

**WASHINGTON STATE  
WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD  
MEETING NO. 152  
JANUARY 27, 2011**

**LEGISLATIVE UPDATE**

**Background**

The 2011 Legislative Session commenced on January 10, and is scheduled to adjourn on April 24, 2011. The Workforce Training and Education Coordinating Board reviewed operating agency budget proposals and passed a motion on budget items at the November Board meeting in preparation for the Session.

Leading up to this Session, the Legislature passed a supplemental budget for the current biennium and the Governor proposed both a second supplemental budget for the current biennium and a proposed operating budget for the 2011-2013 biennium. Included in this tab is a table summarizing workforce-related items (mostly program eliminations or reductions) in those budgets.

This tab also includes a digest of workforce-related bills that have been introduced as of the date of the board mailing. On the day of the Board meeting, staff will provide board members with an up-to-date digest of significant workforce-related bills and their current status. Throughout the session, staff will provide weekly bulletins on legislative happenings and a weekly hearings schedule through our newsletter and website.

Also in this tab is a proposed motion to support SB 5230/HB 1294 legislation which establishes a Puget Sound Corps within the Department of Ecology. The legislation is intended to consolidate administration of the Conservation Corps and utilize available federal funding for Puget Sound cleanup to expand the Corp. The Commissioner of Public Lands and the Department of Ecology have requested the bill, and the Office of Financial Management has approved the request. A summary and full copy of the bill is included in the tab.

Finally, a motion providing support for Student Achievement Initiative in the Board's 2011-2013 operating budget recommendations is included in this tab since it was inadvertently left off the original motion adopted in November.

**Board Action Required:** Discussion and action on proposed motions.

**RECOMMENDED MOTION  
PUGET SOUND CORPS**

**WHEREAS,** Washington’s young adults, 18 through 24, experience the highest unemployment rate and the greatest difficulty of any age group in getting a job; and

**WHEREAS,** There are around 75,700 young adults in Washington who are not in school and not working, which represents over 13 percent of the state’s young adult population. The greatest portion of this group—some 80 percent—do not have an education above a high school diploma;

**WHEREAS,** Work experiences, part-time for students and full-time for those not attending school, reinforce and help form key behaviors that educational specialists recognize as essential to success as an adult;

**WHEREAS,** Young adults who gain work experience are more likely to be hired than those who don’t; and

**WHEREAS,** the Workforce Board has recommended in its current report to the Legislature on young adult employment, “*Wanted: Work Experience for Washington Young Adults,*” that disadvantaged youth be connected to AmeriCorps programs, such as the Conservation Corp;

**NOW THEREFORE BE IT RESOLVED,** That the Workforce Board endorses both SB 5230 and HB1294, which seek to expand the Conservation Corp; and

**BE IT FURTHER RESOLVED,** That the Workforce Board encourages the Legislature to consider establishing disadvantaged youth as a priority for service in the Conservation Corp program.

## **2011-2013 OPERATING BUDGET RECOMMENDATION**

**WHEREAS,** The Workforce Training and Education Coordinating Board adopted a motion at its November 18, 2010 meeting prioritizing programs and activities for continued funding for the 2011-2013 operating budget and inadvertently omitted support for the Student Achievement Initiative;

**NOW THEREFORE BE IT RESOLVED,** That the Workforce Training and Education Coordinating Board adds the Student Achievement Initiative to the Board's priorities for the 2011-2013 operating budget.

## **WORKFORCE-RELATED BILLS**

**2011 Session  
As of Jan. 19, 2011**

### **Youth-Related**

#### **HB 1004 – Social-Emotional Learning - Prime Sponsor: Rep. Dickerson**

##### **Status: House Education Committee**

Requires the Office of the Superintendent of Public Instruction to promote and encourage incorporation of social emotional learning into basic education instruction in public schools.

Creates the social emotional learning public-private partnership account.

#### **HB 1064 – School Truancy - Prime Sponsor: Rep. Appleton**

##### **Status: House Judiciary Committee**

Changes mandatory requirements for school districts to file a petition for truancy with the juvenile court to a permissive duty.

Specifically authorizes truancy boards to use truancy diversion and school reengagement programs.

Requires proof that a child has notice of a hearing, the ability to have transportation to the hearing, and proof that the child is not in school at the time of the hearing before a court may issue a warrant for arrest of the child for failure to attend a court hearing.

If a child is found in contempt of a truancy order, the court may require the child to:  
a) attend the child's current school; b) attend another public school, an alternative education program, center, a skill center, dropout prevention program, or another public educational program; or c) attend a private nonsectarian school or program including an education center.

#### **HB 1168 – CTE Student Organizations/Dual Credits – Prime Sponsor: Rep. Lias**

##### **Status: House Education Committee**

Addresses what career and technical student organizations must do in order to receive state support.

Prohibits a college from charging a student more than a standard transcription fee to accept career and technical education courses with an agreement in place for receiving dual credit.

#### **HB 1251 – Education Budget Reductions – Prime Sponsor: Reps. Hunter and Darneille; By Request of the Office of Financial Management**

##### **Status: House Ways and Means**

Implements budget reductions by revising education provisions relating to: (1) the achievement gap oversight and accountability committee policy and strategy recommendations; (2) Career and technical student organizations; (3) the statewide director for math, science, and technology; (4) allocation of state matching funds; and (5) statewide end-of-course assessments for high school mathematics.

**HB 1294 – Puget Sound Corps – Prime Sponsor – Rep. Tharinger**

**Status: House Environment Committee**

Creates the Puget Sound Corps as a distinct program within the Washington Conservation Corps. Consolidates management of the Washington Conservation Corps in the Department of Ecology and directs the department to administer the Corps as a partnership with the departments of Natural Resources and Fish and Wildlife, the state Parks and Recreation Commission, and when appropriate, other agencies and nonprofit organizations.

