
ENGROSSED SUBSTITUTE HOUSE BILL 1529

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Trade, Economic Development & Housing (originally sponsored by Representatives Springer, Morton, Chappell, Holm, Campbell, King, Jones, Basich, Rayburn, Sheldon and Kessler; by request of Office of Financial Management)

Read first time 02/17/93.

1 AN ACT Relating to the reauthorization of timber programs under
2 chapters 314 and 315, Laws of 1991; amending RCW 50.22.090, and
3 50.12.270; amending 1991 c 314 s 26 (uncodified); amending 1991 c 314
4 s 32 (uncodified); amending 1991 c 314 s 34 (uncodified); amending 1991
5 c 314 s 33 (uncodified); creating a new section; providing an effective
6 date; and declaring an emergency.

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

8 **Sec. 1.** 1991 c 314 s 26 (uncodified) is amended to read as
9 follows:

10 (1) For the period beginning July 1, 1991, and ending June 30,
11 (~~(1993)~~) 1995, in timber impact areas the public works board may award
12 low-interest or interest-free loans to local governments for
13 construction of new public works facilities that stimulate economic
14 growth or diversification.

15 (2) For the purposes of this section and section 27, chapter 314,
16 Laws of 1991:

17 (a) "Public facilities" means bridge, road and street, domestic
18 water, sanitary sewer, and storm sewer systems.

1 (b) "Timber impact area" means a county having a population of less
2 than five hundred thousand, or a city or town located within a county
3 having a population of less than five hundred thousand, and meeting two
4 of the following three criteria, as determined by the employment
5 security department, for the most recent year such data is available:
6 (i) A lumber and wood products employment location quotient at or above
7 the state average; (ii) projected or actual direct lumber and wood
8 products job losses of one hundred positions or more, except counties
9 having a population greater than two hundred thousand but less than
10 five hundred thousand must have direct lumber and wood products job
11 losses of one thousand positions or more; or (iii) an annual
12 unemployment rate twenty percent or more above the state average.

13 (3) The loans may have a deferred payment of up to five years but
14 shall be repaid within twenty years. The public works board may
15 require other terms and conditions and may charge such rates of
16 interest on its loans as it deems appropriate to carry out the purposes
17 of this section. Repayments shall be made to the public works
18 assistance account.

19 (4) The board may make such loans irrespective of the annual loan
20 cycle and reporting required in RCW 43.155.070.

21 **Sec. 2.** 1991 c 314 s 32 (uncodified) is amended to read as
22 follows:

23 RCW 43.160.076 and 1991 c 314 s 24 and 1985 c 446 s 6 are each
24 repealed effective June 30, (~~1993~~) 1995.

25 **Sec. 3.** 1991 c 314 s 34 (uncodified) is amended to read as
26 follows:

27 RCW 43.160.210 shall take effect July 1, (~~1993~~) 1995.

28 **Sec. 4.** 1991 c 314 s 33 (uncodified) is amended to read as
29 follows:

30 RCW 43.160.200 expires June 30, (~~1993~~) 1995.

31 **Sec. 5.** RCW 50.22.090 and 1992 c 47 s 2 are each amended to read
32 as follows:

33 (1) An additional benefit period is established for counties
34 identified under subsection (2) of this section beginning on the first
35 Sunday after July 1, 1991, and for the forest products industry

1 beginning with the third week after the first Sunday after July 1,
2 1991. Benefits shall be paid as provided in subsection (3) of this
3 section to exhaustees eligible under subsection (4) of this section.

4 (2) The additional benefit period applies to counties having a
5 population of less than five hundred thousand beginning with the third
6 week after a week in which the commissioner determines that a county
7 meets two of the following three criteria, as determined by the
8 department, for the most recent year in which such data is available:

9 (a) A lumber and wood products employment location quotient at or above
10 the state average; (b) projected or actual direct lumber and wood
11 products job losses of one hundred positions or more, except counties
12 having a population greater than two hundred thousand but less than
13 five hundred thousand must have direct lumber and wood products job
14 losses of one thousand positions or more; or (c) an annual unemployment
15 rate twenty percent or more above the state average. The additional
16 benefit period for a county may end no sooner than fifty-two weeks
17 after the additional benefit period begins.

