

2 **ESSB 5868 - H AMD 000507 ADOPTED 4-21-93**

3 By Representatives Anderson, Wineberry and H. Myers

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** INTENT. The legislature finds that the
8 long-term economic health of the state and its citizens depends upon
9 the strength and vitality of its communities and businesses. It is the
10 intent of this chapter to create a merged community and economic
11 development department that fosters new partnerships for strong and
12 sustainable communities. The consolidation of the department of trade
13 and economic development and the department of community development
14 into one department will: Streamline access to services by providing
15 a simpler point of entry for state programs; provide focused and
16 flexible responses to changing economic conditions; generate greater
17 local capacity to respond to both economic growth and environmental
18 challenges; and increase accountability to the public, the executive
19 branch, and the legislature.

20 A new department can bring together a focused effort to: Manage
21 growth and achieve sustainable development; diversify the state's
22 economy and export goods and services; provide greater access to
23 economic opportunity; stimulate private sector investment and
24 entrepreneurship; provide stable family-wage jobs and meet the diverse
25 needs of families; provide affordable housing and housing services;
26 construct public infrastructure; protect our cultural heritage; and
27 promote the health and safety of the state's citizens.

28 The legislature further finds that as a result of the rapid pace of
29 global social and economic change, the state and local communities will
30 require coordinated and creative responses by every segment of the
31 community. The state can play a role in assisting such local efforts
32 by reorganizing state assistance efforts to promote such partnerships.
33 The department has a primary responsibility to provide financial and
34 technical assistance to the communities of the state, to assist in
35 improving the delivery of federal, state, and local programs, and to
36 provide communities with opportunities for productive and coordinated

1 development beneficial to the well-being of communities and their
2 residents. It is the intent of the legislature in this consolidation
3 to maximize the use of local expertise and resources in the delivery of
4 community and economic development services.

5 NEW SECTION. **Sec. 2.** MANAGEMENT RESPONSIBILITY. The purpose of
6 this chapter is to establish the broad outline of the structure of the
7 community and economic development department, leaving specific details
8 of its internal organization and management to those charged with its
9 administration. This chapter identifies the broad functions and
10 responsibilities of the new department and is intended to provide
11 flexibility to the director to reorganize these functions and to make
12 recommendations for changes through the implementation plan required in
13 section 8 of this act.

14 NEW SECTION. **Sec. 3.** DEFINITIONS. Unless the context clearly
15 requires otherwise, the definitions in this section apply throughout
16 this chapter.

17 (1) "Associate development organization" means a local economic
18 development nonprofit corporation that is broadly representative of
19 community interests.

20 (2) "Department" means the community and economic development
21 department.

22 (3) "Director" means the director of the community and economic
23 development department.

24 NEW SECTION. **Sec. 4.** DEPARTMENT CREATED. A community and
25 economic development department is created. The department shall be
26 vested with all powers and duties established or transferred to it
27 under this chapter and such other powers and duties as may be
28 authorized by law. Unless otherwise specifically provided in chapter
29 ..., Laws of 1993 (this act), the existing responsibilities and
30 functions of the agency programs will continue to be administered in
31 accordance with their implementing legislation.

32 NEW SECTION. **Sec. 5.** DIRECTOR'S APPOINTMENT. The executive head
33 of the department shall be the director. The director shall be
34 appointed by the governor with the consent of the senate, and shall

1 serve at the pleasure of the governor. The director shall be paid a
2 salary to be fixed by the governor in accordance with RCW 43.03.040.

3 NEW SECTION. **Sec. 6.** DIRECTOR'S RESPONSIBILITIES. (1) The
4 director shall supervise and administer the activities of the
5 department and shall advise the governor and the legislature with
6 respect to community and economic development matters affecting the
7 state.

8 (2) In addition to other powers and duties granted to the director,
9 the director shall have the following powers and duties:

10 (a) Enter into contracts on behalf of the state to carry out the
11 purposes of this chapter;

12 (b) Act for the state in the initiation of or participation in any
13 multigovernmental program relative to the purpose of this chapter;

14 (c) Accept and expend gifts and grants, whether such grants be of
15 federal or other funds;

16 (d) Appoint such deputy directors, assistant directors, and up to
17 seven special assistants as may be needed to administer the department.
18 These employees are exempt from the provisions of chapter 41.06 RCW;

19 (e) Prepare and submit budgets for the department for executive and
20 legislative action;

21 (f) Submit recommendations for legislative actions as are deemed
22 necessary to further the purposes of this chapter;

23 (g) Adopt rules in accordance with chapter 34.05 RCW and perform
24 all other functions necessary and proper to carry out the purposes of
25 this chapter;

26 (h) Delegate powers, duties, and functions as the director deems
27 necessary for efficient administration, but the director shall be
28 responsible for the official acts of the officers and employees of the
29 department; and

30 (i) Perform other duties as are necessary and consistent with law.

31 (3) When federal or other funds are received by the department,
32 they shall be promptly transferred to the state treasurer and
33 thereafter expended only upon the approval of the director.

34 (4) The director may request information and assistance from all
35 other agencies, departments, and officials of the state, and may
36 reimburse such agencies, departments, or officials if such a request
37 imposes any additional expenses upon any such agency, department, or
38 official.

1 (5) The director shall, in carrying out the responsibilities of
2 office, consult with governmental officials, private groups, and
3 individuals and with officials of other states. All state agencies and
4 their officials and the officials of any political subdivision of the
5 state shall cooperate with and give such assistance to the department,
6 including the submission of requested information, to allow the
7 department to carry out its purposes under this chapter.

8 (6) The director may establish additional advisory or coordinating
9 groups with the legislature, within state government, with state and
10 other governmental units, with the private sector and nonprofit
11 entities or in specialized subject areas as may be necessary to carry
12 out the purposes of this chapter.

13 (7) The internal affairs of the department shall be under the
14 control of the director in order that the director may manage the
15 department in a flexible and intelligent manner as dictated by changing
16 contemporary circumstances. Unless specifically limited by law, the
17 director shall have complete charge and supervisory powers over the
18 department. The director may create such administrative structures as
19 the director deems appropriate, except as otherwise specified by law,
20 and the director may employ such personnel as may be necessary in
21 accordance with chapter 41.06 RCW, except as otherwise provided by law.

22 NEW SECTION. **Sec. 7.** DEPARTMENT RESPONSIBILITIES. The department
23 shall be responsible for promoting community and economic development
24 within the state by assisting the state's communities to increase the
25 quality of life of their citizens and their economic vitality, and by
26 assisting the state's businesses to maintain and increase their
27 economic competitiveness, while maintaining a healthy environment.
28 Community and economic development efforts shall include: Efforts to
29 increase economic opportunity; local planning to manage growth; the
30 promotion and provision of affordable housing and housing-related
31 services; providing public infrastructure; business and trade
32 development; assisting firms and industrial sectors to increase their
33 competitiveness; fostering the development of minority and women-owned
34 businesses; facilitating technology development, transfer, and
35 diffusion; community services and advocacy for low-income persons; and
36 public safety efforts. The department shall have the following general
37 functions and responsibilities:

1 (1) Provide advisory assistance to the governor, other state
2 agencies, and the legislature on community and economic development
3 matters and issues;

4 (2) Assist the governor in coordinating the activities of state
5 agencies that have an impact on local government and communities;

6 (3) Cooperate with the legislature and the governor in the
7 development and implementation of strategic plans for the state's
8 community and economic development efforts;

9 (4) Solicit private and federal grants for economic and community
10 development programs and administer such programs in conjunction with
11 other programs assigned to the department by the governor or the
12 legislature;

13 (5) Cooperate with and provide technical and financial assistance
14 to local governments, businesses, and community-based organizations
15 serving the communities of the state for the purpose of aiding and
16 encouraging orderly, productive, and coordinated development of the
17 state, and, unless stipulated otherwise, give additional consideration
18 to local communities and individuals with the greatest relative need
19 and the fewest resources;

20 (6) Participate with other states or subdivisions thereof in
21 interstate programs and assist cities, counties, municipal
22 corporations, governmental conferences or councils, and regional
23 planning commissions to participate with other states and provinces or
24 their subdivisions;

25 (7) Hold public hearings and meetings to carry out the purposes of
26 this chapter;

27 (8) Conduct research and analysis in furtherance of the state's
28 economic and community development efforts including maintenance of
29 current information on market, demographic, and economic trends as they
30 affect different industrial sectors, geographic regions, and
31 communities with special economic and social problems in the state; and

32 (9) Develop a schedule of fees for services where appropriate.

33 NEW SECTION. **Sec. 8.** IMPLEMENTATION PLAN. (1) The director of
34 the department of trade and economic development and the director of
35 the department of community development shall, by November 15, 1993,
36 jointly submit a plan to the governor for the consolidation and smooth
37 transition of the department of trade and economic development and the
38 department of community development into the community and economic

1 development department so that the department will operate as a single
2 entity on July 1, 1994.

3 (2) The plan shall include, but is not limited to, the following
4 elements:

5 (a) Strategies for combining the existing functions and
6 responsibilities of both agencies into a coordinated and unified
7 department including a strategic plan for each major program area that
8 includes implementation steps, evaluation measures, and methods for
9 collaboration among programs;

10 (b) Recommendations for any changes in existing programs and
11 functions of both agencies, including new initiatives and possible
12 transfer of programs and functions to and from other departments;

13 (c) Implementation steps necessary to bring about operation of the
14 combined department as a single entity;

15 (d) Benchmarks by which to measure progress and to evaluate the
16 performance and effectiveness of the department's efforts; and

17 (e) Strategies for coordinating and maximizing federal, state,
18 local, international, and private sector support for community and
19 economic development efforts within the state.

20 (3) In developing this plan, the directors shall establish an
21 advisory committee of representatives of groups using services and
22 programs of both departments. The advisory committee shall include
23 representatives of cities, counties, port districts, businesses, labor
24 unions, associate development organizations, low-income housing
25 interests, housing industry, Indian tribes, community action programs,
26 public safety groups, nonprofit community and development
27 organizations, and any other organizations the directors determine
28 should have input to the plan.

29 NEW SECTION. **Sec. 9.** TRADE AND BUSINESS ASSISTANCE. (1) The
30 department shall assist in expanding the state's role as an
31 international center of trade, culture, and finance. The department
32 shall promote and market the state's products and services
33 internationally in close cooperation with other private and public
34 international trade efforts and act as a centralized location for the
35 assimilation and distribution of trade information.

36 (2) The department shall identify and work with Washington
37 businesses that can use local, state, and federal assistance to
38 increase domestic and foreign exports of goods and services.

1 (3) The department shall work generally with small businesses and
2 other employers to facilitate resolution of siting, regulatory,
3 expansion, and retention problems. This assistance shall include but
4 not be limited to assisting in work force training and infrastructure
5 needs, identifying and locating suitable business sites, and resolving
6 problems with government licensing and regulatory requirements. The
7 department shall identify gaps in needed services and develop steps to
8 address them including private sector support and purchase of these
9 services.

10 (4) The department shall work to increase the availability of
11 capital to small businesses by developing new and flexible investment
12 tools and by assisting in targeting and improving the efficiency of
13 existing investment mechanisms.

14 (5) The department shall assist women and minority-owned businesses
15 in overcoming barriers to increased investment and employment and
16 becoming full participants in Washington's traded sector economy.

17 NEW SECTION. **Sec. 10.** LOCAL DEVELOPMENT CAPACITY--BUILDING AND
18 TECHNICAL ASSISTANCE. (1) The department shall work closely with local
19 communities to increase their capacity to respond to economic,
20 environmental, and social problems and challenges. The department
21 shall coordinate the delivery of development services and technical
22 assistance to local communities or regional areas. It shall promote
23 partnerships between the public and private sectors and between state
24 and local officials to encourage appropriate economic growth and
25 opportunity in communities throughout the state. The department shall
26 promote appropriate local development by: Supporting the ability of
27 communities to develop and implement strategic development plans;
28 assisting businesses to start up, maintain, or expand their operations;
29 encouraging public infrastructure investment and private and public
30 capital investment in local communities; supporting efforts to manage
31 growth and provide affordable housing and housing services; providing
32 for the identification and preservation of the state's historical and
33 cultural resources; and expanding employment opportunities.

34 (2) The department shall define a set of services including
35 training and technical assistance that it will make available to local
36 communities, community-based nonprofit organizations, regional areas,
37 or businesses. The department shall simplify access to these programs
38 by providing more centralized and user-friendly information and

1 referral. The department shall coordinate community and economic
2 development efforts to minimize program redundancy and maximize
3 accessibility. The department shall develop a set of criteria for
4 targeting services to local communities.

5 (3) The department shall develop a coordinated and systematic
6 approach to providing training to community-based nonprofit
7 organizations, local communities, and businesses. The approach shall
8 be designed to increase the economic and community development skills
9 available in local communities by providing training and funding for
10 training for local citizens, nonprofit organizations, and businesses.
11 The department shall emphasize providing training in those communities
12 most in need of state assistance.

13 NEW SECTION. **Sec. 11.** LOCAL AND REGIONAL DEVELOPMENT CONTRACTS.

14 (1) The department may contract with associate development
15 organizations or other local organizations to increase the support for
16 and coordination of community and economic development services in
17 communities or regional areas. The organizations contracted with in
18 each community or regional area shall be broadly representative of
19 community and economic interests. The organization shall be capable of
20 identifying key economic and community development problems, developing
21 appropriate solutions, and mobilizing broad support for recommended
22 initiatives. The contracting organization shall work with and include
23 local governments, local chambers of commerce, private industry
24 councils, port districts, labor groups, institutions of higher
25 education, community action programs, and other appropriate private,
26 public, or nonprofit community and economic development groups. The
27 department shall be responsible for determining the scope of services
28 delivered under these contracts.

29 (2) Associate development organizations or other local development
30 organizations contracted with shall promote and coordinate, through
31 local service agreements with local governments, small business
32 development centers, port districts, community and technical colleges,
33 private industry councils, and other development organizations, for the
34 efficient delivery of community and economic development services in
35 their areas.

