

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5868

53rd Legislature
1993 Regular Session

Passed by the Senate April 22, 1993
YEAS 41 NAYS 0

President of the Senate

Passed by the House April 21, 1993
YEAS 70 NAYS 24

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5868** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5868

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Trade, Technology & Economic Development
(originally sponsored by Senators Skratek, Bluechel, Sheldon, Erwin,
Deccio, M. Rasmussen, Snyder, Gaspard and Winsley)

Read first time 03/03/93.

1 AN ACT Relating to consolidation of state agencies; amending RCW
2 28C.18.060, 43.17.010, 43.17.020, 19.85.020, 42.17.319, 43.17.065,
3 43.20A.750, 43.31.057, 43.31.085, 43.31.205, 43.31.409, 43.31.411,
4 43.31.422, 43.31.504, 43.31.522, 43.31.524, 43.31.526, 43.31.621,
5 43.31.641, 43.31.651, 43.31.800, 43.31.830, 43.31.840, 43.160.020,
6 43.168.020, 43.210.110, 43.63A.066, 43.63A.075, 43.63A.115, 43.63A.155,
7 43.63A.220, 43.63A.230, 43.63A.245, 43.63A.247, 43.63A.260, 43.63A.275,
8 43.63A.300, 43.63A.320, 43.63A.330, 43.63A.340, 43.63A.400, 43.63A.410,
9 43.63A.440, 43.63A.450, 43.63A.460, 43.63A.600, 43.105.020, 43.31.091,
10 and 43.31.092; reenacting and amending RCW 42.17.310; adding a new
11 chapter to Title 43 RCW; creating new sections; repealing RCW
12 43.31.005, 43.31.015, 43.31.025, 43.31.035, 43.31.045, 43.31.055,
13 43.31.065, 43.31.075, 43.31.095, 43.31.097, 43.31.105, 43.31.115,
14 43.31.130, 43.31.135, 43.31.373, 43.31.375, 43.31.377, 43.31.379,
15 43.31.381, 43.31.383, 43.31.387, 43.31.430, 43.31.432, 43.31.434,
16 43.31.436, 43.31.438, 43.31.440, 43.31.442, 43.31.790, 43.63A.020,
17 43.63A.030, 43.63A.040, 43.63A.050, 43.63A.065, 43.63A.078, 43.63A.095,
18 43.63A.100, 43.63A.130, 43.63A.140, 43.63A.210, 43.63A.560, 43.165.020,
19 43.165.030, 43.165.040, 43.165.050, 43.165.060, 43.165.070, 43.165.080,
20 43.165.090, 43.165.100, 43.165.900, and 43.165.901; providing an
21 effective date; and declaring an emergency.

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

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

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

23 The legislature further finds that as a result of the rapid pace of
24 global social and economic change, the state and local communities will
25 require coordinated and creative responses by every segment of the
26 community. The state can play a role in assisting such local efforts
27 by reorganizing state assistance efforts to promote such partnerships.
28 The department has a primary responsibility to provide financial and
29 technical assistance to the communities of the state, to assist in
30 improving the delivery of federal, state, and local programs, and to
31 provide communities with opportunities for productive and coordinated
32 development beneficial to the well-being of communities and their
33 residents. It is the intent of the legislature in this consolidation
34 to maximize the use of local expertise and resources in the delivery of
35 community and economic development services.

36 NEW SECTION. **Sec. 2.** MANAGEMENT RESPONSIBILITY. The purpose of
37 this chapter is to establish the broad outline of the structure of the

1 department of community, trade, and economic development, leaving
2 specific details of its internal organization and management to those
3 charged with its administration. This chapter identifies the broad
4 functions and responsibilities of the new department and is intended to
5 provide flexibility to the director to reorganize these functions and
6 to make recommendations for changes through the implementation plan
7 required in section 8 of this act.

8 NEW SECTION. **Sec. 3.** DEFINITIONS. Unless the context clearly
9 requires otherwise, the definitions in this section apply throughout
10 this chapter.

11 (1) "Associate development organization" means a local economic
12 development nonprofit corporation that is broadly representative of
13 community interests.

14 (2) "Department" means the department of community, trade, and
15 economic development.

16 (3) "Director" means the director of the department of community,
17 trade, and economic development.

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

26 NEW SECTION. **Sec. 5.** DIRECTOR'S APPOINTMENT. The executive head
27 of the department shall be the director. The director shall be
28 appointed by the governor with the consent of the senate, and shall
29 serve at the pleasure of the governor. The director shall be paid a
30 salary to be fixed by the governor in accordance with RCW 43.03.040.

31 NEW SECTION. **Sec. 6.** DIRECTOR'S RESPONSIBILITIES. (1) The
32 director shall supervise and administer the activities of the
33 department and shall advise the governor and the legislature with
34 respect to community and economic development matters affecting the
35 state.

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

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

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

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

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

12 (e) Prepare and submit budgets for the department for executive and
13 legislative action;

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

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

19 (h) Delegate powers, duties, and functions as the director deems
20 necessary for efficient administration, but the director shall be
21 responsible for the official acts of the officers and employees of the
22 department; and

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

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

27 (4) The director may request information and assistance from all
28 other agencies, departments, and officials of the state, and may
29 reimburse such agencies, departments, or officials if such a request
30 imposes any additional expenses upon any such agency, department, or
31 official.

32 (5) The director shall, in carrying out the responsibilities of
33 office, consult with governmental officials, private groups, and
34 individuals and with officials of other states. All state agencies and
35 their officials and the officials of any political subdivision of the
36 state shall cooperate with and give such assistance to the department,
37 including the submission of requested information, to allow the
38 department to carry out its purposes under this chapter.

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

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

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

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

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

36 (3) Cooperate with the legislature and the governor in the
37 development and implementation of strategic plans for the state's
38 community and economic development efforts;

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

5 (5) Cooperate with and provide technical and financial assistance
6 to local governments, businesses, and community-based organizations
7 serving the communities of the state for the purpose of aiding and
8 encouraging orderly, productive, and coordinated development of the
9 state, and, unless stipulated otherwise, give additional consideration
10 to local communities and individuals with the greatest relative need
11 and the fewest resources;

12 (6) Participate with other states or subdivisions thereof in
13 interstate programs and assist cities, counties, municipal
14 corporations, governmental conferences or councils, and regional
15 planning commissions to participate with other states and provinces or
16 their subdivisions;

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

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

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

25 NEW SECTION. **Sec. 8.** IMPLEMENTATION PLAN. (1) The director of
26 the department of trade and economic development and the director of
27 the department of community development shall, by November 15, 1993,
28 jointly submit a plan to the governor for the consolidation and smooth
29 transition of the department of trade and economic development and the
30 department of community development into the department of community,
31 trade, and economic development so that the department will operate as
32 a single entity on July 1, 1994.