18 (3) Additional benefits shall be paid as follows:

19 (a) No new claims for additional benefits shall be accepted for
20 weeks beginning after July ((3)) 1, ((1993)) 1995, but for claims
21 established on or before July ((3)) 1, ((1993)) 1995, weeks of
22 unemployment occurring after July ((3)) 1, ((1993)) 1995, shall be
23 compensated as provided in this section.

24 (b) ~~The total additional benefit amount shall be ((fifty-two times~~
25 ~~the individual's weekly benefit amount, reduced by the total amount of~~
26 ~~regular benefits and extended benefits paid, or deemed paid, with~~
27 ~~respect to the benefit year. Additional benefits shall not be payable~~
28 ~~for weeks more than one year beyond the end of the benefit year of the~~
29 ~~regular claim for an individual whose benefit year ends on or after~~
30 ~~July 27, 1991, and shall not be payable for weeks ending on or after~~
31 ~~one year after March 26, 1992, for individuals who become eligible as~~
32 ~~a result of chapter 47, Laws of 1992, and shall be payable for up to~~
33 ~~five weeks following the completion of the training required by this~~
34 ~~section)) an amount equal to the length of the individual's approved~~
35 ~~training plan plus an additional five weeks of benefits for job search~~
36 ~~upon completion of training. The amount paid each week will be the~~
37 ~~same as the individual's regular benefits.~~

38 (c) The weekly benefit amount shall be calculated as specified in
39 RCW 50.22.040.

1 (d) Benefits paid under this section shall be paid under the same
2 terms and conditions as regular benefits and shall not be charged to
3 the experience rating account of individual employers. The additional
4 benefit period shall be suspended with the start of an extended benefit
5 period, or any totally federally funded benefit program, with
6 eligibility criteria and benefits comparable to the program established
7 by this section, and shall resume the first week following the end of
8 the federal program.

9 (4) An additional benefit eligibility period is established for any
10 exhaustee who:

11 (a)(i) At the time of last separation from employment, resided in
12 or was employed in a county identified under subsection (2) of this
13 section; or

14 (ii) During his or her base year, earned wages in at least six
15 hundred eighty hours in the forest products industry, which shall be
16 determined by the department but shall include the industries assigned
17 the major group standard industrial classification codes "24" and "26"
18 and the industries involved in the harvesting and management of logs,
19 transportation of logs and wood products, processing of wood products,
20 and the manufacturing and distribution of wood processing and logging
21 equipment. The commissioner may adopt rules further interpreting the
22 industries covered under this subsection. For the purposes of this
23 subsection, "standard industrial classification code" means the code
24 identified in RCW 50.29.025(6)(c); and

25 (b)(i) Has received notice of termination or layoff; and

26 (ii) Is unlikely to return to employment in his or her principal
27 occupation or previous industry because of a diminishing demand within
28 his or her labor market for his or her skills in the occupation or
29 industry; and

30 (c)(i)(A) Is notified by the department of the requirements of this
31 section and develops an individual training program that is submitted
32 to the commissioner for approval not later than sixty days after the
33 individual is notified of the requirements of this section, and enters
34 the approved training program not later than ninety days after the date
35 of the individual's termination or layoff, or ninety days after July 1,
36 1991, whichever is later, unless the department determines that the
37 training is not available during the ninety-day period, in which case
38 the individual shall enter training as soon as it is available; or

