

the amount of such consideration so paid, plus reasonable attorney's fees and costs.

(3) A person performing the services of an employment agency or employment listing or employment referral service without holding a valid license shall cease operations or immediately apply for and obtain a valid license. If the person continues to operate in violation of this chapter the director or the attorney general has a cause of action in any court having jurisdiction for the return of any consideration paid by any person to the agency. The court may enter judgment in the action for treble the amount of the consideration so paid, plus reasonable attorney's fees and costs.

Passed the House February 9, 1990.

Passed the Senate February 28, 1990.

Approved by the Governor March 15, 1990.

Filed in Office of Secretary of State March 15, 1990.

CHAPTER 71

[House Bill No. 2289]

CONSERVATION CORPS—REIMBURSEMENT OF MEMBERS

AN ACT Relating to the conservation corps; amending RCW 43.220.070 and 43.220.230; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that the Washington conservation corps has proven to be an effective method to provide meaningful work experience for many of the state's young persons. Because of recent, and possible future, increases in the minimum wage laws, it is necessary to make an adjustment in the limitation that applies to corps member reimbursements.

Sec. 2. Section 48, chapter 266, Laws of 1986 as amended by section 1, chapter 78, Laws of 1988 and RCW 43.220.070 are each amended to read as follows:

(1) Conservation corps members shall be unemployed residents of the state between eighteen and twenty-five years of age at the time of enrollment who are citizens or lawful permanent residents of the United States. The age requirements may be waived for corps leaders and specialists with special leadership or occupational skills; such members shall be given special responsibility for providing leadership, character development, and sense of community responsibility to the corps members, groups, and work crews to which they are assigned. The upper age requirement may be waived for residents who have a sensory or mental handicap. Special effort shall be made to recruit minority and disadvantaged youth who meet selection criteria of the conservation corps. Preference shall be given to youths

residing in areas, both urban and rural, in which there exists substantial unemployment exceeding the state average unemployment rate.

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

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

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

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

~~((3))~~ (4) Enrollment shall be for a period of six months which may be extended for an additional six months by mutual agreement of the corps and the corps member. Corps members shall be reimbursed at the minimum wage rate established by state or federal law, whichever is higher: PROVIDED, That if agencies elect to run a residential program, the appropriate costs for room and board shall be deducted from the corps member's paycheck as provided in chapter 43.220 RCW.

~~((4))~~ (5) Corps members are to be available at all times for emergency response services coordinated through the department of community development or other public agency. Duties may include sandbagging and flood cleanup, search and rescue, and other functions in response to emergencies.

Sec. 3. Section 3, chapter 230, Laws of 1985 and RCW 43.220.230 are each amended to read as follows:

(1) Not more than fifteen percent of the funds available for the Washington conservation corps and the ~~((youth employment exchange))~~ Washington service corps prescribed in chapter 50.65 RCW shall be expended for the cost of administration. For the purpose of this chapter, administrative costs are defined as including, but not limited to, program planning and evaluation, budget development and monitoring, personnel management, contract administration, payroll, development of program reports, normal recruitment and placement procedures, standard office space, and costs and utilities.

(2) The fifteen percent limitation does not include costs for any of the following: Program support activities such as direct supervision of enrollees, counseling, job training, equipment, and extraordinary recruitment procedures necessary to fill project positions.

(3) The total costs for all items included under subsection (1) of this section and excluded from the fifteen percent lid under subsection (2) of this section shall not: (a) Exceed thirty percent of the appropriated funds available during a fiscal biennium for the Washington conservation corps and the ~~((youth employment exchange))~~ Washington service corps programs; or (b) result in the average cost per enrollee exceeding ~~((seven thousand dollars))~~ the level established by the following formula: Corps member basic hourly wage multiplied by two thousand eighty. The tests included in items (a) and (b) of this subsection are in the alternative and it is only required that one of these tests be satisfied. For purposes of this section, the term administrative costs does not include those extraordinary placement costs of the department of employment security for which the department is eligible for reimbursement under RCW 43.220.240. The provisions of this section apply separately to each corps agency listed in RCW 43.220.020.

Passed the House February 6, 1990.

Passed the Senate March 2, 1990.

Approved by the Governor March 15, 1990.

Filed in Office of Secretary of State March 15, 1990.

CHAPTER 72

[Substitute Senate Bill No. 5300]

APPRENTICESHIPS FOR WOMEN AND RACIAL MINORITIES

AN ACT Relating to women and minority races in apprenticeship; amending RCW 49.04.100, 49.04.110, 49.04.120, and 49.04.130; and amending section 1, chapter 183, Laws of 1969 ex. sess. (uncodified).

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 2, chapter 183, Laws of 1969 ex. sess. as amended by section 17, chapter 6, Laws of 1985 and RCW 49.04.100 are each amended to read as follows:

Joint apprenticeship programs entered into under authority of chapter 49.04 RCW and which receive any state assistance in instructional or other costs, shall ~~((as a part thereof))~~ include entrance of ~~((minority races))~~ women and racial minorities in such program, when available, in a ratio not less than the ~~((ratio which the minority race represents in population to the actual population in the city or trade area concerned))~~ percentage of the minority race and female (minority and nonminority) labor force in the program sponsor's labor market area, based on current census figures issued by the office of financial management with the ultimate goal of obtaining the proportionate ratio of representation in the total program membership.