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

35 (a) Strategies for combining the existing functions and
36 responsibilities of both agencies into a coordinated and unified
37 department including a strategic plan for each major program area that

1 includes implementation steps, evaluation measures, and methods for
2 collaboration among programs;

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

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

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

10 (e) Strategies for coordinating and maximizing federal, state,
11 local, international, and private sector support for community and
12 economic development efforts within the state.

13 (3) In developing this plan, the directors shall establish an
14 advisory committee of representatives of groups using services and
15 programs of both departments. The advisory committee shall include
16 representatives of cities, counties, port districts, small and large
17 businesses, labor unions, associate development organizations, low-
18 income housing interests, housing industry, Indian tribes, community
19 action programs, public safety groups, nonprofit community and
20 development organizations, international trade organizations, minority
21 and women business organizations, and any other organizations the
22 directors determine should have input to the plan.

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

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

33 (3) The department shall work generally with small businesses and
34 other employers to facilitate resolution of siting, regulatory,
35 expansion, and retention problems. This assistance shall include but
36 not be limited to assisting in work force training and infrastructure
37 needs, identifying and locating suitable business sites, and resolving
38 problems with government licensing and regulatory requirements. The

1 department shall identify gaps in needed services and develop steps to
2 address them including private sector support and purchase of these
3 services.

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

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

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

28 (2) The department shall define a set of services including
29 training and technical assistance that it will make available to local
30 communities, community-based nonprofit organizations, regional areas,
31 or businesses. The department shall simplify access to these programs
32 by providing more centralized and user-friendly information and
33 referral. The department shall coordinate community and economic
34 development efforts to minimize program redundancy and maximize
35 accessibility. The department shall develop a set of criteria for
36 targeting services to local communities.

37 (3) The department shall develop a coordinated and systematic
38 approach to providing training to community-based nonprofit

1 organizations, local communities, and businesses. The approach shall
2 be designed to increase the economic and community development skills
3 available in local communities by providing training and funding for
4 training for local citizens, nonprofit organizations, and businesses.
5 The department shall emphasize providing training in those communities
6 most in need of state assistance.

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

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

23 (2) Associate development organizations or other local development
24 organizations contracted with shall promote and coordinate, through
25 local service agreements with local governments, small business
26 development centers, port districts, community and technical colleges,
27 private industry councils, and other development organizations, for the
28 efficient delivery of community and economic development services in
29 their areas.

30 (3) The department shall consult with associate development
31 organizations, port districts, local governments, and other local
32 development organizations in the establishment of service delivery
33 regions throughout the state. The legislature encourages local
34 associate development organizations to form partnerships with other
35 associate development organizations in their region to combine
36 resources for better access to available services, to encourage
37 regional delivery of state services, and to build the local capacity of
38 communities in the region more effectively.

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

19 (5) The contracting organization shall participate with the work
20 force training and education coordinating board as created in chapter
21 28C.18 RCW, and any regional entities designated by that board, in
22 providing for the coordination of job skills training within its
23 region.

24 NEW SECTION. **Sec. 12.** ECONOMIC DIVERSIFICATION AND SECTORAL
25 STRATEGIES. (1) The department shall work with private sector
26 organizations, local governments, local economic development
27 organizations, and higher education and training institutions to assist
28 in the development of strategies to diversify the economy, facilitate
29 technology transfer and diffusion, and increase value-added production
30 by focusing on targeted sectors. The targeted sectors may include, but
31 are not limited to, software, forest products, biotechnology,
32 environmental industries, recycling markets and waste reduction,
33 aerospace, food processing, tourism, film and video, microelectronics,
34 new materials, robotics, and machine tools. The department shall, on
35 a continuing basis, evaluate the potential return to the state from
36 devoting additional resources to a targeted sector's approach to
37 economic development and including additional sectors in its efforts.
38 The department shall use information gathered in each service delivery

1 region in formulating its sectoral strategies and in designating new
2 targeted sectors.

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

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

13 (a) Conducting focus group discussions, facilitating meetings, and
14 conducting studies to identify members of the sector, appraise the
15 current state of the sector, and identify issues of common concern
16 within the sector;

17 (b) Supporting the formation of industry associations, publications
18 of association directories, and related efforts to create or expand the
19 activities or industry associations;

20 (c) Assisting in the formation of flexible networks by providing
21 (i) agency employees or private sector consultants trained to act as
22 flexible network brokers and (ii) funding for potential flexible
23 network participants for the purpose of organizing or implementing a
24 flexible network;

25 (d) Helping establish research consortia;

26 (e) Facilitating joint training and education programs;

27 (f) Promoting cooperative market development activities;

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

30 (h) Providing for methods of electronic communication and
31 information dissemination among firms and groups of firms to facilitate
32 network activity.

33 By January 10th of each year, the department shall report in
34 writing on its targeted sector programs to the appropriate legislative
35 economic development committees. The department's report shall include
36 an appraisal of the sector, activities the department has undertaken to
37 assist in the development of each sector, and recommendations to the
38 legislature regarding activities that the state should implement but

1 are currently beyond the scope of the department's program or
2 resources.

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

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

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

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

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

35 NEW SECTION. **Sec. 15.** GROWTH MANAGEMENT. (1) The department
36 shall serve as the central coordinator for state government in the

1 implementation of the growth management act, chapter 36.70A RCW. The
2 department shall work closely with all Washington communities planning
3 for future growth and responding to the pressures of urban sprawl. The
4 department shall ensure coordinated implementation of the growth
5 management act by state agencies.

6 (2) The department shall offer technical and financial assistance
7 to cities and counties planning under the growth management act. The
8 department shall help local officials interpret and implement the
9 different requirements of the act through workshops, model ordinances,
10 and information materials.

11 (3) The department shall provide alternative dispute resolution to
12 jurisdictions and organizations to mediate disputes and to facilitate
13 consistent implementation of the growth management act. The department
14 shall review local governments compliance with the requirements of the
15 growth management act and make recommendations to the governor.

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

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

31 (3) The department shall provide local communities and at-risk
32 individuals with programs that provide community protection and assist
33 in developing strategies to reduce substance abuse. The department
34 shall administer programs that develop collaborative approaches to
35 prevention, intervention, and interdiction programs. The department
36 shall administer programs that support crime victims, address youth and
37 domestic violence problems, provide indigent defense for low-income

1 persons, border town disputes, and administer family services and
2 programs to promote the state's policy as provided in RCW 74.14A.025.

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

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

9 The board, in cooperation with the operating agencies of the state
10 training system shall:

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

14 (2) Advocate for the state training system and for meeting the
15 needs of employers and the work force for work force education and
16 training.