Directs the Department of Ecology to establish consistent work standards and placement and evaluation procedures of corps programs; and selecting, review, approve, and evaluate the success of Corps projects.

Authorizes the department to partner with any other state agencies, local institutions, nonprofit organizations, or nonprofit service corps organizations in the administration of the corps. Allows other state agencies to maintain a conservation corps coordinator for the purposes of partnering with the department and the Corps.

If deemed practicable, the Department of Ecology may develop the Conservation Corps program with optional tracks for participants. The tracks could include a technical track for students and veterans interested in technical training, a science track for students and veterans interested in natural sciences training, or an emergency response track for participants providing wildland firefighting, flood fighting, oil spill response, or other natural or man-made disaster response statewide.

**SB 5093 – Education Budget Reductions – Prime Sponsor: Sen. McAuliffe; By Request of the Office of Financial Management**

**Status: Senate Early Learning and K-12 Education Committee**

Same as HB 1251

**SB 5227 – End of Course Math Assessment – Prime Sponsors: Sen. McAuliffe and King; By Request of OSPI**

**Status: Senate Early Learning and K-12 Education Committee**

Requires students in the classes of 2013 and 2014 to meet the math standard on only one end-of course assessment (9<sup>th</sup> or tenth grade assessment) for purposes of graduation. Students in subsequent classes would be required to meet the standards on both assessments.

**SB 5230 – Puget Sound Corps – Prime Sponsor – Sen. Ranker**

**Status: Senate Natural Resources and Marine Waters Committee**

Same as HB 1294

**Adult-Related**

**HB 1059 – Apprenticeship Standards – Prime Sponsor – Rep. Hudgins; By Request of the Department of Labor & Industries**

**Status: House Labor and Workforce Development Committee**

Authorizes the Director of the Department of Labor & Industries, rather than the State Apprenticeship Council, to adopt rules and appoint an assistant director without confirmation by the Council.

Authorizes compliance reviews and rule adoption. Limits approval of apprenticeship committees and authorizes an appeal to the Director of a decision by the Council that affects registration and oversight of apprenticeship programs and agreements for federal purposes.

**HB 1090 – Unemployment Insurance Rates – Prime Sponsor – Rep. Sells; By Request of the Governor**

**Status: House Labor and Workforce Development Committee**

Makes changes to the formulas used to calculate the social cost factor for rate year 2011.

Establishes a cap of 1.22 percent on the flat social rate and reduces the multipliers used for certain graduated social rates.

Makes changes to the extended benefits program, including a three-year look-back period, for 2011.

**HB 1091 – Unemployment Insurance Modification – Prime Sponsor – Rep. Sells; By Request of the Governor**

**Status: House Labor and Workforce Development Committee**

Makes changes to the formulas used to calculate the social cost factor for rate year 2011 and thereafter.

Establishes caps on the flat social rate and reduces the multipliers used for certain graduated social rates.

Makes changes to the training benefits program, including changes related to the federal modernization incentive payment.

Expands the definition of "dislocated worker," eliminates certain deadlines and requirements for dislocated workers, and modifies the funding cap for training benefits.

Provides for non-charging of regular benefits upon approval of a training benefits plan.

**SB 5107 – College and University Governance – Prime Sponsor – Sen. Benton**

**Status: Senate Higher Education and Workforce Development Committee**

Creates the Washington state college and university system.

Abolishes the council of presidents.

Abolishes the governing boards of the University of Washington, Washington State University, the regional universities, and The Evergreen State College and transfers their powers, duties, and functions to the board of regents of the Washington state college and university system.

Eliminates the Higher Education Coordinating Board and the Workforce Training and Education Coordinating Board.

Requires the governor to appoint the board of regents for the Washington college and university system.

**SB 5136 – Nonprofit Online University – Prime Sponsor - Sen. Kastama**

**Status: Senate Higher Education and Workforce Development Committee**

Directs the Higher Education Coordinating Board to: (a) recognize and endorse online, competency-based education as an important component of Washington's higher education system; (b) work to eliminate unnecessary barriers to the delivery of education programs provided by a regionally accredited nonprofit online baccalaureate degree-granting institution of higher education; and (c) work with a regionally accredited nonprofit online baccalaureate degree-granting institution of higher education to integrate its academic programs and services into Washington higher education policy and strategy.

**SB 5182 – Student Financial Assistance – Prime Sponsor – Sen. White**

**Status: Senate Higher Education and Workforce Development Committee**

Creates the Student Financial Assistance Advisory Board and creates the Office of Student Financial Assistance (OSFA) in the Office of Financial Management (OFM) to administer state and federal financial aid and other education services programs.

Abolishes the Higher Education Coordinating Board and transfers the powers, duties, and functions of the board pertaining to: (1) Student financial assistance to OSFA; (2) Adoption of statewide gender equity rules, adoption of minimum college admission standards, program approval, branch campus expansion, the education cost study, and the purchase or lease of major off-campus facilities to OFM; and (3) Degree-granting institutions, approval of health sciences and services authorities, and the approval of veterans' programs to the Workforce Board.

Directs OFM to produce an assessment every two years of the number and type of higher education and training credentials required to match employer demand for a skilled and educated workforce.

**Industry-Related**

**HB 1320 – Washington Investment Trust – Prime Sponsor: Rep. Hasegawa**

**Status: House Business and Finance Committee**

Establishes the Washington Investment Trust (WIT) to promote agriculture, education, community development, economic development, housing, and industry in Washington state by building a resource to help stabilize and grow Washington's economy.

