personal and fiscal obligation in the
29 corrections system. All communities must share in the responsibility
30 of the corrections system.

31 (6) The system should provide for prudent management of resources.
32 The avoidance of unnecessary or inefficient public expenditures on the
33 part of ((~~offenders~~)) inmates and the department is essential.
34 ((~~Offenders~~)) Inmates must be accountable to the department, and the
35 department to the public and the legislature. The human and fiscal
36 resources of the community are limited. The management and use of
37 these resources can be enhanced by wise investment, productive
38 programs, the reduction of duplication and waste, and the joining
39 together of all involved parties in a common endeavor. Since most

1 ((~~offenders~~)) inmates return to the community, it is wise for the state
2 and the communities to make an investment in effective habilitation and
3 rehabilitation programs for ((~~offenders~~)) inmates and the wise use of
4 resources.

5 (7) The system should provide for restitution. Those who have
6 damaged others, persons or property, have a responsibility to make
7 restitution for these damages.

8 (8) The system should be accountable to the citizens of the state.
9 In return, the individual citizens and local units of government must
10 meet their responsibilities to make the corrections system effective.

11 (9) The system should not damage the interests of law-abiding
12 residents of the state of Washington and should hold their interests
13 above the interests of inmates, when those interests are in conflict.

14 (10) The system should meet those national standards which the
15 state determines to be appropriate.

16 **Sec. 2.** RCW 72.09.015 and 1995 1st sp.s. c 19 s 3 are each amended
17 to read as follows:

18 The definitions in this section apply throughout this chapter
19 unless the context clearly requires otherwise.

20 (1) "Base level of correctional services" means the minimum level
21 of field services the department of corrections is required by statute
22 to provide for the supervision and monitoring of offenders.

23 (2) "Contraband" means any object or communication the secretary
24 determines shall not be allowed to be: (a) Brought into; (b) possessed
25 while on the grounds of; or (c) sent from any institution under the
26 control of the secretary.

27 (3) "County" means a county or combination of counties.

28 (4) "Department" means the department of corrections.

29 (5) "Earned early release" means earned early release as authorized
30 by RCW 9.94A.150.

31 (6) "Extended family visit" means an authorized visit between an
32 inmate and a member of his or her immediate family that occurs in a
33 private visiting unit located at the correctional facility where the
34 inmate is confined.

35 (7) "Good conduct" means compliance with department rules and
36 policies.

1 (8) "Good performance" means successful completion of a program
2 required by the department, including an education, work, or other
3 program.

4 (9) "Immediate family" means the inmate's children, stepchildren,
5 grandchildren, great grandchildren, parents, stepparents, grandparents,
6 great grandparents, siblings, and a person legally married to an
7 inmate. "Immediate family" does not include an inmate adopted by
8 another inmate or the immediate family of the adopted or adopting
9 inmate.

10 (10) "Indigent inmate," "indigent," and "indigency" mean an inmate
11 who has less than a ten-dollar balance of disposable income in his or
12 her institutional account on the day a request is made to utilize funds
13 and during the thirty days previous to the request.

14 (11) "Inmate" means a person committed to the custody of the
15 department, including but not limited to persons residing in a
16 correctional institution or facility and persons released on furlough,
17 work release, or community custody, and persons received from another
18 state, state agency, county, or federal jurisdiction.

19 (12) "Privilege" means any goods or services, education or work
20 programs, or earned early release days, the receipt of which are
21 directly linked to an inmate's (a) good conduct; and (b) good
22 performance. Privileges do not include any goods or services the
23 department is required to provide under the state or federal
24 Constitution or under state or federal law.

25 (13) "Representative from business" means a person nominated by one
26 of the state-wide organizations representing varied business interests
27 and appointed by the governor to the correctional industries board of
28 directors.

29 (14) "Representative from labor" means a person nominated by a
30 state-wide organization representing labor and appointed by the
31 governor to the correctional industries board of directors.

32 (15) "Secretary" means the secretary of corrections or his or her
33 designee.

34 (~~(14)~~) (16) "Superintendent" means the superintendent of a
35 correctional facility under the jurisdiction of the Washington state
36 department of corrections, or his or her designee.

37 (~~(15)~~) (17) "Work programs" means all classes of correctional
38 industries jobs authorized under RCW 72.09.100.

1 **Sec. 3.** RCW 72.09.070 and 1994 sp.s. c 7 s 535 are each amended to
2 read as follows:

3 (1) There is created a correctional industries board of directors
4 which shall have the composition provided in RCW 72.09.080.

5 (2) Consistent with general department of corrections policies and
6 procedures pertaining to the general administration of correctional
7 facilities, the board shall establish and implement policy for
8 correctional industries programs designed to:

9 (a) Offer inmates meaningful employment, work experience, and
10 training in vocations that are specifically designed to reduce
11 recidivism and thereby enhance public safety by providing opportunities
12 for legitimate means of livelihood upon their release from custody;

13 (b) Provide industries which will reduce the tax burden of
14 corrections and save taxpayers money through production of goods and
15 services for sale and use;

16 (c) Operate correctional work programs in an effective and
17 efficient manner which are as similar as possible to those provided by
18 the private sector;

19 (d) Encourage the development of and provide for selection of,
20 contracting for, and supervision of work programs with participating
21 private enterprise firms;

22 (e) Develop and design correctional industries work programs;

23 (f) Invest available funds in correctional industries enterprises
24 and meaningful work programs that minimize the impact on in-state jobs
25 and businesses;

26 (g) Exercise all other authority invested by statute in the
27 correctional industries board of directors.

28 (3) The board of directors shall at least annually review the work
29 performance of the director of correctional industries division
30 ~~((with))~~ and make appropriate recommendations to the secretary.

31 (4) The ~~((director of))~~ correctional industries ~~((division))~~ board
32 of directors shall review and evaluate the productivity, funding, and
33 appropriateness of all correctional work programs and report on their
34 effectiveness to ~~((the board and to))~~ the secretary and to the
35 legislature.

36 (5) The board of directors shall have the authority to identify and
37 establish trade advisory or apprenticeship committees to advise them on
38 correctional industries work programs ~~((The secretary shall))~~ and to
39 appoint the members of the committees.

