

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 1201

Chapter 367, Laws of 1997

55th Legislature
1997 Regular Session

ASSISTANCE TO AREAS IMPACTED BY NATURAL RESOURCES HARVEST
VARIATION

EFFECTIVE DATE: 7/1/97

Passed by the House April 27, 1997
Yeas 66 Nays 31

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 18, 1997
Yeas 49 Nays 0

BRAD OWEN
President of the Senate

Approved May 15, 1997

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1201** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 15, 1997 - 9:32 a.m.

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1201

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Buck, Johnson, Sheldon, Blalock, Regala, Linville, Hatfield, Kessler, Tokuda, Anderson, Morris, Zellinsky, Dunn, Conway, Doumit, Ogden, Grant, Mastin, Butler and Murray)

Read first time 03/10/97.

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)) Recognizing that some rural natural resources areas have greater~~
24 ~~economic distress than others, the task force will consider the~~
25 ~~severity of the impact as a significant project selection criteria,~~
26 ~~both at the county and subcounty level.~~

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

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

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

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

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

1 (a) No new claims for additional benefits shall be accepted for
2 weeks beginning after July 1, (~~(1997)~~) 1999, but for claims established
3 on or before July 1, (~~(1997)~~) 1999, weeks of unemployment occurring
4 after July 1, (~~(1997)~~) 1999, shall be compensated as provided in this
5 section.

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

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

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

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

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

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

36 (4) An additional benefit eligibility period is established for any
37 exhaustee who:

38 (a)(i) At the time of last separation from employment (~~(, -resided in~~
39 ~~or was employed in a rural natural resources impact area defined in RCW~~

1 ~~43.31.601 and determined by the office of financial management and the~~
2 ~~employment security department))~~ resides in a county with an
3 unemployment rate for 1996 at least twenty percent or more above the
4 state average and at least fifteen percent above their own county
5 unemployment rate in 1988 and the county meets one of the following two
6 criteria:

7 (A) It is a county with a lumber and woods products employment
8 quotient at least three times the state average and has experienced
9 actual job losses in these industries since 1988 of one hundred jobs or
10 more or fifty or more jobs in a county with a population of forty
11 thousand or less; or

12 (B) It is a county with a commercial salmon fishing employment
13 quotient at least three times the state average and has experienced
14 actual job losses in this industry since 1988 of one hundred jobs or
15 more or fifty or more jobs in a county with a population of forty
16 thousand or less; and

17 (I) The exhaustee has during his or her base year earned wages of
18 at least one thousand hours; and

19 (II) The exhaustee is determined by the employment security
20 department in consultation with its labor market and economic analysis
21 division to be a displaced worker; or

22 (ii) During his or her base year, earned wages in at least ((~~six~~
23 hundred eighty)) one thousand hours in either the forest products
24 industry, which shall be determined by the department but shall include
25 the industries assigned the major group standard industrial
26 classification codes "24" and "26" and the industries involved in the
27 harvesting and management of logs, transportation of logs and wood
28 products, processing of wood products, and the manufacturing and
29 distribution of wood processing and logging equipment or the fishing
30 industry assigned the standard industrial classification code "0912".
31 The commissioner may adopt rules further interpreting the industries
32 covered under this subsection. For the purposes of this subsection,
33 "standard industrial classification code" means the code identified in
34 RCW 50.29.025(6)(c); and

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

36 (ii) Is unlikely, in the determination of the employment security
37 department in consultation with its labor market and economic analysis
38 division, to return to employment in his or her principal occupation or

1 previous industry because of a diminishing demand within his or her
2 labor market for his or her skills in the occupation or industry; and

3 (c)(i) Is notified by the department of the requirements of this
4 section and develops an individual training program that is submitted
5 to the commissioner for approval not later than sixty days after the
6 individual is notified of the requirements of this section, and enters
7 the approved training program not later than ninety days after the date
8 of the individual's termination or layoff, or ninety days after July 1,
9 1991, whichever is later, unless the department determines that the
10 training is not available during the ninety-day period, in which case
11 the individual shall enter training as soon as it is available; or

12 (ii) Is enrolled in training approved under this section on a full-
13 time basis and maintains satisfactory progress in the training. By
14 April 1, 1998, the employment security department must redetermine a
15 new list of eligible and ineligible counties based on a comparison of
16 1988 and 1997 employment rates. Any changed eligibility status will
17 apply only to new claims for regular unemployment insurance effective
18 after April 1, 1998.

