

SENATE BILL 5208

State of Washington

52nd Legislature

1991 Regular Session

By Senators Sutherland, Owen, Amondson, L. Smith, Conner, McMullen, Snyder and Pelz.

Read first time January 24, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to benefits for unemployed workers in the forest
2 products industry; amending RCW 28B.15.740; adding a new section to
3 chapter 50.04 RCW; adding new sections to chapter 50.22 RCW; adding a
4 new section to chapter 28B.15 RCW; creating a new section; making an
5 appropriation; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 50.04 RCW
8 to read as follows:

9 The term "employment in the forest products industry" includes
10 services performed for remuneration in harvesting, transporting,
11 milling, or manufacturing logs, wood chips, lumber, pulp, paper, or
12 other commodity wood products, and does not include services performed
13 by independent contractors whose services are excluded from employment
14 under RCW 50.04.145.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 50.22 RCW
2 to read as follows:

3 (1) The forest products industry in Washington state is in a period
4 of rapid transition. Protection of the environment will cause lasting
5 changes in the forest products industry that will permanently reduce
6 the number of jobs tied to harvesting and processing of forest
7 products.

8 (2) Past high levels of employment in the forest products industry
9 cannot be expected to continue indefinitely. The demand for labor is
10 constantly shifting as industries respond to changing social demands
11 and the needs of a highly competitive global marketplace.

12 (3) Forest products workers must acquire skills that are marketable
13 in an increasingly competitive and knowledge-based work place.
14 Traditional forestry related skills may not enable these workers to be
15 easily integrated into a work place outside of the forest products
16 industry.

17 (4) It is vitally important that forest products workers who lose
18 their jobs receive extended unemployment compensation benefits
19 consistent with section 3 of this act and retraining tuition waivers to
20 encourage and enable them to acquire the skills necessary to find
21 employment in other industrial sectors of our state's economy.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 50.22 RCW
23 to read as follows:

24 A program to provide training and extended benefits for unemployed
25 forest products workers is established. The program shall begin on the
26 third Sunday after the effective date of this section. The program
27 shall provide that:

28 (1) To be eligible for the program, a person must:

1 (a) Be certified by his or her employer to be permanently or
2 indefinitely unemployed due to lack of work caused by a curtailment of
3 timber harvesting or a shortage of raw materials resulting from
4 compliance with environmental laws or rules; and

5 (b) Have one thousand three hundred sixty hours of employment in
6 the forest products industry in the first eight of the last nine
7 completed calendar quarters prior to his or her application for
8 unemployment compensation benefits.

9 (2) The department shall notify potentially eligible persons who
10 apply for unemployment compensation benefits of the provisions of this
11 section.

12 (3) Eligible persons shall develop individual training plans and
13 submit the plans to the commissioner for approval.

14 (4) If a training plan is approved by the commissioner within the
15 first sixteen weeks of a person's unemployment compensation claim or
16 within sixteen weeks of the effective date of this act, whichever is
17 later, the person shall be eligible for extended benefits under
18 subsection (5) of this section and for tuition waivers under section 4
19 of this act.

20 (5) Persons eligible under subsections (1) and (4) of this section
21 who are either enrolled in a training course that has been approved by
22 the commissioner or have applied to and are waiting for admission into
23 an approved training course are eligible for extended benefits for an
24 additional twenty-six weeks. Total unemployment compensation benefits
25 may not exceed fifty-two times the eligible person's weekly benefit
26 amount reduced by other state or federal unemployment benefits
27 available for the same weeks of unemployment.

28 (6) Benefits paid pursuant to this section shall be paid under
29 the same terms and conditions as extended benefits and shall not
30 be charged to the experience rating accounts of individual

1 employers.