The purpose of the WIT includes providing financing for housing development, public works infrastructure, educational infrastructure, student loans, and community quality of life projects;

The WIT may establish lending programs to support public purposes, including expand student loans, educational infrastructure, and individual development accounts.

**SB 5238 – Washington Investment Trust – Prime Sponsor: Sen. Prentice**

**Status: Senate Financial Institutions, Housing and Insurance Committee**

Establishes the Washington Investment Trust (WIT) to promote agriculture, education, community development, economic development, housing, and industry in Washington by building a resource to help stabilize and grow Washington's economy.

The purpose of the WIT includes providing financing for housing development, public works infrastructure, educational infrastructure, student loans, and community quality of life projects.

The WIT may establish lending programs to support public purposes, including expand student loans, educational infrastructure, and individual development accounts.

**Operating Budget Reductions and Proposals  
Workforce-Related Items  
Supplemental for Current Biennium and Proposed for 2011-2013**

**Supplemental** = Supplemental Budget Adopted by the Legislature on Dec. 13, 2010 (effects current year, FY 2011, funding)

**Supp 2:** Governor’s proposal for additional cuts to the FY 2011 budget.

**Governor 2011-2013** = Governor’s Proposed Operating Budget for 2011-2013

**GF-S** = General Fund-State

**FY** = Fiscal Year

<b>Workforce Board</b>	<b>Supplemental (&amp; Supp 2)</b>	<b>Governor 2011-2013</b>
<b>Budget Reduction</b>	<b>\$91,000</b> - 6.3 percent reduction in GF-S	<b>\$343,000</b> – 10 percent reduction (does not include 3 percent salary reduction) in GF-S
<b>WAVE</b>		<b>Gov:</b> Directs the Workforce Board to <u>not</u> designate recipients of the Washington Award for Vocational Excellence (WAVE) or recognize them at award ceremonies for the 2011-2013 biennium.

**Office of Superintendent of Public Instruction**

<b>Career and Technical Education Grants</b> (for secondary CTE high demand courses and course equivalencies)	\$912,000 GF-S for FY 2011 reduced to \$456,000.	Funding eliminated.
<b>Pre-Apprenticeship Programs grants</b>	\$175,000 GF-S for FY 2011 reduced to \$93,000	Funding eliminated.
<b>CTE Student Leadership Organizations</b>	\$97,000 GF-S for FY 2011 reduced to \$48,000.	Funding eliminated
<b>STEM Lighthouse High Schools</b> (best practices in STEM instruction)	\$150,000 GF-S for FY 2011 reduced to \$75,000	Funding eliminated.
<b>Summer Vocational Skill Center Program</b>	<b>Supp 2:</b> Funding eliminated FY 2011 (\$1,785,000).	Funding eliminated (\$4,770,000 reduction).
<b>Navigation 101</b>	\$3,120,000 of GF-S for FY 2011 reduced to \$2,924,000.	\$2,924,000 for FY 2012 and \$2,924,000 for FY 2013.
<b>Statewide Dropout Prevention, Intervention, and Retrieval (Building Bridges)</b>	\$337,000 of GF-S FY 2011 reduced to \$225,000.	Staffing for Building Bridges eliminated.
<b>Dropout Prevention (Jobs for America’s Graduates)</b>	\$150,000 of GF-S for FY 2011 reduced to \$100,000.	Funding eliminated.

**State Board for Community and Technical Colleges**

<b><i>Budget Reduction</i></b>	<b>\$26,449,000</b> - 4% reduction in GF-S.	4% reduction carried over into 2011-2013 (does not include 3% salary reduction).
<b><i>Worker Retraining Program</i></b>	No reduction in \$17,556,000 enhancement from the Opportunity Express Account.	\$17,556,000 enhancement in FY 2011 eliminated.
<b><i>Student Achievement Initiative</i></b>		\$2,920,000 GF-S for FY fiscal 2012 and \$7,850,000 GF-S for FY 2013.

**Employment Security Department**

<b><i>Worker Retraining (SB 5809)</i></b>	<b>Supp 2: \$318,000</b> reduction in GF-S.	
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**Higher Education Coordinating Board**

<b><i>WAVE (Washington Award for Vocational Education)</i></b>		Suspended for the 2011-2013 biennium. Provides an appropriation for awards made in prior years.
<b><i>Washington Scholars</i></b>		Suspended for the 2011-2013 biennium. Provides an appropriation for awards made in prior years.
<b><i>Health Professionals Conditional Scholarship</i></b>		Suspended for the 2011-2013 biennium. Provides an appropriation for awards made in prior years.

**Department of Commerce**

<b><i>Economic Development Commission Budget Reduction</i></b>		<b>\$113,000</b> – 15 percent reduction in GF-S.
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SENATE BILL 5230

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Ranker, Swecker, Litzow, Rockefeller, Regala, Kohl-Welles, Hargrove, Kline, Conway, Fraser, and Nelson; by request of Commissioner of Public Lands and Department of Ecology

Read first time 01/18/11. Referred to Committee on Natural Resources & Marine Waters.

1 AN ACT Relating to establishing the Puget Sound corps while  
2 reforming the state's conservation corps programs; amending RCW  
3 43.220.020, 43.220.060, 43.220.070, 43.220.170, 43.220.231, 43.220.250,  
4 43.60A.152, and 79A.05.545; reenacting and amending RCW 43.220.040 and  
5 77.85.130; adding new sections to chapter 43.220 RCW; adding a new  
6 section to chapter 43.30 RCW; adding a new section to chapter 77.12  
7 RCW; creating new sections; and repealing RCW 43.220.010, 43.220.030,  
8 43.220.080, 43.220.090, 43.220.120, 43.220.130, 43.220.160, 43.220.180,  
9 43.220.190, and 43.220.210.

