
SENATE BILL 5176

State of Washington

59th Legislature

2005 Regular Session

By Senators Shin, Doumit, Rasmussen, Eide, Roach and Berkey

Read first time 01/17/2005. Referred to Committee on International Trade & Economic Development.

1 AN ACT Relating to department of community, trade, and economic
2 development programs; amending RCW 43.21J.010, 43.63A.230, 43.168.020,
3 43.168.040, 43.168.050, 43.168.060, 43.168.070, 43.168.090, 43.168.100,
4 43.168.130, 43.168.150, 43.330.050, 43.330.060, 43.330.090, 43.330.092,
5 47.36.330, and 43.31.522; creating a new section; repealing RCW
6 43.31.057, 43.31.145, 43.31.390, 43.31.403, 43.31.406, 43.31.409,
7 43.31.411, 43.31.414, 43.31.417, 43.31.526, 43.31.800, 43.31.805,
8 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.833, 43.31.834,
9 43.31.840, 43.31.850, 43.63A.240, 43.63A.245, 43.63A.247, 43.63A.249,
10 43.63A.265, 43.63A.270, 43.63A.715, 43.160.115, 43.160.180, 43.165.010,
11 43.168.031, 43.170.010, 43.170.020, 43.170.030, 43.170.040, 43.170.060,
12 43.170.070, 43.172.005, 43.172.010, 43.172.011, 43.172.020, 43.172.030,
13 43.172.040, 43.172.050, 43.172.060, 43.172.070, 43.172.080, 43.172.090,
14 43.172.100, 43.172.110, 43.172.120, 43.172.900, 43.172.901, 43.172.902,
15 43.172.903, 43.330.180, 43.21A.670, 43.23.240, 43.30.470, 43.70.450,
16 77.12.750, 79A.05.350, and 90.71.090; providing an effective date; and
17 declaring an emergency.

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

1 **Sec. 1.** RCW 43.21J.010 and 1995 c 226 s 26 are each amended to
2 read as follows:

3 (1) It is the intent of this chapter to provide financial resources
4 to make substantial progress toward: (a) Implementing the Puget Sound
5 water quality management plan and other watershed-based management
6 strategies and plans; (b) ameliorating degradation to watersheds; and
7 (c) keeping and creating stable, environmentally sound, good wage
8 employment in Washington state. The legislature intends that
9 employment under this chapter is not to result in the displacement or
10 partial displacement, whether by the reduction of hours of nonovertime
11 work, wages, or other employment benefits, of currently employed
12 workers, including but not limited to state civil service employees, or
13 of currently or normally contracted services.

14 (2) It is the purpose of this chapter to:

15 (a) Implement clean water, forest, and habitat restoration projects
16 that will produce measurable improvements in water and habitat quality,
17 that rate highly when existing environmental ranking systems are
18 applied, and that provide economic stability.

19 (b) Facilitate the coordination and consistency of federal, state,
20 tribal, local, and private water and habitat protection and enhancement
21 programs in the state's watersheds.

22 (c) Fund necessary projects for which a public planning process has
23 been completed.

24 (d) Provide immediate funding to create jobs and training for
25 environmental restoration and enhancement jobs for unemployed workers
26 and displaced workers in impact areas, especially rural natural
27 resources-dependent communities.

28 (3) For purposes of this chapter "impact areas" means: (a)
29 Distressed counties as defined in RCW ((~~43.165.010(3)(a)~~)) 43.168.020;
30 and (b) (~~(subcounty areas in those counties not covered under (a) of~~
31 ~~this subsection that are rural natural resources impact areas as~~
32 ~~defined in RCW 43.31.601; (c) urban subcounty areas as defined in RCW~~
33 ~~43.165.010(3)(c); and (d))~~) areas that the task force determines are
34 likely to experience dislocations in the near future from downturns in
35 natural resource-based industries.

36 (4) For purposes of this chapter, "high-risk youth" means youth
37 eligible for Washington conservation corps programs under chapter

1 43.220 RCW or Washington service corps programs under chapter 50.65
2 RCW.

3 (5) For purposes of this chapter, "dislocated forest products
4 worker" has the meaning set forth in *RCW 50.70.010.

5 (6) For purposes of this chapter, "task force" means the
6 environmental enhancement and job creation task force created under RCW
7 43.21J.030.