1 Where a labor management trade advisory and apprenticeship
2 committee has already been established (~~(by the department)~~) pursuant
3 to RCW 72.62.050 the existing committee shall also advise the board of
4 directors.

5 (6) The board shall develop a strategic yearly marketing plan that
6 shall be consistent with and work towards achieving the goals
7 established in the six-year phased expansion of class I and class II
8 correctional industries established in RCW 72.09.111. This marketing
9 plan shall be presented to the appropriate committees of the
10 legislature by January 17 of each calendar year until the goals set
11 forth in RCW 72.09.111 are achieved.

12 (7) Neither the department, an organization operating or managing
13 an inmate work program, or another entity employing inmate labor within
14 the state of Washington may contract with or employ a member of the
15 board of directors during the member's time of service on the board, or
16 for a period of two years from the termination of membership on the
17 board of directors. Violation of this subsection (7) shall result in
18 termination of any agreement or contract between the violator and the
19 department.

20 **Sec. 4.** RCW 72.09.080 and 1993 sp.s. c 20 s 4 are each amended to
21 read as follows:

22 (1) The correctional industries board of directors shall consist of
23 nine voting members, appointed by the governor. Each member shall
24 serve a three-year staggered term. Initially, the governor shall
25 appoint three members to one-year terms, three members to two-year
26 terms, and three members to three-year terms. The speaker of the house
27 of representatives and the president of the senate shall each appoint
28 one member from each of the two largest caucuses in their respective
29 houses. The legislators so appointed shall be nonvoting members and
30 shall serve two-year terms, or until they cease to be members of the
31 house from which they were appointed, whichever occurs first. The nine
32 members appointed by the governor shall include three representatives
33 from labor, three representatives from business representing cross-
34 sections of industries and all sizes of employers, and three members
35 from the general public.

36 (2) The board of directors shall elect a chair and such other
37 officers as it deems appropriate from among the voting members.

1 (3) The voting members of the board of directors shall serve with
2 compensation pursuant to RCW ((43.03.240)) 43.03.250 and shall be
3 reimbursed by the department for travel expenses and per diem under RCW
4 43.03.050 and 43.03.060, as now or hereafter amended. Legislative
5 members shall be reimbursed under RCW 44.04.120, as now or hereafter
6 amended.

7 (4) The secretary shall provide such staff, services, facilities,
8 and equipment as the board shall require to carry out its duties.

9 (5) Prior to August 1, 1997, the governor must review the
10 membership of the board of directors and replace any member who does
11 not meet the current statutory requirements for membership on the board
12 of directors. Prior to making an appointment of a representative from
13 business or a representative from labor, the governor shall request
14 nominations from appropriate state-wide organizations.

15 **Sec. 5.** RCW 72.09.090 and 1989 c 185 s 6 are each amended to read
16 as follows:

17 The correctional industries account is established in the state
18 treasury. The department of corrections shall deposit in the account
19 all moneys collected and all profits that accrue from the industrial
20 and agricultural operations of the department and any moneys
21 appropriated to the account. Moneys in the account may be spent only
22 for expenses arising in the correctional industries operations.

23 The division's net profits from correctional industries' sales and
24 contracts shall be reinvested as directed by the board of directors,
25 without appropriation, in the expansion and improvement of correctional
26 industries. However, the board of directors shall annually recommend
27 that some portion of the profits from correctional industries be
28 returned to the state general fund.

29 The board ((and secretary)) shall request appropriations or
30 increased appropriations whenever it appears that additional money is
31 needed to provide for the establishment and operation of a
32 comprehensive correctional industries program.

33 **Sec. 6.** RCW 72.09.100 and 1995 1st sp.s. c 19 s 33 are each
34 amended to read as follows:

35 It is the intent of the legislature to consolidate and vest in the
36 ((department)) correctional industries board of directors the power to
37 provide for a comprehensive inmate work program and to remove statutory

1 and other restrictions which have limited work programs in the past.
2 For purposes of establishing such a comprehensive program, the
3 legislature recommends that the ((department)) correctional industries
4 board of directors consider adopting any or all, or any variation of,
5 the following classes of work programs:

6 (1) CLASS I: FREE VENTURE INDUSTRIES. The employer model
7 industries in this class shall be operated and managed in total or in
8 part by any profit or nonprofit organization pursuant to an agreement
9 between the organization and the department. The organization shall
10 produce goods or services for sale to both the public and private
11 sector.

12 The customer model industries in this class shall be operated and
13 managed by the department to provide Washington state manufacturers or
14 businesses with products or services currently produced or provided by
15 out-of-state or foreign suppliers.

16 The correctional industries board of directors shall review these
17 proposed industries before the department enters into any agreements or
18 contracts ((to provide such products or services)). The review shall
19 include an assessment of the possibility that an unfair competitive
20 advantage may be provided to an organization and an analysis of the
21 potential impact of the proposed products and services on the
22 Washington state business community and labor market.

23 The department of corrections shall supply appropriate security and
24 custody services without charge to the participating firms.

25 Inmates who work in free venture industries shall do so at their
26 own choice. They shall be paid a wage comparable to the wage paid for
27 work of a similar nature in the locality in which the industry is
28 located, as determined by the director of correctional industries in
29 accordance with rules adopted by the correctional industries board of
30 directors. If the director cannot reasonably determine the comparable
31 wage, then the pay shall not be less than the federal minimum wage.

32 An inmate who is employed in the class I program of correctional
33 industries shall not be eligible for unemployment compensation benefits
34 pursuant to any of the provisions of Title 50 RCW until released on
35 parole or discharged.