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

11 NEW SECTION. **Sec. 1.** (1) The legislature finds that the  
12 Washington conservation corps, the veterans conservation corps, and  
13 other state and nonprofit service corps contribute significantly to the  
14 priorities of state government to protect natural resources, including  
15 Puget Sound, while providing meaningful work experience for the state's  
16 youth, veterans, unemployed, and under-employed workforces.

17 (2) The legislature further finds that the long-term health of the  
18 economy of Washington depends on the sustainable management of its  
19 natural resources and that the livelihoods and revenues produced by

1 Washington's forests, agricultural lands, estuaries, waterways, and  
2 watersheds would be enhanced by targeted, streamlined, and prioritized  
3 investments in clean water and habitat restoration.

4 (3) The legislature further finds that it is important to stretch  
5 limited public resources to advance the state's natural resource  
6 management priorities. Transformation of natural resource management  
7 and service delivery, including the creation of strategic partnerships  
8 among agencies, will increase the efficiency and effectiveness of the  
9 expenditure of federal, state, and local funds for clean water and  
10 habitat restoration projects.

11 (4) The legislature further finds that there are efficiencies to be  
12 gained by streamlining how the various conservation corps are  
13 administered, managed, funded, and deployed by the natural resources  
14 agencies. There are further efficiencies to be gained through  
15 coordinating the conservation corps with other state service corps  
16 programs, recruitment activities, and through public-private  
17 partnerships.

18 (5) The legislature further finds that the state should seek to  
19 expand the conservation corps in all areas of the state, deploying the  
20 corps to work on projects that advance established priorities  
21 including, but not limited to, the cleanup and restoration of the Puget  
22 Sound ecosystem, oil spill response and cleanup, salmon recovery, and  
23 the reduction of wildfire and forest health hazards statewide.

24 (6) Therefore, it is the intent of the legislature to maintain the  
25 conservation corps statewide, to establish the Puget Sound corps, to  
26 streamline how government administers and manages the state's  
27 conservation corps to more efficiently expend the state's resources  
28 toward priority outcomes, including the recovery of the Puget Sound  
29 ecosystem to health by 2020, to increase opportunities for meaningful  
30 work experience, and to authorize public-private partnerships as a key  
31 element of corps activities.

32 **Sec. 2.** RCW 43.220.020 and 1999 c 280 s 1 are each amended to read  
33 as follows:

34 (1) The Washington conservation corps is (~~hereby~~) created(~~, to~~  
35 ~~be implemented by~~). ~~The ((following state departments: The employment~~  
36 ~~security department, the)) department of ecology(~~, the department of~~  
37 ~~fish and wildlife, the department of natural resources, and the state~~~~

1 ~~parcs and recreation commission))~~ must administer the corps as a  
2 partnership with the departments of natural resources and fish and  
3 wildlife, the state parks and recreation commission, and when  
4 appropriate, other agencies and nonprofit organizations to advance the  
5 program goals outlined in section 5 of this act.

6 (2) The Puget Sound corps is created as a distinct program within  
7 the Washington conservation corps focused on the implementation of the  
8 specific program goals outlined in section 5 of this act.

9 NEW SECTION. **Sec. 3.** It is the intent of this act to centralize  
10 the administration of the Washington conservation corps, which was  
11 previously administered by the departments of ecology, natural  
12 resources, and fish and wildlife and the state parks and recreation  
13 commission, into the department of ecology. This act is prospective  
14 only, and any grant awards or conservation corps crew or individual  
15 placements finalized by other agencies or partners prior to the  
16 effective date of this section remain unaffected by this act.

17 **Sec. 4.** RCW 43.220.040 and 1999 c 280 s 3 and 1999 c 151 s 1301  
18 are each reenacted and amended to read as follows:

19 ~~((Unless the context clearly requires otherwise,))~~ The definitions  
20 in this section apply throughout this chapter unless the context  
21 clearly requires otherwise.

22 (1) "Public lands" means any lands or waters, or interests therein,  
23 owned or administered by any agency or instrumentality of the state,  
24 federal, or local government.

25 (2) "Corps" means the Washington conservation corps, including the  
26 Puget Sound corps.

27 (3) "Corps member" means an individual enrolled in the Washington  
28 conservation corps.

29 (4) "Corps member leaders" or "specialists" means members of the  
30 corps who serve in leadership or training capacities or who provide  
31 specialized services other than or in addition to the types of work and  
32 services that are performed by the corps members in general.

33 (5) "Crew supervisor" means temporary, project, or permanent state  
34 employees who supervise corps members and coordinate work project  
35 design and completion.

1           (6) (~~"Distressed area" has the meaning as defined in RCW~~  
2 ~~43.168.020.~~) "Department" means the department of ecology.

3           (7) "Agency administrative costs" means indirect expenses such as  
4 personnel, payroll, contract administration, fiscal services, and other  
5 overhead costs.

6           (8) "Program support costs" include, but are not limited to,  
7 program planning, development of reports, job and career training,  
8 uniforms and equipment, and standard office space and utilities.  
9 Program support costs do not include direct scheduling and supervision  
10 of corps members.

11           NEW SECTION. Sec. 5. A new section is added to chapter 43.220 RCW  
12 to read as follows:

13           (1) The corps shall be organized and managed to complete projects  
14 with fee-for-service work crews that meet goals associated with the  
15 protection, promotion, or restoration of the following:

- 16           (a) Public lands;
- 17           (b) State natural resources;
- 18           (c) Water quality;
- 19           (d) Watershed health;
- 20           (e) Fish and wildlife;
- 21           (f) Habitat;
- 22           (g) Outdoor recreation;
- 23           (h) Forest health;
- 24           (i) Wildfire risk reduction; and
- 25           (j) State historic sites.