1 (B) Is unemployed as the result of a plant closure that occurs
2 after November 1, 1992, in a county identified under subsection (2) of
3 this section, did not comply with the requirements of (c)(i)(A) of this
4 subsection due to good cause as demonstrated to the department, such as
5 ambiguity over possible sale of the plant, develops a training program
6 that is submitted to the commissioner for approval not later than sixty
7 days from a date determined by the department to accommodate the good
8 cause, and enters the approved training program not later than ninety
9 days after the revised date established by the department, unless the
10 department determines that the training is not available during the
11 ninety-day period, in which case the individual shall enter training as
12 soon as it is available; or

13 (ii) Is enrolled in training approved under this section on a full-
14 time basis and maintains satisfactory progress in the training; and

15 (d) Does not receive a training allowance or stipend under the
16 provisions of any federal or state law.

17 (5) For the purposes of this section:

18 (a) "Training program" means:

19 (i) A remedial education program determined to be necessary after
20 counseling at the educational institution in which the individual
21 enrolls pursuant to his or her approved training program; or

22 (ii) A vocational training program at an educational institution
23 that:

24 (A) Is training for a labor demand occupation;

25 (B) Is likely to facilitate a substantial enhancement of the
26 individual's marketable skills and earning power; and

27 (C) Does not include on-the-job training or other training under
28 which the individual is paid by an employer for work performed by the
29 individual during the time that the individual receives additional
30 benefits under subsection (1) of this section.

31 (b) "Educational institution" means an institution of higher
32 education as defined in RCW 28B.10.016 or an educational institution as
33 defined in RCW 28C.04.410(3).

34 (c) "Training allowance or stipend" means discretionary use, cash-
35 in-hand payments available to the individual to be used as the
36 individual sees fit, but does not mean direct or indirect compensation
37 for training costs, such as tuition or books and supplies.

38 (6) The commissioner shall adopt rules as necessary to implement
39 this section.

1 (7) For the purpose of this section, an individual who has a
2 benefit year beginning after January 1, 1989, and ending before July
3 27, 1991, shall be treated as if his or her benefit year ended on July
4 27, 1991.

5 **Sec. 6.** RCW 50.12.270 and 1991 c 315 s 3 are each amended to read
6 as follows:

7 (1) Subject to the availability of state or federal funds, the
8 employment security department, as a member of the agency timber task
9 force and in consultation with the economic recovery coordination
10 board, shall consult with and may subcontract with local educational
11 institutions, local businesses, local labor organizations, local
12 associate development organizations, local private industry councils,
13 local social service organizations, and local governments in carrying
14 out a program of training and services, including training through the
15 self-employment and enterprise development (SEED) program, for
16 (~~dislocated workers~~) residents in timber impact areas.

17 (2) The department shall conduct a survey to determine the actual
18 future employment needs and jobs skills in timber impact areas.

19 (3) The department shall coordinate the services provided in this
20 section with all other services provided by the department and with the
21 other economic recovery efforts undertaken by state and local
22 government agencies on behalf of the timber impact areas.

23 (4) The department shall make every effort to procure additional
24 federal and other moneys for the efforts enumerated in this section.

25 (5) For the purposes of this section, "timber impact area" means a
26 county having a population of less than five hundred thousand, or a
27 city or town located within a county having a population of less than
28 five hundred thousand, and meeting two of the following three criteria,
29 as determined by the employment security department, for the most
30 recent year such data is available: (a) A lumber and wood products
31 employment location quotient at or above the state average; (b)
32 projected or actual direct lumber and wood products job losses of one
33 hundred positions or more, except counties having a population greater
34 than two hundred thousand but less than five hundred thousand must have
35 direct lumber and wood products job losses of one thousand positions or
36 more; or (c) an annual unemployment rate twenty percent or more above
37 the state average.

1 NEW SECTION. **Sec. 7.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 8.** If specific funding for this act,
6 referencing this act by bill number, is not provided by June 30, 1993,
7 in the omnibus appropriations act, this act is null and void.

8 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
9 preservation of the public peace, health, or safety, or support of the
10 state government and its existing public institutions, and shall take
11 effect July 1, 1993.

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