19 (5) For the purposes of this section:

20 (a) "Training program" means:

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

24 (ii) A vocational training program at an educational institution
25 that:

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

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

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

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

36 (6) The commissioner shall adopt rules as necessary to implement
37 this section.

38 (7) The provisions of RCW 50.22.010(10) shall not apply to anyone
39 who establishes eligibility for additional benefits under this section

1 and whose benefit year ends after January 1, 1994. These individuals
2 will have the option of remaining on the original claim or filing a new
3 claim.

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

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

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

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

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

1 employment, resided in or was employed in a rural natural resources
2 impact area.

3 (4) "Salmon fishing worker" means a worker in the ((salmon))
4 finfish industry affected by 1994 or future salmon disasters. The
5 workers included within this definition shall be determined by the
6 employment security department, but shall include workers employed in
7 the industries involved in the commercial and recreational harvesting
8 of ((salmon)) finfish including buying and processing ((salmon))
9 finfish. The commissioner may adopt rules further interpreting these
10 definitions.

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

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

15 (1) ~~((Implement an expanded value-added forest products development
16 industrial extension program. The department shall provide technical
17 assistance to small and medium-sized forest products companies to
18 include:~~

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

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

21 ~~(c) Identification and development of domestic market
22 opportunities;~~

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

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

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

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

27 ~~(2) Provide local contracts for small and medium-sized forest
28 product companies, start-ups, and business organizations for business
29 feasibility, market development, and business network contracts that
30 will benefit value-added production efforts in the industry.~~

31 ~~(3) Contract with local business organizations in timber impact
32 areas for development of programs to promote industrial
33 diversification. The department shall provide local capacity building
34 grants to local governments and community-based organizations in timber
35 impact areas, which may include long-range planning and needs
36 assessments.~~

37 ~~For the 1991-93 biennium, the department of community, trade, and
38 economic development shall use funds appropriated for this section for~~

1 ~~contracts and for no more than two additional staff positions))~~
2 Administer available federal grant funds to support strategic
3 diversification needs and opportunities of timber-dependent
4 communities, value-added forest products firms, and the value-added
5 forest products industry in Washington state.

6 (2) Provide value-added wood products companies with building
7 products export development assistance.

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

10 The department of community, trade, and economic development shall
11 provide technical and financial assistance to communities adversely
12 impacted by reductions in timber harvested from federal, state, and
13 private lands and reduction of salmon fishing caused by efforts to
14 maintain the long-term viability of salmon stocks. ~~((This assistance~~
15 ~~shall include the formation and implementation of community economic~~
16 ~~development plans. The department of community, trade, and economic~~
17 ~~development shall utilize existing state technical and financial~~
18 ~~assistance programs, and shall aid communities in seeking private and~~
19 ~~federal financial assistance for the purposes of this section. The~~
20 ~~department may contract for services provided for under this section))~~
21 The department shall use existing technical and financial assistance
22 resources to aid communities in planning, implementing, and assembling
23 financing for high priority community economic development projects.

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

26 Unless the context clearly requires otherwise, the definitions in
27 this section apply throughout this chapter.

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

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

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

34 (4) "Financial institution" means any bank, savings and loan
35 association, credit union, development credit corporation, insurance
36 company, investment company, trust company, savings institution, or

1 other financial institution approved by the board and maintaining an
2 office in the state.

3 (5) "Industrial development facilities" means "industrial
4 development facilities" as defined in RCW 39.84.020.

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

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

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

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

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

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

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

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

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

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

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

1 (a) A lumber and wood products employment location quotient at or
2 above the state average;
3 (b) A commercial salmon fishing employment location quotient at or
4 above the state average;
5 (c) Projected or actual direct lumber and wood products job losses
6 of one hundred positions or more;
7 (d) Projected or actual direct commercial salmon fishing job losses
8 of one hundred positions or more; and
9 (e) An unemployment rate twenty percent or more above the state
10 average. The counties that meet these criteria shall be determined by
11 the employment security department for the most recent year for which
12 data is available. For the purposes of administration of programs
13 under this chapter, the United States post office five-digit zip code
14 delivery areas will be used to determine residence status for
15 eligibility purposes. For the purpose of this definition, a zip code
16 delivery area (~~that is located wholly or partially in an urbanized~~
17 ~~area or within two~~) of which any part is ten miles ((of)) or more from
18 an urbanized area is considered nonurbanized. A zip code totally
19 surrounded by zip codes qualifying as nonurbanized under this
20 definition is also considered nonurbanized. The office of financial
21 management shall make available a zip code listing of the areas to all
22 agencies and organizations providing services under this chapter.