26           (2) In addition to the project goals outlined in subsection (1) of  
27 this section, the Puget Sound corps shall seek to deploy corps members  
28 with the specific goal of participating in the restoration of the Puget  
29 Sound ecosystem. The resources of the Puget Sound corps must be  
30 prioritized, when practicable, to focus on the following when located  
31 within the Puget Sound basin:

- 32           (a) Projects identified in, or consistent with, the action agenda  
33 developed by the Puget Sound partnership in chapter 90.71 RCW;
- 34           (b) Projects located on public lands;
- 35           (c) Habitat restoration projects; and
- 36           (d) Education and stewardship projects.

1 (3) Both the corps and the Puget Sound corps shall give preference  
2 to projects that satisfy the goals identified in this section and that:

3 (a) Will provide long-term benefits to the public;

4 (b) Will provide productive training and work experiences to the  
5 corps members involved;

6 (c) Expands or integrates training programs or career development  
7 opportunities for corps members;

8 (d) May result in payments to the state for services performed; and

9 (e) Can be promptly completed.

10 **Sec. 6.** RCW 43.220.060 and 1999 c 280 s 4 are each amended to read  
11 as follows:

12 (1) (~~Each state department identified in RCW 43.220.020~~) The  
13 department shall have the following powers and duties (~~to carry out~~  
14 ~~its functions relative to~~) as necessary to administer the Washington  
15 conservation corps:

16 (a) Recruiting and employing staff, corps members, corps member  
17 leaders, and specialists consistent with RCW 43.220.070;

18 (b) Serving as the corps' central application recipient for grants  
19 from federal service projects and service organizations;

20 (c) Executing agreements for furnishing the services of the corps  
21 to carry out conservation corps programs to any federal, state, or  
22 local public agency, any local organization as specified in this  
23 chapter (~~in concern~~) that operates consistent with the overall  
24 objectives of the conservation corps;

25 (~~e~~) (d) Applying for and accepting grants or contributions of  
26 funds from (~~any private source~~) the federal government, other public  
27 sources, or private funding sources for conservation corps projects  
28 and, when possible, other projects specifically targeted at restoring  
29 Puget Sound that can be accomplished with fee-for-service labor from  
30 the Puget Sound corps;

31 (~~d~~) (~~Determining a preference for those projects which will~~  
32 ~~provide long term benefits to the public, will provide productive~~  
33 ~~training and work experiences to the members involved, will be labor-~~  
34 ~~intensive, may result in payments to the state for services performed,~~  
35 ~~and can be promptly completed; and~~

36 (e) ~~Entering into agreements with community colleges within the~~  
37 ~~state's community and technical college system and other educational~~

1 ~~institutions or independent nonprofit agencies to provide special~~  
2 ~~education in basic skills, including reading, writing, and mathematics~~  
3 ~~for those conservation corps members who may benefit by participation~~  
4 ~~in such classes. Classes shall be scheduled after corps working hours.~~  
5 ~~Participation by members is not mandatory but shall be strongly~~  
6 ~~encouraged. The participation shall be a primary factor in determining~~  
7 ~~whether the opportunity for corps membership beyond one year shall be~~  
8 ~~offered. Instruction related to the specific role of the department in~~  
9 ~~resource conservation shall also be offered, either in a classroom~~  
10 ~~setting or as is otherwise appropriate)) (e) Establishing consistent~~  
11 ~~work standards and placement and evaluation procedures of corps~~  
12 ~~programs; and~~

13 (f) Selecting, reviewing, approving, and evaluating the success of  
14 corps projects.

15 (2) The department may partner with any other state agencies, local  
16 institutions, nonprofit organizations, or nonprofit service corps  
17 organizations in the administration of the corps. Other state agencies  
18 may maintain a conservation corps coordinator for the purposes of  
19 partnering with the department and the corps.

20 (3) If deemed practicable, the department shall develop the  
21 conservation corps program with optional tracks for participants. The  
22 tracks could include a technical track for students and veterans  
23 interested in technical training, a science track for students and  
24 veterans interested in natural sciences training, or an emergency  
25 response track for participants providing wildland firefighting, flood  
26 fighting, oil spill response, or other natural or man-made disaster  
27 response statewide.

28 (4) The assignment of corps members shall not result in the  
29 displacement of currently employed workers, including partial  
30 displacement such as reduction in hours of nonovertime work, wages, or  
31 other employment benefits. ((Supervising)) Agencies that participate  
32 in the program may not terminate, lay-off, or reduce the working hours  
33 of any employee for the purpose of using a corps member with available  
34 funds. In circumstances where substantial efficiencies or a public  
35 purpose may result, ((supervising)) participating agencies may use  
36 corps members to carry out essential agency work or contractual  
37 functions without displacing current employees.

1           ~~((3))~~ (5) Facilities, supplies, motor vehicles, instruments, and  
2 tools of ~~((the supervising agency))~~ participating agencies shall be  
3 made available for use by the conservation corps to the extent that  
4 such use does not conflict with the normal duties of the agency. The  
5 agency may purchase, rent, or otherwise acquire other necessary tools,  
6 facilities, supplies, and instruments.

7           **Sec. 7.** RCW 43.220.070 and 1999 c 280 s 5 are each amended to read  
8 as follows:

9           (1) Conservation corps members shall be unemployed residents of the  
10 state between eighteen and twenty-five years of age at the time of  
11 enrollment who are citizens or lawful permanent residents of the United  
12 States. The age requirements may be waived for corps leaders and  
13 specialists with special leadership or occupational skills~~((; such~~  
14 ~~members shall be given special responsibility for providing leadership,~~  
15 ~~character development, and sense of community responsibility to the~~  
16 ~~corps members, groups, and work crews to which they are assigned))~~.  
17 The upper age requirement may be waived for residents who have a  
18 sensory or mental handicap. Special effort shall be made to recruit  
19 minority and disadvantaged youth who meet selection criteria of the  
20 conservation corps. Preference shall be given to youths residing in  
21 areas, both urban and rural, in which there exists substantial  
22 unemployment exceeding the state average unemployment rate.