17 (3) Establish and maintain an inventory of the programs of the
18 state training system, and related state programs, and perform a
19 biennial assessment of the vocational education, training, and adult
20 basic education and literacy needs of the state; identify ongoing and
21 strategic education needs; and assess the extent to which employment,
22 training, vocational and basic education, rehabilitation services, and
23 public assistance services represent a consistent, integrated approach
24 to meet such needs.

25 (4) Develop and maintain a state comprehensive plan for work force
26 training and education, including but not limited to, goals,
27 objectives, and priorities for the state training system, and review
28 the state training system for consistency with the state comprehensive
29 plan. In developing the state comprehensive plan for work force
30 training and education, the board shall use, but shall not be limited
31 to: Economic, labor market, and populations trends reports in office
32 of financial management forecasts; joint office of financial management
33 and employment security department labor force, industry employment,
34 and occupational forecasts; the results of scientifically based
35 outcome, net-impact and cost-benefit evaluations; the needs of
36 employers as evidenced in formal employer surveys and other employer
37 input; and the needs of program participants and workers as evidenced

1 in formal surveys and other input from program participants and the
2 labor community.

3 (5) In consultation with the higher education coordinating board,
4 review and make recommendations to the office of financial management
5 and the legislature on operating and capital facilities budget requests
6 for operating agencies of the state training system for purposes of
7 consistency with the state comprehensive plan for work force training
8 and education.

9 (6) Provide for coordination among the different operating agencies
10 of the state training system at the state level and at the regional
11 level.

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

15 (8) Establish standards for data collection and maintenance for the
16 operating agencies of the state training system in a format that is
17 accessible to use by the board. The board shall require a minimum of
18 common core data to be collected by each operating agency of the state
19 training system.

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

23 (9) Establish minimum standards for program evaluation for the
24 operating agencies of the state training system, including, but not
25 limited to, the use of common survey instruments and procedures for
26 measuring perceptions of program participants and employers of program
27 participants, and monitor such program evaluation.

28 (10) Every two years administer scientifically based outcome
29 evaluations of the state training system, including, but not limited
30 to, surveys of program participants, surveys of employers of program
31 participants, and matches with employment security department payroll
32 and wage files. Every five years administer scientifically based net-
33 impact and cost-benefit evaluations of the state training system.

34 (11) In cooperation with the employment security department,
35 provide for the improvement and maintenance of quality and utility in
36 occupational information and forecasts for use in training system
37 planning and evaluation. Improvements shall include, but not be
38 limited to, development of state-based occupational change factors
39 involving input by employers and employees, and delineation of skill

1 and training requirements by education level associated with current
2 and forecasted occupations.

3 (12) Provide for the development of common course description
4 formats, common reporting requirements, and common definitions for
5 operating agencies of the training system.

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

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

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

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

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

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

32 (19) Facilitate the location of support services, including but not
33 limited to, child care, financial aid, career counseling, and job
34 placement services, for students and trainees at institutions in the
35 state training system, and advocate for support services for trainees
36 and students in the state training system.

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

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

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

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

14 (24) Administer veterans' programs, licensure of private vocational
15 schools, the job skills program, and the Washington award for
16 vocational excellence.

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

18 (26) Work with the director of community, trade, and economic
19 development to ensure coordination between work force training
20 priorities and that department's economic development efforts.

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

22 The board may delegate to the director any of the functions of this
23 section.

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

26 There shall be departments of the state government which shall be
27 known as (1) the department of social and health services, (2) the
28 department of ecology, (3) the department of labor and industries, (4)
29 the department of agriculture, (5) the department of fisheries, (6) the
30 department of wildlife, (7) the department of transportation, (8) the
31 department of licensing, (9) the department of general administration,
32 (10) the department of ~~((trade))~~ community, trade, and economic
33 development, (11) the department of veterans affairs, (12) the
34 department of revenue, (13) the department of retirement systems, (14)
35 the department of corrections, and (15) ~~((the department of community~~
36 ~~development, and (16))~~) the department of health, which shall be
37 charged with the execution, enforcement, and administration of such

1 laws, and invested with such powers and required to perform such
2 duties, as the legislature may provide.

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

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

16 Such officers, except the secretary of transportation, shall be
17 appointed by the governor, with the consent of the senate, and hold
18 office at the pleasure of the governor. The director of wildlife,
19 however, shall be appointed according to the provisions of RCW
20 77.04.080. If a vacancy occurs while the senate is not in session, the
21 governor shall make a temporary appointment until the next meeting of
22 the senate. A temporary director of wildlife shall not serve more than
23 one year. The secretary of transportation shall be appointed by the
24 transportation commission as prescribed by RCW 47.01.041.

25 NEW SECTION. **Sec. 20.** The department of community development is
26 hereby abolished and its powers, duties, and functions are hereby
27 transferred to the department of community, trade, and economic
28 development.

29 NEW SECTION. **Sec. 21.** All reports, documents, surveys, books,
30 records, files, papers, or written material in the possession of the
31 department of community development shall be delivered to the custody
32 of the department of community, trade, and economic development. All
33 cabinets, furniture, office equipment, motor vehicles, and other
34 tangible property employed by the department of community development
35 shall be made available to the department of community, trade, and
36 economic development. All funds, credits, or other assets held by the

1 department of community development shall be assigned to the department
2 of community, trade, and economic development.

3 Any appropriations made to the department of community development
4 shall, on the effective date of this section, be transferred and
5 credited to the department of community, trade, and economic
6 development.

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

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

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

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

32 NEW SECTION. **Sec. 25.** If apportionments of budgeted funds are
33 required because of the transfers directed by sections 21 through 24 of
34 this act, the director of financial management shall certify the
35 apportionments to the agencies affected, the state auditor, and the

1 state treasurer. Each of these shall make the appropriate transfer and
2 adjustments in funds and appropriation accounts and equipment records
3 in accordance with the certification.

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

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

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

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

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

34 NEW SECTION. **Sec. 29.** All employees of the department of trade
35 and economic development are transferred to the jurisdiction of the

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

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

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

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

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

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

32 Unless the context clearly indicates otherwise, the definitions in
33 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, 79, and 83 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, 79, and 83 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, trade, and economic development, 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, trade, and economic
37 development, 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 43.31.057 and 1986 c 183 s 2 are each amended to read
7 as follows:

8 The department of (~~trade~~) community, trade, and economic
9 development is directed to develop and promote means to stimulate the
10 expansion of the market for Washington products and shall have the
11 following powers and duties:

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

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

18 (3) To distribute the pamphlets on the broadest possible basis
19 through local offices of state agencies, business organizations,
20 chambers of commerce, or any other means the department deems
21 appropriate;

22 (4) In carrying out these powers and duties the department shall
23 cooperate and coordinate with other agencies of government and the
24 private sector.