36 (2) CLASS II: TAX REDUCTION INDUSTRIES. Industries in this class
37 shall be state-owned and operated enterprises designed to reduce the
38 costs for goods and services for tax-supported agencies and for
39 nonprofit organizations. The industries selected for development

1 within this class shall, as much as possible, match the available pool
2 of inmate work skills and aptitudes with the work opportunities in the
3 free community. The industries shall be closely patterned after
4 private sector industries but with the objective of reducing public
5 support costs rather than making a profit. The products and services
6 of this industry, including purchased products and services necessary
7 for a complete product line, may be sold to public agencies, to
8 nonprofit organizations, and to private contractors when the goods
9 purchased will be ultimately used by a public agency or a nonprofit
10 organization. Clothing manufactured by an industry in this class may
11 be donated to nonprofit organizations that provide clothing free of
12 charge to low-income persons. Correctional industries products and
13 services shall be reviewed by the correctional industries board of
14 directors before offering such products and services for sale (~~to~~
15 ~~private contractors~~). The review shall include an assessment of the
16 possibility that an unfair competitive advantage may be provided to an
17 organization and an analysis of the potential impact of the proposed
18 products and services on the Washington state business community and
19 labor market. The board of directors shall conduct a yearly marketing
20 review of the products and services offered under this subsection.
21 Such review shall include an analysis of the potential impact of the
22 proposed products and services on the Washington state business
23 community. To avoid waste or spoilage and consequent loss to the
24 state, when there is no public sector market for such goods, byproducts
25 and surpluses of timber, agricultural, and animal husbandry enterprises
26 may be sold to private persons, at private sale. Surplus byproducts
27 and surpluses of timber, agricultural and animal husbandry enterprises
28 that cannot be sold to public agencies or to private persons may be
29 donated to nonprofit organizations. All sales of surplus products
30 shall be carried out in accordance with rules prescribed by the
31 (~~secretary~~) correctional industries board of directors.

32 Security and custody services shall be provided without charge by
33 the department of corrections.

34 Inmates working in this class of industries shall do so at their
35 own choice and shall be paid for their work on a gratuity scale which
36 shall not exceed the wage paid for work of a similar nature in the
37 locality in which the industry is located and which is approved by the
38 director of correctional industries in accordance with rules adopted by
39 the correctional industries board of directors.

1 Subject to approval of the correctional industries board,
2 provisions of RCW 41.06.380 and 41.06.382 prohibiting contracting out
3 work performed by classified employees shall not apply to contracts
4 with Washington state businesses entered into by the department of
5 corrections through class II industries.

6 (3) CLASS III: INSTITUTIONAL SUPPORT INDUSTRIES. Industries in
7 this class shall be operated, in accordance with rules adopted under
8 RCW 72.64.020, by the department of corrections. They shall be
9 designed and managed to accomplish the following objectives:

10 (a) Whenever possible, to provide basic work training and
11 experience so that the inmate will be able to qualify for better work
12 both within correctional industries and the free community. It is not
13 intended that an inmate's work within this class of industries should
14 be his or her final and total work experience as an inmate.

15 (b) Whenever possible, to provide forty hours of work or work
16 training per week.

17 (c) Whenever possible, to offset tax and other public support
18 costs.

19 Supervising, management, and custody staff shall be employees of
20 the department.

21 All able and eligible inmates who are assigned work and who are not
22 working in other classes of industries shall work in this class.

23 Except for inmates who work in work training programs or in
24 competition with inmate labor, inmates in this class shall be paid for
25 their work in accordance with an inmate gratuity scale. The scale
26 shall be adopted by the (~~secretary of corrections~~) correctional
27 industries board of directors.

28 (4) CLASS IV: COMMUNITY WORK INDUSTRIES. Industries in this class
29 shall be operated, in accordance with rules adopted under RCW
30 72.64.020, by the department of corrections. They shall be designed
31 and managed to provide services in the inmate's resident community at
32 a reduced cost. The services shall be provided to public agencies, to
33 persons who are poor or infirm, or to nonprofit organizations.

34 Inmates in this program shall reside in facilities owned by,
35 contracted for, or licensed by the department of corrections. A unit
36 of local government shall provide work supervision services without
37 charge to the state and shall pay the inmate's wage.

1 The department of corrections shall reimburse participating units
2 of local government for liability and workers compensation insurance
3 costs.

4 Inmates who work in this class of industries shall do so at their
5 own choice and shall receive a gratuity which shall not exceed the wage
6 paid for work of a similar nature in the locality in which the industry
7 is located.

8 (5) CLASS V: COMMUNITY SERVICE PROGRAMS. Programs in this class
9 shall be subject to supervision by the department of corrections. The
10 purpose of this class of industries is to enable an inmate, placed on
11 community supervision, to work off all or part of a community service
12 order as ordered by the sentencing court.

13 Employment shall be in a community service program operated, in
14 accordance with rules adopted under RCW 72.64.020, by the state, local
15 units of government, or a nonprofit agency.

16 To the extent that funds are specifically made available for such
17 purposes, the department of corrections shall reimburse nonprofit
18 agencies for workers compensation insurance costs.

19 NEW SECTION. **Sec. 7.** A new section is added to chapter 72.09 RCW
20 to read as follows:

21 In performing the reviews required by RCW 72.09.100, the
22 correctional industries board of directors shall reject:

23 (1) An agreement or contract that would provide an unfair
24 competitive advantage, in comparison to the Washington state business
25 community or labor market, to any organization; or

26 (2) An agreement or contract that would negatively impact the
27 Washington state business community or labor market.

28 In establishing rules for work programs, the correctional
29 industries board of directors shall ensure that there will not be a
30 negative impact upon the Washington state business community or labor
31 market.

32 In the assessment of negative impact, the correctional industries
33 board of directors may consider the offsetting positive impacts upon
34 the Washington state business community and labor market created by
35 achieving the goals of this chapter through the work programs.

36 The correctional industries board of directors shall, before July
37 1, 1998, review all existing work programs, and seek modification or

1 termination of a work program that would not be approved under the
2 criteria established in this section.

3 **Sec. 8.** RCW 72.09.104 and 1983 c 296 s 3 are each amended to read
4 as follows:

5 The department of general administration and the department of
6 corrections, in accordance with rules adopted under RCW 72.64.020,
7 shall implement prison work programs to operate automated data input
8 and retrieval systems for appropriate departments of state government.

9 **Sec. 9.** RCW 72.09.106 and 1989 c 185 s 8 are each amended to read
10 as follows:

11 Class II correctional industries may, with the approval of the
12 correctional industries board of directors, subcontract its data input
13 and microfilm capacities to firms from the private sector. Inmates
14 employed under these subcontracts will be paid in accordance with the
15 Class I free venture industries procedures and wage scale.

