

CERTIFICATION OF ENROLLMENT

SENATE BILL 5554

Chapter 554, Laws of 2009

61st Legislature
2009 Regular Session

JOB SKILLS PROGRAM

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 25, 2009
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 24, 2009
YEAS 94 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 19, 2009, 10:52 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5554** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 20, 2009

**Secretary of State
State of Washington**

SENATE BILL 5554

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senators Kilmer, Hobbs, Kastama, King, Jarrett, Marr, McAuliffe, Shin, and Pridemore

Read first time 01/26/09. Referred to Committee on Economic Development, Trade & Innovation.

1 AN ACT Relating to the job skills program; and amending RCW
2 28C.04.410 and 28C.04.420.

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

4 **Sec. 1.** RCW 28C.04.410 and 1999 c 121 s 2 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout RCW 28C.04.390 and 28C.04.420.

8 (1) "Applicant" means an educational institution which has made
9 application for a job skills grant under RCW 28C.04.390 and 28C.04.420.

10 (2) "Business and industry" means a private corporation,
11 institution, firm, person, group, or association concerned with
12 commerce, trades, manufacturing, or the provision of services within
13 the state, or a public or nonprofit hospital licensed by the department
14 of social and health services.

15 (3) "Dislocated worker" means an individual who meets the
16 definition of dislocated worker contained in P.L. 105-220, Sec. 101 on
17 July 25, 1999.

18 (4) "Educational institution" means a public secondary or
19 postsecondary institution, an independent institution, or a private

1 career school or college within the state authorized by law to provide
2 a program of skills training or education beyond the secondary school
3 level. Any educational institution receiving a job skills grant under
4 RCW 28C.04.420 (~~through 28C.04.480~~) shall be free of sectarian
5 control or influence as set forth in Article IX, section 4 of the state
6 Constitution.

7 (5) "Equipment" means tangible personal property which will further
8 the objectives of the supported program and for which a definite value
9 and evidence in support of the value have been provided by the donor.

10 (6) "Financial support" means any thing of value which is
11 contributed by business, industry, and others to an educational
12 institution which is reasonably calculated to support directly the
13 development and expansion of a particular program under RCW 28C.04.390
14 and 28C.04.420 and represents an addition to any financial support
15 previously or customarily provided to such educational institutions by
16 the donor. "Financial support" includes, but is not limited to, funds,
17 equipment, facilities, faculty, and scholarships for matriculating
18 students and trainees.

19 (7) "Job skills grant" means funding that is provided to an
20 educational institution by the (~~commission~~) college board for the
21 development or significant expansion of a program under RCW 28C.04.390
22 and 28C.04.420.

23 (8) "Job skills program" means a program of skills training or
24 education separate from and in addition to existing vocational
25 education programs and which:

26 (a) Provides short-term training which has been designated for
27 specific industries;

28 (b) Provides training for prospective employees before a new plant
29 opens or when existing industry expands;

30 (c) Includes training and retraining for workers already employed
31 by an existing industry or business where necessary to avoid
32 dislocation or where upgrading of existing employees would create new
33 vacancies for unemployed persons;

34 (d) Serves areas with high concentrations of economically
35 disadvantaged persons and high unemployment;

36 (e) (~~Serves areas with new and growing industries~~) Promotes the
37 growth of industry clusters;

1 (f) Serves areas where there is a shortage of skilled labor to meet
2 job demands; or

3 (g) Promotes the location of new industry in areas affected by
4 economic dislocation.

5 (9) "Technical assistance" means professional and any other
6 assistance provided by business and industry to an educational
7 institution, which is reasonably calculated to support directly the
8 development and expansion of a particular program and which represents
9 an addition to any technical assistance previously or customarily
10 provided to the educational institutions by the donor.

11 (10) "College board" means the state board for community and
12 technical colleges under chapter 28B.50 RCW.

13 **Sec. 2.** RCW 28C.04.420 and 1999 c 121 s 3 are each amended to read
14 as follows:

15 The college board may, subject to appropriation from the
16 legislature or from funds made available from any other public or
17 private source and pursuant to rules adopted by the college board with
18 the advice of the workforce training customer advisory committee
19 established in RCW 28C.04.390, provide job skills grants to educational
20 institutions. The job skills grants shall be used exclusively for
21 programs which are consistent with the job skills program. The college
22 board shall work in collaboration with the workforce training customer
23 advisory committee established in RCW 28C.04.390 to assure that:

24 (1) The program is within the scope of the job skills program under
25 this chapter and may reasonably be expected to succeed and thereby
26 increase employment within the state;

27 (2) Provision has been made to use any available alternative
28 funding from local, state, and federal sources;

29 (3) The job skills grant will only be used to cover the costs
30 associated with the program;

31 (4) The program will not unnecessarily duplicate existing programs
32 and could not be provided by another educational institution more
33 effectively or efficiently;

34 (5) The program involves an area of skills training and education
35 for which there is a demonstrable need;

36 (6) The applicant has made provisions for the use of existing
37 federal and state resources for student financial assistance;

1 (7) The job skills grant is essential to the success of the program
2 as the resources of the applicant are inadequate to attract the
3 technical assistance and financial support necessary for the program
4 from business and industry;

5 (8) The program represents a collaborative partnership between
6 business, industry, labor, educational institutions, and other
7 partners, as appropriate;

8 (9) The commitment of financial support from business and industry
9 shall be equal to or greater than the amount of the requested job
10 skills grant;

11 (10) The job skills program gives priority to applications:

12 (a) Proposing training that leads to transferable skills that are
13 interchangeable among different jobs, employers, or workplaces;

14 (b) From firms in strategic industry clusters as identified by the
15 state or local areas;

16 (c) Proposing coordination with other cluster-based programs or
17 initiatives including, but not limited to, industry skill panels,
18 centers of excellence, innovation partnership zones, state-supported
19 cluster growth grants, and local cluster-based economic development
20 initiatives;

21 (d) Proposing industry-based credentialing; and

22 (e) Proposing increased capacity for educational institutions that
23 can be made available to industry and students beyond the grant
24 recipients;

25 (11) Binding commitments have been made to the ((commission))
26 college board by the applicant for adequate reporting of information
27 and data regarding the program to the ((commission)) college board,
28 particularly information concerning the recruitment and employment of
29 trainees and students, and including a requirement for an annual or
30 other periodic audit of the books of the applicant directly related to
31 the program, and for such control on the part of the ((commission))
32 college board as it considers prudent over the management of the
33 program, so as to protect the use of public funds, including, in the
34 discretion of the commission and without limitation, right of access to
35 financial and other records of the applicant directly related to the
36 programs; and

37 ((+11)) (12) A provision has been made by the applicant to work,
38 in cooperation with the employment security department, to identify and

1 screen potential trainees, and that provision has been made by the
2 applicant for the participation as trainees of low-income persons
3 including temporary assistance for needy families recipients,
4 dislocated workers, and persons from minority and economically
5 disadvantaged groups to participate in the program.

6 Beginning October 1, 1999, and every two years thereafter, the
7 college board shall provide the legislature and the governor with a
8 report describing the activities and outcomes of the state job skills
9 program.

Passed by the Senate April 25, 2009.

Passed by the House April 24, 2009.

Approved by the Governor May 19, 2009.

Filed in Office of Secretary of State May 20, 2009.