

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 6371

Chapter 46, Laws of 2012

62nd Legislature
2012 Regular Session

CUSTOMIZED EMPLOYMENT TRAINING PROGRAM--EXTENSION

EFFECTIVE DATE: 06/07/12

Passed by the Senate February 11, 2012
YEAS 47 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 1, 2012
YEAS 95 NAYS 1

FRANK CHOPP

Speaker of the House of Representatives

Approved March 16, 2012, 1:47 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6371** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 16, 2012

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6371

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By Senate Ways & Means (originally sponsored by Senators Shin, Benton, Chase, Haugen, Kilmer, Delvin, Hatfield, Schoesler, Becker, McAuliffe, and Conway)

READ FIRST TIME 02/07/12.

1 AN ACT Relating to extending the customized employment training
2 program; amending RCW 28B.67.020, 28B.67.030, 82.04.449, and
3 28B.67.902; and providing expiration dates.

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

5 **Sec. 1.** RCW 28B.67.020 and 2011 c 151 s 4 are each amended to read
6 as follows:

7 (1) The Washington customized employment training program is hereby
8 created to provide training assistance to employers locating or
9 expanding in the state.

10 (2)(a) Application to receive funding under this program (~~shall~~)
11 must be made to the board in a form and manner as specified by the
12 board. Successful applicants (~~shall~~) must receive a training
13 allowance from the board to cover the costs of training at a qualified
14 training institution. Employers may not receive an allowance for
15 training costs which exceed the maximum annual training cost per
16 employee, as established by the board, and are not eligible to receive
17 an allowance or allowances of over five hundred thousand dollars per
18 calendar year.

1 (b) Allowances (~~shall~~) must be granted for applicants who meet
2 the following criteria:

3 (i) The employer must have entered into an agreement with a
4 qualified training institution to engage in customized training and the
5 employer must agree to: (A) Upon completion of the training, make a
6 payment to the employment training finance account created in RCW
7 28B.67.030 in an amount equal to one-quarter of the amount of the
8 training allowance; and (B) over the subsequent eighteen months, make
9 monthly or quarterly payments, as specified in the agreement, to the
10 employment training finance account created in RCW 28B.67.030 in an
11 amount equal to three-quarters of the amount of the training allowance.
12 During calendar years 2009 and 2010, participants may delay payments
13 due under this section for up to eighteen months. The payments into
14 the employment training finance account provided for in this section do
15 not constitute payment to the institution.

16 (ii) When hiring, the employer must make good faith efforts, as
17 determined by the board, to hire from trainees in the participant's
18 training program. The agreement with the qualified training
19 institution provided for in (b)(i) of this subsection (~~shall~~) must
20 specify terms for reimbursement or additional payment to the employment
21 training finance account by the employer if the participant does not,
22 when hiring, make good faith efforts to hire from trainees in the
23 participant's training program.

24 (iii) The training allowance may not be used to train workers who
25 have been hired as a result of a strike or lockout.

26 (c) Preference (~~shall be~~) is given to employers with fewer than
27 fifty employees.

28 (d) Preference (~~shall be~~) is given to training that leads to
29 transferable skills that are interchangeable among different jobs,
30 employers, or workplaces.

31 (3) Qualified training institutions may enter into agreements with
32 four-year institutions of higher education, as defined in RCW
33 28B.10.016, in accordance with the interlocal cooperation act, chapter
34 39.34 RCW.

35 (4) The board and qualified training institutions may solicit and
36 receive gifts, grants, funds, fees, and endowments, in trust or
37 otherwise, from tribal, local, federal, or other governmental entities,
38 as well as private sources, for the purpose of providing training

1 allowances under chapter 112, Laws of 2006. All revenue thus solicited
2 and received (~~shall~~) must be deposited into the employment training
3 finance account created in RCW 28B.67.030.

4 (5) Qualified training institutions must make good faith efforts to
5 develop training programs using trainers preferred by participants.

6 (6) For employers who (a) have requested training under the job
7 skills program created under chapter 28C.04 RCW but are not able to
8 participate in the job skills program because the funds have all been
9 committed, and (b) desire to become participants in the Washington
10 customized employment training program, the board shall ensure a
11 seamless process toward participation.

12 (7) The board may adopt rules to implement this section.

13 (8) This section expires July 1, (~~2012~~) 2017.

14 **Sec. 2.** RCW 28B.67.030 and 2010 1st sp.s. c 26 s 4 are each
15 amended to read as follows:

16 (1) All payments received from a participant in the Washington
17 customized employment training program created in RCW 28B.67.020
18 (~~shall~~) must be deposited into the employment training finance
19 account, which is hereby created in the custody of the state treasurer.
20 Only the state board for community and technical colleges may authorize
21 expenditures from the account and no appropriation is required for
22 expenditures. The money in the account must be used solely for
23 training allowances under the Washington customized employment training
24 program created in RCW 28B.67.020 and for providing up to seventy-five
25 thousand dollars per year for training, marketing, and facilitation
26 services to increase the use of the program. The deposit of payments
27 under this section from a participant (~~shall~~) ceases when the board
28 specifies that the participant has met the monetary obligations of the
29 program. During the 2007-2009 fiscal biennium, the legislature may
30 transfer from the employment training finance account to the state
31 general fund such amounts as reflect the excess fund balance in the
32 account.

33 (2) All revenue solicited and received under the provisions of RCW
34 28B.67.020(4) (~~shall~~) must be deposited into the employment training
35 finance account to provide training allowances.

36 (3) The definitions in RCW 28B.67.010 apply to this section.

37 (4) This section expires July 1, (~~2012~~) 2017.

1 **Sec. 3.** RCW 82.04.449 and 2010 c 114 s 121 are each amended to
2 read as follows:

3 (1) In computing the tax imposed under this chapter, a credit is
4 allowed for participants in the Washington customized employment
5 training program created in RCW 28B.67.020. The credit allowed under
6 this section is equal to fifty percent of the value of a participant's
7 payments to the employment training finance account created in RCW
8 28B.67.030. If a participant in the program does not meet the
9 requirements of RCW 28B.67.020(2)(b)(ii), the participant must remit to
10 the department the value of any credits taken plus interest. The
11 credit earned by a participant in one calendar year may be carried over
12 to be credited against taxes incurred in a subsequent calendar year.
13 No credit may be allowed for repayment of training allowances received
14 from the Washington customized employment training program on or after
15 July 1, (~~2016~~) 2021.

16 (2) A person claiming the credit provided in this section must file
17 a complete annual survey with the department under RCW 82.32.585.

18 **Sec. 4.** RCW 28B.67.902 and 2006 c 112 s 11 are each amended to
19 read as follows:

20 Sections 1 through 4 and 8 of this act expire July 1, (~~2012~~)
21 2017.

Passed by the Senate February 11, 2012.
Passed by the House March 1, 2012.
Approved by the Governor March 16, 2012.
Filed in Office of Secretary of State March 16, 2012.