
SUBSTITUTE HOUSE BILL 2082

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives Chandler, Wallace, Grant, Buri, Miloscia, Kretz and Newhouse)

READ FIRST TIME 02/26/07.

1 AN ACT Relating to establishing the field of dreams program;
2 amending RCW 28B.95.060; reenacting and amending RCW 43.79A.040; adding
3 a new section to chapter 28B.95 RCW; and adding a new chapter to Title
4 28B RCW.

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

6 NEW SECTION. **Sec. 1.** The field of dreams program is established.
7 The legislature finds that agriculture is a major and critical employer
8 in Washington state and recognizes that the industry is struggling to
9 attract and retain employees. The purpose of the program is to provide
10 college tuition in the form of GET units to students working for
11 agricultural employers to benefit the agriculture industry and to
12 assist students in accessing postsecondary education. The program
13 shall be administered by the employment security department and the GET
14 units shall be administered by the higher education coordinating board.

15 NEW SECTION. **Sec. 2.** The definitions in this section apply
16 throughout this chapter unless the context clearly requires otherwise.

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

18 (2) "Department" means the employment security department.

1 (3) "GET units" means tuition units under the advanced college
2 tuition payment program in chapter 28B.95 RCW.

3 (4) "Institution of higher education" has the same meaning as in
4 RCW 28B.92.030.

5 (5) "Qualified employer" means an employer whose American industry
6 classification system (NAICS) code is within "111" or "112."

7 (6) "WorkSource" means one-stop delivery system as described in
8 P.L. 105-220, Section 134.

9 NEW SECTION. **Sec. 3.** (1) To be eligible for the field of dreams
10 GET units, a student must be enrolled in the field of dreams program.
11 To enroll, a student must:

12 (a) Meet the criteria for resident tuition and fee rates as defined
13 in RCW 28B.15.012;

14 (b) Be sixteen through twenty-one years of age;

15 (c) Have a family income at or below the state's median income
16 level, indexed for family size;

17 (d) Register at WorkSource;

18 (e) Work for a qualified employer in an agricultural job; and

19 (f) Be enrolled in high school, have graduated from high school, or
20 hold a general equivalency diploma.

21 (2) To accrue GET units, a student shall:

22 (a) Register with WorkSource each time he or she accepts employment
23 with an agricultural employer under the field of dreams program to
24 verify that the employment meets the qualifications of this program and
25 that work hours are being counted;

26 (b) Work in a position at a qualified employer; and

27 (c) Consent to the disclosure of information or records deemed
28 private and confidential under chapter 50.13 RCW. Disclosure of this
29 information and these records by the department to the board shall be
30 solely for purposes related to the administration of this chapter.
31 Information obtained from employer records under this chapter is
32 confidential and not open to public inspection, other than to public
33 employees in the performance of their official duties.

34 (3) For each three hundred fifty hours worked for a qualified
35 employer, a student shall earn ten GET units. GET units are not
36 available in denominations fewer than ten. No partial credit shall be
37 awarded for less than three hundred fifty hours of employment.

1 (4) Students may earn a maximum of one hundred GET units.

2 (5) To receive GET units a student shall:

3 (a) Obtain a certificate verifying units earned from the WorkSource
4 office; and

5 (b) Enter an institution of higher education that is accredited by
6 an accrediting agency recognized by rule of the higher education
7 coordinating board.

8 NEW SECTION. **Sec. 4.** (1) The department is responsible for
9 administering the field of dreams program. In this capacity, the
10 department shall:

11 (a) Inform WorkSource applicants about the program;

12 (b) Manage student enrollment in the program, subject to funds
13 appropriated for the specific purpose of the field of dreams program;

14 (c) Track student hours worked through the unemployment insurance
15 system;

16 (d) Refer interested students to qualified employers;

17 (e) Provide verification of covered employment under Title 50 RCW
18 and verify that the student is working for a qualified employer;

19 (f) Work with the board to develop appropriate procedures for the
20 redemption of certificates for GET units awarded by the program; and

21 (g) Use information sharing and integration technology to
22 facilitate the disclosure of relevant information and records by the
23 employment security department, so long as an individual consents to
24 the disclosure as required under section 3(2) of this act.