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

25 (1) Except as authorized to the contrary under subsection (2) of
26 this section, from all funds available to the board for financial
27 assistance in a biennium, the board shall spend at least ((fifty))
28 seventy-five percent for financial assistance for projects in
29 distressed counties or rural natural resources impact areas. For
30 purposes of this section, the term "distressed counties" includes any
31 county, in which the average level of unemployment for the three years
32 before the year in which an application for financial assistance is
33 filed, exceeds the average state employment for those years by twenty
34 percent.

35 (2) If at any time during the last six months of a biennium the
36 board finds that the actual and anticipated applications for qualified
37 projects in distressed counties or rural natural resources impact areas
38 are clearly insufficient to use up the ((fifty)) seventy-five percent

1 allocation, then the board shall estimate the amount of the
2 insufficiency and during the remainder of the biennium may use that
3 amount of the allocation for financial assistance to projects not
4 located in distressed counties or rural natural resources impact areas.

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

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

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

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

14 As used in this chapter, unless the context requires otherwise, the
15 term:

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

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

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

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

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

26 (6) "Board of trustees" shall mean the local community and
27 technical college board of trustees established for each college
28 district within the state.

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

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

34 (9) "Common school board" shall mean a public school district board
35 of directors.

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

3 (11) "Technical college" shall include those higher education
4 institutions with the sole mission of conducting occupational
5 education, basic skills, literacy programs, and offering on short
6 notice, when appropriate, programs that meet specific industry needs.
7 The programs of technical colleges shall include, but not be limited
8 to, continuous enrollment, competency-based instruction, industry-
9 experienced faculty, curriculum integrating vocational and basic skills
10 education, and curriculum approved by representatives of employers and
11 labor. For purposes of this chapter, technical colleges shall include
12 Lake Washington Vocational-Technical Institute, Renton Vocational-
13 Technical Institute, Bates Vocational-Technical Institute, Clover Park
14 Vocational Institute, and Bellingham Vocational-Technical Institute.

15 (12) "Adult education" shall mean all education or instruction,
16 including academic, vocational education or training, basic skills and
17 literacy training, and "occupational education" provided by public
18 educational institutions, including common school districts for persons
19 who are eighteen years of age and over or who hold a high school
20 diploma or certificate. However, "adult education" shall not include
21 academic education or instruction for persons under twenty-one years of
22 age who do not hold a high school degree or diploma and who are
23 attending a public high school for the sole purpose of obtaining a high
24 school diploma or certificate, nor shall "adult education" include
25 education or instruction provided by any four year public institution
26 of higher education.

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

37 (14) "Forest products worker" shall mean a worker in the forest
38 products industries affected by the reduction of forest fiber
39 enhancement, transportation, or production. The workers included

1 within this definition shall be determined by the employment security
2 department, but shall include workers employed in the industries
3 assigned the major group standard industrial classification codes "24"
4 and "26" and the industries involved in the harvesting and management
5 of logs, transportation of logs and wood products, processing of wood
6 products, and the manufacturing and distribution of wood processing and
7 logging equipment. The commissioner may adopt rules further
8 interpreting these definitions. For the purposes of this subsection,
9 "standard industrial classification code" means the code identified in
10 RCW 50.29.025(6)(c).

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

21 (16) "Salmon fishing worker" means a worker in the (~~salmon~~)
22 finfish industry affected by 1994 or future salmon disasters. The
23 workers included within this definition shall be determined by the
24 employment security department, but shall include workers employed in
25 the industries involved in the commercial and recreational harvesting
26 of (~~salmon~~) finfish including buying and processing (~~salmon~~)
27 finfish. The commissioner may adopt rules further interpreting these
28 definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (2) "Dislocated forest products worker" means a forest products
31 worker who: (a)(i) Has been terminated or received notice of
32 termination from employment and is unlikely to return to employment in
33 the individual's principal occupation or previous industry because of
34 a diminishing demand for his or her skills in that occupation or
35 industry; or (ii) is self-employed and has been displaced from his or
36 her business because of the diminishing demand for the business's
37 services or goods; and (b) at the time of last separation from

1 employment, resided in or was employed in a rural natural resources
2 impact area.