25 **Sec. 40.** RCW 43.31.085 and 1989 c 430 s 2 are each amended to read
26 as follows:

27 The business assistance center shall:

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

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

31 (3) Provide comprehensive referral services to businesses requiring
32 government assistance.

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

1 (5) Aggressively promote business awareness of the state's business
2 programs and distribute information on the services available to
3 businesses.

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

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

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

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

28 (10) Actively seek public and private money to support the child
29 care facility fund described in RCW 43.31.502, staff and assist the
30 child care facility fund committee as described in RCW 43.31.504, and
31 work to promote applications to the committee for loan guarantees,
32 loans, and grants.

33 **Sec. 41.** RCW 43.31.205 and 1992 c 228 s 2 are each amended to read
34 as follows:

35 In an effort to enhance the economy of the Tri-Cities area, the
36 department of ~~((trade))~~ community, trade, and economic development is
37 directed to promote the existence of the lease between the state of
38 Washington and the federal government executed September 10, 1964,

1 covering one thousand acres of land lying within the Hanford
2 reservation near Richland, Washington, and the opportunity of
3 subleasing the land to entities for nuclear-related industry, in
4 agreement with the terms of the lease. When promoting the existence of
5 the lease, the department shall work in cooperation with any associate
6 development organization((s)) located in or near the Tri-Cities area.

7 **Sec. 42.** RCW 43.31.409 and 1989 c 312 s 3 are each amended to read
8 as follows:

9 There is created in the business assistance center of the
10 department of ((trade)) community, trade, and economic development the
11 Washington investment opportunities office.

12 **Sec. 43.** RCW 43.31.411 and 1989 c 312 s 4 are each amended to read
13 as follows:

14 The Washington investment opportunities office shall:

15 (1) Maintain a list of all entrepreneurs engaged in manufacturing,
16 wholesaling, transportation services, development of destination
17 tourism resorts, or traded services throughout the state seeking
18 capital resources and interested in the services of the investment
19 opportunities office.

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

23 (3) Assist entrepreneurs in procuring the managerial and technical
24 assistance necessary to attract potential investors. Such assistance
25 shall include the automatic referral to the small business innovators
26 opportunity program of any entrepreneur with a new product meriting the
27 services of the program.

28 (4) Provide entrepreneurs with information about potential
29 investors and provide investors with information about those
30 entrepreneurs which meet the investment criteria of the investor.

31 (5) Promote small business securities financing.

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

35 (7) Publicize the services of the investment opportunities office
36 through public meetings throughout the state, appropriately targeted
37 media, and private meetings. Whenever practical, the office shall use

1 the existing services of local associate development organizations in
2 outreach and identification of entrepreneurs and investors.

3 (8) Report to the ways and means committees and (~~commerce and~~
4 ~~labor~~) appropriate economic development committees of the senate and
5 the house of representatives by December 1, 1989, and each year
6 thereafter, on the accomplishments of the office. Such reports shall
7 include:

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

11 (b) The number of investments made in entrepreneurs, segregated as
12 required by (a) of this subsection, as a result of contact with the
13 investment opportunities office, the dollar amount of each such
14 investment, the source, by state or nation, of each investment, and the
15 number of jobs created as a result of each investment;

16 (c) The number of entrepreneurs on the list referred to in
17 subsection (1) of this section segregated by counties, the number of
18 investments, the dollar amount of investments, and the number of jobs
19 created through investments in each county as a result of contact with
20 the investment opportunities office;

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

25 (e) The results of client satisfaction surveys distributed to
26 entrepreneurs and investors using the services of the investment
27 opportunities office; and

28 (f) Such other information as the managing director finds
29 appropriate.

30 **Sec. 44.** RCW 43.31.422 and 1991 c 272 s 19 are each amended to
31 read as follows:

32 The Hanford area economic investment fund is established in the
33 custody of the state treasurer. Moneys in the fund shall only be used
34 pursuant to the recommendations of the committee created in RCW
35 43.31.425 and the approval of the director of (~~the department of~~
36 ~~trade~~) community, trade, and economic development for Hanford area
37 revolving loan funds, Hanford area infrastructure projects, or other
38 Hanford area economic development and diversification projects, but may

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

13 **Sec. 45.** RCW 43.31.504 and 1989 c 430 s 4 are each amended to read
14 as follows:

15 The child care facility fund committee is established within the
16 business assistance center of the department of (~~trade~~) community,
17 trade, and economic development. The committee shall administer the
18 child care facility fund, with review by the director of (~~the~~
19 ~~department of trade~~) community, trade, and economic development.

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

23 (a) Two persons experienced in investment finance and having skills
24 in providing capital to new businesses, in starting and operating
25 businesses, and providing professional services to small or expanding
26 businesses;

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

29 (c) One child care services expert; and

30 (d) One early childhood development expert.

31 In making these appointments, the director shall give careful
32 consideration to ensure that the various geographic regions of the
33 state are represented and that members will be available for meetings
34 and are committed to working cooperatively to address child care needs
35 in Washington state.

36 (2) The committee shall elect officers from among its membership
37 and shall adopt policies and procedures specifying the lengths of

1 terms, methods for filling vacancies, and other matters necessary to
2 the ongoing functioning of the committee.

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

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

13 **Sec. 46.** RCW 43.31.522 and 1990 c 57 s 2 are each amended to read
14 as follows:

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

17 (1) "Department" means the department of (~~trade~~) community,
18 trade, and economic development.

19 (2) "Center" means the business assistance center established under
20 RCW 43.31.083.

21 (3) "Director" means the director of (~~trade~~) community, trade,
22 and economic development.

23 (4) "Local nonprofit organization" means a local nonprofit
24 organization organized to provide economic development or community
25 development services, including but not limited to associate
26 development organizations, economic development councils, and community
27 development corporations.

28 **Sec. 47.** RCW 43.31.524 and 1990 c 57 s 3 are each amended to read
29 as follows:

30 There is established a Washington marketplace program within the
31 business assistance center established under RCW 43.31.083. The
32 program shall assist businesses to competitively meet their needs for
33 goods and services within Washington state by providing information
34 relating to the replacement of imports or the fulfillment of new
35 requirements with Washington products produced in Washington state.
36 The program shall place special emphasis on strengthening rural
37 economies in economically distressed areas of the state meeting the

1 criteria of an "eligible area" as defined in RCW 82.60.020(3). ((The
2 Washington marketplace program shall consult with the community
3 revitalization team established pursuant to chapter 43.165 RCW.))

