

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1294

62nd Legislature
2011 Regular Session

Passed by the House February 28, 2011
Yeas 67 Nays 30

Speaker of the House of Representatives

Passed by the Senate March 29, 2011
Yeas 38 Nays 9

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1294** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1294

Passed Legislature - 2011 Regular Session

State of Washington

62nd Legislature

2011 Regular Session

By House Environment (originally sponsored by Representatives Tharinger, Warnick, Seaquist, Finn, Smith, Upthegrove, Springer, Dunshee, Orcutt, Hudgins, Reykdal, Rolfes, Hunt, Moscoso, Green, McCoy, Morris, Frockt, Ryu, Jenkins, Fitzgibbon, Sells, Blake, Appleton, Llias, Maxwell, Kenney, Carlyle, Hope, and Billig; by request of Commissioner of Public Lands and Department of Ecology)

READ FIRST TIME 02/08/11.

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, 43.220.210, 79A.05.500, 79A.05.505, 79A.05.510, 79A.05.515,
10 79A.05.520, 79A.05.525, 79A.05.530, 79A.05.535, and 79A.05.540.

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

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

18 (2) The legislature further finds that the long-term health of the
19 economy of Washington depends on the sustainable management of its

1 natural resources and that the livelihoods and revenues produced by
2 Washington's forests, agricultural lands, estuaries, waterways, and
3 watersheds would be enhanced by targeted, streamlined, and prioritized
4 investments in clean water and habitat restoration.

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

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

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

25 (6) The legislature further finds that individuals with
26 developmental disabilities would benefit from experiencing a meaningful
27 work experience, and learning the value of labor and of membership in
28 a productive society. As such, the legislature urges state agencies
29 that are participating in the Washington conservation corps program to
30 consider for enrollment in the program individuals with developmental
31 disabilities, as defined in RCW 71A.10.020.

32 (7)(a) Therefore, it is the intent of the legislature to maintain
33 the conservation corps statewide, to collaborate with the veterans
34 conservation corps, to establish the Puget Sound corps, to streamline
35 how government administers and manages the state's conservation corps
36 to more efficiently expend the state's resources toward priority
37 outcomes, including the recovery of the Puget Sound ecosystem to health

1 by 2020, to increase opportunities for meaningful work experience, and
2 to authorize public-private partnerships as a key element of corps
3 activities.

4 (b) It is also the intent of the legislature to integrate into the
5 Puget Sound corps the therapeutic and reintegration intent of the
6 veterans conservation corps for veterans involved in the Puget Sound
7 corps.

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

10 (1) The Washington conservation corps is ((hereby)) created((, to
11 be implemented by)). The ((following state departments: The employment
12 security department, the)) department of ecology((, the department of
13 fish and wildlife, the department of natural resources, and the state
14 parks and recreation commission)) must administer the corps as a
15 partnership with the departments of natural resources and fish and
16 wildlife, the state parks and recreation commission, and when
17 appropriate, other agencies and nonprofit organizations to advance the
18 program goals outlined in section 5 of this act.

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

22 NEW SECTION. **Sec. 3.** It is the intent of this act to centralize
23 the administration of the Washington conservation corps, which was
24 previously administered by the departments of ecology, natural
25 resources, and fish and wildlife and the state parks and recreation
26 commission, into the department of ecology. This act is prospective
27 only, and any grant awards or conservation corps crew or individual
28 placements finalized by other agencies or partners prior to the
29 effective date of this section remain unaffected by this act.

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

32 ((Unless the context clearly requires otherwise,)) The definitions
33 in this section apply throughout this chapter unless the context
34 clearly requires otherwise.

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

4 (2) "Corps" means the Washington conservation corps, including the
5 Puget Sound corps.

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

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

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

15 (6) (~~("Distressed area" has the meaning as defined in RCW~~
16 ~~43.168.020-.)~~) "Department" means the department of ecology.

17 (7) "Agency administrative costs" means indirect expenses such as
18 personnel, payroll, contract administration, fiscal services, and other
19 overhead costs.

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

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

27 (1) The corps shall be organized and managed to complete projects
28 with fee-for-service work crews that meet goals associated with the
29 protection, promotion, enhancement, or rehabilitation of the following:

- 30 (a) Public lands;
- 31 (b) State natural resources;
- 32 (c) Water quality;
- 33 (d) Watershed health;
- 34 (e) Fish and wildlife;
- 35 (f) Habitat;
- 36 (g) Outdoor recreation;
- 37 (h) Forest health;

1 (i) Wildfire risk reduction; and

2 (j) State historic sites.