16 **Sec. 10.** RCW 72.09.111 and 1994 sp.s. c 7 s 534 are each amended
17 to read as follows:

18 (1) The secretary shall deduct from the gross wages or gratuities
19 of each inmate working in correctional industries work programs, taxes
20 and legal financial obligations. The secretary shall develop a formula
21 for the distribution of offender wages and gratuities.

22 (a) The formula shall include the following minimum deductions from
23 class I gross wages and from all others earning at least minimum wage:

24 (i) Five percent to the public safety and education account for the
25 purpose of crime victims' compensation;

26 (ii) Ten percent to a department personal inmate savings account;
27 and

28 (iii) Twenty percent to the department to contribute to the cost of
29 incarceration.

30 (b) The formula shall include the following minimum deductions from
31 class II gross gratuities:

32 (i) Five percent to the public safety and education account for the
33 purpose of crime victims' compensation;

34 (ii) Ten percent to a department personal inmate savings account;
35 and

1 (iii) Fifteen percent to the department to contribute to the cost
2 of incarceration.

3 (c) The formula shall include the following minimum deduction from
4 class IV gross gratuities: Five percent to the department to
5 contribute to the cost of incarceration.

6 (d) The formula shall include the following minimum deductions from
7 class III gratuities: Five percent for the purpose of crime victims'
8 compensation.

9 Any person sentenced to life imprisonment without possibility of
10 release or parole under chapter 10.95 RCW shall be exempt from the
11 requirement under (a)(ii) or (b)(ii) of this subsection.

12 The department personal inmate savings account, together with any
13 accrued interest, shall only be available to an inmate at the time of
14 his or her release from confinement, unless the secretary determines
15 that an emergency exists for the inmate, at which time the funds can be
16 made available to the inmate in an amount determined by the secretary.
17 The management of classes I, II, and IV correctional industries may
18 establish an incentive payment for offender workers based on
19 productivity criteria. This incentive shall be paid separately from
20 the hourly wage/gratuity rate and shall not be subject to the specified
21 deduction for cost of incarceration.

22 In the event that the ((~~offender~~)) inmate worker's wages or
23 gratuity is subject to garnishment for support enforcement, the crime
24 victims' compensation, savings, and cost of incarceration deductions
25 shall be calculated on the net wages after taxes, legal financial
26 obligations, and garnishment.

27 (2) The department shall explore other methods of recovering a
28 portion of the cost of the inmate's incarceration and for encouraging
29 participation in work programs, including development of incentive
30 programs that offer inmates benefits and amenities paid for only from
31 wages earned while working in a correctional industries work program.

32 (3) The department shall develop the necessary administrative
33 structure to recover inmates' wages and keep records of the amount
34 inmates pay for the costs of incarceration and amenities. All funds
35 deducted from inmate wages under subsection (1) of this section for the
36 purpose of contributions to the cost of incarceration shall be
37 deposited in a dedicated fund with the department and shall be used
38 only for the purpose of enhancing and maintaining correctional

1 industries work programs until December 31, 2000, and thereafter all
2 such funds shall be deposited in the general fund.

3 (4) The expansion of inmate employment in class I and class II
4 correctional industries shall be implemented according to the following
5 schedule:

6 (a) Not later than June 30, 1995, the ((~~secretary~~)) correctional
7 industries board of directors shall achieve a net increase of at least
8 two hundred in the number of inmates employed in class I or class II
9 correctional industries work programs above the number so employed on
10 June 30, 1994;

11 (b) Not later than June 30, 1996, the ((~~secretary~~)) correctional
12 industries board of directors shall achieve a net increase of at least
13 four hundred in the number of inmates employed in class I or class II
14 correctional industries work programs above the number so employed on
15 June 30, 1994;

16 (c) Not later than June 30, 1997, the ((~~secretary~~)) correctional
17 industries board of directors shall achieve a net increase of at least
18 six hundred in the number of inmates employed in class I or class II
19 correctional industries work programs above the number so employed on
20 June 30, 1994;

21 (d) Not later than June 30, 1998, the ((~~secretary~~)) correctional
22 industries board of directors shall achieve a net increase of at least
23 nine hundred in the number of inmates employed in class I or class II
24 correctional industries work programs above the number so employed on
25 June 30, 1994;

26 (e) Not later than June 30, 1999, the ((~~secretary~~)) correctional
27 industries board of directors shall achieve a net increase of at least
28 one thousand two hundred in the number of inmates employed in class I
29 or class II correctional industries work programs above the number so
30 employed on June 30, 1994;

31 (f) Not later than June 30, 2000, the ((~~secretary~~)) correctional
32 industries board of directors shall achieve a net increase of at least
33 one thousand five hundred in the number of inmates employed in class I
34 or class II correctional industries work programs above the number so
35 employed on June 30, 1994.

36 (5) It shall be in the discretion of the ((~~secretary~~)) correctional
37 industries board of directors to apportion the inmates between class I
38 and class II depending on available contracts and resources.

1 **Sec. 11.** RCW 72.64.001 and 1981 c 136 s 108 are each amended to
2 read as follows:

3 As used in this chapter:

4 "Department" means the department of corrections;

5 "Inmate" means a person committed to the custody of the department,
6 including but not limited to persons residing in a correctional
7 institution or facility and persons released on furlough, work release,
8 or community custody, and persons received from another state, state
9 agency, county, or federal jurisdiction; and

10 "Secretary" means the secretary of corrections.

11 **Sec. 12.** RCW 72.64.010 and 1979 c 141 s 265 are each amended to
12 read as follows:

13 The ~~((secretary shall have))~~ correctional industries board of
14 directors has the power and it ~~((shall be his))~~ is its duty to provide
15 for the useful employment of ~~((prisoners))~~ inmates in the adult
16 correctional institutions~~((:—PROVIDED, That))~~. However, no
17 ~~((prisoners))~~ inmates shall be employed in what is known as the
18 contract system of labor.

19 **Sec. 13.** RCW 72.64.020 and 1979 c 141 s 266 are each amended to
20 read as follows:

21 The ~~((secretary))~~ correctional industries board of directors shall
22 make the necessary rules ~~((and regulations))~~ governing the employment
23 of ~~((prisoners))~~ inmates, the conduct of all such operations, and the
24 disposal of the products thereof, under such restrictions as provided
25 by law.