8 **Sec. 2.** RCW 43.63A.230 and 1993 c 280 s 63 are each amended to
9 read as follows:

10 ~~((1))~~ The department of community, trade, and economic
11 development shall ~~((integrate an employee ownership program within its
12 existing technical assistance programs. The employee ownership program
13 shall))~~ provide technical assistance to cooperatives authorized under
14 chapter 23.78 RCW and conduct educational programs on employee
15 ownership and self-management. The department shall include
16 information on the option of employee ownership wherever appropriate in
17 its various programs.

18 ~~((2) The department shall maintain a list of firms and individuals
19 with expertise in the field of employee ownership and utilize such
20 firms and individuals, as appropriate, in delivering and coordinating
21 the delivery of technical, managerial, and educational services. In
22 addition, the department shall work with and rely on the services of
23 the employment security department and state institutions of higher
24 education to promote employee ownership.~~

25 ~~(3) The department shall report to the governor, the appropriate
26 economic development committees of the senate and the house of
27 representatives, and the ways and means committees of each house by
28 December 1 of 1988, and each year thereafter, on the accomplishments of
29 the employee ownership program. Such reports shall include the number
30 and types of firms assisted, the number of jobs created by such firms,
31 the types of services, the number of workshops presented, the number of
32 employees trained, and the results of client satisfaction surveys
33 distributed to those using the services of the program.~~

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

1 **Sec. 3.** RCW 43.168.020 and 1999 c 164 s 502 are each amended to
2 read as follows:

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

5 (1) "Department" means the department of community, trade, and
6 economic development.

7 (2) "Director" means the director of community, trade, and economic
8 development.

9 (3) "Distressed area" means: (a) A rural county; (b) a county
10 which has an unemployment rate which is twenty percent above the state
11 average for the immediately previous three years; (c) a county that has
12 a median household income that is less than seventy-five percent of the
13 state median household income for the previous three years; (d) a
14 metropolitan statistical area, as defined by the office of federal
15 statistical policy and standards, United States department of commerce,
16 in which the average level of unemployment for the calendar year
17 immediately preceding the year in which an application is filed under
18 this chapter exceeds the average state unemployment for such calendar
19 year by twenty percent; or (e) an area within a county, which area:
20 (i) Is composed of contiguous census tracts; (ii) has a minimum
21 population of five thousand persons; (iii) has at least seventy percent
22 of its families and unrelated individuals with incomes below eighty
23 percent of the county's median income for families and unrelated
24 individuals; and (iv) has an unemployment rate which is at least forty
25 percent higher than the county's unemployment rate(~~(; or (f) a county~~
26 ~~designated as a rural natural resources impact area under RCW 43.31.601~~
27 ~~if an application is filed by July 1, 1997)). For purposes of this~~
28 definition, "families and unrelated individuals" has the same meaning
29 that is ascribed to that term by the federal department of housing and
30 urban development in its regulations authorizing action grants for
31 economic development and neighborhood revitalization projects.

32 (4) "Fund" means the rural Washington loan fund.

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

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

5 (7) "Rural county" means a county with a population density of
6 fewer than one hundred persons per square mile as determined by the
7 office of financial management.

8 **Sec. 4.** RCW 43.168.040 and 1987 c 461 s 3 are each amended to read
9 as follows:

10 Subject to the restrictions contained in this chapter, the
11 ~~((committee))~~ director is authorized to approve applications of local
12 governments for federal community development block grant funds which
13 the local governments would use to make loans to finance business
14 projects within their jurisdictions. Applications approved by the
15 ~~((committee))~~ director under this chapter shall conform to applicable
16 federal requirements.

17 **Sec. 5.** RCW 43.168.050 and 1993 c 512 s 12 are each amended to
18 read as follows:

19 (1) The ~~((committee))~~ director may only approve an application
20 providing a loan for a project which the ~~((committee))~~ director finds:

21 (a) Will result in the creation of employment opportunities, the
22 maintenance of threatened employment, or development or expansion of
23 business ownership by minorities and women;

24 (b) ~~((Has been approved by the director as conforming))~~ Will
25 conform to federal rules and regulations governing the spending of
26 federal community development block grant funds;

27 (c) Will be of public benefit and for a public purpose, and that
28 the benefits, including increased or maintained employment, improved
29 standard of living, the employment of disadvantaged workers, and
30 development or expansion of business ownership by minorities and women,
31 will primarily accrue to residents of the area;

32 (d) Will probably be successful;

33 (e) Would probably not be completed without the loan because other
34 capital or financing at feasible terms is unavailable or the return on
35 investment is inadequate.