23           (2) The legislature finds that people with developmental  
24 disabilities would benefit from experiencing a meaningful work  
25 experience, and learning the value of labor and of membership in a  
26 productive society.

27           ~~((The legislature urges state agencies that are participating in~~  
28 ~~the Washington conservation corps program to consider for enrollment in~~  
29 ~~the program people who have developmental disabilities, as defined in~~  
30 ~~RCW 71A.10.020.~~

31           ~~If an agency chooses to enroll people with developmental~~  
32 ~~disabilities in its Washington conservation corps program, the agency~~  
33 ~~may apply to))~~

34           (3) The recruitment of conservation corps members is the primary  
35 responsibility of the department. However, to the degree practicable,  
36 recruitment activities must be coordinated with the following entities:

37           (a) The department of natural resources;

- 1 (b) The department of fish and wildlife;
- 2 (c) The state parks and recreation commission;
- 3 (d) The department of veterans affairs;
- 4 (e) The employment security department; and
- 5 (f) Any interested postsecondary educational institutions.

6 (4) Recruitment efforts must be targeted to, but not limited to,  
7 unemployed or underemployed residents of the state who are:

- 8 (a) Between the ages of eighteen and twenty-five years;
- 9 (b) Fully matriculated students at a technical school, college, or  
10 university; or
- 11 (c) Military veterans.

12 (5) If people with developmental disabilities are enrolled in the  
13 conservation corps program, an application may be made to the United  
14 States department of labor, employment standards administration for a  
15 special subminimum wage certificate in order to be allowed to pay  
16 enrollees with developmental disabilities according to their individual  
17 levels of productivity.

18 ~~((+3))~~ (6) Corps members shall not be considered state employees.  
19 Other provisions of law relating to civil service, hours of work, rate  
20 of compensation, sick leave, unemployment compensation, state  
21 retirement plans, and vacation leave do not apply to the Washington  
22 conservation corps except for the crew supervisors, who shall be  
23 project employees, and the administrative and supervisory personnel.

24 ~~((+4) Enrollment shall be for a period of six months which may be~~  
25 ~~extended for additional six-month periods by mutual agreement of the~~  
26 ~~corps and the corps member, not to exceed two years. Corps members~~  
27 ~~shall be reimbursed at the minimum wage rate established by state or~~  
28 ~~federal law, whichever is higher, which may be increased by up to five~~  
29 ~~percent for each additional six-month period worked: PROVIDED, That if~~  
30 ~~agencies elect to run a residential program, the appropriate costs for~~  
31 ~~room and board shall be deducted from the corps member's paycheck as~~  
32 ~~provided in chapter 43.220 RCW.~~

33 ~~(+5))~~ (7) Except as otherwise provided in this section,  
34 participation as a corps member is for an initial period of three  
35 months. The enrollment period may be extended for additional three-  
36 month periods by mutual agreement of the department and the corps  
37 member, not to exceed two years.

1        (8)(a) Corps members are to be available at all times for emergency  
2 response services coordinated through the department (~~(of community,~~  
3 ~~trade, and economic development)~~) or other public agency. Duties may  
4 include sandbagging and flood cleanup, oil spill response, wildfire  
5 suppression, search and rescue, and other functions in response to  
6 emergencies.

7        (b) Corps members may be assigned to longer-term specialized crews  
8 not subject to the temporal limitations of service otherwise imposed by  
9 this section when longer-term commitments satisfy the specialized needs  
10 of the department, an agency partner, or other service contractee.

11        **Sec. 8.** RCW 43.220.170 and 1983 1st ex.s. c 40 s 17 are each  
12 amended to read as follows:

13        The services of corps members (~~(placed with agencies listed in RCW~~  
14 ~~43.220.020)~~) are exempt from unemployment compensation coverage under  
15 RCW 50.44.040(~~(+5)~~) (4) and the enrollees shall be so advised by the  
16 department.

17        **Sec. 9.** RCW 43.220.231 and 1999 c 280 s 7 are each amended to read  
18 as follows:

19        (1) An amount not to exceed five percent of the funds available for  
20 the Washington conservation corps may be expended on agency  
21 administrative costs. (~~(Agency administrative costs are indirect~~  
22 ~~expenses such as personnel, payroll, contract administration, fiscal~~  
23 ~~services, and other overhead costs.)~~)

24        (2) An amount not to exceed twenty percent of the funds available  
25 for the Washington conservation corps may be expended for costs  
26 included in subsection (1) of this section and program support costs.  
27 (~~(Program support costs include, but are not limited to, program~~  
28 ~~planning, development of reports, job and career training, uniforms and~~  
29 ~~equipment, and standard office space and utilities. Program support~~  
30 ~~costs do not include direct scheduling and supervision of corps~~  
31 ~~members.)~~)

32        (3) A minimum of eighty percent of the funds available for the  
33 Washington conservation corps shall be expended for corps member  
34 salaries and benefits and for direct supervision of corps members.

1           **Sec. 10.** RCW 43.220.250 and 1985 c 230 s 5 are each amended to  
2 read as follows:

3           A nonprofit corporation which contracts with (~~(an agency listed in~~  
4 ~~RCW 43.220.020)~~) the department to provide a specific service,  
5 appropriate for the administration of this chapter which the (~~(agency)~~)  
6 department cannot otherwise provide, may be reimbursed at the  
7 discretion of the (~~(agency)~~) department for the reasonable costs the  
8 (~~(agency)~~) department would absorb for providing those services.