26 **Sec. 14.** RCW 72.64.030 and 1992 c 7 s 54 are each amended to read
27 as follows:

28 Every ~~((prisoner))~~ inmate in a state correctional facility shall be
29 required to work in such manner as may be prescribed by ~~((the~~
30 ~~secretary))~~ law, other than for the private financial benefit of any
31 enforcement officer.

32 **Sec. 15.** RCW 72.64.040 and 1973 1st ex.s. c 154 s 105 are each
33 amended to read as follows:

34 Where ~~((a prisoner))~~ an inmate is employed at any occupation for
35 which pay is allowed or permitted, or at any gainful occupation from

1 which the state derives an income, the department shall credit the
2 ((prisoner)) inmate, except as otherwise provided by law, with the
3 total amount of his or her earnings.

4 The amount of earnings credited but unpaid to ((a prisoner)) an
5 inmate may be paid to the ((prisoner's)) inmate's spouse, children,
6 mother, father, brother, or sister as the inmate may direct upon
7 approval of the superintendent. Upon release, parole, or discharge,
8 all unpaid earnings of the ((prisoner)) inmate shall be paid to him or
9 her.

10 **Sec. 16.** RCW 72.64.050 and 1992 c 7 s 55 are each amended to read
11 as follows:

12 The secretary shall also have the power, in accordance with rules
13 adopted under RCW 72.64.020, to establish temporary branch institutions
14 for state correctional facilities in the form of camps for the
15 employment of ((prisoners)) inmates therein in farming, reforestation,
16 wood-cutting, land clearing, processing of foods in state canneries,
17 forest fire fighting, forest fire suppression and prevention, stream
18 clearance, watershed improvement, development of parks and recreational
19 areas, and other work to conserve the natural resources and protect and
20 improve the public domain and construction of water supply facilities
21 to state institutions.

22 **Sec. 17.** RCW 72.64.060 and 1979 c 141 s 269 are each amended to
23 read as follows:

24 Any department, division, bureau, commission, or other agency of
25 the state of Washington or any agency of any political subdivision
26 thereof or the federal government, in accordance with rules adopted
27 under RCW 72.64.020, may use, or cause to be used, ((prisoners confined
28 in)) inmates of state penal or correctional institutions to perform
29 work necessary and proper, to be done by them at camps to be
30 established pursuant to the authority granted by RCW 72.64.060 through
31 72.64.090(~~(:—PROVIDED, That such prisoners)~~). However, the inmates
32 shall not be authorized to perform work on any public road, other than
33 access roads to forestry lands. The secretary may enter into contracts
34 for the purposes of RCW 72.64.060 through 72.64.090.

35 **Sec. 18.** RCW 72.64.070 and 1979 c 141 s 270 are each amended to
36 read as follows:

1 The department shall determine which ((prisoners)) inmates shall be
2 eligible for employment under RCW 72.64.060, and shall establish and
3 modify lists of ((prisoners)) inmates eligible for such employment,
4 upon the requisition of an agency mentioned in RCW 72.64.060. The
5 secretary may send to the place, and at the time designated, the number
6 of ((prisoners)) inmates requisitioned, or such number thereof as have
7 been determined to be eligible for such employment and are available.
8 No ((prisoner)) inmate shall be eligible or shall be released for such
9 employment until his or her eligibility therefor has been determined by
10 the department.

11 The secretary may return to prison any ((prisoner)) inmate
12 transferred to camp pursuant to this section, when the need for ((such
13 prisoner's)) the inmate's labor has ceased or when the ((prisoner))
14 inmate is guilty of any violation of the rules ((and regulations)) of
15 the prison or camp.

16 **Sec. 19.** RCW 72.64.080 and 1979 c 141 s 271 are each amended to
17 read as follows:

18 The agency providing for ((prisoners)) inmates under RCW 72.64.060
19 through 72.64.090 shall, in accordance with rules adopted under RCW
20 72.64.020, designate and supervise all work done under the provisions
21 thereof. The agency shall provide, erect, and maintain any necessary
22 camps, except that where no funds are available to the agency, the
23 department may provide, erect, and maintain the necessary camps. The
24 secretary shall supervise and manage the necessary camps and
25 commissaries.

26 **Sec. 20.** RCW 72.64.090 and 1959 c 28 s 72.64.090 are each amended
27 to read as follows:

28 The department shall have full jurisdiction at all times over the
29 discipline and control of the ((prisoners)) inmates performing work
30 under RCW 72.64.060 through 72.64.090.

31 NEW SECTION. **Sec. 21.** A new section is added to chapter 72.64 RCW
32 to read as follows:

33 Prior to the commitment of inmate labor to employment outside the
34 confines of a correctional facility, and at least forty-eight hours
35 prior to the dispatch of any inmate to a worksite outside the confines
36 of a correctional facility, the secretary, in accordance with rules

1 adopted under RCW 72.64.020, shall provide for notification to the
2 community in which the worksite is located.

3 NEW SECTION. **Sec. 22.** A new section is added to chapter 72.64 RCW
4 to read as follows:

5 No person, other than an employee of the department, may supervise
6 inmates in work duties unless he or she has successfully completed, in
7 accordance with rules adopted under RCW 72.64.020, a training course
8 conducted by the department. The training course shall include, as a
9 minimum, the issues of: (1) Security, including interdiction of
10 contraband; (2) discrimination, including sexual harassment; and (3)
11 personnel management, including problem areas in the management of
12 inmates.

13 NEW SECTION. **Sec. 23.** A new section is added to chapter 72.64 RCW
14 to read as follows:

15 Unless authorized in writing in advance as provided for by the
16 department, any visit to an inmate employee, while the inmate is
17 outside the confines of a correctional facility, by a person other than
18 the inmate's employer or other person involved in the inmate's current
19 employment shall constitute grounds for restriction of the inmate to
20 employment within the confines of the correctional facility in which he
21 or she is incarcerated.

22 NEW SECTION. **Sec. 24.** A new section is added to chapter 72.64 RCW
23 to read as follows:

24 Inmates may not be employed in telemarketing, or in any endeavor
25 involving telecommunications, including computer networks, that allow
26 access to persons or locations outside the confines of the correctional
27 facility in which they are incarcerated.