1 (2) The ~~((committee))~~ director shall, subject to federal block
2 grant criteria, give higher priority to economic development projects
3 that contain provisions for child care.

4 (3) The ~~((committee))~~ director may not approve an application if it
5 fails to provide for adequate reporting or disclosure of financial data
6 to the ~~((committee))~~ director. The ~~((committee))~~ director may require
7 an annual or other periodic audit of the project books.

8 (4) The ~~((committee))~~ director may require that the project be
9 managed in whole or in part by a local development organization and may
10 prescribe a management fee to be paid to such organization by the
11 recipient of the loan or grant.

12 (5)(a) Except as provided in (b) of this subsection, the
13 ~~((committee))~~ director shall not approve any application which would
14 result in a loan or grant in excess of ~~((three))~~ five hundred ~~((fifty))~~
15 thousand dollars.

16 (b) The ~~((committee))~~ director may approve an application which
17 results in a loan or grant of up to ~~((seven hundred thousand))~~ one
18 million dollars ~~((if the application has been approved by the~~
19 ~~director))~~.

20 (6) The ~~((committee))~~ director shall fix the terms and rates
21 pertaining to ~~((its))~~ fund loans.

22 (7) Should there be more demand for loans than funds available for
23 lending, the ~~((committee))~~ director shall provide loans for those
24 projects which will lead to the greatest amount of employment or
25 benefit to a community. In determining the "greatest amount of
26 employment or benefit" the ~~((committee))~~ director shall also consider
27 the employment which would be saved by its loan and the benefit
28 relative to the community, not just the total number of new jobs or
29 jobs saved.

30 (8) To the extent permitted under federal law the ~~((committee))~~
31 director shall require applicants to provide for the transfer of all
32 payments of principal and interest on loans to the ~~((Washington state~~
33 ~~development loan))~~ fund created under this chapter. Under
34 circumstances where the federal law does not permit the ~~((committee))~~
35 director to require such transfer, the ~~((committee))~~ director shall
36 give priority to applications where the applicants on their own
37 volition make commitments to provide for the transfer.

1 (9) The ((committee)) director shall not approve any application to
2 finance or help finance a shopping mall.

3 (10) For loans not made to minority and women-owned businesses, the
4 ((committee)) director shall make at least eighty percent of the
5 appropriated funds available to projects located in distressed areas,
6 and may make up to twenty percent available to projects located in
7 areas not designated as distressed. For loans not made to minority and
8 women-owned businesses, the ((committee)) director shall not make funds
9 available to projects located in areas not designated as distressed if
10 the fund's net worth is less than seven million one hundred thousand
11 dollars.

12 (11) If an objection is raised to a project on the basis of unfair
13 business competition, the ((committee)) director shall evaluate the
14 potential impact of a project on similar businesses located in the
15 local market area. A grant may be denied by the ((committee)) director
16 if a project is not likely to result in a net increase in employment
17 within a local market area.

18 (12) For loans to minority and women-owned businesses who do not
19 meet the credit criteria, the ((committee)) director may consider
20 nontraditional credit standards to offset past discrimination that has
21 precluded full participation of minority or women-owned businesses in
22 the economy. For applicants with high potential who do not meet the
23 credit criteria, the ((committee)) director shall consider developing
24 alternative borrowing methods. For applicants denied loans due to
25 credit problems, the ((committee)) department shall provide financial
26 counseling within available resources and provide referrals to credit
27 rehabilitation services. In circumstances of competing applications,
28 priority shall be given to members of eligible groups which previously
29 have been least served by this fund.

30 **Sec. 6.** RCW 43.168.060 and 1985 c 164 s 6 are each amended to read
31 as follows:

32 ~~((The department shall provide adequate and appropriate staff and
33 other support to the committee. A record of committee proceedings
34 shall be maintained by the department.))~~ The department is encouraged
35 to work with local development organizations to promote applications
36 for loans by the fund. The department shall also provide assistance to
37 local development organizations and local governments to identify

1 viable projects for consideration (~~by the committee~~). The department
2 shall adopt such rules and regulations as are appropriate for (~~the~~
3 ~~committee to carry out its authority under~~) implementation of this
4 chapter.