4 **Sec. 48.** RCW 43.31.526 and 1990 c 57 s 4 are each amended to read
5 as follows:

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

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

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

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

24 The department may require that contractors contribute at least
25 twenty percent local funding.

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

29 (a) Contacting Washington state businesses to identify goods and
30 services they are currently buying or are planning in the future to buy
31 out-of-state and determine which of these goods and services could be
32 purchased on competitive terms within the state;

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

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

37 (d) Advertising market opportunities described in (c) of this
38 subsection; and

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

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

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

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

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

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

13 (d) Provide continuing management and technical assistance to local
14 contractors; and

15 (e) Report by December 31 of each year to the ~~((senate))~~
16 appropriate economic development ~~((and labor committee and to))~~
17 committees of the senate and the house of representatives ~~((trade and~~
18 ~~economic development committee))~~ describing the activities of the
19 Washington marketplace program.

20 **Sec. 49.** RCW 43.31.621 and 1991 c 314 s 4 are each amended to read
21 as follows:

22 (1) There is established the agency timber task force. The task
23 force shall be chaired by the timber recovery coordinator. It shall be
24 the responsibility of the coordinator that all directives of chapter
25 314, Laws of 1991 are carried out expeditiously by the agencies
26 represented in the task force. The task force shall consist of the
27 directors, or representatives of the directors, of the following
28 agencies: The department of ~~((trade))~~ community, trade, and economic
29 development~~((, department of community development))~~, employment
30 security department, department of social and health services, state
31 board for community college education, state board for vocational
32 education, or its replacement entity, department of natural resources,
33 department of transportation, state energy office, department of
34 wildlife, University of Washington center for international trade in
35 forest products, and department of ecology. The task force may consult
36 and enlist the assistance of the following: The higher education
37 coordinating board, University of Washington college of forest
38 resources, Washington State University school of forestry, Northwest

1 policy center, state superintendent of public instruction, the
2 Evergreen partnership, Washington association of counties, and rural
3 development council.

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

5 **Sec. 50.** RCW 43.31.641 and 1991 c 314 s 7 are each amended to read
6 as follows:

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

10 (1) Implement an expanded value-added forest products development
11 industrial extension program. The department shall provide technical
12 assistance to small and medium-sized forest products companies to
13 include:

14 (a) Secondary manufacturing product development;

15 (b) Plant and equipment maintenance;

16 (c) Identification and development of domestic market
17 opportunities;

18 (d) Building products export development assistance;

19 (e) At-risk business development assistance;

20 (f) Business network development; and

21 (g) Timber impact area industrial diversification.

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

26 (3) Contract with local business organizations in timber impact
27 areas for development of programs to promote industrial
28 diversification. (~~In addition,~~) The department shall (~~develop an~~
29 ~~interagency agreement with the department of community development~~
30 ~~for~~) provide local capacity-building grants to local governments and
31 community-based organizations in timber impact areas, which may include
32 long-range planning and needs assessments.

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

1 **Sec. 51.** RCW 43.31.651 and 1991 c 314 s 9 are each amended to read
2 as follows:

3 The department of community, trade, and economic development as a
4 part of the agency timber task force and in consultation with the
5 board, shall implement a community assistance program to enable
6 communities to build local capacity for sustainable economic
7 development efforts. The program shall provide resources and technical
8 assistance to timber impact areas.

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

13 **Sec. 52.** RCW 43.31.800 and 1987 c 195 s 4 are each amended to read
14 as follows:

15 "Director" as used in RCW 43.31.790 through 43.31.850 and 67.16.100
16 means the director of (~~trade~~) community, trade, and economic
17 development.

18 **Sec. 53.** RCW 43.31.830 and 1987 c 195 s 7 are each amended to read
19 as follows:

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

26 (2) The director shall make annual allotments to state
27 international trade fairs determined qualified to be entitled to
28 participate in the state trade fair fund and shall fix times for the
29 division of and payment from the state trade fair fund: PROVIDED, That
30 total payment to any one state international trade fair shall not
31 exceed sixty thousand dollars in any one year, where participation or
32 presentation occurs within the United States, and eighty thousand
33 dollars in any one year, where participation or presentation occurs
34 outside the United States: PROVIDED FURTHER, That a state
35 international trade fair may qualify for the full allotment of funds
36 under either category. Upon certification of the allotment and
37 division of fair funds by the director (~~of trade and economic~~

1 development)) the treasurer shall proceed to pay the same to carry out
2 the purposes of RCW ((43.31.790 through 43.31.850 and)) 67.16.100(~~(, as~~
3 ~~now or hereafter amended~~)).

4 **Sec. 54.** RCW 43.31.840 and 1975 1st ex.s. c 292 s 6 are each
5 amended to read as follows:

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

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

18 **Sec. 55.** RCW 43.160.020 and 1992 c 21 s 3 are each amended to read
19 as follows:

20 Unless the context clearly requires otherwise, the definitions in
21 this section apply throughout this chapter.

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

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

26 (3) "Department" means the department of (~~trade~~) community,
27 trade, and economic development (~~(or its successor with respect to the~~
28 ~~powers granted by this chapter)~~)).

29 (4) "Financial institution" means any bank, savings and loan
30 association, credit union, development credit corporation, insurance
31 company, investment company, trust company, savings institution, or
32 other financial institution approved by the board and maintaining an
33 office in the state.

34 (5) "Industrial development facilities" means "industrial
35 development facilities" as defined in RCW 39.84.020.

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

1 (7) "Local government" means any port district, county, city, or
2 town.

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

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

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

16 (11) "Timber impact area" means:

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

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

34 **Sec. 56.** RCW 43.168.020 and 1991 c 314 s 19 are each amended to
35 read as follows:

36 Unless the context clearly requires otherwise, the definitions in
37 this section apply throughout this chapter.

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

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

5 (3) "Director" means the director of (~~the department of~~)
6 community, trade, and economic development.

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

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

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

35 (7) "Project" means the establishment of a new or expanded business
36 in an area which when completed will provide employment opportunities.
37 "Project" also means the retention of an existing business in an area
38 which when completed will provide employment opportunities.