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

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

25 (5) "Salmon fishing worker" means a worker in the ~~((salmon))~~
26 finfish industry affected by 1994 or future salmon disasters. The
27 workers included within this definition shall be determined by the
28 employment security department, but shall include workers employed in
29 the industries involved in the commercial and recreational harvesting
30 of ~~((salmon))~~ finfish including buying and processing ~~((salmon))~~
31 finfish. The commissioner may adopt rules further interpreting these
32 definitions.

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

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

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

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

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

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

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

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

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

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

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

30 (1) The board shall contract with institutions of higher education
31 to provide upper division classes to serve additional placebound
32 students in the rural natural resources impact areas meeting the
33 following criteria, as determined by the employment security
34 department: (a) A lumber and wood products employment location
35 quotient at or above the state average; (b) a commercial salmon fishing
36 employment location quotient at or above the state average; (c) a
37 direct lumber and wood products job loss of one hundred positions or
38 more; (d) projected or actual direct commercial salmon fishing job

1 losses of one hundred positions or more; and (e) an annual unemployment
2 rate twenty percent above the state average; and which are not served
3 by an existing state-funded upper division degree program. The number
4 of full-time equivalent students served in this manner shall be
5 determined by the applicable omnibus appropriations act. The board may
6 direct that all the full-time equivalent enrollments be served in one
7 of the eligible rural natural resources impact areas if it should
8 determine that this would be the most viable manner of establishing the
9 program and using available resources. The institutions shall utilize
10 telecommunication technology, if available, to carry out the purposes
11 of this section. Subject to the limitations of RCW 28B.15.910, the
12 institutions providing the service may waive all or a portion of the
13 tuition, and service and activities fees for dislocated forest products
14 workers and dislocated salmon fishing workers or their unemployed
15 spouses enrolled as one of the full-time equivalent students allocated
16 to the college under this section.

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

21 (3) Subject to the limitations of RCW 28B.15.910, for any eligible
22 participant, all or a portion of tuition may be waived for a maximum of
23 (~~four semesters or six quarters within a two-year time period~~) ninety
24 quarter credit hours or sixty semester credit hours earned within four
25 years. The participant must be enrolled for a minimum of (~~ten credits~~
26 ~~per semester or quarter~~) five credit hours per quarter or three credit
27 hours per semester.

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

30 (1) The department of social and health services shall help
31 families and workers in rural natural resources impact areas make the
32 transition through economic difficulties and shall provide services to
33 assist workers to gain marketable skills. The department, as a member
34 of the agency rural community assistance task force and, where
35 appropriate, under an interagency agreement with the department of
36 community, trade, and economic development, shall provide grants
37 through the office of the secretary for services to the unemployed in
38 rural natural resources impact areas and to dislocated salmon fishing

1 workers as defined in RCW 43.63A.021 who live in urban areas of
2 qualifying rural natural resource impact counties, including providing
3 direct or referral services, establishing and operating service
4 delivery programs, and coordinating delivery programs and delivery of
5 services. These grants may be awarded for family support centers,
6 reemployment centers, or other local service agencies.

7 (2) The services provided through the grants may include, but need
8 not be limited to: Credit counseling; social services including
9 marital counseling; psychotherapy or psychological counseling; mortgage
10 foreclosures and utilities problems counseling; drug and alcohol abuse
11 services; medical services; and residential heating and food
12 acquisition.

13 (3) Funding for these services shall be coordinated through the
14 agency rural community assistance task force which will establish a
15 fund to provide child care assistance, mortgage assistance, and
16 counseling which cannot be met through current programs. No funds
17 shall be used for additional full-time equivalents for administering
18 this section.

19 (4)(a) Grants for family support centers are intended to provide
20 support to families by responding to needs identified by the families
21 and communities served by the centers. Services provided by family
22 support centers may include parenting education, child development
23 assessments, health and nutrition education, counseling, and
24 information and referral services. Such services may be provided
25 directly by the center or through referral to other agencies
26 participating in the interagency team.

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

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

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

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

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

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

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

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

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

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

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

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

27 (1) Subject to the availability of state or federal funds, the
28 employment security department, as a member of the agency rural
29 community assistance task force, shall consult with and may subcontract
30 with local educational institutions, local businesses, local labor
31 organizations, local associate development organizations, local private
32 industry councils, local social service organizations, and local
33 governments in carrying out a program of training and services,
34 including training through the entrepreneurial training program, for
35 dislocated workers in rural natural resources impact areas.