3 (2) In addition to the project goals outlined in subsection (1) of
4 this section, the Puget Sound corps shall seek to deploy corps members
5 with the specific goal of participating in the recovery of the Puget
6 Sound ecosystem. The resources of the Puget Sound corps must be
7 prioritized, when practicable, to focus on the following when located
8 within the Puget Sound basin:

9 (a) Projects identified in, or consistent with, the action agenda
10 developed by the Puget Sound partnership in chapter 90.71 RCW;

11 (b) Projects located on public lands;

12 (c) Habitat enhancement and rehabilitation projects; and

13 (d) Education and stewardship projects.

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

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

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

19 (c) Expands or integrates training programs or career development
20 opportunities for corps members;

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

22 (e) Can be promptly completed.

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

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

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

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

33 (c) Executing agreements for furnishing the services of the corps
34 to carry out conservation corps programs to any federal, state, or
35 local public agency, any local organization as specified in this
36 chapter (in concern) that operates consistent with the overall
37 objectives of the conservation corps;

1 ~~((e))~~ (d) Applying for and accepting grants or contributions of
2 funds from ~~((any private source))~~ the federal government, other public
3 sources, or private funding sources for conservation corps projects
4 and, when possible, other projects specifically targeted at Puget Sound
5 recovery that can be accomplished with fee-for-service labor from the
6 Puget Sound corps. Application priority must be given to funding
7 sources only available to state agencies;

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

13 ~~(e) Entering into agreements with community colleges within the~~
14 ~~state's community and technical college system and other educational~~
15 ~~institutions or independent nonprofit agencies to provide special~~
16 ~~education in basic skills, including reading, writing, and mathematics~~
17 ~~for those conservation corps members who may benefit by participation~~
18 ~~in such classes. Classes shall be scheduled after corps working hours.~~
19 ~~Participation by members is not mandatory but shall be strongly~~
20 ~~encouraged. The participation shall be a primary factor in determining~~
21 ~~whether the opportunity for corps membership beyond one year shall be~~
22 ~~offered. Instruction related to the specific role of the department in~~
23 ~~resource conservation shall also be offered, either in a classroom~~
24 ~~setting or as is otherwise appropriate))~~ (e) Establishing consistent
25 work standards and placement and evaluation procedures of corps
26 programs; and

27 (f) Selecting, reviewing, approving, and evaluating the success of
28 corps projects.

29 (2) The department may partner with any other state agencies, local
30 institutions, nonprofit organizations, or nonprofit service corps
31 organizations in the administration of the corps. However, when
32 partnering with the Washington department of veterans affairs,
33 participation criteria and other administrative decisions affecting
34 participants in the veterans conservation corps created under chapter
35 43.60A RCW are to be determined by the Washington department of
36 veterans affairs. Other state agencies may maintain a coordinator for
37 the purposes of partnering with the department and the corps.

1 (3) If deemed practicable, the department shall work with the state
2 board for community and technical colleges created in RCW 28B.50.050 to
3 align the conservation corps program with optional career pathways for
4 participants that may provide instruction in basic skills in addition
5 to the appropriate technical training.

6 (4) The assignment of corps members shall not result in the
7 displacement of currently employed workers, including partial
8 displacement such as reduction in hours of nonovertime work, wages, or
9 other employment benefits. ((Supervising)) Agencies that participate
10 in the program may not terminate, lay-off, or reduce the working hours
11 of any employee for the purpose of using a corps member with available
12 funds. In circumstances where substantial efficiencies or a public
13 purpose may result, ((supervising)) participating agencies may use
14 corps members to carry out essential agency work or contractual
15 functions without displacing current employees.

16 ~~((+3))~~ (5) Facilities, supplies, motor vehicles, instruments, and
17 tools of ((the supervising agency)) participating agencies shall be
18 made available for use by the conservation corps to the extent that
19 such use does not conflict with the normal duties of the agency. The
20 agency may purchase, rent, or otherwise acquire other necessary tools,
21 facilities, supplies, and instruments.

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

24 (1)(a) Except as otherwise provided in this section, conservation
25 corps members ((shall)) must be unemployed or underemployed residents
26 of the state between eighteen and twenty-five years of age at the time
27 of enrollment who are citizens or lawful permanent residents of the
28 United States.

29 (b) The age requirements may be waived for corps leaders ((and))
30 veterans, specialists with special leadership or occupational skills((+
31 such members shall be given special responsibility for providing
32 leadership, character development, and sense of community
33 responsibility to the corps members, groups, and work crews to which
34 they are assigned. The upper age requirement may be waived for
35 residents who have)), and participants with a sensory or mental
36 handicap. ((Special effort shall be made to recruit minority and
37 disadvantaged youth who meet selection criteria of the conservation

1 corps. Preference shall be given to youths residing in areas, both
2 urban and rural, in which there exists substantial unemployment
3 exceeding the state average unemployment rate.