28 **Sec. 25.** RCW 72.64.100 and 1979 c 141 s 272 are each amended to
29 read as follows:

30 The secretary, in accordance with rules adopted under RCW
31 72.64.020, is authorized to establish and operate regional jail camps
32 for the confinement, treatment, and care of persons sentenced to jail
33 terms in excess of thirty days, including persons so imprisoned as a
34 condition of probation. The secretary shall make rules (~~and~~
35 ~~regulations~~) governing the eligibility for commitment or transfer to

1 such camps and rules ((and regulations)) for the government of such
2 camps. Subject to the rules ((and regulations)) of the secretary, and
3 if there is in effect a contract entered into pursuant to RCW
4 72.64.110, a county prisoner may be committed to a regional jail camp
5 in lieu of commitment to a county jail or other county detention
6 facility.

7 **Sec. 26.** RCW 72.64.110 and 1980 c 17 s 1 are each amended to read
8 as follows:

9 (1) The secretary, in accordance with rules adopted under RCW
10 72.64.020, may enter into a contract with any county of the state, upon
11 the request of the sheriff thereof, wherein the secretary agrees to
12 furnish confinement, care, treatment, and employment of county
13 prisoners. The county shall reimburse the state for the cost of such
14 services. Each county shall pay to the state treasurer the amounts
15 found to be due.

16 (2) The secretary shall accept such county prisoner if he or she
17 believes that the prisoner can be materially benefited by such
18 confinement, care, treatment, and employment, and if adequate
19 facilities to provide such care are available. No such person shall be
20 transported to any facility under the jurisdiction of the secretary
21 until the secretary has notified the referring court of the place to
22 which ((said)) the person is to be transmitted and the time at which he
23 or she can be received.

24 (3) The sheriff of the county in which such an order is made
25 placing a misdemeanant in a jail camp pursuant to this chapter, or any
26 other peace officer designated by the court, shall execute an order
27 placing such county prisoner in the jail camp or returning him or her
28 therefrom to the court.

29 (4) The secretary may return to the committing authority, or to
30 confinement according to his or her sentence, any person committed or
31 transferred to a regional jail camp pursuant to this chapter when there
32 is no suitable employment or when such person is guilty of any
33 violation of rules ((and regulations)) of the regional jail camp.

34 **Sec. 27.** RCW 72.63.010 and 1985 c 286 s 1 are each amended to read
35 as follows:

36 The legislature finds and declares that the establishment of
37 ((prison)) work programs that allow ((prisoners)) inmates to undertake

1 food fish, shellfish, and game fish rearing projects (~~and~~), game bird
2 and game animal improvement, restoration, and protection projects, and
3 other wildlife and habitat projects is needed to reduce idleness,
4 promote the growth of (~~prison~~) correctional industries, and provide
5 (~~prisoners~~) inmates with skills necessary for their successful
6 reentry into society.

7 **Sec. 28.** RCW 72.63.020 and 1994 c 264 s 43 are each amended to
8 read as follows:

9 The departments of corrections and fish and wildlife, in accordance
10 with rules adopted under RCW 72.64.020, shall establish at or near
11 appropriate state institutions, as defined in RCW 72.65.010, (~~prison~~)
12 work programs that use (~~prisoners~~) inmates to undertake state food
13 fish, shellfish, and game fish rearing projects and state game bird and
14 game animal improvement, restoration, and protection projects and that
15 meet the requirements of RCW 72.09.100.

16 The department of corrections shall seek to identify a group of
17 (~~prisoners~~) inmates at each appropriate state institution, as defined
18 by RCW 72.65.010, that are interested in participating in (~~prison~~)
19 work programs established by this chapter.

20 If the department of corrections is unable to identify a group of
21 (~~prisoners~~) inmates to participate in work programs authorized by
22 this chapter, it may enter into an agreement with the department of
23 fish and wildlife for the purpose of designing projects for any
24 institution. Costs under this section shall be borne by the department
25 of corrections.

26 The departments of corrections and fish and wildlife shall use
27 (~~prisoners~~) inmates, where appropriate, to perform work in state
28 projects that may include the following types:

29 (1) Food fish, shellfish, and game fish rearing projects, including
30 but not limited to egg planting, egg boxes, juvenile planting, pen
31 rearing, pond rearing, raceway rearing, and egg taking;

32 (2) Game bird and game animal projects, including but not limited
33 to habitat improvement and restoration, replanting and transplanting,
34 nest box installation, pen rearing, game protection, and supplemental
35 feeding(~~:- PROVIDED, That~~). However, no project shall be established
36 at the department of fish and wildlife's south Tacoma game farm;

37 (3) Other wildlife and habitat projects;

1 (4) Manufacturing of equipment for use in fish and game volunteer
2 cooperative projects permitted by the department of fish and wildlife,
3 or for use in prison work programs with fish and game; and

4 (~~(4)~~) (5) Maintenance, repair, restoration, and redevelopment of
5 facilities operated by the department of fish and wildlife.

6 **Sec. 29.** RCW 72.63.030 and 1994 c 264 s 44 are each amended to
7 read as follows:

8 (1) The department of fish and wildlife shall provide professional
9 assistance from biologists, fish culturists, pathologists, engineers,
10 habitat managers, and other departmental staff to assist the
11 development and productivity of (~~(prison)~~) work programs under RCW
12 72.63.020, upon agreement with the department of corrections.

13 (2) The department of fish and wildlife shall identify and describe
14 potential and pilot projects that are compatible with the goals of the
15 various departments involved and that are particularly suitable for
16 (~~(prison)~~) work programs.

17 (3) The department of fish and wildlife (~~(may)~~) must make available
18 surplus hatchery rearing space, net pens, egg boxes, portable rearing
19 containers, incubators, and any other departmental facilities or
20 property that are available for loan to the department of corrections
21 to carry out (~~(prison)~~) work programs under RCW 72.63.020.

22 (4) The department of fish and wildlife shall provide live fish
23 eggs, bird eggs, juvenile fish, game animals, or other appropriate seed
24 stock, juveniles, or brood stock of acceptable disease history and
25 genetic composition for the (~~(prison)~~) work projects at no cost to the
26 department of corrections, to the extent that such resources are
27 available. Fish food, bird food, or animal food may be provided by the
28 department of fish and wildlife to the extent that funding is
29 available.