1 **Sec. 57.** RCW 43.210.110 and 1991 c 314 s 12 are each amended to
2 read as follows:

3 (1) The small business export finance assistance center has the
4 following powers and duties when exercising its authority under RCW
5 43.210.100(3):

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

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

36 (c) Sign three-year counseling agreements with its clients that
37 provide for termination if adequate funding for the Pacific Northwest
38 export assistance project is not provided in future appropriations.
39 Counseling agreements shall not be renewed unless there are compelling

1 reasons to do so, and under no circumstances shall they be renewed for
2 more than two additional years. A counseling agreement may not be
3 renewed more than once. The counseling agreements shall have mutual
4 performance clauses, that if not met, will be grounds for releasing
5 each party, without penalty, from the provisions of the agreement.
6 Clients shall be immediately released from a counseling agreement with
7 the Pacific Northwest export assistance project, without penalty, if a
8 client wishes to switch to a private export management service and
9 produces a valid contract signed with a private export management
10 service, or if the president of the small business export finance
11 assistance center determines there are compelling reasons to release a
12 client from the provisions of the counseling agreement;

13 (d) May contract with private or public international trade
14 education services to provide Pacific Northwest export assistance
15 project clients with training in international business. The president
16 and board of directors shall decide the amount of funding allocated for
17 educational services based on the availability of resources in the
18 operating budget of the Pacific Northwest export assistance project;

19 (e) May contract with the Washington state international trade fair
20 to provide services for Pacific Northwest export assistance project
21 clients to participate in one trade show annually. The president and
22 board of directors shall decide the amount of funding allocated for
23 trade fair assistance based on the availability of resources in the
24 operating budget of the Pacific Northwest export assistance project;

25 (f) Provide biennial assessments of its performance. Project
26 personnel shall work with the department of revenue and employment
27 security department to confidentially track the performance of the
28 project's clients in increasing tax revenues to the state, increasing
29 gross sales revenues and volume of products destined to foreign
30 clients, and in creating new jobs for Washington citizens. A biennial
31 report shall be prepared for the governor and legislature to assess the
32 costs and benefits to the state from creating the project. The
33 president of the small business export finance assistance center shall
34 design an appropriate methodology for biennial assessments in
35 consultation with the director of (~~the department of trade~~)
36 community, trade, and economic development and the director of the
37 Washington state department of agriculture. The department of revenue
38 and the employment security department shall provide data necessary to
39 complete this biennial evaluation, if the data being requested is

1 available from existing data bases. Client-specific information
2 generated from the files of the department of revenue and the
3 employment security department for the purposes of this evaluation
4 shall be kept strictly confidential by each department and the small
5 business export finance assistance center;

6 (g) Take whatever action may be necessary to accomplish the
7 purposes set forth in RCW 43.210.070 and 43.210.100 through 43.210.120;
8 and

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

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

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

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

27 (5) The Pacific Northwest export assistance project shall take
28 whatever steps are necessary to provide its services, if requested, to
29 the states of Oregon, Idaho, Montana, Alaska, and the Canadian
30 provinces of British Columbia and Alberta. Interstate services shall
31 not be provided by the Pacific Northwest export assistance project
32 during its first biennium of operation. The provision of services may
33 be temporary and subject to the payment of fees, or each state may
34 request permanent services contingent upon a level of permanent funding
35 adequate for services provided. Temporary services and fees may be
36 negotiated by the small business export finance assistance center's
37 president subject to approval of the board of directors. The president
38 of the small business export finance assistance center may enter into
39 negotiations with neighboring states to contract for delivery of the

1 project's services. Final contracts for providing the project's
2 counseling and services outside of the state of Washington on a
3 permanent basis shall be subject to approval of the governor,
4 appropriate legislative oversight committees, and the small business
5 export finance assistance center's board of directors.

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

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

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

28 **Sec. 58.** RCW 43.63A.066 and 1990 c 33 s 579 are each amended to
29 read as follows:

30 The department of community, trade, and economic development shall
31 have primary responsibility for providing child abuse and neglect
32 prevention training to preschool age children participating in the
33 federal head start program or the early childhood education and
34 assistance program established under RCW 28A.215.010 through
35 28A.215.200 and 28A.215.900 through 28A.215.908.

36 **Sec. 59.** RCW 43.63A.075 and 1985 c 466 s 53 are each amended to
37 read as follows:

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

12 **Sec. 60.** RCW 43.63A.115 and 1990 c 156 s 1 are each amended to
13 read as follows:

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

21 (2) Local community action agencies comprise the community action
22 agency network. The community action agency network shall serve low-
23 income persons in the counties. Each community action agency and its
24 service area shall be designated in the state federal community service
25 block grant plan as prepared by the department of community, trade, and
26 economic development.

27 (3) Funds for anti-poverty programs may be distributed to the
28 community action agencies by the department of community, trade, and
29 economic development and other state agencies in consultation with the
30 authorized representatives of community action agency networks.

31 **Sec. 61.** RCW 43.63A.155 and 1989 c 225 s 5 are each amended to
32 read as follows:

33 The department of community, trade, and economic development shall
34 retain the bond information it receives under RCW 39.44.210 and
35 39.44.230 and shall publish summaries of local government bond issues
36 at least once a year.

1 The department of community, trade, and economic development shall
2 adopt rules under chapter 34.05 RCW to implement RCW 39.44.210 and
3 39.44.230.

4 **Sec. 62.** RCW 43.63A.220 and 1987 c 505 s 34 are each amended to
5 read as follows:

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

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

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

29 (b) Consult with relevant persons in the public sector, relevant
30 persons in the private sector, including trustees of any existing
31 employee stock ownership trust, and employees of any firm operating
32 under an employee stock ownership trust, and with members of the
33 academic community and of relevant branches of the legal profession;

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

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

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

9 (4) The director of community, trade, and economic development
10 shall, within one year of July 28, 1985, report the findings and
11 conclusion of the study, together with details of the plan developed
12 pursuant to the study, to the legislature, and shall include in the
13 report any recommendations for legislation which the director deems
14 appropriate.

15 (5) The department of community, trade, and economic development
16 shall carry out its duties under this section using available
17 resources.

18 **Sec. 63.** RCW 43.63A.230 and 1988 c 186 s 17 are each amended to
19 read as follows:

20 (1) The department of community, trade, and economic development
21 shall integrate an employee ownership program within its existing
22 technical assistance programs. The employee ownership program shall
23 provide technical assistance to cooperatives authorized under chapter
24 23.78 RCW and conduct educational programs on employee ownership and
25 self-management. The department shall include information on the
26 option of employee ownership wherever appropriate in its various
27 programs.

28 (2) The department shall maintain a list of firms and individuals
29 with expertise in the field of employee ownership and utilize such
30 firms and individuals, as appropriate, in delivering and coordinating
31 the delivery of technical, managerial, and educational services. In
32 addition, the department shall work with and rely on the services of
33 ~~((the department of trade and economic development,))~~ the employment
34 security department ~~((,))~~ and state institutions of higher education to
35 promote employee ownership.

36 (3) The department shall report to the governor, the ~~((trade and))~~
37 appropriate economic development ~~((committee of))~~ committees of the
38 senate and the house of representatives, ~~((the commerce and labor~~

1 ~~committee of the senate,~~) and the ways and means committees of each
2 house by December 1 of 1988, and each year thereafter, on the
3 accomplishments of the employee-ownership program. Such reports shall
4 include the number and types of firms assisted, the number of jobs
5 created by such firms, the types of services, the number of workshops
6 presented, the number of employees trained, and the results of client
7 satisfaction surveys distributed to those using the services of the
8 program.