4 (2) The legislature finds that people with developmental
5 disabilities would benefit from experiencing a meaningful work
6 experience, and learning the value of labor and of membership in a
7 productive society.

8 The legislature urges state agencies that are participating in the
9 Washington conservation corps program to consider for enrollment in the
10 program people who have developmental disabilities, as defined in RCW
11 71A.10.020.

12 If an agency chooses to enroll people with developmental
13 disabilities in its Washington conservation corps program, the agency
14 may apply to the United States department of labor, employment
15 standards administration for a special subminimum wage certificate in
16 order to be allowed to pay enrollees with developmental disabilities
17 according to their individual levels of productivity))

18 (2) The recruitment of conservation corps members is the primary
19 responsibility of the department. However, to the degree practicable,
20 recruitment activities must be coordinated with the following entities:

21 (a) The department of natural resources;

22 (b) The department of fish and wildlife;

23 (c) The state parks and recreation commission;

24 (d) The Washington department of veterans affairs;

25 (e) The employment security department;

26 (f) Community and technical colleges; and

27 (g) Any other interested postsecondary educational institutions.

28 (3) Recruitment efforts must be targeted to, but not limited to,
29 residents of the state who meet the participation eligibility
30 requirements provided in this section and are either:

31 (a) A student enrolled at a community or technical college, private
32 career college, or a four-year college or university;

33 (b) A minority or disadvantaged youth residing in an urban or rural
34 area of the state; or

35 (c) Military veterans.

36 ((+3)) (4) Corps members shall not be considered state employees.
37 Other provisions of law relating to civil service, hours of work, rate
38 of compensation, sick leave, unemployment compensation, state

1 retirement plans, and vacation leave do not apply to the Washington
2 conservation corps except for the crew supervisors, who shall be
3 project employees, and the administrative and supervisory personnel.

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

13 ~~(5))~~ (5) Except as otherwise provided in this section,
14 participation as a corps member is for an initial period of three
15 months. The enrollment period may be extended for additional three-
16 month periods by mutual agreement of the department and the corps
17 member, not to exceed two years.

18 (6)(a) Corps members are to be available at all times for emergency
19 response services coordinated through the department ((of community,
20 trade, and economic development)) or other public agency. Duties may
21 include sandbagging and flood cleanup, oil spill response, wildfire
22 suppression, search and rescue, and other functions in response to
23 emergencies.

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

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

30 The services of corps members ~~((placed with agencies listed in RCW
31 43.220.020))~~ are exempt from unemployment compensation coverage under
32 RCW 50.44.040~~((5))~~ (4) and the enrollees shall be so advised by the
33 department.

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

36 (1) An amount not to exceed five percent of the funds available for

1 the Washington conservation corps may be expended on agency
2 administrative costs. (~~Agency administrative costs are indirect~~
3 ~~expenses such as personnel, payroll, contract administration, fiscal~~
4 ~~services, and other overhead costs.~~)

5 (2) An amount not to exceed twenty percent of the funds available
6 for the Washington conservation corps may be expended for costs
7 included in subsection (1) of this section and program support costs.
8 (~~Program support costs include, but are not limited to, program~~
9 ~~planning, development of reports, job and career training, uniforms and~~
10 ~~equipment, and standard office space and utilities. Program support~~
11 ~~costs do not include direct scheduling and supervision of corps~~
12 ~~members.~~)

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

16 (4) Consistent with any fund source requirements, any state agency
17 using federal funds to sponsor fee-for-service Washington conservation
18 corps crews must contract with the Washington department of veterans
19 affairs for at least five percent of the federal funding to sponsor
20 veteran conservation corps crews operating under RCW 43.60A.150. This
21 requirement applies statewide.

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

24 A nonprofit corporation which contracts with (~~an agency listed in~~
25 ~~RCW 43.220.020~~) the department to provide a specific service,
26 appropriate for the administration of this chapter which the (~~agency~~)
27 department cannot otherwise provide, may be reimbursed at the
28 discretion of the (~~agency~~) department for the reasonable costs the
29 (~~agency~~) department would absorb for providing those services.

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

32 (1) The director of the department of ecology and the commissioner
33 of public lands shall jointly host an annual meeting with other corps
34 program participants to serve as a forum for the partner agencies to
35 provide guidance and feedback concerning the management and function of
36 the corps.