30 (5) The department of natural resources shall assist in the
31 implementation of the program where project sites are located on public
32 beaches or state owned aquatic lands.

33 **Sec. 30.** RCW 72.63.040 and 1989 c 185 s 13 are each amended to
34 read as follows:

35 The costs of implementation of the projects prescribed by this
36 chapter shall be supported to the extent that funds are available under

1 the provisions of chapter 75.52 RCW, and from correctional industries
2 funds as approved by the correctional industries board of directors.

3 **Sec. 31.** RCW 72.01.010 and 1981 c 136 s 66 are each amended to
4 read as follows:

5 As used in this chapter:

6 "Department" means the departments of social and health services
7 and corrections; and

8 "Secretary" means the secretaries of social and health services and
9 corrections.

10 The powers and duties granted and imposed in this chapter, when
11 applicable, apply to both the departments of social and health services
12 and corrections and the secretaries of social and health services and
13 corrections for institutions under their control. A power or duty may
14 be exercised or fulfilled jointly if joint action is more efficient, as
15 determined by the secretaries. Powers and duties granted in whole or
16 in part to the correctional industries board of directors shall be
17 exercised or fulfilled as provided by law.

18 **Sec. 32.** RCW 72.01.110 and 1959 c 28 s 72.01.110 are each amended
19 to read as follows:

20 The department may employ the services of competent architects for
21 the preparation of plans and specifications for new buildings, or for
22 repairs, changes, or additions to buildings already constructed, employ
23 competent persons to superintend the construction of new buildings or
24 repairs, changes, or additions to buildings already constructed and
25 call for bids and award contracts for the erection of new buildings, or
26 for repairs, changes, or additions to buildings already constructed(~~(+~~
27 ~~PROVIDED, That~~)). However, the department of corrections may, in
28 accordance with rules adopted under RCW 72.64.020, proceed with the
29 erecting of any new building, or repairs, changes, or additions to any
30 buildings already constructed, employing thereon the labor of the
31 inmates of the institution, when in its judgment the improvements can
32 be made in as satisfactory a manner and at a less cost to the state by
33 so doing.

34 **Sec. 33.** RCW 72.01.140 and 1981 c 238 s 1 are each amended to read
35 as follows:

1 The secretary, in accordance with rules adopted under RCW
2 72.64.020, shall:

3 (1) Make a survey, investigation, and classification of the lands
4 connected with the state institutions under his or her control, and
5 determine which thereof are of such character as to be most profitably
6 used for agricultural, horticultural, dairying, and stock raising
7 purposes, taking into consideration the costs of making them ready for
8 cultivation, the character of the soil, its depth and fertility, the
9 number of kinds of crops to which it is adapted, the local climatic
10 conditions, the local annual rainfall, the water supply upon the land
11 or available, the needs of all state institutions for the food products
12 that can be grown or produced, and the amount and character of the
13 available labor of inmates at the several institutions;

14 (2) Establish and carry on suitable farming operations at the
15 several institutions under his or her control;

16 (3) Supply the several institutions with the necessary food
17 products produced thereat;

18 (4) Exchange with, or furnish to, other institutions, food products
19 at the cost of production;

20 (5) Sell and dispose of surplus food products produced.

21 This section shall not apply to the Rainier school for which
22 cognizance of farming operations has been transferred to Washington
23 State University by RCW 72.01.142.

24 **Sec. 34.** RCW 72.01.150 and 1979 c 141 s 150 are each amended to
25 read as follows:

26 The secretary, in accordance with rules adopted under RCW 72.64.020
27 as to the department of corrections, shall:

28 (1) Establish, install, and operate, at the several state
29 institutions under his or her control, such industries and industrial
30 plants as may be most suitable and beneficial to the inmates thereof,
31 and as can be operated at the least relative cost and the greatest
32 relative benefit to the state, taking into consideration the needs of
33 the state institutions for industrial products, and the amount and
34 character of labor of inmates available at the several institutions;

35 (2) Supply the several institutions with the necessary industrial
36 products produced thereat;

1 (3) Exchange with, or furnish to, other state institutions
2 industrial products at prices to be fixed by the department, not to
3 exceed in any case the price of such products in the open market;

4 (4) Sell and dispose of surplus industrial products produced, to
5 such persons and under such rules, (~~regulations~~) terms, and prices
6 as may be in his or her judgment for the best interest of the state;

7 (5) Sell products of the plate mill to any department, to any
8 state, county, or other public institution and to any governmental
9 agency, of this or any other state under such rules, (~~regulations~~)
10 terms, and prices as may be in his or her judgment for the best
11 interests of the state.

12 **Sec. 35.** RCW 72.01.450 and 1981 c 136 s 76 are each amended to
13 read as follows:

14 The secretary is authorized to enter into agreements with any
15 school district or any institution of higher learning for the use of
16 the facilities, equipment, and personnel, other than inmates, of any
17 state institution of the department, for the purpose of conducting
18 courses of education, instruction, or training in the professions and
19 skills utilized by one or more of the institutions, at such times and
20 under such circumstances and with such terms and conditions as may be
21 deemed appropriate.

22 **Sec. 36.** RCW 72.01.452 and 1979 c 141 s 169 are each amended to
23 read as follows:

24 The secretary is authorized to enter into an agreement with any
25 agency of the state, a county, city, or political subdivision of the
26 state for the use of the facilities, equipment, and personnel, other
27 than inmates, of any institution of the department for the purpose of
28 conducting courses of education, instruction, or training in any
29 professional skill having a relationship to one or more of the
30 functions or programs of the department.

31 **Sec. 37.** RCW 72.60.110 and 1959 c 28 s 72.60.110 are each amended
32 to read as follows:

33 The department, in accordance with rules adopted under RCW
34 72.64.020, is (~~hereby~~) authorized and empowered to cause the inmates
35 in the state institutions of this state to be employed in the rendering
36 of such services and in the production and manufacture of such

1 articles, materials, and supplies as are now, or may hereafter be,
2 needed by the state, or any political subdivision thereof, or that may
3 be needed by any public institution of the state or of any political
4 subdivision thereof.