36 (3) The department shall consult with associate development
37 organizations, port districts, local governments, and other local
38 development organizations in the establishment of service delivery

1 regions throughout the state. The legislature encourages local
2 associate development organizations to form partnerships with other
3 associate development organizations in their region to combine
4 resources for better access to available services, to encourage
5 regional delivery of state services, and to build the local capacity of
6 communities in the region more effectively.

7 (4) The department shall contract on a regional basis for surveys
8 of key sectors of the regional economy and the coordination of
9 technical assistance to businesses and employees within the key
10 sectors. The department's selection of contracting organizations or
11 consortiums shall be based on the sufficiency of the organization's or
12 consortium's proposal to examine key sectors of the local economy
13 within its region adequately and its ability to coordinate the delivery
14 of services required by businesses within the targeted sectors.
15 Organizations contracting with the department shall work closely with
16 the department to examine the local economy and to develop strategies
17 to focus on developing key sectors that show potential for long-term
18 sustainable growth. The contracting organization shall survey
19 businesses and employees in targeted sectors on a periodic basis to
20 gather information on the sector's business needs, expansion plans,
21 relocation decisions, training needs, potential layoffs, financing
22 needs, availability of financing, and other appropriate information
23 about economic trends and specific employer and employee needs in the
24 region.

25 (5) The contracting organization shall participate with the work
26 force training and education coordinating board as created in chapter
27 28C.18 RCW, and any regional entities designated by that board, in
28 providing for the coordination of job skills training within its
29 region.

30 NEW SECTION. **Sec. 12.** ECONOMIC DIVERSIFICATION AND SECTORAL
31 STRATEGIES. (1) The department shall work with private sector
32 organizations, local governments, local economic development
33 organizations, and higher education and training institutions to assist
34 in the development of strategies to diversify the economy, facilitate
35 technology transfer and diffusion, and increase value-added production
36 by focusing on targeted sectors. The targeted sectors may include, but
37 are not limited to, software, forest products, biotechnology,
38 environmental industries, recycling markets and waste reduction,

1 aerospace, food processing, tourism, film and video, microelectronics,
2 new materials, robotics, and machine tools. The department shall, on
3 a continuing basis, evaluate the potential return to the state from
4 devoting additional resources to a targeted sector's approach to
5 economic development and including additional sectors in its efforts.
6 The department shall use information gathered in each service delivery
7 region in formulating its sectoral strategies and in designating new
8 targeted sectors.

9 (2) The department shall ensure that the state continues to pursue
10 a coordinated program to expand the tourism industry throughout the
11 state in cooperation with the public and private tourism development
12 organizations. The department shall work to provide a balance of
13 tourism activities throughout the state and during different seasons of
14 the year. In addition, the department shall promote, market, and
15 encourage growth in the production of films and videos, as well as
16 television commercials within the state.

17 (3) In assisting in the development of a targeted sector, the
18 department's activities may include, but are not limited to:

19 (a) Conducting focus group discussions, facilitating meetings, and
20 conducting studies to identify members of the sector, appraise the
21 current state of the sector, and identify issues of common concern
22 within the sector;

23 (b) Supporting the formation of industry associations, publications
24 of association directories, and related efforts to create or expand the
25 activities or industry associations;

26 (c) Assisting in the formation of flexible networks by providing
27 (i) agency employees or private sector consultants trained to act as
28 flexible network brokers and (ii) funding for potential flexible
29 network participants for the purpose of organizing or implementing a
30 flexible network;

31 (d) Helping establish research consortia;

32 (e) Facilitating joint training and education programs;

33 (f) Promoting cooperative market development activities;

34 (g) Analyzing the need, feasibility, and cost of establishing
35 product certification and testing facilities and services; and

36 (h) Providing for methods of electronic communication and
37 information dissemination among firms and groups of firms to facilitate
38 network activity.

1 By January 10th of each year, the department shall report in
2 writing on its targeted sector programs to the appropriate legislative
3 economic development committees. The department's report shall include
4 an appraisal of the sector, activities the department has undertaken to
5 assist in the development of each sector, and recommendations to the
6 legislature regarding activities that the state should implement but
7 are currently beyond the scope of the department's program or
8 resources.

9 NEW SECTION. **Sec. 13.** LOCAL DEVELOPMENT FINANCE AND PUBLIC
10 FACILITIES. (1) The department shall support the development and
11 maintenance of local infrastructure and public facilities and provide
12 local communities with flexible sources of funding. The department
13 shall coordinate grant and loan programs that provide infrastructure
14 and investment in local communities. This shall include coordinating
15 funding for eligible projects with other federal, state, local,
16 private, and nonprofit funding sources.

17 (2) At a minimum, the department shall provide coordinated
18 procedures for applying for and tracking grants and loans among and
19 between the community economic revitalization board, the public works
20 trust fund, and community development block grants.

21 NEW SECTION. **Sec. 14.** HOUSING AFFORDABILITY. (1) The department
22 shall maintain an active effort to help communities, families, and
23 individuals build and maintain capacity to meet housing needs in
24 Washington state. The department shall facilitate partnerships among
25 the many entities related to housing issues and leverage a variety of
26 resources and services to produce comprehensive, cost-effective, and
27 innovative housing solutions.

28 (2) The department shall assist in the production, development,
29 rehabilitation, and operation of owner-occupied or rental housing for
30 very low, low, and moderate-income persons; operate programs to assist
31 home ownership, offer housing services, and provide emergency,
32 transitional, and special needs housing services; and qualify as a
33 participating state agency for all programs of the federal department
34 of housing and urban development or its successor. The department
35 shall develop or assist local governments in developing housing plans
36 required by the state or federal government.

1 (3) The department shall coordinate and administer energy
2 assistance and residential energy conservation and rehabilitation
3 programs of the federal and state government through nonprofit
4 organizations, local governments, and housing authorities.

5 NEW SECTION. **Sec. 15.** GROWTH MANAGEMENT. (1) The department
6 shall serve as the central coordinator for state government in the
7 implementation of the growth management act, chapter 36.70A RCW. The
8 department shall work closely with all Washington communities planning
9 for future growth and responding to the pressures of urban sprawl. The
10 department shall ensure coordinated implementation of the growth
11 management act by state agencies.

12 (2) The department shall offer technical and financial assistance
13 to cities and counties planning under the growth management act. The
14 department shall help local officials interpret and implement the
15 different requirements of the act through workshops, model ordinances,
16 and information materials.

17 (3) The department shall provide alternative dispute resolution to
18 jurisdictions and organizations to mediate disputes and to facilitate
19 consistent implementation of the growth management act. The department
20 shall review local governments compliance with the requirements of the
21 growth management act and make recommendations to the governor.

22 NEW SECTION. **Sec. 16.** COMMUNITY SERVICES AND PROTECTION. (1) The
23 department shall coordinate services to communities that are directed
24 to the poor and disadvantaged through private and public nonprofit
25 organizations and units of general purpose local governments. The
26 department shall coordinate these programs using, to the extent
27 possible, integrated case management methods, with other community and
28 economic development efforts that promote self-sufficiency.

29 (2) These services may include, but not be limited to,
30 comprehensive education services to preschool children from low-income
31 families, providing for human service needs and advocacy, promoting
32 volunteerism and citizen service as a means for accomplishing local
33 community and economic development goals, coordinating and providing
34 emergency food assistance to distribution centers and needy
35 individuals, and providing for human service needs through community-
36 based organizations.

1 (3) The department shall provide local communities and at-risk
2 individuals with programs that provide community protection and assist
3 in developing strategies to reduce substance abuse. The department
4 shall administer programs that develop collaborative approaches to
5 prevention, intervention, and interdiction programs. The department
6 shall administer programs that support crime victims, address youth and
7 domestic violence problems, provide indigent defense for low-income
8 persons, border town disputes, and administer family services and
9 programs to promote the state's policy as provided in RCW 74.14A.025.

10 (4) The department shall provide fire protection and emergency
11 management services to support and strengthen local capacity for
12 controlling risk to life, property, and community vitality that may
13 result from fires, emergencies, and disasters.

14 **Sec. 17.** RCW 28C.18.060 and 1991 c 238 s 7 are each amended to
15 read as follows:

16 The board, in cooperation with the operating agencies of the state
17 training system shall:

18 (1) Concentrate its major efforts on planning, coordination
19 evaluation, policy analysis, and recommending improvements to the
20 state's training system.

21 (2) Advocate for the state training system and for meeting the
22 needs of employers and the work force for work force education and
23 training.

24 (3) Establish and maintain an inventory of the programs of the
25 state training system, and related state programs, and perform a
26 biennial assessment of the vocational education, training, and adult
27 basic education and literacy needs of the state; identify ongoing and
28 strategic education needs; and assess the extent to which employment,
29 training, vocational and basic education, rehabilitation services, and
30 public assistance services represent a consistent, integrated approach
31 to meet such needs.

32 (4) Develop and maintain a state comprehensive plan for work force
33 training and education, including but not limited to, goals,
34 objectives, and priorities for the state training system, and review
35 the state training system for consistency with the state comprehensive
36 plan. In developing the state comprehensive plan for work force
37 training and education, the board shall use, but shall not be limited
38 to: Economic, labor market, and populations trends reports in office

1 of financial management forecasts; joint office of financial management
2 and employment security department labor force, industry employment,
3 and occupational forecasts; the results of scientifically based
4 outcome, net-impact and cost-benefit evaluations; the needs of
5 employers as evidenced in formal employer surveys and other employer
6 input; and the needs of program participants and workers as evidenced
7 in formal surveys and other input from program participants and the
8 labor community.

9 (5) In consultation with the higher education coordinating board,
10 review and make recommendations to the office of financial management
11 and the legislature on operating and capital facilities budget requests
12 for operating agencies of the state training system for purposes of
13 consistency with the state comprehensive plan for work force training
14 and education.

15 (6) Provide for coordination among the different operating agencies
16 of the state training system at the state level and at the regional
17 level.

18 (7) Develop a consistent and reliable data base on vocational
19 education enrollments, costs, program activities, and job placements
20 from publicly funded vocational education programs in this state.

21 (8) Establish standards for data collection and maintenance for the
22 operating agencies of the state training system in a format that is
23 accessible to use by the board. The board shall require a minimum of
24 common core data to be collected by each operating agency of the state
25 training system.

26 The board shall develop requirements for minimum common core data
27 in consultation with the office of financial management and the
28 operating agencies of the training system.

29 (9) Establish minimum standards for program evaluation for the
30 operating agencies of the state training system, including, but not
31 limited to, the use of common survey instruments and procedures for
32 measuring perceptions of program participants and employers of program
33 participants, and monitor such program evaluation.

34 (10) Every two years administer scientifically based outcome
35 evaluations of the state training system, including, but not limited
36 to, surveys of program participants, surveys of employers of program
37 participants, and matches with employment security department payroll
38 and wage files. Every five years administer scientifically based net-
39 impact and cost-benefit evaluations of the state training system.

1 (11) In cooperation with the employment security department,
2 provide for the improvement and maintenance of quality and utility in
3 occupational information and forecasts for use in training system
4 planning and evaluation. Improvements shall include, but not be
5 limited to, development of state-based occupational change factors
6 involving input by employers and employees, and delineation of skill
7 and training requirements by education level associated with current
8 and forecasted occupations.

9 (12) Provide for the development of common course description
10 formats, common reporting requirements, and common definitions for
11 operating agencies of the training system.

12 (13) Provide for effectiveness and efficiency reviews of the state
13 training system.

14 (14) In cooperation with the higher education coordinating board,
15 facilitate transfer of credit policies and agreements between
16 institutions of the state training system, and encourage articulation
17 agreements for programs encompassing two years of secondary work force
18 education and two years of postsecondary work force education.

19 (15) In cooperation with the higher education coordinating board,
20 facilitate transfer of credit policies and agreements between private
21 training institutions and institutions of the state training system.

22 (16) Participate in the development of coordination criteria for
23 activities under the job training partnership act with related programs
24 and services provided by state and local education and training
25 agencies.

26 (17) Make recommendations to the commission of student assessment,
27 the state board of education, and the superintendent of public
28 instruction, concerning basic skill competencies and essential core
29 competencies for K-12 education. Basic skills for this purpose shall
30 be reading, writing, computation, speaking, and critical thinking,
31 essential core competencies for this purpose shall be English, math,
32 science/technology, history, geography, and critical thinking. The
33 board shall monitor the development of and provide advice concerning
34 secondary curriculum which integrates vocational and academic
35 education.

36 (18) Establish and administer programs for marketing and outreach
37 to businesses and potential program participants.

38 (19) Facilitate the location of support services, including but not
39 limited to, child care, financial aid, career counseling, and job

1 placement services, for students and trainees at institutions in the
2 state training system, and advocate for support services for trainees
3 and students in the state training system.

4 (20) Facilitate private sector assistance for the state training
5 system, including but not limited to: Financial assistance, rotation
6 of private and public personnel, and vocational counseling.

7 (21) Facilitate programs for school-to-work transition that combine
8 classroom education and on-the-job training in industries and
9 occupations without a significant number of apprenticeship programs.

10 (22) Encourage and assess progress for the equitable representation
11 of racial and ethnic minorities, women, and people with disabilities
12 among the students, teachers, and administrators of the state training
13 system. Equitable, for this purpose, shall mean substantially
14 proportional to their percentage of the state population in the
15 geographic area served. This function of the board shall in no way
16 lessen more stringent state or federal requirements for representation
17 of racial and ethnic minorities, women, and people with disabilities.

18 (23) Participate in the planning and policy development of governor
19 set-aside grants under P.L. 97-300, as amended.

20 (24) Administer veterans' programs, licensure of private vocational
21 schools, the job skills program, and the Washington award for
22 vocational excellence.

23 (25) Allocate funding from the state job training trust fund.

24 (26) Work with the director of community and economic development
25 to ensure coordination between work force training priorities and that
26 department's economic development efforts.

27 (27) Adopt rules as necessary to implement this chapter.