1 (2) At a minimum, representatives of the following must be invited
2 to participate at the annual meeting: The department of fish and
3 wildlife; the state parks and recreation commission; the Puget Sound
4 partnership; the department of veterans affairs; the employment
5 security department; the Washington commission for national and
6 community service; conservation districts; the state conservation
7 commission; the salmon recovery funding board; the recreation and
8 conservation office; the department of commerce; the department of
9 health; or any similar successor organizations and any appropriate
10 nonprofit organizations, including those engaged in service corps
11 projects.

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

13 (a) Review the conservation corps projects completed in the
14 previous year, including an analysis of successes and opportunities for
15 improvement; and

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

20 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.30 RCW
21 under the subchapter heading "Part 5 Powers and Duties--General" to
22 read as follows:

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

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

27 ((+1)) The department shall collaborate with the ((state
28 agencies)) department of ecology and the department of natural
29 resources and any of its partnering agencies in implementing the
30 Washington conservation corps, created in chapter 43.220 RCW, to
31 maximize the utilization of both conservation corps programs. These
32 agencies shall work together to identify stewardship and maintenance
33 projects on ((agency-managed)) public lands that are suitable for work
34 by veterans conservation corps enrollees. The department may expend
35 funds appropriated to the veterans conservation corps program to defray

1 the costs of education, training, and certification associated with the
2 enrollees participating in such projects.

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

7 ~~(a) Identifies projects on state agency managed lands that are
8 currently planned for veterans conservation corps enrollee
9 participation;~~

10 ~~(b) Identifies additional projects on state agency managed lands
11 that are suitable for veterans conservation corps enrollee
12 participation and for which funding is currently in place for such
13 participation; and~~

14 ~~(c) Identifies additional projects on state agency managed lands
15 for which project implementation has been funded or is included in the
16 agency's multiannual stewardship plans, and that are suitable for
17 veterans conservation corps enrollee participation in the event that
18 additional funding is provided to the department for associated
19 training, education, and certification.)~~

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

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

25 NEW SECTION. **Sec. 15.** A new section is added to chapter 77.12 RCW
26 to read as follows:

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

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

31 (1) The salmon recovery funding board shall develop procedures and
32 criteria for allocation of funds for salmon habitat projects and salmon
33 recovery activities on a statewide basis to address the highest
34 priorities for salmon habitat protection and restoration. To the
35 extent practicable the board shall adopt an annual allocation of

1 funding. The allocation should address both protection and restoration
2 of habitat, and should recognize the varying needs in each area of the
3 state on an equitable basis. The board has the discretion to partially
4 fund, or to fund in phases, salmon habitat projects. The board may
5 annually establish a maximum amount of funding available for any
6 individual project, subject to available funding. No projects required
7 solely as a mitigation or a condition of permitting are eligible for
8 funding.

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

11 (i) Are based upon the limiting factors analysis identified under
12 RCW 77.85.060;

13 (ii) Provide a greater benefit to salmon recovery based upon the
14 stock status information contained in the department of fish and
15 wildlife salmonid stock inventory (SASSI), the salmon and steelhead
16 habitat inventory and assessment project (SSHIAP), and any comparable
17 science-based assessment when available;

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

19 (iv) Will preserve high quality salmonid habitat;

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

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

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

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

29 (i) Are the most cost-effective;

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

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

33 (iv) Involve members of the Washington conservation corps
34 established in chapter 43.220 RCW or the veterans conservation corps
35 established in RCW 43.60A.150; and

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

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

1 (4) The board shall establish criteria for determining when block
2 grants may be made to a lead entity. The board may provide block
3 grants to the lead entity to implement habitat project lists developed
4 under RCW 77.85.050, subject to available funding. The board shall
5 determine an equitable minimum amount of project funds for each
6 recovery region, and shall distribute the remainder of funds on a
7 competitive basis. The board may also provide block grants to the lead
8 entity or regional recovery organization to assist in carrying out
9 functions described under this chapter. Block grants must be expended
10 consistent with the priorities established for the board in subsection
11 (2) of this section. Lead entities or regional recovery organizations
12 receiving block grants under this subsection shall provide an annual
13 report to the board summarizing how funds were expended for activities
14 consistent with this chapter, including the types of projects funded,
15 project outcomes, monitoring results, and administrative costs.

16 (5) The board may waive or modify portions of the allocation
17 procedures and standards adopted under this section in the award of
18 grants or loans to conform to legislative appropriations directing an
19 alternative award procedure or when the funds to be awarded are from
20 federal or other sources requiring other allocation procedures or
21 standards as a condition of the board's receipt of the funds. The
22 board shall develop an integrated process to manage the allocation of
23 funding from federal and state sources to minimize delays in the award
24 of funding while recognizing the differences in state and legislative
25 appropriation timing.