5 **Sec. 7.** RCW 43.168.070 and 1993 c 512 s 14 are each amended to
6 read as follows:

7 The (~~committee~~) director may receive and approve applications on
8 a monthly basis but shall receive and approve applications on at least
9 a quarterly basis for each fiscal year. The (~~committee~~) director
10 shall make every effort to simplify the loan process for applicants.
11 Department staff shall process and assist in the preparation of
12 applications. Each application shall show in detail the nature of the
13 project, the types and numbers of jobs to be created, wages to be paid
14 to new employees, and methods to hire unemployed persons from the area.
15 Each application shall contain a credit analysis of the business to
16 receive the loan. (~~The chairperson of the committee may convene the~~
17 ~~committee~~) The director may respond on short notice (~~to respond~~) to
18 applications of a serious or immediate nature.

19 **Sec. 8.** RCW 43.168.090 and 1985 c 164 s 9 are each amended to read
20 as follows:

21 The department shall (~~make available for~~) use (~~by the~~
22 ~~committee~~) for the fund an amount of federal community development
23 block grant funds equal to the amount of state funds transferred or
24 appropriated to the department for purposes of supplementing the
25 department's block grant funds.

26 **Sec. 9.** RCW 43.168.100 and 1993 c 512 s 15 are each amended to
27 read as follows:

28 The (~~committee~~) director may make grants of state funds to local
29 governments which qualify as "entitlement communities" under the
30 federal law authorizing community development block grants. These
31 grants may only be made on the condition that the entitlement community
32 provide the (~~committee~~) director with assurances that it will: (1)
33 Spend the grant moneys for purposes and in a manner which satisfies
34 state constitutional requirements; (2) spend the grant moneys for

1 purposes and in a manner which would satisfy federal requirements; and
2 (3) spend at least the same amount of the grant for loans to businesses
3 from the federal funds received by the entitlement community.

4 **Sec. 10.** RCW 43.168.130 and 1998 c 245 s 52 are each amended to
5 read as follows:

6 The ((committee)) director shall develop performance standards for
7 judging the effectiveness of the program. Such standards shall
8 include, to the extent possible, examining the effectiveness of grants
9 in regard to:

- 10 (1) Job creation for individuals of low and moderate income;
- 11 (2) Retention of existing employment;
- 12 (3) The creation of new employment opportunities;
- 13 (4) The diversification of the economic base of local communities;
- 14 (5) The establishment of employee cooperatives;
- 15 (6) The provision of assistance in cases of employee buy-outs of
16 firms to prevent the loss of existing employment;
- 17 (7) The degree of risk assumed by the ((development-loan)) fund,
18 with emphasis on loans which did not receive financing from commercial
19 lenders, but which are considered financially sound.

20 **Sec. 11.** RCW 43.168.150 and 1993 c 512 s 13 are each amended to
21 read as follows:

22 Subject to the restrictions contained in this chapter, the
23 ((committee)) director is authorized to approve applications of
24 minority and women-owned businesses for loans or loan guarantees from
25 the fund. Applications approved by the ((committee)) director under
26 this chapter shall conform to applicable federal requirements. The
27 ((committee)) director shall prioritize available funds for loan
28 guarantees rather than loans when possible. The ((committee)) director
29 may enter into agreements with other public or private lending
30 institutions to develop a joint loan guarantee program for minority and
31 women-owned businesses. If such a program is developed, the
32 ((committee)) director may provide funds, in conjunction with the other
33 organizations, to operate the program. This section does not preclude
34 the ((committee)) director from making individual loan guarantees.

35 To the maximum extent practicable, the funds available under this
36 section shall be made available on an equal basis to minority and

1 women-owned businesses. The ((committee)) director shall submit to the
2 appropriate committees of the senate and house of representatives
3 quarterly reports that detail the number of loans approved and the
4 characteristics of the recipients by ethnic and gender groups.

5 **Sec. 12.** RCW 43.330.050 and 1993 c 280 s 7 are each amended to
6 read as follows:

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

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

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

27 (3) Cooperate with the Washington state economic development
28 commission, the legislature, and the governor in the development and
29 implementation of strategic plans for the state's community and
30 economic development efforts;

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

35 (5) Cooperate with and provide technical and financial assistance
36 to local governments, businesses, and community-based organizations
37 serving the communities of the state for the purpose of aiding and

1 encouraging orderly, productive, and coordinated development of the
2 state, and, unless stipulated otherwise, give additional consideration
3 to local communities and individuals with the greatest relative need
4 and the fewest resources;