28 The board may delegate to the director any of the functions of this
29 section.

30 **Sec. 18.** RCW 43.17.010 and 1989 1st ex.s. c 9 s 810 are each
31 amended to read as follows:

32 There shall be departments of the state government which shall be
33 known as (1) the department of social and health services, (2) the
34 department of ecology, (3) the department of labor and industries, (4)
35 the department of agriculture, (5) the department of fisheries, (6) the
36 department of wildlife, (7) the department of transportation, (8) the
37 department of licensing, (9) the department of general administration,
38 (10) the (~~department of trade~~) community and economic development

1 department, (11) the department of veterans affairs, (12) the
2 department of revenue, (13) the department of retirement systems, (14)
3 the department of corrections, and (15) (~~the department of community~~
4 ~~development, and (16))~~) the department of health, which shall be
5 charged with the execution, enforcement, and administration of such
6 laws, and invested with such powers and required to perform such
7 duties, as the legislature may provide.

8 **Sec. 19.** RCW 43.17.020 and 1989 1st ex.s. c 9 s 811 are each
9 amended to read as follows:

10 There shall be a chief executive officer of each department to be
11 known as: (1) The secretary of social and health services, (2) the
12 director of ecology, (3) the director of labor and industries, (4) the
13 director of agriculture, (5) the director of fisheries, (6) the
14 director of wildlife, (7) the secretary of transportation, (8) the
15 director of licensing, (9) the director of general administration, (10)
16 the director of (~~trade~~) community and economic development, (11) the
17 director of veterans affairs, (12) the director of revenue, (13) the
18 director of retirement systems, (14) the secretary of corrections, and
19 (15) (~~the director of community development, and (16))~~) the secretary
20 of health.

21 Such officers, except the secretary of transportation, shall be
22 appointed by the governor, with the consent of the senate, and hold
23 office at the pleasure of the governor. The director of wildlife,
24 however, shall be appointed according to the provisions of RCW
25 77.04.080. If a vacancy occurs while the senate is not in session, the
26 governor shall make a temporary appointment until the next meeting of
27 the senate. A temporary director of wildlife shall not serve more than
28 one year. The secretary of transportation shall be appointed by the
29 transportation commission as prescribed by RCW 47.01.041.

30 NEW SECTION. **Sec. 20.** The department of community development is
31 hereby abolished and its powers, duties, and functions are hereby
32 transferred to the community and economic development department.

33 NEW SECTION. **Sec. 21.** All reports, documents, surveys, books,
34 records, files, papers, or written material in the possession of the
35 department of community development shall be delivered to the custody
36 of the community and economic development department. All cabinets,

1 furniture, office equipment, motor vehicles, and other tangible
2 property employed by the department of community development shall be
3 made available to the community and economic development department.
4 All funds, credits, or other assets held by the department of community
5 development shall be assigned to the community and economic development
6 department.

7 Any appropriations made to the department of community development
8 shall, on the effective date of this section, be transferred and
9 credited to the community and economic development department.

10 Whenever any question arises as to the transfer of any personnel,
11 funds, books, documents, records, papers, files, equipment, or other
12 tangible property used or held in the exercise of the powers and the
13 performance of the duties and functions transferred, the director of
14 financial management shall make a determination as to the proper
15 allocation and certify the same to the state agencies concerned.

16 NEW SECTION. **Sec. 22.** All employees of the department of
17 community development are transferred to the jurisdiction of the
18 community and economic development department. All employees
19 classified under chapter 41.06 RCW, the state civil service law, are
20 assigned to the community and economic development department to
21 perform their usual duties upon the same terms as formerly, without any
22 loss of rights, subject to any action that may be appropriate
23 thereafter in accordance with the laws and rules governing state civil
24 service.

25 NEW SECTION. **Sec. 23.** All rules and all pending business before
26 the department of community development shall be continued and acted
27 upon by the community and economic development department. All
28 existing contracts and obligations shall remain in full force and shall
29 be performed by the community and economic development department.

30 NEW SECTION. **Sec. 24.** The transfer of the powers, duties,
31 functions, and personnel of the department of community development
32 shall not affect the validity of any act performed prior to the
33 effective date of this section.

34 NEW SECTION. **Sec. 25.** If apportionments of budgeted funds are
35 required because of the transfers directed by sections 21 through 24 of

1 this act, the director of financial management shall certify the
2 apportionments to the agencies affected, the state auditor, and the
3 state treasurer. Each of these shall make the appropriate transfer and
4 adjustments in funds and appropriation accounts and equipment records
5 in accordance with the certification.

6 NEW SECTION. **Sec. 26.** Nothing contained in sections 20 through 25
7 of this act may be construed to alter any existing collective
8 bargaining unit or the provisions of any existing collective bargaining
9 agreement until the agreement has expired or until the bargaining unit
10 has been modified by action of the personnel board as provided by law.

11 NEW SECTION. **Sec. 27.** The department of trade and economic
12 development is hereby abolished and its powers, duties, and functions
13 are hereby transferred to the community and economic development
14 department.

15 NEW SECTION. **Sec. 28.** All reports, documents, surveys, books,
16 records, files, papers, or written material in the possession of the
17 department of trade and economic development shall be delivered to the
18 custody of the community and economic development department. All
19 cabinets, furniture, office equipment, motor vehicles, and other
20 tangible property employed by the department of trade and economic
21 development shall be made available to the community and economic
22 development department. All funds, credits, or other assets held by
23 the department of trade and economic development shall be assigned to
24 the community and economic development department.

25 Any appropriations made to the department of trade and economic
26 development shall, on the effective date of this section, be
27 transferred and credited to the community and economic development
28 department.

29 Whenever any question arises as to the transfer of any personnel,
30 funds, books, documents, records, papers, files, equipment, or other
31 tangible property used or held in the exercise of the powers and the
32 performance of the duties and functions transferred, the director of
33 financial management shall make a determination as to the proper
34 allocation and certify the same to the state agencies concerned.

1 NEW SECTION. **Sec. 29.** All employees of the department of trade
2 and economic development are transferred to the jurisdiction of the
3 community and economic development department. All employees
4 classified under chapter 41.06 RCW, the state civil service law, are
5 assigned to the community and economic development department to
6 perform their usual duties upon the same terms as formerly, without any
7 loss of rights, subject to any action that may be appropriate
8 thereafter in accordance with the laws and rules governing state civil
9 service.

10 NEW SECTION. **Sec. 30.** All rules and all pending business before
11 the department of trade and economic development shall be continued and
12 acted upon by the community and economic development department. All
13 existing contracts and obligations shall remain in full force and shall
14 be performed by the community and economic development department.

15 NEW SECTION. **Sec. 31.** The transfer of the powers, duties,
16 functions, and personnel of the department of trade and economic
17 development shall not affect the validity of any act performed prior to
18 the effective date of this section.

19 NEW SECTION. **Sec. 32.** If apportionments of budgeted funds are
20 required because of the transfers directed by sections 28 through 31 of
21 this act, the director of financial management shall certify the
22 apportionments to the agencies affected, the state auditor, and the
23 state treasurer. Each of these shall make the appropriate transfer and
24 adjustments in funds and appropriation accounts and equipment records
25 in accordance with the certification.

26 NEW SECTION. **Sec. 33.** Nothing contained in sections 27 through 32
27 of this act may be construed to alter any existing collective
28 bargaining unit or the provisions of any existing collective bargaining
29 agreement until the agreement has expired or until the bargaining unit
30 has been modified by action of the personnel board as provided by law.

31 **Sec. 34.** RCW 19.85.020 and 1989 c 374 s 1 are each amended to read
32 as follows:

33 Unless the context clearly indicates otherwise, the definitions in
34 this section apply through this chapter.

1 (1) "Small business" (~~has the meaning given in RCW 43.31.025(4)~~)
2 means any business entity, including a sole proprietorship,
3 corporation, partnership, or other legal entity, that is owned and
4 operated independently from all other businesses, that has the purpose
5 of making a profit, and that has fifty or fewer employees.

6 (2) "Small business economic impact statement" means a statement
7 meeting the requirements of RCW 19.85.040 prepared by a state agency
8 pursuant to RCW 19.85.030.

9 (3) "Industry" means all of the businesses in this state in any one
10 three-digit standard industrial classification as published by the
11 United States department of commerce.

12 **Sec. 35.** RCW 42.17.310 and 1992 c 139 s 5 and 1992 c 71 s 12 are
13 each reenacted and amended to read as follows:

14 (1) The following are exempt from public inspection and copying:

15 (a) Personal information in any files maintained for students in
16 public schools, patients or clients of public institutions or public
17 health agencies, or welfare recipients.

18 (b) Personal information in files maintained for employees,
19 appointees, or elected officials of any public agency to the extent
20 that disclosure would violate their right to privacy.

21 (c) Information required of any taxpayer in connection with the
22 assessment or collection of any tax if the disclosure of the
23 information to other persons would (i) be prohibited to such persons by
24 RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result
25 in unfair competitive disadvantage to the taxpayer.

26 (d) Specific intelligence information and specific investigative
27 records compiled by investigative, law enforcement, and penology
28 agencies, and state agencies vested with the responsibility to
29 discipline members of any profession, the nondisclosure of which is
30 essential to effective law enforcement or for the protection of any
31 person's right to privacy.

32 (e) Information revealing the identity of persons who are witnesses
33 to or victims of crime or who file complaints with investigative, law
34 enforcement, or penology agencies, other than the public disclosure
35 commission, if disclosure would endanger any person's life, physical
36 safety, or property. If at the time a complaint is filed the
37 complainant, victim or witness indicates a desire for disclosure or
38 nondisclosure, such desire shall govern. However, all complaints filed

1 with the public disclosure commission about any elected official or
2 candidate for public office must be made in writing and signed by the
3 complainant under oath.

4 (f) Test questions, scoring keys, and other examination data used
5 to administer a license, employment, or academic examination.

6 (g) Except as provided by chapter 8.26 RCW, the contents of real
7 estate appraisals, made for or by any agency relative to the
8 acquisition or sale of property, until the project or prospective sale
9 is abandoned or until such time as all of the property has been
10 acquired or the property to which the sale appraisal relates is sold,
11 but in no event shall disclosure be denied for more than three years
12 after the appraisal.

13 (h) Valuable formulae, designs, drawings, and research data
14 obtained by any agency within five years of the request for disclosure
15 when disclosure would produce private gain and public loss.

16 (i) Preliminary drafts, notes, recommendations, and intra-agency
17 memorandums in which opinions are expressed or policies formulated or
18 recommended except that a specific record shall not be exempt when
19 publicly cited by an agency in connection with any agency action.

20 (j) Records which are relevant to a controversy to which an agency
21 is a party but which records would not be available to another party
22 under the rules of pretrial discovery for causes pending in the
23 superior courts.

24 (k) Records, maps, or other information identifying the location of
25 archaeological sites in order to avoid the looting or depredation of
26 such sites.

27 (l) Any library record, the primary purpose of which is to maintain
28 control of library materials, or to gain access to information, which
29 discloses or could be used to disclose the identity of a library user.

30 (m) Financial information supplied by or on behalf of a person,
31 firm, or corporation for the purpose of qualifying to submit a bid or
32 proposal for (a) a ferry system construction or repair contract as
33 required by RCW 47.60.680 through 47.60.750 or (b) highway construction
34 or improvement as required by RCW 47.28.070.

35 (n) Railroad company contracts filed prior to July 28, 1991, with
36 the utilities and transportation commission under RCW 81.34.070, except
37 that the summaries of the contracts are open to public inspection and
38 copying as otherwise provided by this chapter.

1 (o) Financial and commercial information and records supplied by
2 private persons pertaining to export services provided pursuant to
3 chapter 43.163 RCW and chapter 53.31 RCW.

4 (p) Financial disclosures filed by private vocational schools under
5 chapter 28C.10 RCW.

6 (q) Records filed with the utilities and transportation commission
7 or attorney general under RCW 80.04.095 that a court has determined are
8 confidential under RCW 80.04.095.

9 (r) Financial and commercial information and records supplied by
10 businesses during application for loans or program services provided by
11 chapters 43.163 (~~RCW and chapters 43.31, 43.63A~~), 43.-- (sections 1
12 through 7, 9 through 16, 81, and 85 of this act), and 43.168 RCW.

13 (s) Membership lists or lists of members or owners of interests of
14 units in timeshare projects, subdivisions, camping resorts,
15 condominiums, land developments, or common-interest communities
16 affiliated with such projects, regulated by the department of
17 licensing, in the files or possession of the department.

18 (t) All applications for public employment, including the names of
19 applicants, resumes, and other related materials submitted with respect
20 to an applicant.

21 (u) The residential addresses and residential telephone numbers of
22 employees or volunteers of a public agency which are held by the agency
23 in personnel records, employment or volunteer rosters, or mailing lists
24 of employees or volunteers.

25 (v) The residential addresses and residential telephone numbers of
26 the customers of a public utility contained in the records or lists
27 held by the public utility of which they are customers.

28 (w) Information obtained by the board of pharmacy as provided in
29 RCW 69.45.090.

30 (x) Information obtained by the board of pharmacy or the department
31 of health and its representatives as provided in RCW 69.41.044,
32 69.41.280, and 18.64.420.

33 (y) Financial information, business plans, examination reports, and
34 any information produced or obtained in evaluating or examining a
35 business and industrial development corporation organized or seeking
36 certification under chapter 31.24 RCW.

37 (z) Financial and commercial information supplied to the state
38 investment board by any person when the information relates to the
39 investment of public trust or retirement funds and when disclosure

1 would result in loss to such funds or in private loss to the providers
2 of this information.

3 (aa) Financial and valuable trade information under RCW 51.36.120.

4 (bb) Client records maintained by an agency that is a domestic
5 violence program as defined in RCW 70.123.020 or a rape crisis center
6 as defined in RCW 70.125.030.

7 (cc) Information that identifies a person who, while an agency
8 employee: (i) Seeks advice, under an informal process established by
9 the employing agency, in order to ascertain his or her rights in
10 connection with a possible unfair practice under chapter 49.60 RCW
11 against the person; and (ii) requests his or her identity or any
12 identifying information not be disclosed.

13 (dd) Business related information protected from public inspection
14 and copying under RCW 15.86.110.

