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HOUSE BILL 1247

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State of Washington

63rd Legislature

2013 Regular Session

By Representatives Hansen, Warnick, Smith, Zeiger, Fey, Springer, Tharinger, and Santos

Read first time 01/21/13. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to the job skills program; amending RCW 28C.04.420;  
2 reenacting and amending RCW 28C.04.410; and adding a new section to  
3 chapter 28C.04 RCW.

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

5 **Sec. 1.** RCW 28C.04.420 and 2009 c 554 s 2 are each amended to read  
6 as follows:

7 The college board (~~may, subject to appropriation from the~~  
8 ~~legislature or from funds made available from any other public or~~  
9 ~~private source and~~) shall, pursuant to rules adopted by the college  
10 board, and with the advice of the workforce training customer advisory  
11 committee established in RCW 28C.04.390, use funds from the job skills  
12 program account and the job skills program trust account in section 2  
13 of this act to provide job skills grants to educational institutions.  
14 The job skills grants shall be used exclusively for programs which are  
15 consistent with the job skills program. The college board shall work  
16 in collaboration with the workforce training customer advisory  
17 committee established in RCW 28C.04.390 to assure that:

18 (1) The program is within the scope of the job skills program under

1 this chapter and may reasonably be expected to succeed and thereby  
2 increase employment within the state;

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

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

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

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

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

14 (7) The job skills grant is essential to the success of the program  
15 as the resources of the applicant are inadequate to attract the  
16 technical assistance and financial support necessary for the program  
17 from business and industry;

18 (8) The program represents a collaborative partnership between  
19 business, industry, labor, educational institutions, and other  
20 partners, as appropriate;

21 (9) The commitment of financial support from business and industry  
22 shall be equal to or greater than the amount of the requested job  
23 skills grant unless it is a small business with a gross business income  
24 of less than five hundred thousand dollars;

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

26 (a) ~~Proposing training that ((leads to transferable skills that are~~  
27 ~~interchangeable among different jobs, employers, or workplaces))~~  
28 provides college credit or leads to a recognized industry credential;

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

31 (c) Proposing coordination with other cluster-based programs or  
32 initiatives including, but not limited to, industry skill panels,  
33 centers of excellence, innovation partnership zones, state-supported  
34 cluster growth grants, and local cluster-based economic development  
35 initiatives;

36 (d) ~~((Proposing industry-based credentialing))~~ From consortia of  
37 colleges or consortia of employers; and

1 (e) Proposing increased capacity for educational institutions that  
2 can be made available to industry and students beyond the grant  
3 recipients;

4 (11) Binding commitments have been made to the college board by the  
5 applicant for adequate reporting of information and data regarding the  
6 program to the college board, particularly information concerning the  
7 recruitment and employment of trainees and students, and including a  
8 requirement for an annual or other periodic audit of the books of the  
9 applicant directly related to the program, and for such control on the  
10 part of the college board as it considers prudent over the management  
11 of the program, so as to protect the use of public funds, including, in  
12 the discretion of the commission and without limitation, right of  
13 access to financial and other records of the applicant directly related  
14 to the programs; and

15 (12) A provision has been made by the applicant to work, in  
16 cooperation with the employment security department, to identify and  
17 screen potential trainees, and that provision has been made by the  
18 applicant for the participation as trainees of low-income persons  
19 including temporary assistance for needy families recipients,  
20 dislocated workers, and persons from minority and economically  
21 disadvantaged groups to participate in the program.

22 Beginning October 1, 1999, and every two years thereafter, the  
23 college board shall provide the legislature and the governor with a  
24 report describing the activities and outcomes of the state job skills  
25 program.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 28C.04 RCW  
27 to read as follows:

28 (1) The job skills program account is created in the state  
29 treasury. All receipts from appropriations must be deposited into the  
30 account. Moneys in the account may be spent only after appropriation.  
31 Expenditures from the account may be used only for the job skills  
32 program in this chapter.

33 (2) The job skills program trust account is created in the custody  
34 of the state treasurer. All receipts from gifts, grants, or endowments  
35 from public and private sources that are made from time to time, in  
36 trust or otherwise, must be deposited into the account. Expenditures  
37 from the account may be used only for the job skills program under this

1 chapter. Only the executive director of the college board or the  
2 executive director's designee may authorize expenditures from the  
3 account. The account is subject to allotment procedures under chapter  
4 43.88 RCW, but an appropriation is not required for expenditures.

5 **Sec. 3.** RCW 28C.04.410 and 2009 c 554 s 1 are each reenacted and  
6 amended to read as follows:

7 Unless the context clearly requires otherwise, the definitions in  
8 this section apply throughout RCW 28C.04.390 (~~and~~), 28C.04.420, and  
9 section 2 of this act.

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

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

17 (3) "College board" means the state board for community and  
18 technical colleges under chapter 28B.50 RCW.

19 (4) "Dislocated worker" means an individual who meets the  
20 definition of dislocated worker contained in P.L. 105-220, Sec. 101 on  
21 July 25, 1999.

22 (5) "Educational institution" means a public secondary or  
23 postsecondary institution, an independent institution, or a private  
24 career school or college within the state authorized by law to provide  
25 a program of skills training or education beyond the secondary school  
26 level. Any educational institution receiving a job skills grant under  
27 RCW 28C.04.420 shall be free of sectarian control or influence as set  
28 forth in Article IX, section 4 of the state Constitution.

29 (6) "Equipment" means tangible personal property which will further  
30 the objectives of the supported program and for which a definite value  
31 and evidence in support of the value have been provided by the donor.

32 (7) "Financial support" means any thing of value which is  
33 contributed by business, industry, and others to an educational  
34 institution which is reasonably calculated to support directly the  
35 development and expansion of a particular program under RCW 28C.04.390  
36 and 28C.04.420 and represents an addition to any financial support  
37 previously or customarily provided to such educational institutions by

1 the donor. "Financial support" includes, but is not limited to, funds,  
2 equipment, facilities, faculty, and scholarships for matriculating  
3 students and trainees.

4 (8) "Job skills grant" means funding that is provided to an  
5 educational institution by the college board for the development or  
6 significant expansion of a program under RCW 28C.04.390 and 28C.04.420.

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

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

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

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

18 (d) Serves areas with high concentrations of economically  
19 disadvantaged persons and high unemployment;

20 (e) Promotes the growth of industry clusters;

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

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

25 (10) "Technical assistance" means professional and any other  
26 assistance provided by business and industry to an educational  
27 institution, which is reasonably calculated to support directly the  
28 development and expansion of a particular program and which represents  
29 an addition to any technical assistance previously or customarily  
30 provided to the educational institutions by the donor.

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