2 (7) The commissioner shall adopt rules as necessary to implement
3 this section.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.15 RCW
5 to read as follows:

6 Unemployed forest workers eligible for benefits under section 3 of
7 this act shall be admitted to and may attend any public institution of
8 higher learning, community college, or vocational-technical institution
9 that has space available without paying tuition and service and
10 activity fees for courses approved by the commissioner of employment
11 security under section 3 of this act. A tuition waiver is limited to
12 a maximum of six academic quarters, four semesters, or the equivalent
13 of two academic years of full-time study.

14 **Sec. 5.** RCW 28B.15.740 and 1989 c 340 s 2 are each amended to read
15 as follows:

16 (1) The boards of trustees or regents of each of the state's
17 regional universities, The Evergreen State College, or state
18 universities, and the various community colleges, consistent with
19 regulations and procedures established by the state board for community
20 college education, may waive, in whole or in part, tuition and services
21 and activities fees subject to the limitations set forth in subsections
22 (2) and (3).

23 (2) Except as provided in subsection (3) of this section, the total
24 dollar amount of tuition and fee waivers awarded by any state
25 university, regional university, or state college, shall not exceed
26 four percent, and for the community colleges considered as a whole,
27 such amount shall not exceed three percent of an amount determined by
28 estimating the total collections from tuition and services and

1 activities fees had no such waivers been made and deducting the portion
2 of that total amount which is attributable to the difference between
3 resident and nonresident fees: PROVIDED, That at least three-fourths
4 of the dollars waived shall be for needy students who are eligible for
5 resident tuition and fee rates pursuant to RCW 28B.15.012 through
6 28B.15.015: PROVIDED FURTHER, That the remainder of the dollars
7 waived, not to exceed one-fourth of the total, may be applied to other
8 students at the discretion of the board of trustees or regents, except
9 on the basis of participation in intercollegiate athletic programs:
10 PROVIDED FURTHER, That the waivers for undergraduate and graduate
11 students of foreign nations under RCW 28B.15.556 and the waivers for
12 unemployed forest industry workers under section 4 of this act are not
13 subject to the limitation under this section.

14 (3) In addition to the tuition and fee waivers provided in
15 subsection (2) of this section and subject to the provisions of RCW
16 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee
17 waivers awarded by any state university, regional university, or state
18 college, not to exceed one percent, as calculated in subsection (2) of
19 this section, may be used for the purpose of achieving or maintaining
20 gender equity in intercollegiate athletic programs. At any institution
21 that has an underrepresented gender class in intercollegiate athletics,
22 any such waivers shall be awarded:

23 (a) First, to members of the underrepresented gender class who
24 participate in intercollegiate athletics, where such waivers result in
25 saved or displaced money that can be used for athletic programs for the
26 underrepresented gender class. Such saved or displaced money shall be
27 used for programs for the underrepresented gender class; and

28 (b) Second, (i) to nonmembers of the underrepresented gender class
29 who participate in intercollegiate athletics, where such waivers result
30 in saved or displaced money that can be used for athletic programs for

1 members of the underrepresented gender class. Such saved or displaced
2 money shall be used for programs for the underrepresented gender class;
3 or (ii) to members of the underrepresented gender class who participate
4 in intercollegiate athletics, where such waivers do not result in any
5 saved or displaced money that can be used for athletic programs for
6 members of the underrepresented gender class.

7 NEW SECTION. **Sec. 6.** If any part of this act is found to be in
8 conflict with federal requirements that are a prescribed condition to
9 the allocation of federal funds to the state, the conflicting part of
10 this act is inoperative solely to the extent of the conflict and with
11 respect to the agencies directly affected, and this finding does not
12 affect the operation of the remainder of this act in its application to
13 the agencies concerned. The rules under this act shall meet federal
14 requirements that are a necessary condition to the receipt of federal
15 funds by the state.

16 NEW SECTION. **Sec. 7.** The sum of dollars, or as much
17 thereof as may be necessary, is appropriated from the fund
18 to the employment security department for the biennium ending June 30,
19 1993, to carry out the purposes of this act.

20 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of the
22 state government and its existing public institutions, and shall take
23 effect immediately.