15 (2) Except for information described in subsection (1)(c)(i) of
16 this section and confidential income data exempted from public
17 inspection pursuant to RCW 84.40.020, the exemptions of this section
18 are inapplicable to the extent that information, the disclosure of
19 which would violate personal privacy or vital governmental interests,
20 can be deleted from the specific records sought. No exemption may be
21 construed to permit the nondisclosure of statistical information not
22 descriptive of any readily identifiable person or persons.

23 (3) Inspection or copying of any specific records exempt under the
24 provisions of this section may be permitted if the superior court in
25 the county in which the record is maintained finds, after a hearing
26 with notice thereof to every person in interest and the agency, that
27 the exemption of such records is clearly unnecessary to protect any
28 individual's right of privacy or any vital governmental function.

29 (4) Agency responses refusing, in whole or in part, inspection of
30 any public record shall include a statement of the specific exemption
31 authorizing the withholding of the record (or part) and a brief
32 explanation of how the exemption applies to the record withheld.

33 **Sec. 36.** RCW 42.17.319 and 1989 c 312 s 7 are each amended to read
34 as follows:

35 Notwithstanding the provisions of RCW 42.17.260 through 42.17.340,
36 no financial or proprietary information supplied by investors or
37 entrepreneurs under chapter (~~43.31~~) 43.-- RCW (sections 1 through 7,

1 9 through 16, 81, and 85 of this act) shall be made available to the
2 public.

3 **Sec. 37.** RCW 43.17.065 and 1991 c 314 s 28 are each amended to
4 read as follows:

5 (1) Where power is vested in a department to issue permits,
6 licenses, certifications, contracts, grants, or otherwise authorize
7 action on the part of individuals, businesses, local governments, or
8 public or private organizations, such power shall be exercised in an
9 expeditious manner. All departments with such power shall cooperate
10 with officials of the business assistance center of the (~~department of~~
11 ~~trade~~) community and economic development department, and any other
12 state officials, when such officials request timely action on the part
13 of the issuing department.

14 (2) After August 1, 1991, any agency to which subsection (1) of
15 this section applies shall, with regard to any permits or other actions
16 that are necessary for economic development in timber impact areas, as
17 defined in RCW 43.31.601, respond to any completed application within
18 forty-five days of its receipt; any response, at a minimum, shall
19 include:

20 (a) The specific steps that the applicant needs to take in order to
21 have the application approved; and

22 (b) The assistance that will be made available to the applicant by
23 the agency to expedite the application process.

24 (3) The agency timber task force established in RCW 43.31.621 shall
25 oversee implementation of this section.

26 (4) Each agency shall define what constitutes a completed
27 application and make this definition available to applicants.

28 **Sec. 38.** RCW 43.20A.750 and 1992 c 21 s 4 are each amended to read
29 as follows:

30 (1) The department of social and health services shall help
31 families and workers in timber impact areas make the transition through
32 economic difficulties and shall provide services to assist workers to
33 gain marketable skills. The department, as a member of the agency
34 timber task force and in consultation with the economic recovery
35 coordination board, and, where appropriate, under an interagency
36 agreement with the (~~department of~~) community and economic development
37 department, shall provide grants through the office of the secretary

1 for services to the unemployed in timber impact areas, including
2 providing direct or referral services, establishing and operating
3 service delivery programs, and coordinating delivery programs and
4 delivery of services. These grants may be awarded for family support
5 centers, reemployment centers, or other local service agencies.

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

12 (3) Funding for these services shall be coordinated through the
13 economic recovery coordination board which will establish a fund to
14 provide child care assistance, mortgage assistance, and counseling
15 which cannot be met through current programs. No funds shall be used
16 for additional full-time equivalents for administering this section.

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

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

27 (5) "Timber impact area" means:

28 (a) A county having a population of less than five hundred
29 thousand, or a city or town located within a county having a population
30 of less than five hundred thousand, and meeting two of the following
31 three criteria, as determined by the employment security department,
32 for the most recent year such data is available: (i) A lumber and wood
33 products employment location quotient at or above the state average;
34 (ii) projected or actual direct lumber and wood products job losses of
35 one hundred positions or more, except counties having a population
36 greater than two hundred thousand but less than five hundred thousand
37 must have direct lumber and wood products job losses of one thousand
38 positions or more; or (iii) an annual unemployment rate twenty percent
39 or more above the state average; or

1 (b) Additional communities as the economic recovery coordinating
2 board, established in RCW 43.31.631, designates based on a finding by
3 the board that each designated community is socially and economically
4 integrated with areas that meet the definition of a timber impact area
5 under (a) of this subsection.

6 **Sec. 39.** RCW 19.27.070 and 1989 c 246 s 2 are each amended to read
7 as follows:

8 There is hereby established a state building code council to be
9 appointed by the governor.

10 (1) The state building code council shall consist of fifteen
11 members, two of whom shall be county elected legislative body members
12 or elected executives and two of whom shall be city elected legislative
13 body members or mayors. One of the members shall be a local government
14 building code enforcement official and one of the members shall be a
15 local government fire service official. Of the remaining nine members,
16 one member shall represent general construction, specializing in
17 commercial and industrial building construction; one member shall
18 represent general construction, specializing in residential and
19 multifamily building construction; one member shall represent the
20 architectural design profession; one member shall represent the
21 structural engineering profession; one member shall represent the
22 mechanical engineering profession; one member shall represent the
23 construction building trades; one member shall represent manufacturers,
24 installers, or suppliers of building materials and components; one
25 member shall be a person with a physical disability and shall represent
26 the disability community; and one member shall represent the general
27 public. At least six of these fifteen members shall reside east of the
28 crest of the Cascade mountains. The council shall include: Two
29 members of the house of representatives appointed by the speaker of the
30 house, one from each caucus; two members of the senate appointed by the
31 president of the senate, one from each caucus; and an employee of the
32 electrical division of the department of labor and industries, as ex
33 officio, nonvoting members with all other privileges and rights of
34 membership. Terms of office shall be for three years. The council
35 shall elect a member to serve as chair of the council for one-year
36 terms of office. Any member who is appointed by virtue of being an
37 elected official or holding public employment shall be removed from the
38 council if he or she ceases being such an elected official or holding

1 such public employment. Before making any appointments to the building
2 code council, the governor shall seek nominations from recognized
3 organizations which represent the entities or interests listed in this
4 subsection. Members serving on the council on July 28, 1985, may
5 complete their terms of office. Any vacancy shall be filled by
6 alternating appointments from governmental and nongovernmental entities
7 or interests until the council is constituted as required by this
8 subsection.

9 (2) Members shall not be compensated but shall receive
10 reimbursement for travel expenses in accordance with RCW 43.03.050 and
11 43.03.060.

12 (3) The ~~((department of))~~ community and economic development
13 department shall provide ~~((administrative and clerical assistance))~~
14 staff to the building code council.

15 **Sec. 40.** RCW 19.27.074 and 1989 c 266 s 3 are each amended to read
16 as follows:

17 (1) The state building code council shall:

18 (a) Adopt and maintain the codes to which reference is made in RCW
19 19.27.031 in a status which is consistent with the state's interest as
20 set forth in RCW 19.27.020. In maintaining these codes, the council
21 shall regularly review updated versions of the codes referred to in RCW
22 19.27.031 and other pertinent information and shall amend the codes as
23 deemed appropriate by the council;

24 (b) Approve or deny all county or city amendments to any code
25 referred to in RCW 19.27.031 to the degree the amendments apply to
26 single family or multifamily residential buildings; and

27 (c) As required by the legislature, develop and adopt any codes
28 relating to buildings(~~(; and~~

29 ~~(d) Propose a budget for the operation of the state building code~~
30 ~~council to be submitted to the office of financial management pursuant~~
31 ~~to RCW 43.88.090)).~~

32 (2) The state building code council may:

33 (a) Appoint technical advisory committees which may include members
34 of the council; and

35 (b) ~~((Employ permanent and temporary staff and contract for~~
36 ~~services; and~~

37 ~~(e))~~ Conduct research into matters relating to any code or codes
38 referred to in RCW 19.27.031 or any related matter.

1 All meetings of the state building code council shall be open to
2 the public under the open public meetings act, chapter 42.30 RCW. All
3 actions of the state building code council which adopt or amend any
4 code of state-wide applicability shall be pursuant to the
5 administrative procedure act, chapter 34.05 RCW.

6 All council decisions relating to the codes enumerated in RCW
7 19.27.031 shall require approval by at least a majority of the members
8 of the council.

9 All decisions to adopt or amend codes of state-wide application
10 shall be made prior to December 1 of any year and shall not take effect
11 before the end of the regular legislative session in the next year.

12 **Sec. 41.** RCW 43.31.057 and 1986 c 183 s 2 are each amended to read
13 as follows:

14 The ((~~department of trade~~)) community and economic development
15 department is directed to develop and promote means to stimulate the
16 expansion of the market for Washington products and shall have the
17 following powers and duties:

18 (1) To develop a pamphlet for state-wide circulation which will
19 encourage the purchase of items produced in the state of Washington;

20 (2) To include in the pamphlet a listing of products of Washington
21 companies which individuals can examine when making purchases so they
22 may have the opportunity to select one of those products in support of
23 this program;

24 (3) To distribute the pamphlets on the broadest possible basis
25 through local offices of state agencies, business organizations,
26 chambers of commerce, or any other means the department deems
27 appropriate;

28 (4) In carrying out these powers and duties the department shall
29 cooperate and coordinate with other agencies of government and the
30 private sector.

31 **Sec. 42.** RCW 43.31.085 and 1989 c 430 s 2 are each amended to read
32 as follows:

33 The business assistance center shall:

34 (1) Serve as the state's lead agency and advocate for the
35 development and conservation of businesses.

36 (2) Coordinate the delivery of state programs to assist businesses.

1 (3) Provide comprehensive referral services to businesses requiring
2 government assistance.

3 (4) Serve as the business ombudsman within state government and
4 advise the governor and the legislature of the need for new legislation
5 to improve the effectiveness of state programs to assist businesses.

6 (5) Aggressively promote business awareness of the state's business
7 programs and distribute information on the services available to
8 businesses.

9 (6) Develop, in concert with local economic development and
10 business assistance organizations, coordinated processes that
11 complement both state and local activities and services.

12 (7) The business assistance center shall work with other federal,
13 state, and local agencies and organizations to ensure that business
14 assistance services including small business, trade services, and
15 distressed area programs are provided in a coordinated and cost-
16 effective manner.

17 (8) In collaboration with the child care coordinating committee in
18 the department of social and health services, prepare and disseminate
19 information on child care options for employers and the existence of
20 the program. As much as possible, and through interagency agreements
21 where necessary, such information should be included in the routine
22 communications to employers from (a) the department of revenue, (b) the
23 department of labor and industries, (c) ~~((the department of community~~
24 ~~development, -d))~~ the employment security department, ~~((+e))~~ (d) the
25 ~~((department of trade))~~ community and economic development department,
26 ~~((+f))~~ (e) the small business development center, and ~~((+g))~~ (f) the
27 department of social and health services.

28 (9) In collaboration with the child care coordinating committee in
29 the department of social and health services, compile information on
30 and facilitate employer access to individuals, firms, organizations,
31 and agencies that provide technical assistance to employers to enable
32 them to develop and support child care services or facilities.

33 (10) Actively seek public and private money to support the child
34 care facility fund described in RCW 43.31.502, staff and assist the
35 child care facility fund committee as described in RCW 43.31.504, and
36 work to promote applications to the committee for loan guarantees,
37 loans, and grants.

1 **Sec. 43.** RCW 43.31.205 and 1992 c 228 s 2 are each amended to read
2 as follows:

3 In an effort to enhance the economy of the Tri-Cities area, the
4 (~~department of trade~~) community and economic development department
5 is directed to promote the existence of the lease between the state of
6 Washington and the federal government executed September 10, 1964,
7 covering one thousand acres of land lying within the Hanford
8 reservation near Richland, Washington, and the opportunity of
9 subleasing the land to entities for nuclear-related industry, in
10 agreement with the terms of the lease. When promoting the existence of
11 the lease, the department shall work in cooperation with any associate
12 development organization(~~s~~) located in or near the Tri-Cities area.

13 **Sec. 44.** RCW 43.31.409 and 1989 c 312 s 3 are each amended to read
14 as follows:

15 There is created in the business assistance center of the
16 (~~department of trade~~) community and economic development department
17 the Washington investment opportunities office.

18 **Sec. 45.** RCW 43.31.411 and 1989 c 312 s 4 are each amended to read
19 as follows:

20 The Washington investment opportunities office shall:

21 (1) Maintain a list of all entrepreneurs engaged in manufacturing,
22 wholesaling, transportation services, development of destination
23 tourism resorts, or traded services throughout the state seeking
24 capital resources and interested in the services of the investment
25 opportunities office.

26 (2) Maintain a file on each entrepreneur which may include the
27 entrepreneur's business plan and any other information which the
28 entrepreneur offers for review by potential investors.

29 (3) Assist entrepreneurs in procuring the managerial and technical
30 assistance necessary to attract potential investors. Such assistance
31 shall include the automatic referral to the small business innovators
32 opportunity program of any entrepreneur with a new product meriting the
33 services of the program.

34 (4) Provide entrepreneurs with information about potential
35 investors and provide investors with information about those
36 entrepreneurs which meet the investment criteria of the investor.

37 (5) Promote small business securities financing.

1 (6) Remain informed about investment trends in capital markets and
2 preferences of individual investors or investment firms throughout the
3 nation through literature surveys, conferences, and private meetings.

4 (7) Publicize the services of the investment opportunities office
5 through public meetings throughout the state, appropriately targeted
6 media, and private meetings. Whenever practical, the office shall use
7 the existing services of local associate development organizations in
8 outreach and identification of entrepreneurs and investors.