5 (6) Participate with other states or subdivisions thereof in
6 interstate programs and assist cities, counties, municipal
7 corporations, governmental conferences or councils, and regional
8 planning commissions to participate with other states and provinces or
9 their subdivisions;

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

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

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

18 **Sec. 13.** RCW 43.330.060 and 1993 c 280 s 9 are each amended to
19 read as follows:

20 (1) The department shall (a) assist in expanding the state's role
21 as an international center of trade, culture, and finance(~~((—The~~
22 ~~department shall))~~); (b) promote and market the state's products and
23 services both nationally and internationally; (c) work in close
24 cooperation with other private and public international trade efforts
25 (~~and~~); (d) act as a centralized location for the assimilation and
26 distribution of trade information; and (e) establish and operate
27 foreign offices promoting overseas trade and commerce.

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

31 (3) The department shall work generally with small businesses and
32 other employers to facilitate resolution of siting, regulatory,
33 expansion, and retention problems. This assistance shall include but
34 not be limited to assisting in work force training and infrastructure
35 needs, identifying and locating suitable business sites, and resolving
36 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
7 of existing investment mechanisms; and by assisting in the procurement
8 of managerial and technical assistance necessary to attract potential
9 investors.

10 (5) The department shall assist women and minority-owned businesses
11 in overcoming barriers to (~~(increased investment and employment and~~
12 ~~becoming full participants in Washington's traded sector economy))~~
13 entrepreneurial success. The department shall contract with public and
14 private agencies, institutions, and organizations to conduct
15 entrepreneurial training courses for minority and women-owned
16 businesses. The instruction shall be intensive, practical training
17 courses in financing, marketing, managing, accounting, and
18 recordkeeping for a small business, with an emphasis on federal, state,
19 local, or private programs available to assist small businesses.
20 Instruction shall be offered in major population centers throughout the
21 state at times and locations that are convenient for minority and women
22 small business owners.

23 **Sec. 14.** RCW 43.330.090 and 2003 c 153 s 2 are each amended to
24 read as follows:

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

1 department shall use information gathered in each service delivery
2 region in formulating its sectoral strategies and in designating new
3 targeted sectors.

4 (2) The department shall pursue a coordinated program to expand the
5 tourism industry throughout the state in cooperation with the public
6 and private tourism development organizations. The department, in
7 operating its tourism program, shall:

8 (a) Promote Washington as a tourism destination to national and
9 international markets to include nature-based and wildlife viewing
10 tourism;

11 (b) Provide information to businesses and local communities on
12 tourism opportunities that could expand local revenues;

13 (c) Assist local communities to strengthen their tourism
14 partnerships, including their relationships with state and local
15 agencies;

16 (d) Provide leadership training and assistance to local communities
17 to facilitate the development and implementation of local tourism
18 plans;

19 (e) Coordinate the development of a statewide tourism and marketing
20 plan. The department's tourism planning efforts shall be carried out
21 in conjunction with public and private tourism development
22 organizations including the department of fish and wildlife and other
23 appropriate agencies. The plan shall specifically address mechanisms
24 for: (i) Funding national and international marketing and nature-based
25 tourism efforts; (ii) interagency cooperation; and (iii) integrating
26 the state plan with local tourism plans.

27 (3) The department may, in carrying out its efforts to expand the
28 tourism industry in the state:

29 (a) Solicit and receive gifts, grants, funds, fees, and endowments,
30 in trust or otherwise, from tribal, local or other governmental
31 entities, as well as private sources, and may expend the same or any
32 income therefrom for tourism purposes. All revenue received for
33 tourism purposes shall be deposited into the tourism development and
34 promotion account created in RCW 43.330.094;

35 (b) Host conferences and strategic planning workshops relating to
36 the promotion of nature-based and wildlife viewing tourism;

37 (c) Conduct or contract for tourism-related studies;

1 (d) Contract with individuals, businesses, or public entities to
2 carry out its tourism-related activities under this section;

3 (e) Provide tourism-related organizations with marketing and other
4 technical assistance;

5 (f) Evaluate and make recommendations on proposed tourism-related
6 policies.

7 (4)(a) The department shall promote, market, and encourage growth
8 in the production of films and videos, as well as television
9 commercials within the state; to this end the department is directed to
10 assist in the location of a film and video production studio within the
11 state.