5 **Sec. 38.** RCW 72.60.160 and 1981 c 136 s 103 are each amended to
6 read as follows:

7 All articles, materials, and supplies herein authorized to be
8 produced or manufactured in correctional institutions may, in
9 accordance with rules adopted under RCW 72.64.020, be purchased from
10 the institution producing or manufacturing the same by any state agency
11 or political subdivision of the state, and the secretary (~~(shall)~~) may,
12 in accordance with rules adopted under RCW 72.64.020, require those
13 institutions under his or her direction to give preference to the
14 purchasing of their needs of such articles as are so produced.

15 **Sec. 39.** RCW 72.60.220 and 1981 c 136 s 105 are each amended to
16 read as follows:

17 The department may cause to be prepared annually, at such times as
18 it may determine, lists containing the descriptions of all articles and
19 supplies manufactured and produced in state correctional institutions;
20 copies of such list shall be sent to the supervisor of purchasing and
21 to all departments, institutions, and agencies of the state of
22 Washington and its political subdivisions.

23 **Sec. 40.** RCW 43.19.534 and 1993 sp.s. c 20 s 1 are each amended to
24 read as follows:

25 State agencies, the legislature, and departments shall purchase for
26 their use all goods and services required by the legislature, agencies,
27 or departments that are produced or provided in whole or in part from
28 class II inmate work programs operated by the department of corrections
29 through state contract. These goods and services shall not be
30 purchased from any other source unless, upon application by the
31 department or agency(~~(:(1))~~) the department of general administration
32 finds that: (1) The articles or products do not meet the reasonable
33 requirements of the agency or department, (2) the articles or products
34 are not of equal or better quality, or (3) the price of the product or
35 service is higher than that produced by the private sector. (~~However,~~
36 the criteria contained in (1), (2), and (3) of this section for

1 ~~purchasing goods and services from sources other than correctional~~
2 ~~industries do not apply to goods and services produced by correctional~~
3 ~~industries that primarily replace goods manufactured or services~~
4 ~~obtained from outside the state.))~~ The ((~~department of corrections~~))
5 correctional industries board of directors and the department of
6 general administration shall adopt administrative rules that implement
7 this section.

8 **Sec. 41.** RCW 43.19.535 and 1981 c 136 s 15 are each amended to
9 read as follows:

10 Any person, firm, or organization which makes any bid to provide
11 any goods or any services to any state agency ((~~shall~~)) may be granted
12 a preference over other bidders if: (1) The goods or services have
13 been or will be produced or provided in whole or in part by an inmate
14 work program of the department of corrections ((and)); (2) an amount
15 equal to at least fifteen percent of the total bid amount has been paid
16 or will be paid by the person, firm, or organization to inmates as
17 wages; and (3) all other bid requirements, including quality of product
18 and timeliness of delivery, are met to the satisfaction of the agency.
19 The preference provided under this section shall be equal to ((~~ten~~))
20 five percent of the total bid amount. The correctional industries
21 board of directors and the department of general administration shall
22 adopt rules to implement this section.

23 **Sec. 42.** RCW 72.62.010 and 1972 ex.s. c 7 s 1 are each amended to
24 read as follows:

25 The legislature declares that programs of vocational education are
26 essential to the habilitation and rehabilitation of ((~~residents~~))
27 inmates of state correctional institutions and facilities. It is the
28 purpose of this chapter to provide for greater reality and relevance in
29 the vocational education programs within the correctional institutions
30 of the state and to coordinate the vocational education programs with
31 the work programs through the correctional industries board of
32 directors.

33 **Sec. 43.** RCW 72.62.020 and 1989 c 185 s 12 are each amended to
34 read as follows:

35 When used in this chapter, unless the context otherwise requires:

1 The term "vocational education" means a planned series of learning
2 experiences, the specific objective of which is to prepare individuals
3 for gainful employment as semiskilled or skilled workers or technicians
4 or subprofessionals in recognized occupations and in new and emerging
5 occupations, but shall not mean programs the primary characteristic of
6 which is repetitive work for the purpose of production, including the
7 correctional industries program. Nothing in this section shall be
8 construed to prohibit the correctional industries board of directors
9 from identifying and establishing trade advisory or apprenticeship
10 committees to advise them on correctional industries work programs or
11 vocational education programs.

12 **Sec. 44.** RCW 72.62.030 and 1983 c 255 s 6 are each amended to read
13 as follows:

14 Products, goods, wares, articles, or merchandise manufactured or
15 produced by (~~residents~~) inmates of state correctional institutions or
16 facilities within or in conjunction with vocational education programs
17 for the training, habilitation, and rehabilitation of inmates may be
18 sold on the open market in accordance with rules adopted under RCW
19 72.64.020. When services are performed by (~~residents~~) inmates within
20 or in conjunction with such vocational education programs, the cost of
21 materials used and the value of depreciation of equipment used may be
22 recovered.

23 **Sec. 45.** RCW 72.62.040 and 1981 c 136 s 107 are each amended to
24 read as follows:

25 The secretary of (~~the department of social and health services or~~
26 ~~the secretary of~~) corrections (~~(, as the case may be,)~~) shall credit
27 the proceeds derived from the sale of such products, goods, wares,
28 articles, or merchandise manufactured or produced by inmates of state
29 correctional institutions within or in conjunction with vocational
30 education programs to the institution where manufactured or produced to
31 be deposited in a revolving fund to be expended for the purchase of
32 supplies, materials, and equipment for use in vocational education.

33 **Sec. 46.** RCW 72.62.050 and 1972 ex.s. c 7 s 5 are each amended to
34 read as follows:

35 Labor-management trade advisory and apprenticeship committees shall
36 be constituted by the (~~department~~) correctional industries board of

1 directors for each vocation taught within the vocational education
2 programs in the state correctional system.

3 NEW SECTION. **Sec. 47.** RCW 72.60.235 and 1991 c 256 s 2 are each
4 repealed.

5 NEW SECTION. **Sec. 48.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and takes effect
8 July 1, 1997.

9 NEW SECTION. **Sec. 49.** The governor, the secretary of corrections,
10 and the correctional industries board of directors may take those steps
11 necessary to ensure that this act is implemented on its effective date.

12 NEW SECTION. **Sec. 50.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

--- END ---