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

33 (7) Property acquired or improved by a project sponsor may be
34 conveyed to a federal agency if: (a) The agency agrees to comply with
35 all terms of the grant or loan to which the project sponsor was
36 obligated; or (b) the board approves: (i) Changes in the terms of the
37 grant or loan, and the revision or removal of binding deed of right
38 instruments; and (ii) a memorandum of understanding or similar document

1 ensuring that the facility or property will retain, to the extent
2 feasible, adequate habitat protections; and (c) the appropriate
3 legislative authority of the county or city with jurisdiction over the
4 project area approves the transfer and provides notification to the
5 board.

6 (8) Any project sponsor receiving funding from the salmon recovery
7 funding board that is not subject to disclosure under chapter 42.56 RCW
8 must, as a mandatory contractual prerequisite to receiving the funding,
9 agree to disclose any information in regards to the expenditure of that
10 funding as if the project sponsor was subject to the requirements of
11 chapter 42.56 RCW.

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

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

18 (1) RCW 43.220.010 (Legislative declaration) and 1983 1st ex.s. c
19 40 s 2;

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

22 (3) RCW 43.220.080 (Selection of corps members--Development of
23 corps program) and 1983 1st ex.s. c 40 s 8;

24 (4) RCW 43.220.090 (Conservation corps established in department of
25 ecology--Work project areas) and 1994 c 264 s 33 & 1983 1st ex.s. c 40
26 s 9;

27 (5) RCW 43.220.120 (Conservation corps established in department of
28 fish and wildlife--Work project areas) and 1999 c 280 s 6, 1994 c 264
29 s 34, 1988 c 36 s 24, & 1983 1st ex.s. c 40 s 12;

30 (6) RCW 43.220.130 (Conservation corps established in department of
31 natural resources--Work project areas) and 1983 1st ex.s. c 40 s 13;

32 (7) RCW 43.220.160 (Conservation corps established in state parks
33 and recreation commission--Work project areas) and 1999 c 249 s 702 &
34 1983 1st ex.s. c 40 s 16;

35 (8) RCW 43.220.180 (Identification of historic properties and sites
36 in need of rehabilitation or renovation--Use of corps members) and 1983
37 1st ex.s. c 40 s 18;

1 (9) RCW 43.220.190 (Duties of agencies) and 1999 c 151 s 1302, 1987
2 c 367 s 3, & 1983 1st ex.s. c 40 s 20;

3 (10) RCW 43.220.210 (Selection, review, approval, and evaluation of
4 projects--Recruitment, job training and placement services) and 1999 c
5 151 s 1303, 1987 c 367 s 4, & 1985 c 230 s 1;

6 (11) RCW 79A.05.500 (Declaration of purpose) and 2000 c 11 s 42,
7 1969 ex.s. c 96 s 1, & 1965 c 8 s 43.51.500;

8 (12) RCW 79A.05.505 (Youth development and conservation division
9 established--Supervisory personnel) and 1999 c 249 s 1201 & 1965 c 8 s
10 43.51.510;

11 (13) RCW 79A.05.510 (Composition of youth corps--Qualifications,
12 conditions, period of enrollment, etc) and 1975 c 7 s 1, 1969 ex.s. c
13 96 s 3, & 1965 c 8 s 43.51.530;

14 (14) RCW 79A.05.515 (Compensation--Quarters--Hospital services,
15 etc) and 1999 c 249 s 1202, 1982 c 70 s 1, 1975 c 7 s 2, & 1965 c 8 s
16 43.51.540;

17 (15) RCW 79A.05.520 (Laws relating to hours, conditions of
18 employment, civil service, etc., not applicable) and 2000 c 11 s 43 &
19 1965 c 8 s 43.51.550;

20 (16) RCW 79A.05.525 (Expenditures, gifts, government surplus
21 materials) and 1965 c 8 s 43.51.560;

22 (17) RCW 79A.05.530 (Agreements with private persons to enroll
23 additional people--Commercial activities prohibited--Authorized
24 closures of area) and 1975 c 7 s 3, 1973 1st ex.s. c 154 s 85, & 1965
25 c 8 s 43.51.570;

26 (18) RCW 79A.05.535 (Agreements with and acceptance of grants from
27 federal government authorized) and 2000 c 11 s 44 & 1965 ex.s. c 48 s
28 1; and

29 (19) RCW 79A.05.540 (Agreements with and acceptance of grants from
30 federal government authorized--Length of enrollment and compensation in
31 accordance with federal standards authorized) and 2000 c 11 s 45 & 1965
32 ex.s. c 48 s 2.

--- END ---