12 (b) The department may, in carrying out its efforts to encourage
13 film and video production in the state, solicit and receive gifts,
14 grants, funds, fees, and endowments, in trust or otherwise, from
15 tribal, local, or other governmental entities, as well as private
16 sources, and may expend the same or any income therefrom for the
17 encouragement of film and video production. All revenue received for
18 such purposes shall be deposited into the film and video promotion
19 account created in RCW 43.330.092.

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

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

26 (b) Supporting the formation of industry associations, publications
27 of association directories, and related efforts to create or expand the
28 activities or industry associations;

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

34 (d) Helping establish research consortia;

35 (e) Facilitating joint training and education programs;

36 (f) Promoting cooperative market development activities;

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

1 (h) Providing for methods of electronic communication and
2 information dissemination among firms and groups of firms to facilitate
3 network activity.

4 **Sec. 15.** RCW 43.330.092 and 1997 c 220 s 222 are each amended to
5 read as follows:

6 The film and video promotion account is created in the state
7 treasury. All revenue received for film and video promotion purposes
8 under RCW 43.330.090(4)(b) and all receipts from RCW 36.102.060(14)
9 must be deposited into the account. Moneys in the account may be spent
10 only after appropriation. Expenditures from the account may be used by
11 the department of community, trade, and economic development only for
12 the purposes of promotion of the film and video production industry in
13 the state of Washington.

14 **Sec. 16.** RCW 47.36.330 and 1999 c 213 s 2 are each amended to read
15 as follows:

16 (1) Not more than six business signs may be permitted on motorist
17 information sign panels authorized by RCW 47.36.310 and 47.36.320.

18 (2) The maximum distance that eligible service facilities may be
19 located on either side of an interchange or intersection to qualify for
20 a business sign are as follows:

21 (a) On interstate highways, gas, food, or lodging activities shall
22 be located within three miles. Camping or tourist-oriented activities
23 shall be within five miles.

24 (b) On noninterstate highways, gas, food, lodging, recreation, or
25 tourist-oriented activities shall be located within five miles.

26 (3)(a) If no eligible services are located within the distance
27 limits prescribed in subsection (2) of this section, the distance
28 limits shall be increased until an eligible service of a type being
29 considered is reached, up to a maximum of fifteen miles.

30 (b) The department may erect and maintain signs on an alternate
31 route that is longer than fifteen miles if it is safer and still
32 provides reasonable and convenient travel to an eligible service.

33 (c) The department may erect and maintain signs on a route up to a
34 maximum of twenty miles if it qualifies as an eligible service and is
35 within a distressed area (~~under the criteria of chapter 43.165 RCW~~)
36 as defined in RCW 43.168.020.

1 **Sec. 17.** RCW 43.31.522 and 1993 c 280 s 46 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout RCW 43.31.524 (~~and 43.31.526~~):

5 (1) "Department" means the department of community, trade, and
6 economic development.

7 (2) (~~("Center" means the business assistance center established~~
8 ~~under RCW 43.31.083.~~

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

11 ~~((4))~~ (3) "Local nonprofit organization" means a local nonprofit
12 organization organized to provide economic development or community
13 development services, including but not limited to associate
14 development organizations, economic development councils, and community
15 development corporations.

16 NEW SECTION. **Sec. 18.** The following acts or parts of acts are
17 each repealed:

18 (1) RCW 43.31.057 (Washington products--Expansion of market--
19 Pamphlet) and 1993 c 280 s 39 & 1986 c 183 s 2;

20 (2) RCW 43.31.145 (Foreign offices--Promotion of overseas trade and
21 commerce) and 1991 c 24 s 7 & 1985 c 466 s 18;

22 (3) RCW 43.31.390 (Information from environmental profile--Use in
23 brochures and presentations--Availability to local economic development
24 groups) and 1985 c 466 s 33 & 1984 c 94 s 4;

25 (4) RCW 43.31.403 (Investment opportunities office--Finding and
26 purpose) and 1989 c 312 s 1;

27 (5) RCW 43.31.406 (Investment opportunities office--Definitions)
28 and 1989 c 312 s 2;

29 (6) RCW 43.31.409 (Investment opportunities office--Created) and
30 1993 c 280 s 42 & 1989 c 312 s 3;

31 (7) RCW 43.31.411 (Investment opportunities office--Duties) and
32 1998 c 245 s 61, 1993 c 280 s 43, & 1989 c 312 s 4;

33 (8) RCW 43.31.414 (Investment opportunities office--Service fees)
34 and 1989 c 312 s 5;

35 (9) RCW 43.31.417 (Investment opportunities office--Contracting
36 authority) and 1989 c 312 s 6;