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

12 **Sec. 64.** RCW 43.63A.245 and 1992 c 63 s 2 are each amended to read
13 as follows:

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

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

18 "Coordinator" means the person designated by the director of (~~the~~
19 ~~department of~~) community, trade, and economic development with the
20 advice of the council to administer the activities of the senior
21 environmental corps.

22 "Corps" means the senior environmental corps.

23 "Council" means the senior environmental corps coordinating
24 council.

25 "Department" means the department of community, trade, and economic
26 development.

27 "Director" means the director of (~~the department of~~) community,
28 trade, and economic development or the director's authorized
29 representative.

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

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

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

1 **Sec. 65.** RCW 43.63A.247 and 1992 c 63 s 3 are each amended to read
2 as follows:

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

10 **Sec. 66.** RCW 43.63A.260 and 1992 c 63 s 5 are each amended to read
11 as follows:

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

23 The council shall advise the director on distribution of available
24 funding for corps activities.

25 **Sec. 67.** RCW 43.63A.275 and 1992 c 65 s 2 are each amended to read
26 as follows:

27 (1) Each biennium the department of community, trade, and economic
28 development shall distribute such funds as are appropriated for retired
29 senior volunteer programs (RSVP) as follows:

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

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

1 (c) Ten percent of the moneys may be used by the department of
2 community, trade, and economic development for administration,
3 monitoring of the grants, and providing technical assistance to the
4 RSVP projects.

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

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

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

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

15 (i) Developing new roles for senior volunteers in nonprofit and
16 public organizations with special emphasis on areas targeted in section
17 1, chapter 65, Laws of 1992. The roles shall reflect the diversity of
18 the local senior population and shall respect their life experiences;

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

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

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

26 **Sec. 68.** RCW 43.63A.300 and 1986 c 266 s 54 are each amended to
27 read as follows:

28 The legislature finds that fire protection services at the state
29 level are provided by different, independent state agencies. This has
30 resulted in a lack of a comprehensive state-level focus for state fire
31 protection services, funding, and policy. It is the intent of the
32 legislature to consolidate fire protection services into a single state
33 agency and to create a state board with the responsibility of (1)
34 establishing a comprehensive state policy regarding fire protection
35 services and (2) advising the director of community, trade, and
36 economic development and the director of fire protection on matters
37 relating to their duties under state law. It is also the intent of the
38 legislature that the fire protection services program created herein

1 will assist local fire protection agencies in program development
2 without encroaching upon their historic autonomy.

3 **Sec. 69.** RCW 43.63A.320 and 1986 c 266 s 56 are each amended to
4 read as follows:

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

- 10 (1) Adopt a state fire protection master plan;
- 11 (2) Monitor fire protection in the state and develop objectives and
12 priorities to improve fire protection for the state's citizens;
- 13 (3) Establish and promote state arson control programs and ensure
14 development of local arson control programs;
- 15 (4) Provide representation for local fire protection services to
16 the governor in state-level fire protection planning matters such as,
17 but not limited to, hazardous materials;
- 18 (5) Seek and solicit grants, gifts, bequests, devices, and matching
19 funds for use in furthering the objectives and duties of the board, and
20 establish procedures for administering them;
- 21 (6) Promote mutual aid and disaster planning for fire services in
22 this state;
- 23 (7) Assure the dissemination of information concerning the amount
24 of fire damage including that damage caused by arson, and its causes
25 and prevention;
- 26 (8) Submit annually a report to the governor containing a statement
27 of its official acts pursuant to this chapter, and make such studies,
28 reports, and recommendations to the governor and the legislature as are
29 requested;
- 30 (9) Adopt a state fire training and education master plan;
- 31 (10) Develop and adopt a master plan for the construction,
32 equipping, maintaining, and operation of necessary fire service
33 training and education facilities, but the authority to construct,
34 equip, and maintain such facilities is subject to chapter 43.19 RCW;
- 35 (11) Develop and adopt a master plan for the purchase, lease, or
36 other acquisition of real estate necessary to establish and operate
37 fire service training and education facilities in a manner provided by
38 law;

1 (12) Adopt standards for state-wide fire service training and
2 education courses including courses in arson detection and
3 investigation for personnel of fire, police, and prosecutor's
4 departments;

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

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

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

19 **Sec. 70.** RCW 43.63A.330 and 1986 c 266 s 57 are each amended to
20 read as follows:

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

26 (1) Advise the director of community, trade, and economic
27 development and the director of fire protection on matters pertaining
28 to their duties under law; and

29 (2) Advise the director of community, trade, and economic
30 development and the director of fire protection on all budgeting and
31 fiscal matters pertaining to the duties of the director of fire
32 protection and the board.

33 **Sec. 71.** RCW 43.63A.340 and 1986 c 266 s 58 are each amended to
34 read as follows:

35 (1) Wherever the term state fire marshal appears in the Revised
36 Code of Washington or the Washington Administrative Code it shall mean
37 the director of fire protection.

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

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

14 (4) The director of community, trade, and economic development,
15 through the director of fire protection, shall, after consultation
16 with the board, prepare a biennial budget pertaining to fire protection
17 services. Such biennial budget shall be submitted as part of the
18 department's budget request.

19 (5) The director of community, trade, and economic development,
20 through the director of fire protection, shall implement and
21 administer, within the constraints established by budgeted resources,
22 the policies of the board and all duties of the director of community,
23 trade, and economic development which are to be carried out through the
24 director of fire protection.

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

28 **Sec. 72.** RCW 43.63A.400 and 1987 c 308 s 2 are each amended to
29 read as follows:

30 The department of community, trade, and economic development shall
31 distribute grants to eligible public radio and television broadcast
32 stations under RCW 43.63A.410 and 43.63A.420 to assist with
33 programming, operations, and capital needs.

34 **Sec. 73.** RCW 43.63A.410 and 1987 c 308 s 3 are each amended to
35 read as follows:

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

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

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

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

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

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

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

28 (3) Annual financial reports to the corporation for public
29 broadcasting by eligible stations shall also be submitted by the
30 stations to the department of community, trade, and economic
31 development.

32 **Sec. 74.** RCW 43.63A.440 and 1989 c 424 s 7 are each amended to
33 read as follows:

34 (1) The department of community, trade, and economic development
35 shall provide technical and financial assistance to communities
36 adversely impacted by reductions in timber harvested from federal
37 lands. This assistance shall include the formation and implementation
38 of community economic development plans. The department of community,

1 trade, and economic development shall utilize existing state technical
2 and financial assistance programs, and shall aid communities in seeking
3 private and federal financial assistance for the purposes of this
4 section. The department may contract for services provided for under
5 this section.