9 (8) Report to the ways and means committees and (~~commerce and~~
10 ~~labor~~) appropriate economic development committees of the senate and
11 the house of representatives by December 1, 1989, and each year
12 thereafter, on the accomplishments of the office. Such reports shall
13 include:

14 (a) The number of entrepreneurs on the list referred to in
15 subsection (1) of this section, segregated by standard industrial
16 classification codes;

17 (b) The number of investments made in entrepreneurs, segregated as
18 required by (a) of this subsection, as a result of contact with the
19 investment opportunities office, the dollar amount of each such
20 investment, the source, by state or nation, of each investment, and the
21 number of jobs created as a result of each investment;

22 (c) The number of entrepreneurs on the list referred to in
23 subsection (1) of this section segregated by counties, the number of
24 investments, the dollar amount of investments, and the number of jobs
25 created through investments in each county as a result of contact with
26 the investment opportunities office;

27 (d) A categorization of jobs created through investments made as a
28 result of contact with the investment opportunities office, the number
29 of jobs created in each such category, and the average pay scale for
30 jobs created in each such category;

31 (e) The results of client satisfaction surveys distributed to
32 entrepreneurs and investors using the services of the investment
33 opportunities office; and

34 (f) Such other information as the managing director finds
35 appropriate.

36 **Sec. 46.** RCW 43.31.422 and 1991 c 272 s 19 are each amended to
37 read as follows:

1 The Hanford area economic investment fund is established in the
2 custody of the state treasurer. Moneys in the fund shall only be used
3 pursuant to the recommendations of the committee created in RCW
4 43.31.425 and the approval of the director of (~~the department of~~
5 ~~trade~~) community and economic development for Hanford area revolving
6 loan funds, Hanford area infrastructure projects, or other Hanford area
7 economic development and diversification projects, but may not be used
8 for government or nonprofit organization operating expenses. Up to
9 five percent of moneys in the fund may be used for program
10 administration. For the purpose of this chapter "Hanford area" means
11 Benton and Franklin counties. Disbursements from the fund shall be on
12 the authorization of the director of (~~trade~~) community and economic
13 development or the director's designee after an affirmative vote of at
14 least six members of the committee created in RCW 43.31.425 on any
15 recommendations by the committee created in RCW 43.31.425. The fund is
16 subject to the allotment procedures under chapter 43.88 RCW, but no
17 appropriation is required for disbursements. The legislature intends
18 to establish similar economic investment funds for areas that develop
19 low-level radioactive waste disposal facilities.

20 **Sec. 47.** RCW 43.31.504 and 1989 c 430 s 4 are each amended to read
21 as follows:

22 The child care facility fund committee is established within the
23 business assistance center of the (~~department of trade~~) community and
24 economic development department. The committee shall administer the
25 child care facility fund, with review by the director of (~~the~~
26 ~~department of trade~~) community and economic development.

27 (1) The committee shall have five members. The director of (~~the~~
28 ~~department of trade~~) community and economic development shall appoint
29 the members, who shall include:

30 (a) Two persons experienced in investment finance and having skills
31 in providing capital to new businesses, in starting and operating
32 businesses, and providing professional services to small or expanding
33 businesses;

34 (b) One person representing a philanthropic organization with
35 experience in evaluating funding requests;

36 (c) One child care services expert; and

37 (d) One early childhood development expert.

1 In making these appointments, the director shall give careful
2 consideration to ensure that the various geographic regions of the
3 state are represented and that members will be available for meetings
4 and are committed to working cooperatively to address child care needs
5 in Washington state.

6 (2) The committee shall elect officers from among its membership
7 and shall adopt policies and procedures specifying the lengths of
8 terms, methods for filling vacancies, and other matters necessary to
9 the ongoing functioning of the committee.

10 (3) Committee members shall serve without compensation, but may
11 request reimbursement for travel expenses as provided in RCW 43.03.050
12 and 43.03.060.

13 (4) Committee members shall not be liable to the state, to the
14 child care facility fund, or to any other person as a result of their
15 activities, whether ministerial or discretionary, as members except for
16 willful dishonesty or intentional violation of the law. The
17 (~~department of trade~~) community and economic development department
18 may purchase liability insurance for members and may indemnify these
19 persons against the claims of others.

20 **Sec. 48.** RCW 43.31.522 and 1990 c 57 s 2 are each amended to read
21 as follows:

22 Unless the context clearly requires otherwise, the definitions in
23 this section apply throughout RCW 43.31.524 and 43.31.526:

24 (1) "Department" means the (~~department of trade~~) community and
25 economic development department.

26 (2) "Center" means the business assistance center established under
27 RCW 43.31.083.

28 (3) "Director" means the director of (~~trade~~) community and
29 economic development.

30 (4) "Local nonprofit organization" means a local nonprofit
31 organization organized to provide economic development or community
32 development services, including but not limited to associate
33 development organizations, economic development councils, and community
34 development corporations.

35 **Sec. 49.** RCW 43.31.524 and 1990 c 57 s 3 are each amended to read
36 as follows:

1 There is established a Washington marketplace program within the
2 business assistance center established under RCW 43.31.083. The
3 program shall assist businesses to competitively meet their needs for
4 goods and services within Washington state by providing information
5 relating to the replacement of imports or the fulfillment of new
6 requirements with Washington products produced in Washington state.
7 The program shall place special emphasis on strengthening rural
8 economies in economically distressed areas of the state meeting the
9 criteria of an "eligible area" as defined in RCW 82.60.020(3). ((The
10 Washington marketplace program shall consult with the community
11 revitalization team established pursuant to chapter 43.165 RCW.))

12 **Sec. 50.** RCW 43.31.526 and 1990 c 57 s 4 are each amended to read
13 as follows:

14 (1) The department shall contract with local nonprofit
15 organizations in ((at least three economically)) distressed areas of
16 the state that meet the criteria of an "eligible area" as defined in
17 RCW 82.60.020(3) to implement the Washington marketplace program in
18 these areas. The department, in order to foster cooperation and
19 linkages between distressed and nondistressed areas and urban and rural
20 areas, may enter into joint contracts with multiple nonprofit
21 organizations. Contracts with economic development organizations to
22 foster cooperation and linkages between distressed and nondistressed
23 areas and urban and rural areas shall be structured by the department
24 and the distressed area marketplace programs. Contracts with economic
25 development organizations shall:

26 (a) Award contracts based on a competitive bidding process,
27 pursuant to chapter 43.19 RCW;

28 (b) Give preference to nonprofit organizations representing a broad
29 spectrum of community support; and

30 (c) Ensure that each location contain sufficient business activity
31 to permit effective program operation.

32 The department may require that contractors contribute at least
33 twenty percent local funding.

34 (2) The contracts with local nonprofit organizations shall be for,
35 but not limited to, the performance of the following services for the
36 Washington marketplace program:

37 (a) Contacting Washington state businesses to identify goods and
38 services they are currently buying or are planning in the future to buy

1 out-of-state and determine which of these goods and services could be
2 purchased on competitive terms within the state;

3 (b) Identifying locally sold goods and services which are currently
4 provided by out-of-state businesses;

5 (c) Determining, in consultation with local business, goods and
6 services for which the business is willing to make contract agreements;

7 (d) Advertising market opportunities described in (c) of this
8 subsection; and

9 (e) Receiving bid responses from potential suppliers and sending
10 them to that business for final selection.

11 (3) Contracts may include provisions for charging service fees of
12 businesses that profit as a result of participation in the program.

13 (4) The center shall also perform the following activities in order
14 to promote the goals of the program:

15 (a) Prepare promotional materials or conduct seminars to inform
16 communities and organizations about the Washington marketplace program;

17 (b) Provide technical assistance to communities and organizations
18 interested in developing an import replacement program;

19 (c) Develop standardized procedures for operating the local
20 component of the Washington marketplace program;

21 (d) Provide continuing management and technical assistance to local
22 contractors; and

23 (e) Report by December 31 of each year to the ~~((senate))~~
24 appropriate economic development ~~((and labor committee and to))~~
25 committees of the senate and the house of representatives ~~((trade and~~
26 ~~economic development committee))~~ describing the activities of the
27 Washington marketplace program.

28 **Sec. 51.** RCW 43.31.621 and 1991 c 314 s 4 are each amended to read
29 as follows:

30 (1) There is established the agency timber task force. The task
31 force shall be chaired by the timber recovery coordinator. It shall be
32 the responsibility of the coordinator that all directives of chapter
33 314, Laws of 1991 are carried out expeditiously by the agencies
34 represented in the task force. The task force shall consist of the
35 directors, or representatives of the directors, of the following
36 agencies: The ~~((department of trade))~~ community and economic
37 development~~((, department of community development))~~ department,
38 employment security department, department of social and health

1 services, state board for community college education, state board for
2 vocational education, or its replacement entity, department of natural
3 resources, department of transportation, state energy office,
4 department of wildlife, University of Washington center for
5 international trade in forest products, and department of ecology. The
6 task force may consult and enlist the assistance of the following: The
7 higher education coordinating board, University of Washington college
8 of forest resources, Washington State University school of forestry,
9 Northwest policy center, state superintendent of public instruction,
10 the Evergreen partnership, Washington association of counties, and
11 rural development council.

12 (2) This section shall expire June 30, (~~(1993)~~) 1995.

13 **Sec. 52.** RCW 43.31.641 and 1991 c 314 s 7 are each amended to read
14 as follows:

15 The (~~department of trade~~) community and economic development
16 department, as a member of the agency timber task force and in
17 consultation with the board, shall:

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

- 22 (a) Secondary manufacturing product development;
- 23 (b) Plant and equipment maintenance;
- 24 (c) Identification and development of domestic market
25 opportunities;
- 26 (d) Building products export development assistance;
- 27 (e) At-risk business development assistance;
- 28 (f) Business network development; and
- 29 (g) Timber impact area industrial diversification.

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

34 (3) Contract with local business organizations in timber impact
35 areas for development of programs to promote industrial
36 diversification. (~~In addition,~~) The department shall (~~develop an~~
37 ~~interagency agreement with the department of community development~~
38 ~~for~~) provide local capacity-building grants to local governments and

1 community-based organizations in timber impact areas, which may include
2 long-range planning and needs assessments.

3 For the 1991-93 biennium, the (~~department of trade~~) community and
4 economic development department shall use funds appropriated for this
5 section for contracts and for no more than two additional staff
6 positions.

7 **Sec. 53.** RCW 43.31.651 and 1991 c 314 s 9 are each amended to read
8 as follows:

9 The (~~department of~~) community and economic development department
10 as a part of the agency timber task force and in consultation with the
11 board, shall implement a community assistance program to enable
12 communities to build local capacity for sustainable economic
13 development efforts. The program shall provide resources and technical
14 assistance to timber impact areas.

15 (~~In addition, the department shall develop an interagency
16 agreement with the department of trade and economic development for
17 local capacity building grants to local governments and community based
18 organizations in timber impact areas.~~)

19 **Sec. 54.** RCW 43.31.800 and 1987 c 195 s 4 are each amended to read
20 as follows:

21 "Director" as used in RCW 43.31.790 through 43.31.850 and 67.16.100
22 means the director of (~~trade~~) community and economic development.

23 **Sec. 55.** RCW 43.31.830 and 1987 c 195 s 7 are each amended to read
24 as follows:

25 (1) It shall be the duty of the director of community and economic
26 development to certify, from the applications received, the state
27 international trade fair or fairs qualified and entitled to receive
28 funds under RCW (~~43.31.790 through 43.31.850 and~~) 67.16.100, (~~as now~~
29 ~~or hereafter amended~~) and under rules established by the director.

30 (2) The director shall make annual allotments to state
31 international trade fairs determined qualified to be entitled to
32 participate in the state trade fair fund and shall fix times for the
33 division of and payment from the state trade fair fund: PROVIDED, That
34 total payment to any one state international trade fair shall not
35 exceed sixty thousand dollars in any one year, where participation or
36 presentation occurs within the United States, and eighty thousand

1 dollars in any one year, where participation or presentation occurs
2 outside the United States: PROVIDED FURTHER, That a state
3 international trade fair may qualify for the full allotment of funds
4 under either category. Upon certification of the allotment and
5 division of fair funds by the director (~~(of trade and economic~~
6 ~~development)~~) the treasurer shall proceed to pay the same to carry out
7 the purposes of RCW (~~(43.31.790 through 43.31.850 and)~~) 67.16.100(~~(, as~~
8 ~~now or hereafter amended)~~).

9 **Sec. 56.** RCW 43.31.840 and 1975 1st ex.s. c 292 s 6 are each
10 amended to read as follows:

11 The director of community and economic development shall at the end
12 of each year for which an annual allotment has been made, (~~cause to be~~
13 ~~conducted,~~) conduct a post audit of all of the books and records of
14 each state international trade fair participating in the state trade
15 fair fund. The purpose of such post audit shall be to determine how
16 and to what extent each participating state international trade fair
17 has expended all of its funds.

18 The audit required by this section shall be a condition to future
19 allotments of money from the state international trade fair fund, and
20 the director shall make a report of the findings of each post audit and
21 shall use such report as a consideration in an application for any
22 future allocations.

23 **Sec. 57.** RCW 43.160.020 and 1992 c 21 s 3 are each amended to read
24 as follows:

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

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

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

31 (3) "Department" means the (~~department of trade~~) community and
32 economic development (~~(or its successor with respect to the powers~~
33 ~~granted by this chapter)~~) department.

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" means any port district, county, city, or
8 town.

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

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

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

22 (11) "Timber impact area" means:

23 (a) A county having a population of less than five hundred
24 thousand, or a city or town located within a county having a population
25 of less than five hundred thousand, and meeting two of the following
26 three criteria, as determined by the employment security department,
27 for the most recent year such data is available: (i) A lumber and wood
28 products employment location quotient at or above the state average;
29 (ii) projected or actual direct lumber and wood products job losses of
30 one hundred positions or more, except counties having a population
31 greater than two hundred thousand but less than five hundred thousand
32 must have direct lumber and wood products job losses of one thousand
33 positions or more; or (iii) an annual unemployment rate twenty percent
34 or more above the state average; or

35 (b) Additional communities as the economic recovery coordinating
36 board, established in RCW 43.31.631, designates based on a finding by
37 the board that each designated community is socially and economically
38 integrated with areas that meet the definition of a timber impact area
39 under (a) of this subsection.