1 (10) RCW 43.31.526 (Marketplace program--Contracts to foster
2 linkages--Department duties) and 1998 c 245 s 62, 1994 c 47 s 2, 1993
3 c 280 s 48, 1990 c 57 s 4, & 1989 c 417 s 4;

4 (11) RCW 43.31.800 (State international trade fairs--"Director"
5 defined) and 1993 c 280 s 52, 1987 c 195 s 4, & 1965 c 148 s 2;

6 (12) RCW 43.31.805 (State trade fair fund) and 1998 c 345 s 3;

7 (13) RCW 43.31.810 (State international trade fairs--State aid
8 eligibility requirements) and 1987 c 195 s 5, 1975 1st ex.s. c 292 s 3,
9 & 1965 c 148 s 3;

10 (14) RCW 43.31.820 (State international trade fairs--Application
11 for funds) and 1987 c 195 s 6, 1975 1st ex.s. c 292 s 4, & 1965 c 148
12 s 4;

13 (15) RCW 43.31.830 (State international trade fairs--Certification
14 of fairs--Allotments--Division and payment from state trade fair fund)
15 and 1993 c 280 s 53, 1987 c 195 s 7, 1975 1st ex.s. c 292 s 5, & 1965
16 c 148 s 5;

17 (16) RCW 43.31.832 (State trade fairs--Transfer of surplus funds in
18 state trade fair fund to general fund--Expenditure) and 1985 c 466 s
19 34, 1981 2nd ex.s. c 2 s 1, 1975 1st ex.s. c 292 s 8, & 1972 ex.s. c 93
20 s 2;

21 (17) RCW 43.31.833 (State trade fairs--Transfer of surplus funds in
22 state trade fair fund to general fund--Construction) and 1987 c 195 s
23 8, 1985 c 466 s 35, & 1972 ex.s. c 93 s 3;

24 (18) RCW 43.31.834 (State trade fairs--Transfer of surplus funds in
25 state trade fair fund to general fund--Construction) and 1985 c 466 s
26 36 & 1972 ex.s. c 93 s 4;

27 (19) RCW 43.31.840 (State international trade fairs--Post audit of
28 participating fairs--Reports) and 1993 c 280 s 54, 1975 1st ex.s. c 292
29 s 6, & 1965 c 148 s 6;

30 (20) RCW 43.31.850 (State international trade fairs--State
31 international trade fair defined) and 1987 c 195 s 9, 1975 1st ex.s. c
32 292 s 7, & 1965 c 148 s 8;

33 (21) RCW 43.63A.240 (Senior environmental corps--Finding) and 1992
34 c 63 s 1;

35 (22) RCW 43.63A.245 (Senior environmental corps--Definitions) and
36 1999 c 151 s 1201, 1993 c 280 s 64, & 1992 c 63 s 2;

37 (23) RCW 43.63A.247 (Senior environmental corps--Created) and 1994
38 c 264 s 25, 1993 c 280 s 65, & 1992 c 63 s 3;

1 (24) RCW 43.63A.249 (Senior environmental corps--Goals) and 1992 c
2 63 s 4;

3 (25) RCW 43.63A.265 (Senior environmental corps--Department
4 duties--Volunteers may not displace currently employed workers) and
5 1992 c 63 s 6;

6 (26) RCW 43.63A.270 (Senior environmental corps--Volunteer activity
7 to be governed by agreement) and 1992 c 63 s 7;

8 (27) RCW 43.63A.715 (Rural enterprise zones--Establishment--
9 Applications--Authority of zones) and 1997 c 366 s 9;

10 (28) RCW 43.160.115 (Cooperation with Washington state development
11 loan fund committee required--Transfer of funds) and 1995 c 399 s 87,
12 1987 c 422 s 7, 1987 c 195 s 12, & 1985 c 164 s 14;

13 (29) RCW 43.160.180 (Private activity bond subcommittee) and 1995
14 c 399 s 88, 1987 c 422 s 9, & 1985 c 446 s 15;

15 (30) RCW 43.165.010 (Definitions) and 1996 c 290 s 2, 1995 c 399 s
16 91, 1987 c 461 s 1, & 1985 c 229 s 1;

17 (31) RCW 43.168.031 (State development loan fund committee--
18 Terminated June 30, 1994--Powers and duties transferred) and 1995 c 399
19 s 92 & 1988 c 186 s 7;