9           NEW SECTION. **Sec. 11.** A new section is added to chapter 43.220  
10 RCW to read as follows:

11           (1) The director of the department of ecology and the commissioner  
12 of public lands shall jointly host an annual meeting with other corps  
13 program participants to serve as a forum for the partner agencies to  
14 provide guidance and feedback concerning the management and function of  
15 the corps.

16           (2) At a minimum, representatives of the following must be invited  
17 to participate at the annual meeting: The department of fish and  
18 wildlife; the state parks and recreation commission; the Puget Sound  
19 partnership; the department of veterans affairs; the employment  
20 security department; the Washington commission for national and  
21 community service; conservation districts; the state conservation  
22 commission; the salmon recovery funding board; the recreation and  
23 conservation office; the department of commerce; the department of  
24 health; or any similar successor organizations and any appropriate  
25 nonprofit organizations, including those engaged in service corps  
26 projects.

27           (3) Annual meeting participants shall, at a minimum:

28           (a) Review the conservation corps projects completed in the  
29 previous year, including an analysis of successes and opportunities for  
30 improvement; and

31           (b) Establish a work plan for the coming year, including the  
32 setting of annual priorities or criteria consistent with this chapter  
33 to guide crew development and the development of plans to pursue  
34 funding from various sources to expand the conservation corps.

35           NEW SECTION. **Sec. 12.** A new section is added to chapter 43.30 RCW

1 under the subchapter heading "Part 5 Powers and Duties--General" to  
2 read as follows:

3 The department shall cooperate, when appropriate, as a partner in  
4 the Washington conservation corps established in chapter 43.220 RCW.

5 **Sec. 13.** RCW 43.60A.152 and 2007 c 451 s 5 are each amended to  
6 read as follows:

7 ~~((1))~~ The department shall collaborate with the ~~((state~~  
8 ~~agencies))~~ department of ecology and the department of natural  
9 resources and any of its partnering agencies in implementing the  
10 Washington conservation corps, created in chapter 43.220 RCW, to  
11 maximize the utilization of both conservation corps programs. These  
12 agencies shall work together to identify stewardship and maintenance  
13 projects on ~~((agency-managed))~~ public lands that are suitable for work  
14 by veterans conservation corps enrollees. The department may expend  
15 funds appropriated to the veterans conservation corps program to defray  
16 the costs of education, training, and certification associated with the  
17 enrollees participating in such projects.

18 ~~((2) By September 30, 2007, the department, in conjunction with~~  
19 ~~the state agencies identified in subsection (1) of this section, shall~~  
20 ~~provide to the office of financial management and to the appropriate~~  
21 ~~committees of the senate and house of representatives a report that:~~

22 ~~(a) Identifies projects on state agency-managed lands that are~~  
23 ~~currently planned for veterans conservation corps enrollee~~  
24 ~~participation;~~

25 ~~(b) Identifies additional projects on state agency-managed lands~~  
26 ~~that are suitable for veterans conservation corps enrollee~~  
27 ~~participation and for which funding is currently in place for such~~  
28 ~~participation; and~~

29 ~~(c) Identifies additional projects on state agency-managed lands~~  
30 ~~for which project implementation has been funded or is included in the~~  
31 ~~agency's multiannual stewardship plans, and that are suitable for~~  
32 ~~veterans conservation corps enrollee participation in the event that~~  
33 ~~additional funding is provided to the department for associated~~  
34 ~~training, education, and certification.)~~

35 **Sec. 14.** RCW 79A.05.545 and 1999 c 249 s 701 are each amended to  
36 read as follows:

1       The commission shall cooperate (~~(in implementing and operating~~  
2 ~~the)~~), when appropriate, as a partner in the Washington conservation  
3 ~~corps ((as required by))~~ established in chapter 43.220 RCW.

4       NEW SECTION. Sec. 15. A new section is added to chapter 77.12 RCW  
5 to read as follows:

6       The department shall cooperate, when appropriate, as a partner in  
7 the Washington conservation corps established in chapter 43.220 RCW.

8       **Sec. 16.** RCW 77.85.130 and 2007 c 341 s 36 and 2007 c 257 s 1 are  
9 each reenacted and amended to read as follows:

10       (1) The salmon recovery funding board shall develop procedures and  
11 criteria for allocation of funds for salmon habitat projects and salmon  
12 recovery activities on a statewide basis to address the highest  
13 priorities for salmon habitat protection and restoration. To the  
14 extent practicable the board shall adopt an annual allocation of  
15 funding. The allocation should address both protection and restoration  
16 of habitat, and should recognize the varying needs in each area of the  
17 state on an equitable basis. The board has the discretion to partially  
18 fund, or to fund in phases, salmon habitat projects. The board may  
19 annually establish a maximum amount of funding available for any  
20 individual project, subject to available funding. No projects required  
21 solely as a mitigation or a condition of permitting are eligible for  
22 funding.

23       (2)(a) In evaluating, ranking, and awarding funds for projects and  
24 activities the board shall give preference to projects that:

25       (i) Are based upon the limiting factors analysis identified under  
26 RCW 77.85.060;

27       (ii) Provide a greater benefit to salmon recovery based upon the  
28 stock status information contained in the department of fish and  
29 wildlife salmonid stock inventory (SASSI), the salmon and steelhead  
30 habitat inventory and assessment project (SSHIAP), and any comparable  
31 science-based assessment when available;

32       (iii) Will benefit listed species and other fish species;

33       (iv) Will preserve high quality salmonid habitat;

34       (v) Are included in a regional or watershed-based salmon recovery  
35 plan that accords the project, action, or area a high priority for  
36 funding;

1 (vi) Are, except as provided in RCW 77.85.240, sponsored by an  
2 entity that is a Puget Sound partner, as defined in RCW 90.71.010; and

3 (vii) Are projects referenced in the action agenda developed by the  
4 Puget Sound partnership under RCW 90.71.310.