1 **Sec. 58.** RCW 43.168.020 and 1991 c 314 s 19 are each amended to
2 read as follows:

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

5 (1) "Committee" means the Washington state development loan fund
6 committee.

7 (2) "Department" means the (~~department of~~) community and economic
8 development department.

9 (3) "Director" means the director of (~~the department of~~)
10 community and economic development.

11 (4) "Distressed area" means: (a) A county which has an
12 unemployment rate which is twenty percent above the state average for
13 the immediately previous three years; (b) a metropolitan statistical
14 area, as defined by the office of federal statistical policy and
15 standards, United States department of commerce, in which the average
16 level of unemployment for the calendar year immediately preceding the
17 year in which an application is filed under this chapter exceeds the
18 average state unemployment for such calendar year by twenty percent.
19 Applications under this subsection (4)(b) shall be filed by April 30,
20 1989; (c) an area within a county, which area: (i) Is composed of
21 contiguous census tracts; (ii) has a minimum population of five
22 thousand persons; (iii) has at least seventy percent of its families
23 and unrelated individuals with incomes below eighty percent of the
24 county's median income for families and unrelated individuals; and (iv)
25 has an unemployment rate which is at least forty percent higher than
26 the county's unemployment rate; or (d) a county designated as a timber
27 impact area under RCW 43.31.601 if an application is filed by July 1,
28 1993. For purposes of this definition, "families and unrelated
29 individuals" has the same meaning that is ascribed to that term by the
30 federal department of housing and urban development in its regulations
31 authorizing action grants for economic development and neighborhood
32 revitalization projects.

33 (5) "Fund" means the Washington state development loan fund.

34 (6) "Local development organization" means a nonprofit organization
35 which is organized to operate within an area, demonstrates a commitment
36 to a long-standing effort for an economic development program, and
37 makes a demonstrable effort to assist in the employment of unemployed
38 or underemployed residents in an area.

1 (7) "Project" means the establishment of a new or expanded business
2 in an area which when completed will provide employment opportunities.
3 "Project" also means the retention of an existing business in an area
4 which when completed will provide employment opportunities.

5 **Sec. 59.** RCW 43.210.110 and 1991 c 314 s 12 are each amended to
6 read as follows:

7 (1) The small business export finance assistance center has the
8 following powers and duties when exercising its authority under RCW
9 43.210.100(3):

10 (a) Solicit and accept grants, contributions, and any other
11 financial assistance from the federal government, federal agencies, and
12 any other public or private sources to carry out its purposes;

13 (b) Offer comprehensive export assistance and counseling to
14 manufacturers relatively new to exporting with gross annual revenues
15 less than twenty-five million dollars. As close to ninety percent as
16 possible of each year's new cadre of clients must have gross annual
17 revenues of less than five million dollars at the time of their initial
18 contract. At least fifty percent of each year's new cadre of clients
19 shall be from timber impact areas as defined in RCW 43.31.601.
20 Counseling may include, but not be limited to, helping clients obtain
21 debt or equity financing, in constructing competent proposals, and
22 assessing federal guarantee and/or insurance programs that underwrite
23 exporting risk; assisting clients in evaluating their international
24 marketplace by developing marketing materials, assessing and selecting
25 targeted markets; assisting firms in finding foreign customers by
26 conducting foreign market research, evaluating distribution systems,
27 selecting and assisting in identification of and/or negotiations with
28 foreign agents, distributors, retailers, and by promoting products
29 through attending trade shows abroad; advising companies on their
30 products, guarantees, and after sales service requirements necessary to
31 compete effectively in a foreign market; designing a competitive
32 strategy for a firm's products in targeted markets and methods of
33 minimizing their commercial and political risks; securing for clients
34 specific assistance as needed, outside the center's field of expertise,
35 by referrals to other public or private organizations. The Pacific
36 Northwest export assistance project shall focus its efforts on
37 facilitating export transactions for its clients, and in doing so,

1 provide such technical services as are appropriate to accomplish its
2 mission either with staff or outside consultants;

3 (c) Sign three-year counseling agreements with its clients that
4 provide for termination if adequate funding for the Pacific Northwest
5 export assistance project is not provided in future appropriations.
6 Counseling agreements shall not be renewed unless there are compelling
7 reasons to do so, and under no circumstances shall they be renewed for
8 more than two additional years. A counseling agreement may not be
9 renewed more than once. The counseling agreements shall have mutual
10 performance clauses, that if not met, will be grounds for releasing
11 each party, without penalty, from the provisions of the agreement.
12 Clients shall be immediately released from a counseling agreement with
13 the Pacific Northwest export assistance project, without penalty, if a
14 client wishes to switch to a private export management service and
15 produces a valid contract signed with a private export management
16 service, or if the president of the small business export finance
17 assistance center determines there are compelling reasons to release a
18 client from the provisions of the counseling agreement;

19 (d) May contract with private or public international trade
20 education services to provide Pacific Northwest export assistance
21 project clients with training in international business. The president
22 and board of directors shall decide the amount of funding allocated for
23 educational services based on the availability of resources in the
24 operating budget of the Pacific Northwest export assistance project;

25 (e) May contract with the Washington state international trade fair
26 to provide services for Pacific Northwest export assistance project
27 clients to participate in one trade show annually. The president and
28 board of directors shall decide the amount of funding allocated for
29 trade fair assistance based on the availability of resources in the
30 operating budget of the Pacific Northwest export assistance project;

31 (f) Provide biennial assessments of its performance. Project
32 personnel shall work with the department of revenue and employment
33 security department to confidentially track the performance of the
34 project's clients in increasing tax revenues to the state, increasing
35 gross sales revenues and volume of products destined to foreign
36 clients, and in creating new jobs for Washington citizens. A biennial
37 report shall be prepared for the governor and legislature to assess the
38 costs and benefits to the state from creating the project. The
39 president of the small business export finance assistance center shall

1 design an appropriate methodology for biennial assessments in
2 consultation with the director of (~~the department of trade~~) community
3 and economic development and the director of the Washington state
4 department of agriculture. The department of revenue and the
5 employment security department shall provide data necessary to complete
6 this biennial evaluation, if the data being requested is available from
7 existing data bases. Client-specific information generated from the
8 files of the department of revenue and the employment security
9 department for the purposes of this evaluation shall be kept strictly
10 confidential by each department and the small business export finance
11 assistance center;

12 (g) Take whatever action may be necessary to accomplish the
13 purposes set forth in RCW 43.210.070 and 43.210.100 through 43.210.120;
14 and

15 (h) Limit its assistance to promoting the exportation of value-
16 added manufactured goods. The project shall not provide counseling or
17 assistance, under any circumstances, for the importation of foreign
18 made goods into the United States.

19 (2) The Pacific Northwest export assistance project shall not,
20 under any circumstances, assume ownership or take title to the goods of
21 its clients.

22 (3) The Pacific Northwest export assistance project may not use any
23 Washington state funds which come from the public treasury of the state
24 of Washington to make loans or to make any payment under a loan
25 guarantee agreement. Under no circumstances may the center use any
26 funds received under RCW 43.210.050 to make or assist in making any
27 loan or to pay or assist in paying any amount under a loan guarantee
28 agreement. Debts of the center shall be center debts only and may be
29 satisfied only from the resources of the center. The state of
30 Washington shall not in any way be liable for such debts.

31 (4) The Pacific Northwest export assistance project shall make
32 every effort to seek nonstate funds to supplement its operations.

33 (5) The Pacific Northwest export assistance project shall take
34 whatever steps are necessary to provide its services, if requested, to
35 the states of Oregon, Idaho, Montana, Alaska, and the Canadian
36 provinces of British Columbia and Alberta. Interstate services shall
37 not be provided by the Pacific Northwest export assistance project
38 during its first biennium of operation. The provision of services may
39 be temporary and subject to the payment of fees, or each state may

1 request permanent services contingent upon a level of permanent funding
2 adequate for services provided. Temporary services and fees may be
3 negotiated by the small business export finance assistance center's
4 president subject to approval of the board of directors. The president
5 of the small business export finance assistance center may enter into
6 negotiations with neighboring states to contract for delivery of the
7 project's services. Final contracts for providing the project's
8 counseling and services outside of the state of Washington on a
9 permanent basis shall be subject to approval of the governor,
10 appropriate legislative oversight committees, and the small business
11 export finance assistance center's board of directors.

12 (6) The small business export finance assistance center may receive
13 such gifts, grants, and endowments from public or private sources as
14 may be made from time to time, in trust or otherwise, for the use and
15 benefit of the purposes of the Pacific Northwest export assistance
16 project and expend the same or any income therefrom according to the
17 terms of the gifts, grants, or endowments.

18 (7) The president of the small business export finance assistance
19 center, in consultation with the board of directors, may use the
20 following formula in determining the number of clients that can be
21 reasonably served by the Pacific Northwest export assistance project
22 relative to its appropriation. Divide the amount appropriated for
23 administration of the Pacific Northwest export assistance project by
24 the marginal cost of adding each additional Pacific Northwest export
25 assistance project client. For the purposes of this calculation, and
26 only for the first biennium of operation, the biennial marginal cost of
27 adding each additional Pacific Northwest export assistance project
28 client shall be fifty-seven thousand ninety-five dollars. The biennial
29 marginal cost of adding each additional client after the first biennium
30 of operation shall be established from the actual operating experience
31 of the Pacific Northwest export assistance project.

32 (8) All receipts from the Pacific Northwest export assistance
33 project shall be deposited into the general fund.

34 **Sec. 60.** RCW 43.63A.066 and 1990 c 33 s 579 are each amended to
35 read as follows:

36 The ((~~department of~~)) community and economic development department
37 shall have primary responsibility for providing child abuse and neglect
38 prevention training to preschool age children participating in the

1 federal head start program or the early childhood education and
2 assistance program established under RCW 28A.215.010 through
3 28A.215.200 and 28A.215.900 through 28A.215.908.

4 **Sec. 61.** RCW 43.63A.075 and 1985 c 466 s 53 are each amended to
5 read as follows:

6 The department shall establish a community development finance
7 program. Pursuant to this program, the department shall: (1) Develop
8 expertise in federal, state, and local community and economic
9 development programs; and (2) assist communities and businesses to
10 secure available financing(~~(; and (3) work closely with the department~~
11 ~~of trade and economic development on financial and technical assistance~~
12 ~~programs available to small and medium sized businesses)). To the~~
13 extent permitted by federal law, the department is encouraged to use
14 federal community block grant funds to make urban development action
15 grants to communities which have not been eligible to receive such
16 grants prior to June 30, 1984.

17 **Sec. 62.** RCW 43.63A.115 and 1990 c 156 s 1 are each amended to
18 read as follows:

19 (1) The community action agency network, established initially
20 under the federal economic opportunity act of 1964 and subsequently
21 under the federal community services block grant program of 1981, as
22 amended, shall be a delivery system for federal and state anti-poverty
23 programs in this state, including but not limited to the community
24 services block grant program, the low-income energy assistance program,
25 and the federal department of energy weatherization program.

26 (2) Local community action agencies comprise the community action
27 agency network. The community action agency network shall serve low-
28 income persons in the counties. Each community action agency and its
29 service area shall be designated in the state federal community service
30 block grant plan as prepared by the ~~((department of))~~ community and
31 economic development department.

32 (3) Funds for anti-poverty programs may be distributed to the
33 community action agencies by the ~~((department of))~~ community and
34 economic development department and other state agencies in
35 consultation with the authorized representatives of community action
36 agency networks.

1 **Sec. 63.** RCW 43.63A.155 and 1989 c 225 s 5 are each amended to
2 read as follows:

3 The ((~~department of~~)) community and economic development department
4 shall retain the bond information it receives under RCW 39.44.210 and
5 39.44.230 and shall publish summaries of local government bond issues
6 at least once a year.

7 The ((~~department of~~)) community and economic development department
8 shall adopt rules under chapter 34.05 RCW to implement RCW 39.44.210
9 and 39.44.230.

10 **Sec. 64.** RCW 43.63A.220 and 1987 c 505 s 34 are each amended to
11 read as follows:

12 (1) The ((~~department of~~)) community and economic development
13 department is directed to undertake a study as to the best means of
14 providing encouragement and assistance to the formulation of employee
15 stock ownership plans providing for the partial or total acquisition,
16 through purchase, distribution in lieu of compensation, or a
17 combination of these means or any other lawful means, of shares of
18 stock or other instruments of equity in facilities by persons employed
19 at these facilities in cases in which operations at these facilities
20 would, absent employee equity ownership, be terminated, relocated
21 outside of the state, or so reduced in volume as to entail the
22 permanent layoff of a substantial number of the employees.

23 (2) In conducting its study, the department shall:

24 (a) Consider federal and state law relating directly or indirectly
25 to plans proposed under subsection (1) of this section, and to the
26 organization and operation of any trusts established pursuant to the
27 plans, including but not limited to, the federal internal revenue code
28 and any regulations promulgated under the internal revenue code, the
29 federal securities act of 1933 as amended and other federal statutes
30 providing for regulation of the issuance of securities, the federal
31 employee retirement income and security act of 1974 as amended, the
32 Chrysler loan guarantee legislation enacted by the United States
33 congress in 1979, and other federal and state laws relating to
34 employment, compensation, taxation, and retirement;

35 (b) Consult with relevant persons in the public sector, relevant
36 persons in the private sector, including trustees of any existing
37 employee stock ownership trust, and employees of any firm operating

1 under an employee stock ownership trust, and with members of the
2 academic community and of relevant branches of the legal profession;

3 (c) Examine the experience of trusts organized pursuant to an
4 employee stock ownership plan in this state or in any other state; and

5 (d) Make other investigations as it may deem necessary in carrying
6 out the purposes of this section.

7 (3) Pursuant to the findings and conclusions of the study conducted
8 under subsection (2) of this section, the (~~department of~~) community
9 and economic development department shall develop a plan to encourage
10 and assist the formulation of employee stock ownership plans providing
11 for the acquisition of stock by employees of facilities in this state
12 which are subject to closure or drastically curtailed operation. The
13 department shall determine the amount of any costs of implementing the
14 plan.