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

1 (3) The department shall coordinate the services provided in this
2 section with all other services provided by the department and with the
3 other economic recovery efforts undertaken by state and local
4 government agencies on behalf of the rural natural resources impact
5 areas.

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

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

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

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

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

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

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

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

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

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

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

1 definition is also considered nonurbanized. The office of financial
2 management shall make available a zip code listing of the areas to all
3 agencies and organizations providing services under this chapter.

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

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

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

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

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

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

16 (3) RCW 50.22.090 and 1995 c 226 s 5, 1993 c 316 s 10, 1992 c 47 s
17 2, & 1991 c 315 s 4;

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

20 (5) (~~RCW 43.31.651 and 1995 c 226 s 10, 1993 c 280 s 51, & 1991 c~~
21 ~~314 s 9;~~

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

23 (~~(7))~~ (6) RCW 43.63A.600 and 1995 c 226 s 12, 1994 c 114 s 1,
24 1993 c 280 s 77, & 1991 c 315 s 23;

25 (~~(8))~~ (7) RCW 43.63A.440 and 1995 c 226 s 13, 1993 c 280 s 74, &
26 1989 c 424 s 7;

27 (~~(9))~~ (8) RCW 43.160.200 and 1995 c 226 s 16, 1993 c 320 s 7,
28 1993 c 316 s 4, & 1991 c 314 s 23;

29 (~~(10))~~ (9) RCW 28B.50.258 and 1995 c 226 s 18 & 1991 c 315 s 16;

30 (~~(11))~~ (10) RCW 28B.50.262 and 1995 c 226 s 19 & 1994 c 282 s 3;

31 (~~(12))~~ (11) RCW 28B.80.570 and 1995 c 226 s 20, 1992 c 21 s 6, &
32 1991 c 315 s 18;

33 (~~(13))~~ (12) RCW 28B.80.575 and 1995 c 226 s 21 & 1991 c 315 s 19;

34 (~~(14))~~ (13) RCW 28B.80.580 and 1995 c 226 s 22, 1993 sp.s. c 18
35 s 34, 1992 c 231 s 31, & 1991 c 315 s 20;

36 (~~(15))~~ (14) RCW 28B.80.585 and 1995 c 226 s 23 & 1991 c 315 s 21;

1 (~~(16)~~) (15) RCW 43.17.065 and 1995 c 226 s 24, 1993 c 280 s 37,
2 1991 c 314 s 28, & 1990 1st ex.s. c 17 s 77;

3 (~~(17)~~) (16) RCW 43.20A.750 and 1995 c 226 s 25, 1993 c 280 s 38,
4 1992 c 21 s 4, & 1991 c 153 s 28;

5 (~~(18)~~) (17) RCW 43.168.140 and 1995 c 226 s 28 & 1991 c 314 s 20;

6 (~~(19)~~) (18) RCW 50.12.270 and 1995 c 226 s 30 & 1991 c 315 s 3;

7 (~~(20)~~) (19) RCW 50.70.010 and 1995 c 226 s 31, 1992 c 21 s 1, &
8 1991 c 315 s 5; and

9 (~~(21)~~) (20) RCW 50.70.020 and 1995 c 226 s 32 & 1991 c 315 s 6.

10 NEW SECTION. Sec. 20. RCW 43.31.651 and 1995 c 226 s 10, 1993 c
11 280 s 51, & 1991 c 314 s 9 are each repealed.

12 NEW SECTION. Sec. 21. 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.

16 NEW SECTION. Sec. 22. If any part of this act is found to be in
17 conflict with federal requirements that are a prescribed condition to
18 the allocation of federal funds to the state, the conflicting part of
19 this act is inoperative solely to the extent of the conflict and with
20 respect to the agencies directly affected, and this finding does not
21 affect the operation of the remainder of this act in its application to
22 the agencies concerned. The rules under this act shall meet federal
23 requirements that are a necessary condition to the receipt of federal
24 funds by the state.

25 NEW SECTION. Sec. 23. This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of the
27 state government and its existing public institutions, and takes effect
28 July 1, 1997.

Passed the House April 27, 1997.

Passed the Senate April 18, 1997.

Approved by the Governor May 15, 1997.

Filed in Office of Secretary of State May 15, 1997.