25 (2) Information contained in the files and records pertaining to an
26 individual under this chapter are confidential and not open to public
27 inspection, other than to public employees in the performance of their
28 official duties. However, an individual or an authorized
29 representative of the individual may review his or her records or
30 receive specific information from the records on the presentation of
31 the signed authorization of the individual. An employer or the
32 employer's duly authorized representative may review the records of an
33 individual employed by the employer in connection with a pending claim.
34 At the department's discretion, other persons may review records when
35 such persons are providing assistance to the department at any stage of
36 the proceedings on any matter pertaining to the administration of this
37 chapter.

1 NEW SECTION. **Sec. 5.** The board shall administer GET units earned
2 through the field of dreams program. In this capacity, the board
3 shall:

4 (1) Purchase GET units to be owned and held in trust by the board,
5 for the purpose of field of dreams awards as provided for in this
6 section;

7 (2) Distribute award funds, in the form of GET units, to
8 institutions of higher education on behalf of eligible recipients
9 identified by the program administrator;

10 (3) Work with the department to develop appropriate procedures for
11 the redemption of certificates for GET units; and

12 (4) Provide annual reports to the appropriate higher education and
13 fiscal committees of the house of representatives and the senate
14 regarding use of GET units, enrollment, and graduation information of
15 GET field of dreams recipients, if the recipients have given permission
16 for the board to do so.

17 NEW SECTION. **Sec. 6.** (1) The GET field of dreams account is
18 created in the custody of the state treasurer.

19 (2) The board shall deposit into the account all money received for
20 the GET field of dreams account from appropriations and private
21 sources. The account shall be self-sustaining.

22 (3) Expenditures from the account shall be used for purchases of
23 GET units. Purchased GET units shall be owned and held in trust by the
24 board.

25 (4) With the exception of the operating costs associated with the
26 management of the account by the treasurer's office as authorized in
27 chapter 43.79A RCW, the account shall be credited with all investment
28 income earned by the account.

29 (5) Disbursements from the account are exempt from appropriations
30 and the allotment provisions of chapter 43.88 RCW.

31 (6) Disbursements from the account shall be made only on the
32 authorization of the board.

33 NEW SECTION. **Sec. 7.** A new section is added to chapter 28B.95 RCW
34 to read as follows:

35 Ownership of tuition units purchased by the higher education
36 coordinating board for the GET field of dreams program under section 5

1 of this act shall be in the name of the state of Washington and may be
2 redeemed by the state of Washington on behalf of recipients of GET
3 field of dreams awards for tuition and fees.

4 **Sec. 8.** RCW 28B.95.060 and 2000 c 14 s 5 are each amended to read
5 as follows:

6 (1) The Washington advanced college tuition payment program account
7 is created in the custody of the state treasurer. The account shall be
8 a discrete nontreasury account retaining its interest earnings in
9 accordance with RCW 43.79A.040.

10 (2)(a) Except as provided in (b) of this subsection, the governing
11 body shall deposit in the account all money received for the program.
12 The account shall be self-sustaining and consist of payments received
13 from purchasers of tuition units and funds received from other sources,
14 public or private. With the exception of investment and operating
15 costs associated with the investment of money by the investment board
16 paid under RCW 43.33A.160 and 43.84.160, the account shall be credited
17 with all investment income earned by the account. Disbursements from
18 the account are exempt from appropriations and the allotment provisions
19 of chapter 43.88 RCW. Money used for program administration is subject
20 to the allotment of all expenditures. However, an appropriation is not
21 required for such expenditures. Program administration shall include,
22 but not be limited to: The salaries and expenses of the program
23 personnel including lease payments, travel, and goods and services
24 necessary for program operation; contracts for program promotion and
25 advertisement, audits, and account management; and other general costs
26 of conducting the business of the program.

27 (b) All money received by the program from the higher education
28 coordinating board for the GET field of dreams program shall be
29 deposited in the GET field of dreams account created in section 6 of
30 this act.