6 (2) The sum of four hundred fifty thousand dollars, or as much
7 thereof as may be necessary, is appropriated from the general fund to
8 the department of community, trade, and economic development for the
9 biennium ending June 30, 1991, for the purposes of subsection (1) of
10 this section.

11 **Sec. 75.** RCW 43.63A.450 and 1990 c 278 s 2 are each amended to
12 read as follows:

13 The community diversification program is created in the department
14 of community, trade, and economic development. The program shall
15 include:

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

21 (2) The identification of cities, counties, or regions within the
22 state that are primarily dependent on defense or other federal
23 contracting and the identification of firms dependent on federal
24 defense contracts;

25 (3) Assistance to communities in broadening the local economic base
26 through the provision of management assistance, assistance in
27 financing, entrepreneurial training, and assistance to businesses in
28 using off-the-shelf technology to start new production processes or
29 introduce new products;

30 (4) Formulating a state plan for diversification in defense
31 dependent communities in collaboration with the employment security
32 department(~~(, the department of trade and economic development,)~~) and
33 the office of financial management. The plan shall use the information
34 made available through carrying out subsections (1) and (2) of this
35 section; and

36 (5) The identification of diversification efforts conducted by
37 other states, the federal government, and other nations, and the
38 provision of information on these efforts, as well as information

1 gained through carrying out subsections (1) and (2) of this section, to
2 firms, communities, and (~~workforces~~) work forces that are defense
3 dependent.

4 The department shall, beginning January 1, 1992, report annually to
5 the governor and the legislature on the activities of the community
6 diversification program.

7 **Sec. 76.** RCW 43.63A.460 and 1990 c 176 s 2 are each amended to
8 read as follows:

9 Beginning on July 1, 1991, the department of community, trade, and
10 economic development shall be responsible for performing all the
11 consumer complaint and related functions of the state administrative
12 agency that are required for purposes of complying with the regulations
13 established by the federal department of housing and urban development
14 for manufactured housing, including the preparation and submission of
15 the state administrative plan.

16 The department of community, trade, and economic development may
17 enter into state or local interagency agreements to coordinate site
18 inspection activities with record monitoring and complaint handling.
19 The interagency agreement may also provide for the reimbursement for
20 cost of work that an agency performs. The department may include other
21 related areas in any interagency agreements which are necessary for the
22 efficient provision of services.

23 The department of labor and industries shall transfer all records,
24 files, books, and documents necessary for the department of community,
25 trade, and economic development to assume these new functions.

26 The directors of (~~the department of~~) community, trade, and
27 economic development and the department of labor and industries shall
28 immediately take such steps as are necessary to ensure that this act is
29 implemented on June 7, 1990.

30 **Sec. 77.** RCW 43.63A.600 and 1991 c 315 s 23 are each amended to
31 read as follows:

32 (1) The department of community, trade, and economic development,
33 as a member of the agency timber task force and in consultation with
34 the economic recovery coordination board, shall establish and
35 administer the emergency mortgage and rental assistance program. The
36 department shall identify the communities most adversely affected by
37 reductions in timber harvest levels and shall prioritize assistance

1 under this program to these communities. The department shall work
2 with the department of social and health services and the timber
3 recovery coordinator to develop the program in timber impact areas.
4 Organizations eligible to receive funds for distribution under the
5 program are those organizations that are eligible to receive assistance
6 through the Washington housing trust fund.

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

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

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

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

16 **Sec. 78.** RCW 43.105.020 and 1990 c 208 s 3 are each amended to
17 read as follows:

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

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

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

22 (3) "Local governments" includes all municipal and quasi municipal
23 corporations and political subdivisions, and all agencies of such
24 corporations and subdivisions authorized to contract separately;

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

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

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

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

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

7 (9) "Information services" means data processing,
8 telecommunications, and office automation;

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

12 (11) "Proprietary software" means that software offered for sale or
13 license;

14 (12) "Video telecommunications" means the electronic
15 interconnection of two or more sites for the purpose of transmitting
16 and/or receiving visual and associated audio information. Video
17 telecommunications shall not include existing public television
18 broadcast stations as currently designated by the department of
19 community, trade, and economic development under chapter ((43.63A))
20 43.-- RCW (sections 1 through 7, 9 through 16, 79, and 83 of this act).

21 NEW SECTION. **Sec. 79.** (1) All references to the director or
22 department of community development in the Revised Code of Washington
23 shall be construed to mean the director of community, trade, and
24 economic development or the department of community, trade, and
25 economic development.

26 (2) All references to the director or department of trade and
27 economic development in the Revised Code of Washington shall be
28 construed to mean the director of community, trade, and economic
29 development or the department of community, trade, and economic
30 development.

31 **Sec. 80.** RCW 43.31.091 and 1990 c 297 s 9 are each amended to read
32 as follows:

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

35 **Sec. 81.** RCW 43.31.092 and 1990 c 297 s 10 are each amended to
36 read as follows:

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

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

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

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

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

8 NEW SECTION. **Sec. 82.** The following acts or parts of acts are
9 each repealed:

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

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

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

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

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

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

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

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

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

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

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

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

22 (13) RCW 43.31.130 and 1975-'76 2nd ex.s. c 34 s 110 & 1965 c 8 s
23 43.31.130;

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

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

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

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

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

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

34 (20) RCW 43.31.383 and 1985 c 466 s 29 & 1984 c 175 s 6;

35 (21) RCW 43.31.387 and 1985 c 466 s 31 & 1984 c 175 s 8;

36 (22) RCW 43.31.430 and 1989 c 423 s 2;

37 (23) RCW 43.31.432 and 1989 c 423 s 3;

38 (24) RCW 43.31.434 and 1989 c 423 s 6;

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

35 NEW SECTION. **Sec. 83.** Captions used in this chapter do not
36 constitute part of the law.

1 NEW SECTION. **Sec. 84.** Sections 1 through 7, 9 through 16, 79, and
2 83 of this act shall constitute a new chapter in Title 43 RCW.

3 NEW SECTION. **Sec. 85.** Sections 80 and 81 of this act are
4 necessary for the immediate preservation of the public peace, health,
5 or safety, or support of the state government and its existing public
6 institutions, and shall take effect immediately.

7 NEW SECTION. **Sec. 86.** Sections 1 through 7, 9 through 79, 82, and
8 83 of this act shall take effect July 1, 1994.

9 NEW SECTION. **Sec. 87.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 88.** (1) Wherever the name of the director or
14 the department of community development or the director or the
15 department of trade and economic development is changed to the director
16 of community and economic development or the community and economic
17 development department, rename the director and the department as the
18 director of community, trade, and economic development or the
19 department of community, trade, and economic development.

20 (2) The code reviser shall incorporate the new director and
21 department names into the striking amendment (H-2574.2/93) before the
22 striking amendment is delivered to the Senate.

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