5 (b) In evaluating, ranking, and awarding funds for projects and  
6 activities the board shall also give consideration to projects that:

7 (i) Are the most cost-effective;

8 (ii) Have the greatest matched or in-kind funding;

9 (iii) Will be implemented by a sponsor with a successful record of  
10 project implementation;

11 (iv) Involve members of the Washington conservation corps  
12 established in chapter 43.220 RCW or the veterans conservation corps  
13 established in RCW 43.60A.150; and

14 (v) Are part of a regionwide list developed by lead entities.

15 (3) The board may reject, but not add, projects from a habitat  
16 project list submitted by a lead entity for funding.

17 (4) The board shall establish criteria for determining when block  
18 grants may be made to a lead entity. The board may provide block  
19 grants to the lead entity to implement habitat project lists developed  
20 under RCW 77.85.050, subject to available funding. The board shall  
21 determine an equitable minimum amount of project funds for each  
22 recovery region, and shall distribute the remainder of funds on a  
23 competitive basis. The board may also provide block grants to the lead  
24 entity or regional recovery organization to assist in carrying out  
25 functions described under this chapter. Block grants must be expended  
26 consistent with the priorities established for the board in subsection  
27 (2) of this section. Lead entities or regional recovery organizations  
28 receiving block grants under this subsection shall provide an annual  
29 report to the board summarizing how funds were expended for activities  
30 consistent with this chapter, including the types of projects funded,  
31 project outcomes, monitoring results, and administrative costs.

32 (5) The board may waive or modify portions of the allocation  
33 procedures and standards adopted under this section in the award of  
34 grants or loans to conform to legislative appropriations directing an  
35 alternative award procedure or when the funds to be awarded are from  
36 federal or other sources requiring other allocation procedures or  
37 standards as a condition of the board's receipt of the funds. The  
38 board shall develop an integrated process to manage the allocation of

1 funding from federal and state sources to minimize delays in the award  
2 of funding while recognizing the differences in state and legislative  
3 appropriation timing.

4 (6) The board may award a grant or loan for a salmon recovery  
5 project on private or public land when the landowner has a legal  
6 obligation under local, state, or federal law to perform the project,  
7 when expedited action provides a clear benefit to salmon recovery, and  
8 there will be harm to salmon recovery if the project is delayed. For  
9 purposes of this subsection, a legal obligation does not include a  
10 project required solely as a mitigation or a condition of permitting.

11 (7) Property acquired or improved by a project sponsor may be  
12 conveyed to a federal agency if: (a) The agency agrees to comply with  
13 all terms of the grant or loan to which the project sponsor was  
14 obligated; or (b) the board approves: (i) Changes in the terms of the  
15 grant or loan, and the revision or removal of binding deed of right  
16 instruments; and (ii) a memorandum of understanding or similar document  
17 ensuring that the facility or property will retain, to the extent  
18 feasible, adequate habitat protections; and (c) the appropriate  
19 legislative authority of the county or city with jurisdiction over the  
20 project area approves the transfer and provides notification to the  
21 board.

22 (8) Any project sponsor receiving funding from the salmon recovery  
23 funding board that is not subject to disclosure under chapter 42.56 RCW  
24 must, as a mandatory contractual prerequisite to receiving the funding,  
25 agree to disclose any information in regards to the expenditure of that  
26 funding as if the project sponsor was subject to the requirements of  
27 chapter 42.56 RCW.

28 (9) After January 1, 2010, any project designed to address the  
29 restoration of Puget Sound may be funded under this chapter only if the  
30 project is not in conflict with the action agenda developed by the  
31 Puget Sound partnership under RCW 90.71.310.

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

34 (1) RCW 43.220.010 (Legislative declaration) and 1983 1st ex.s. c  
35 40 s 2;

36 (2) RCW 43.220.030 (Program goals) and 1999 c 280 s 2, 1987 c 367  
37 s 1, & 1983 1st ex.s. c 40 s 3;

- 1 (3) RCW 43.220.080 (Selection of corps members--Development of  
2 corps program) and 1983 1st ex.s. c 40 s 8;
- 3 (4) RCW 43.220.090 (Conservation corps established in department of  
4 ecology--Work project areas) and 1994 c 264 s 33 & 1983 1st ex.s. c 40  
5 s 9;
- 6 (5) RCW 43.220.120 (Conservation corps established in department of  
7 fish and wildlife--Work project areas) and 1999 c 280 s 6, 1994 c 264  
8 s 34, 1988 c 36 s 24, & 1983 1st ex.s. c 40 s 12;
- 9 (6) RCW 43.220.130 (Conservation corps established in department of  
10 natural resources--Work project areas) and 1983 1st ex.s. c 40 s 13;
- 11 (7) RCW 43.220.160 (Conservation corps established in state parks  
12 and recreation commission--Work project areas) and 1999 c 249 s 702 &  
13 1983 1st ex.s. c 40 s 16;
- 14 (8) RCW 43.220.180 (Identification of historic properties and sites  
15 in need of rehabilitation or renovation--Use of corps members) and 1983  
16 1st ex.s. c 40 s 18;
- 17 (9) RCW 43.220.190 (Duties of agencies) and 1999 c 151 s 1302, 1987  
18 c 367 s 3, & 1983 1st ex.s. c 40 s 20; and
- 19 (10) RCW 43.220.210 (Selection, review, approval, and evaluation of  
20 projects--Recruitment, job training and placement services) and 1999 c  
21 151 s 1303, 1987 c 367 s 4, & 1985 c 230 s 1.

--- END ---