31 (3) The assets of the account may be spent without appropriation
32 for the purpose of making payments to institutions of higher education
33 on behalf of the qualified beneficiaries, making refunds, transfers, or
34 direct payments upon the termination of the Washington advanced college
35 tuition payment program. Disbursements from the account shall be made
36 only on the authorization of the governing body.

1 (4) With regard to the assets of the account, the state acts in a
2 fiduciary, not ownership, capacity. Therefore the assets of the
3 program are not considered state money, common cash, or revenue to the
4 state.

5 **Sec. 9.** RCW 43.79A.040 and 2006 c 311 s 21 and 2006 c 120 s 2 are
6 each reenacted and amended to read as follows:

7 (1) Money in the treasurer's trust fund may be deposited, invested,
8 and reinvested by the state treasurer in accordance with RCW 43.84.080
9 in the same manner and to the same extent as if the money were in the
10 state treasury.

11 (2) All income received from investment of the treasurer's trust
12 fund shall be set aside in an account in the treasury trust fund to be
13 known as the investment income account.

14 (3) The investment income account may be utilized for the payment
15 of purchased banking services on behalf of treasurer's trust funds
16 including, but not limited to, depository, safekeeping, and
17 disbursement functions for the state treasurer or affected state
18 agencies. The investment income account is subject in all respects to
19 chapter 43.88 RCW, but no appropriation is required for payments to
20 financial institutions. Payments shall occur prior to distribution of
21 earnings set forth in subsection (4) of this section.

22 (4)(a) Monthly, the state treasurer shall distribute the earnings
23 credited to the investment income account to the state general fund
24 except under (b) and (c) of this subsection.

25 (b) The following accounts and funds shall receive their
26 proportionate share of earnings based upon each account's or fund's
27 average daily balance for the period: The Washington promise
28 scholarship account, the college savings program account, the
29 Washington advanced college tuition payment program account, the
30 agricultural local fund, the American Indian scholarship endowment
31 fund, the foster care scholarship endowment fund, the foster care
32 endowed scholarship trust fund, the students with dependents grant
33 account, the basic health plan self-insurance reserve account, the
34 contract harvesting revolving account, the Washington state combined
35 fund drive account, the commemorative works account, the Washington
36 international exchange scholarship endowment fund, the developmental
37 disabilities endowment trust fund, the energy account, the fair fund,

1 the fruit and vegetable inspection account, the future teachers
2 conditional scholarship account, the GET field of dreams account, the
3 game farm alternative account, the grain inspection revolving fund, the
4 juvenile accountability incentive account, the law enforcement
5 officers' and fire fighters' plan 2 expense fund, the local tourism
6 promotion account, the produce railcar pool account, the regional
7 transportation investment district account, the rural rehabilitation
8 account, the stadium and exhibition center account, the youth athletic
9 facility account, the self-insurance revolving fund, the sulfur dioxide
10 abatement account, the children's trust fund, the Washington horse
11 racing commission Washington bred owners' bonus fund account, the
12 Washington horse racing commission class C purse fund account, the
13 individual development account program account, the Washington horse
14 racing commission operating account (earnings from the Washington horse
15 racing commission operating account must be credited to the Washington
16 horse racing commission class C purse fund account), the life sciences
17 discovery fund, and the reading achievement account. However, the
18 earnings to be distributed shall first be reduced by the allocation to
19 the state treasurer's service fund pursuant to RCW 43.08.190.

20 (c) The following accounts and funds shall receive eighty percent
21 of their proportionate share of earnings based upon each account's or
22 fund's average daily balance for the period: The advanced right of way
23 revolving fund, the advanced environmental mitigation revolving
24 account, the city and county advance right-of-way revolving fund, the
25 federal narcotics asset forfeitures account, the high occupancy vehicle
26 account, the local rail service assistance account, and the
27 miscellaneous transportation programs account.

28 (5) In conformance with Article II, section 37 of the state
29 Constitution, no trust accounts or funds shall be allocated earnings
30 without the specific affirmative directive of this section.

31 NEW SECTION. **Sec. 10.** Sections 1 through 6 of this act constitute
32 a new chapter in Title 28B RCW.

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