15 (4) The director of community and economic development shall,
16 within one year of July 28, 1985, report the findings and conclusion of
17 the study, together with details of the plan developed pursuant to the
18 study, to the legislature, and shall include in the report any
19 recommendations for legislation which the director deems appropriate.

20 (5) The (~~department of~~) community and economic development
21 department shall carry out its duties under this section using
22 available resources.

23 **Sec. 65.** RCW 43.63A.230 and 1988 c 186 s 17 are each amended to
24 read as follows:

25 (1) The (~~department of~~) community and economic development
26 department shall integrate an employee ownership program within its
27 existing technical assistance programs. The employee ownership program
28 shall provide technical assistance to cooperatives authorized under
29 chapter 23.78 RCW and conduct educational programs on employee
30 ownership and self-management. The department shall include
31 information on the option of employee ownership wherever appropriate in
32 its various programs.

33 (2) The department shall maintain a list of firms and individuals
34 with expertise in the field of employee ownership and utilize such
35 firms and individuals, as appropriate, in delivering and coordinating
36 the delivery of technical, managerial, and educational services. In
37 addition, the department shall work with and rely on the services of
38 (~~the department of trade and economic development,~~) the employment

1 security department(~~(7)~~) and state institutions of higher education to
2 promote employee ownership.

3 (3) The department shall report to the governor, the (~~(trade and)~~)
4 appropriate economic development (~~(committee of)~~) committees of the
5 senate and the house of representatives, (~~(the commerce and labor~~
6 ~~committee of the senate,~~) and the ways and means committees of each
7 house by December 1 of 1988, and each year thereafter, on the
8 accomplishments of the employee-ownership program. Such reports shall
9 include the number and types of firms assisted, the number of jobs
10 created by such firms, the types of services, the number of workshops
11 presented, the number of employees trained, and the results of client
12 satisfaction surveys distributed to those using the services of the
13 program.

14 (4) For purposes of this section, an employee stock ownership plan
15 qualifies as a cooperative if at least fifty percent, plus one share,
16 of its voting shares of stock are voted on a one-person-one-vote basis.

17 **Sec. 66.** RCW 43.63A.245 and 1992 c 63 s 2 are each amended to read
18 as follows:

19 Unless the context clearly requires otherwise, the definitions in
20 this section apply throughout RCW 43.63A.240 through 43.63A.270.

21 "Agency" means one of the agencies or organizations participating
22 in the activities of the senior environmental corps.

23 "Coordinator" means the person designated by the director of (~~(the~~
24 ~~department of)~~) community and economic development with the advice of
25 the council to administer the activities of the senior environmental
26 corps.

27 "Corps" means the senior environmental corps.

28 "Council" means the senior environmental corps coordinating
29 council.

30 "Department" means the (~~(department of)~~) community and economic
31 development department.

32 "Director" means the director of (~~(the department of)~~) community
33 and economic development or the director's authorized representative.

34 "Representative" means the person who represents an agency on the
35 council and is responsible for the activities of the senior
36 environmental corps in his or her agency.

37 "Senior" means any person who is fifty-five years of age or over.

1 "Volunteer" means a person who is willing to work without
2 expectation of salary or financial reward, and who chooses where he or
3 she provides services and the type of services he or she provides.

4 **Sec. 67.** RCW 43.63A.247 and 1992 c 63 s 3 are each amended to read
5 as follows:

6 The senior environmental corps is created within the ((department
7 of)) community and economic development department. The departments of
8 agriculture, community and economic development, employment security,
9 ecology, fisheries, health, natural resources, and wildlife, the parks
10 and recreation commission, and the Puget Sound water quality authority
11 shall participate in the administration and implementation of the corps
12 and shall appoint representatives to the council.

13 **Sec. 68.** RCW 43.63A.260 and 1992 c 63 s 5 are each amended to read
14 as follows:

15 The department shall convene a senior environmental corps
16 coordinating council to meet as needed to establish and assess
17 policies, define standards for projects, evaluate and select projects,
18 develop recruitment, training, and placement procedures, receive and
19 review project status and completion reports, and provide for
20 recognition of volunteer activity. The council shall include
21 representatives appointed by the departments of agriculture, community
22 and economic development, ecology, fisheries, health, natural
23 resources, and wildlife, the parks and recreation commission, and the
24 Puget Sound water quality authority. The council shall develop bylaws,
25 policies and procedures to govern its activities.

26 The council shall advise the director on distribution of available
27 funding for corps activities.

28 **Sec. 69.** RCW 43.63A.275 and 1992 c 65 s 2 are each amended to read
29 as follows:

30 (1) Each biennium the ((department of)) community and economic
31 development department shall distribute such funds as are appropriated
32 for retired senior volunteer programs (RSVP) as follows:

33 (a) At least sixty-five percent of the moneys may be distributed
34 according to formulae and criteria to be determined by the ((department
35 of)) community and economic development department in consultation with
36 the RSVP directors association.

1 (b) Up to twenty percent of the moneys may be distributed by
2 competitive grant process to develop RSVP projects in counties not
3 presently being served, or to expand existing RSVP services into
4 counties not presently served.

5 (c) Ten percent of the moneys may be used by the (~~department of~~)
6 community and economic development department for administration,
7 monitoring of the grants, and providing technical assistance to the
8 RSVP projects.

9 (d) Up to five percent of the moneys may be used to support
10 projects that will benefit RSVPs state-wide.

11 (2) Grants under subsection (1) of this section shall give priority
12 to programs in the areas of education, tutoring, English as a second
13 language, combating of and education on drug abuse, housing and
14 homeless, and respite care, and shall be distributed in accordance with
15 the following:

16 (a) None of the grant moneys may be used to displace any paid
17 employee in the area being served.

18 (b) Grants shall be made for programs that focus on:

19 (i) Developing new roles for senior volunteers in nonprofit and
20 public organizations with special emphasis on areas targeted in section
21 1, chapter 65, Laws of 1992. The roles shall reflect the diversity of
22 the local senior population and shall respect their life experiences;

23 (ii) Increasing the expertise of volunteer managers and RSVP
24 managers in the areas of communication, recruitment, motivation, and
25 retention of today's over-sixty population;

26 (iii) Increasing the number of senior citizens recruited, referred,
27 and placed with nonprofit and public organizations; and

28 (iv) Providing volunteer support such as: Mileage to and from the
29 volunteer assignment, recognition, and volunteer insurance.

30 **Sec. 70.** RCW 43.63A.300 and 1986 c 266 s 54 are each amended to
31 read as follows:

32 The legislature finds that fire protection services at the state
33 level are provided by different, independent state agencies. This has
34 resulted in a lack of a comprehensive state-level focus for state fire
35 protection services, funding, and policy. It is the intent of the
36 legislature to consolidate fire protection services into a single state
37 agency and to create a state board with the responsibility of (1)
38 establishing a comprehensive state policy regarding fire protection

1 services and (2) advising the director of community and economic
2 development and the director of fire protection on matters relating to
3 their duties under state law. It is also the intent of the legislature
4 that the fire protection services program created herein will assist
5 local fire protection agencies in program development without
6 encroaching upon their historic autonomy.

7 **Sec. 71.** RCW 43.63A.320 and 1986 c 266 s 56 are each amended to
8 read as follows:

9 Except for matters relating to the statutory duties of the director
10 of community and economic development which are to be carried out
11 through the director of fire protection, the board shall have the
12 responsibility of developing a comprehensive state policy regarding
13 fire protection services. In carrying out its duties, the board shall:

14 (1) Adopt a state fire protection master plan;

15 (2) Monitor fire protection in the state and develop objectives and
16 priorities to improve fire protection for the state's citizens;

17 (3) Establish and promote state arson control programs and ensure
18 development of local arson control programs;

19 (4) Provide representation for local fire protection services to
20 the governor in state-level fire protection planning matters such as,
21 but not limited to, hazardous materials;

22 (5) Seek and solicit grants, gifts, bequests, devices, and matching
23 funds for use in furthering the objectives and duties of the board, and
24 establish procedures for administering them;

25 (6) Promote mutual aid and disaster planning for fire services in
26 this state;

27 (7) Assure the dissemination of information concerning the amount
28 of fire damage including that damage caused by arson, and its causes
29 and prevention;

30 (8) Submit annually a report to the governor containing a statement
31 of its official acts pursuant to this chapter, and make such studies,
32 reports, and recommendations to the governor and the legislature as are
33 requested;

34 (9) Adopt a state fire training and education master plan;

35 (10) Develop and adopt a master plan for the construction,
36 equipping, maintaining, and operation of necessary fire service
37 training and education facilities, but the authority to construct,
38 equip, and maintain such facilities is subject to chapter 43.19 RCW;

1 (11) Develop and adopt a master plan for the purchase, lease, or
2 other acquisition of real estate necessary to establish and operate
3 fire service training and education facilities in a manner provided by
4 law;

5 (12) Adopt standards for state-wide fire service training and
6 education courses including courses in arson detection and
7 investigation for personnel of fire, police, and prosecutor's
8 departments;

9 (13) Assure the administration of any legislation enacted by the
10 legislature in pursuance of the aims and purposes of any acts of
11 Congress insofar as the provisions thereof may apply;

12 (14) Cooperate with the common schools, community colleges,
13 institutions of higher education, and any department or division of the
14 state, or of any county or municipal corporation in establishing and
15 maintaining instruction in fire service training and education in
16 accordance with any act of Congress and legislation enacted by the
17 legislature in pursuance thereof and in establishing, building, and
18 operating training and education facilities.

19 This section does not apply to forest fire service personnel and
20 programs. Industrial fire departments and private fire investigators
21 may participate in training and education programs under this chapter
22 for a reasonable fee established by rule.

23 **Sec. 72.** RCW 43.63A.330 and 1986 c 266 s 57 are each amended to
24 read as follows:

25 In regards to the statutory duties of the director of community and
26 economic development which are to be carried out through the director
27 of fire protection, the board shall serve in an advisory capacity in
28 order to enhance the continuity of state fire protection services. In
29 this capacity, the board shall:

30 (1) Advise the director of community and economic development and
31 the director of fire protection on matters pertaining to their duties
32 under law; and

33 (2) Advise the director of community and economic development and
34 the director of fire protection on all budgeting and fiscal matters
35 pertaining to the duties of the director of fire protection and the
36 board.

1 **Sec. 73.** RCW 43.63A.340 and 1986 c 266 s 58 are each amended to
2 read as follows:

3 (1) Wherever the term state fire marshal appears in the Revised
4 Code of Washington or the Washington Administrative Code it shall mean
5 the director of fire protection.

6 (2) The director of community and economic development shall
7 appoint an assistant director who shall be known as the director of
8 fire protection. The board, after consulting with the director, shall
9 prescribe qualifications for the position of director of fire
10 protection. The board shall submit to the director a list containing
11 the names of three persons whom the board believes meet its
12 qualifications. If requested by the director, the board shall submit
13 one additional list of three persons whom the board believes meet its
14 qualifications. The appointment shall be from one of the lists of
15 persons submitted by the board.

16 (3) The director of fire protection may designate one or more
17 deputies and may delegate to those deputies his or her duties and
18 authorities as deemed appropriate.

19 (4) The director of community and economic development, through the
20 director of fire protection, shall, after consultation with the board,
21 prepare a biennial budget pertaining to fire protection services. Such
22 biennial budget shall be submitted as part of the department's budget
23 request.

24 (5) The director of community and economic development, through the
25 director of fire protection, shall implement and administer, within the
26 constraints established by budgeted resources, the policies of the
27 board and all duties of the director of community and economic
28 development which are to be carried out through the director of fire
29 protection.

30 (6) The director of community and economic development, through the
31 director of fire protection, shall seek the advice of the board in
32 carrying out his or her duties under law.

33 **Sec. 74.** RCW 43.63A.400 and 1987 c 308 s 2 are each amended to
34 read as follows:

35 The ((~~department of~~)) community and economic development department
36 shall distribute grants to eligible public radio and television
37 broadcast stations under RCW 43.63A.410 and 43.63A.420 to assist with
38 programming, operations, and capital needs.

1 **Sec. 75.** RCW 43.63A.410 and 1987 c 308 s 3 are each amended to
2 read as follows:

3 (1) Eligibility for grants under this section shall be limited to
4 broadcast stations which are:

5 (a) Licensed to Washington state organizations, nonprofit
6 corporations, or other entities under section 73.621 of the regulations
7 of the federal communications commission; and

8 (b) Qualified to receive community service grants from the
9 federally chartered corporation for public broadcasting. Eligibility
10 shall be established as of February 28th of each year.

11 (2) The formula in this subsection shall be used to compute the
12 amount of each eligible station's grant under this section.

13 (a) Appropriations under this section shall be divided into a radio
14 fund, which shall be twenty-five percent of the total appropriation
15 under this section, and a television fund, which shall be seventy-five
16 percent of the total appropriation under this section. Each of the two
17 funds shall be divided into a base grant pool, which shall be fifty
18 percent of the fund, and an incentive grant pool, which shall be the
19 remaining fifty percent of the fund.

20 (b) Each eligible participating public radio station shall receive
21 an equal share of the radio base grant pool, plus a share of the radio
22 incentive grant pool equal to the proportion its nonfederal financial
23 support bears to the sum of all participating radio stations'
24 nonfederal financial support as most recently reported to the
25 corporation for public broadcasting.

26 (c) Each eligible participating public television station shall
27 receive an equal share of the television base grant pool, plus a share
28 of the television incentive grant pool equal to the proportion its
29 nonfederal financial support bears to the sum of all participating
30 television stations' nonfederal financial support as most recently
31 reported to the corporation for public broadcasting.

32 (3) Annual financial reports to the corporation for public
33 broadcasting by eligible stations shall also be submitted by the
34 stations to the (~~department of~~) community and economic development
35 department.