20 (32) RCW 43.170.010 (Legislative findings) and 1982 c 44 s 1;

21 (33) RCW 43.170.020 (Definitions) and 1995 c 399 s 93, 1985 c 466
22 s 60, & 1982 c 44 s 2;

23 (34) RCW 43.170.030 (Small business innovators' opportunity
24 program--Pilot project established--Composition and structure--User
25 fee) and 1995 c 399 s 94, 1985 c 466 s 61, & 1982 c 44 s 3;

26 (35) RCW 43.170.040 (Chairman of program) and 1982 c 44 s 4;

27 (36) RCW 43.170.060 (Eligibility) and 1982 c 44 s 6;

28 (37) RCW 43.170.070 (Referral to investment opportunities office)
29 and 1995 c 399 s 95 & 1989 c 312 s 9;

30 (38) RCW 43.172.005 (Intent) and 1993 c 512 s 1;

31 (39) RCW 43.172.010 (Definitions) and 1993 c 512 s 2;

32 (40) RCW 43.172.011 (Definitions--Bonding program) and 1995 c 399
33 s 96 & 1993 c 512 s 16;

34 (41) RCW 43.172.020 (Small business bonding assistance program--
35 Implementation--Rules) and 1995 c 399 s 97 & 1993 c 512 s 17;

36 (42) RCW 43.172.030 (Assistance from other agencies) and 1993 c 512
37 s 18;

1 (43) RCW 43.172.040 (Entrepreneurial training course) and 1993 c
2 512 s 19;

3 (44) RCW 43.172.050 (Entrepreneurial accreditation of small
4 contracting businesses) and 1993 c 512 s 20;

5 (45) RCW 43.172.060 (Professional services assistance--One-time
6 grants) and 1993 c 512 s 21;

7 (46) RCW 43.172.070 (Grant administration) and 1993 c 512 s 22;

8 (47) RCW 43.172.080 (Bond guarantees--Generally) and 1993 c 512 s
9 23;

10 (48) RCW 43.172.090 (Bond guarantees--Approval process) and 1993 c
11 512 s 24;

12 (49) RCW 43.172.100 (Small business bonding assistance program
13 fund--Expenditures) and 1993 c 512 s 25;

14 (50) RCW 43.172.110 (Small business bonding assistance program
15 fund--Support) and 1993 c 512 s 26;

16 (51) RCW 43.172.120 (Gifts, grants, endowments) and 1993 c 512 s
17 27;

18 (52) RCW 43.172.900 (Short title--1993 c 512) and 1993 c 512 s 38;

19 (53) RCW 43.172.901 (Part headings and section captions--1993 c
20 512) and 1993 c 512 s 40;

21 (54) RCW 43.172.902 (Severability--1993 c 512) and 1993 c 512 s 41;

22 (55) RCW 43.172.903 (Effective date--1993 c 512) and 1993 c 512 s
23 42;

24 (56) RCW 43.330.180 (Grant program for business recruitment
25 efforts) and 1999 c 108 s 2;

26 (57) RCW 43.21A.670 (Senior environmental corps--Department powers
27 and duties) and 1992 c 63 s 9;

28 (58) RCW 43.23.240 (Senior environmental corps--Department powers
29 and duties) and 1992 c 63 s 8;

30 (59) RCW 43.30.470 (Senior environmental corps) and 2003 c 334 s
31 124 & 1992 c 63 s 10;

32 (60) RCW 43.70.450 (Senior environmental corps--Department powers
33 and duties) and 1992 c 63 s 12;

34 (61) RCW 77.12.750 (Senior environmental corps--Department powers
35 and duties) and 1993 sp.s. c 2 s 72 & 1992 c 63 s 13;

36 (62) RCW 79A.05.350 (Senior environmental corps--Commission powers
37 and duties) and 1992 c 63 s 14; and

1 (63) RCW 90.71.090 (Senior environmental corps--Authority powers
2 and duties) and 1992 c 63 s 15.

3 NEW SECTION. **Sec. 19.** This act does not affect any existing right
4 acquired or liability or obligation incurred under the sections amended
5 or repealed in this act or under any rule or order adopted under those
6 sections, nor does it affect any proceeding instituted under those
7 sections.

8 NEW SECTION. **Sec. 20.** This act is necessary for the immediate
9 preservation of the public peace, health, or safety, or support of the
10 state government and its existing public institutions, and takes effect
11 July 1, 2005.

--- END ---