36 **Sec. 76.** RCW 43.63A.440 and 1989 c 424 s 7 are each amended to
37 read as follows:

1 (1) The (~~department of~~) community and economic development
2 department shall provide technical and financial assistance to
3 communities adversely impacted by reductions in timber harvested from
4 federal lands. This assistance shall include the formation and
5 implementation of community economic development plans. The
6 (~~department of~~) community and economic development department shall
7 utilize existing state technical and financial assistance programs, and
8 shall aid communities in seeking private and federal financial
9 assistance for the purposes of this section. The department may
10 contract for services provided for under this section.

11 (2) The sum of four hundred fifty thousand dollars, or as much
12 thereof as may be necessary, is appropriated from the general fund to
13 the (~~department of~~) community and economic development department for
14 the biennium ending June 30, 1991, for the purposes of subsection (1)
15 of this section.

16 **Sec. 77.** RCW 43.63A.450 and 1990 c 278 s 2 are each amended to
17 read as follows:

18 The community diversification program is created in the
19 (~~department of~~) community and economic development department. The
20 program shall include:

21 (1) The monitoring and forecasting of shifts in the economic
22 prospects of major defense employers in the state. This shall include
23 but not be limited to the monitoring of defense contract expenditures,
24 other federal contracts, defense employment shifts, the aircraft and
25 aerospace industry, computer products, and electronics;

26 (2) The identification of cities, counties, or regions within the
27 state that are primarily dependent on defense or other federal
28 contracting and the identification of firms dependent on federal
29 defense contracts;

30 (3) Assistance to communities in broadening the local economic base
31 through the provision of management assistance, assistance in
32 financing, entrepreneurial training, and assistance to businesses in
33 using off-the-shelf technology to start new production processes or
34 introduce new products;

35 (4) Formulating a state plan for diversification in defense
36 dependent communities in collaboration with the employment security
37 department(~~(, the department of trade and economic development,)~~) and
38 the office of financial management. The plan shall use the information

1 made available through carrying out subsections (1) and (2) of this
2 section; and

3 (5) The identification of diversification efforts conducted by
4 other states, the federal government, and other nations, and the
5 provision of information on these efforts, as well as information
6 gained through carrying out subsections (1) and (2) of this section, to
7 firms, communities, and (~~workforces~~) work forces that are defense
8 dependent.

9 The department shall, beginning January 1, 1992, report annually to
10 the governor and the legislature on the activities of the community
11 diversification program.

12 **Sec. 78.** RCW 43.63A.460 and 1990 c 176 s 2 are each amended to
13 read as follows:

14 Beginning on July 1, 1991, the (~~department of~~) community and
15 economic development department shall be responsible for performing all
16 the consumer complaint and related functions of the state
17 administrative agency that are required for purposes of complying with
18 the regulations established by the federal department of housing and
19 urban development for manufactured housing, including the preparation
20 and submission of the state administrative plan.

21 The (~~department of~~) community and economic development department
22 may enter into state or local interagency agreements to coordinate site
23 inspection activities with record monitoring and complaint handling.
24 The interagency agreement may also provide for the reimbursement for
25 cost of work that an agency performs. The department may include other
26 related areas in any interagency agreements which are necessary for the
27 efficient provision of services.

28 The department of labor and industries shall transfer all records,
29 files, books, and documents necessary for the (~~department of~~)
30 community and economic development department to assume these new
31 functions.

32 The directors of (~~the department of~~) community and economic
33 development and the department of labor and industries shall
34 immediately take such steps as are necessary to ensure that this act is
35 implemented on June 7, 1990.

36 **Sec. 79.** RCW 43.63A.600 and 1991 c 315 s 23 are each amended to
37 read as follows:

1 (1) The (~~department of~~) community and economic development
2 department, as a member of the agency timber task force and in
3 consultation with the economic recovery coordination board, shall
4 establish and administer the emergency mortgage and rental assistance
5 program. The department shall identify the communities most adversely
6 affected by reductions in timber harvest levels and shall prioritize
7 assistance under this program to these communities. The department
8 shall work with the department of social and health services and the
9 timber recovery coordinator to develop the program in timber impact
10 areas. Organizations eligible to receive funds for distribution under
11 the program are those organizations that are eligible to receive
12 assistance through the Washington housing trust fund.

13 (2) The goals of the program are to:

14 (a) Provide temporary emergency mortgage or rental assistance loans
15 on behalf of dislocated forest products workers in timber impact areas
16 who are unable to make current mortgage or rental payments on their
17 permanent residences and are subject to immediate eviction for
18 nonpayment of mortgage installments or nonpayment of rent;

19 (b) Prevent the dislocation of individuals and families from their
20 permanent residences and their communities; and

21 (c) Maintain economic and social stability in timber impact areas.

22 **Sec. 80.** RCW 43.105.020 and 1990 c 208 s 3 are each amended to
23 read as follows:

24 As used in this chapter, unless the context indicates otherwise,
25 the following definitions shall apply:

26 (1) "Department" means the department of information services;

27 (2) "Board" means the information services board;

28 (3) "Local governments" includes all municipal and quasi municipal
29 corporations and political subdivisions, and all agencies of such
30 corporations and subdivisions authorized to contract separately;

31 (4) "Director" means the director of the department;

32 (5) "Purchased services" means services provided by a vendor to
33 accomplish routine, continuing, and necessary functions. This term
34 includes, but is not limited to, services acquired for equipment
35 maintenance and repair, operation of a physical plant, security,
36 computer hardware and software installation and maintenance, data
37 entry, keypunch services, programming services, and computer time-
38 sharing;

1 (6) "Backbone network" means the shared high-density portions of
2 the state's telecommunications transmission facilities. It includes
3 specially conditioned high-speed communications carrier lines,
4 multiplexors, switches associated with such communications lines, and
5 any equipment and software components necessary for management and
6 control of the backbone network;

7 (7) "Telecommunications" means the transmission of information by
8 wire, radio, optical cable, electromagnetic, or other means;

9 (8) "Information processing" means the electronic capture,
10 collection, storage, manipulation, transmission, retrieval, and
11 presentation of information in the form of data, text, voice, or image
12 and includes telecommunications and office automation functions;

13 (9) "Information services" means data processing,
14 telecommunications, and office automation;

15 (10) "Equipment" means the machines, devices, and transmission
16 facilities used in information processing, such as computers, word
17 processors, terminals, telephones, and cables;

18 (11) "Proprietary software" means that software offered for sale or
19 license;

20 (12) "Video telecommunications" means the electronic
21 interconnection of two or more sites for the purpose of transmitting
22 and/or receiving visual and associated audio information. Video
23 telecommunications shall not include existing public television
24 broadcast stations as currently designated by the ~~((department of))~~
25 community and economic development department under chapter ~~((43.63A))~~
26 43.-- RCW (sections 1 through 7, 9 through 16, 81, and 85 of this act).

27 NEW SECTION. **Sec. 81.** (1) All references to the director or
28 department of community development in the Revised Code of Washington
29 shall be construed to mean the director of community and economic
30 development or community and economic development department.

31 (2) All references to the director or department of trade and
32 economic development in the Revised Code of Washington shall be
33 construed to mean the director of community and economic development or
34 community and economic development department.

35 **Sec. 82.** RCW 43.31.091 and 1990 c 297 s 9 are each amended to read
36 as follows:

1 The business assistance center and its powers and duties shall be
2 terminated on June 30, (~~(1993)~~) 1995, as provided in RCW 43.31.092.

3 **Sec. 83.** RCW 43.31.092 and 1990 c 297 s 10 are each amended to
4 read as follows:

5 The following acts or parts of acts, as now existing or hereafter
6 amended, are each repealed, effective June 30, (~~(1994)~~) 1996:

7 (1) Section 2, chapter 348, Laws of 1987 and RCW 43.31.083;

8 (2) Section 11, chapter 466, Laws of 1985, section 3, chapter 348,
9 Laws of 1987, section 2, chapter 430, Laws of 1989 and RCW 43.31.085;

10 (3) Section 4, chapter 348, Laws of 1987 and RCW 43.31.087; and

11 (4) Section 5, chapter 348, Laws of 1987 and RCW 43.31.089.

12 NEW SECTION. **Sec. 84.** The following acts or parts of acts are
13 each repealed:

14 (1) RCW 43.31.005 and 1990 1st ex.s. c 17 s 68 & 1985 c 466 s 1;

15 (2) RCW 43.31.015 and 1985 c 466 s 2;

16 (3) RCW 43.31.025 and 1987 c 348 s 8 & 1985 c 466 s 3;

17 (4) RCW 43.31.035 and 1990 1st ex.s. c 17 s 69 & 1985 c 466 s 4;

18 (5) RCW 43.31.045 and 1985 c 466 s 5;

19 (6) RCW 43.31.055 and 1985 c 466 s 6;

20 (7) RCW 43.31.065 and 1985 c 466 s 9;

21 (8) RCW 43.31.075 and 1985 c 466 s 10;

22 (9) RCW 43.31.095 and 1985 c 466 s 12;

23 (10) RCW 43.31.097 and 1990 1st ex.s. c 17 s 71;

24 (11) RCW 43.31.105 and 1985 c 466 s 13;

25 (12) RCW 43.31.115 and 1985 c 466 s 14;

26 (13) RCW 43.31.130 and 1975-'76 2nd ex.s. c 34 s 110 & 1965 c 8 s
27 43.31.130;

28 (14) RCW 43.31.135 and 1987 c 505 s 30 & 1985 c 466 s 17;

29 (15) RCW 43.31.373 and 1988 c 35 s 1, 1985 c 466 s 24, & 1984 c 175
30 s 1;

31 (16) RCW 43.31.375 and 1985 c 466 s 25 & 1984 c 175 s 2;

32 (17) RCW 43.31.377 and 1988 c 35 s 2, 1985 c 466 s 26, & 1984 c 175
33 s 3;

34 (18) RCW 43.31.379 and 1988 c 35 s 3, 1985 c 466 s 27, & 1984 c 175
35 s 4;

36 (19) RCW 43.31.381 and 1988 c 35 s 4, 1985 c 466 s 28, & 1984 c 175
37 s 5;

- 1 (20) RCW 43.31.383 and 1985 c 466 s 29 & 1984 c 175 s 6;
- 2 (21) RCW 43.31.387 and 1985 c 466 s 31 & 1984 c 175 s 8;
- 3 (22) RCW 43.31.430 and 1989 c 423 s 2;
- 4 (23) RCW 43.31.432 and 1989 c 423 s 3;
- 5 (24) RCW 43.31.434 and 1989 c 423 s 6;
- 6 (25) RCW 43.31.436 and 1989 c 423 s 7;
- 7 (26) RCW 43.31.438 and 1989 c 423 s 8;
- 8 (27) RCW 43.31.440 and 1989 c 423 s 9;
- 9 (28) RCW 43.31.442 and 1989 c 423 s 10;
- 10 (29) RCW 43.31.790 and 1975 1st ex.s. c 292 s 2 & 1965 c 148 s 1;
- 11 (30) RCW 43.63A.020 and 1986 c 266 s 136, 1984 c 125 s 2, & 1967 c
- 12 74 s 2;
- 13 (31) RCW 43.63A.030 and 1984 c 125 s 1 & 1967 c 74 s 3;
- 14 (32) RCW 43.63A.040 and 1984 c 125 s 3, 1975 c 40 s 10, & 1967 c 74
- 15 s 4;
- 16 (33) RCW 43.63A.050 and 1967 c 74 s 5;
- 17 (34) RCW 43.63A.060 and 1987 c 505 s 32, 1984 c 125 s 4, & 1967 c
- 18 74 s 6;
- 19 (35) RCW 43.63A.065 and 1992 c 198 s 7, 1990 1st ex.s. c 17 s 70,
- 20 1986 c 266 s 137, & 1984 c 125 s 5;
- 21 (36) RCW 43.63A.078 and 1987 c 505 s 33 & 1984 c 125 s 7;
- 22 (37) RCW 43.63A.095 and 1984 c 125 s 8;
- 23 (38) RCW 43.63A.100 and 1984 c 125 s 9 & 1967 c 74 s 10;
- 24 (39) RCW 43.63A.130 and 1983 c 52 s 6, 1981 c 157 s 6, & 1967 c 74
- 25 s 13;
- 26 (40) RCW 43.63A.140 and 1967 c 74 s 14;
- 27 (41) RCW 43.63A.210 and 1985 c 85 s 1;
- 28 (42) RCW 43.63A.560 and 1990 1st ex.s. c 17 s 67;
- 29 (43) RCW 43.165.020 and 1985 c 229 s 2;
- 30 (44) RCW 43.165.030 and 1987 c 195 s 13 & 1985 c 229 s 3;
- 31 (45) RCW 43.165.040 and 1985 c 229 s 4;
- 32 (46) RCW 43.165.050 and 1985 c 229 s 5;
- 33 (47) RCW 43.165.060 and 1985 c 229 s 6;
- 34 (48) RCW 43.165.070 and 1985 c 229 s 7;
- 35 (49) RCW 43.165.080 and 1987 c 195 s 14 & 1985 c 229 s 8;
- 36 (50) RCW 43.165.090 and 1985 c 229 s 9;
- 37 (51) RCW 43.165.100 and 1985 c 229 s 10;
- 38 (52) RCW 43.165.900 and 1985 c 229 s 14; and
- 39 (53) RCW 43.165.901 and 1985 c 229 s 15.

1 NEW SECTION. **Sec. 85.** Captions used in this chapter do not
2 constitute part of the law.

3 NEW SECTION. **Sec. 86.** Sections 1 through 7, 9 through 16, 81, and
4 85 of this act shall constitute a new chapter in Title 43 RCW.

5 NEW SECTION. **Sec. 87.** Sections 82 and 83 of this act are
6 necessary for the immediate preservation of the public peace, health,
7 or safety, or support of the state government and its existing public
8 institutions, and shall take effect immediately.

9 NEW SECTION. **Sec. 88.** Sections 1 through 7, 9 through 81, 84, and
10 85 of this act shall take effect July 1, 1994.

11 NEW SECTION. **Sec. 89.** If any provision of this act or its
12 application to any person or circumstance is held invalid, the
13 remainder of the act or the application of the provision to other
14 persons or circumstances is not affected."

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