

SSB 5963 - H AMD TO CL COMM AMD (H-2961.2/09) 512  
By Representative Anderson

NOT CONSIDERED 04/26/2009

1 On page 25, after line 6 of the amendment, insert the following:

2 "Sec. 5. RCW 50.22.--- and 2009 c 3 s 4 are each amended to read  
3 as follows:

4 (1) This section applies to claims with an effective date on or  
5 after April 5, 2009.

6 (2) Subject to availability of funds, training benefits are  
7 available for an individual who is eligible for or has exhausted  
8 entitlement to unemployment compensation benefits when:

9 (a) The individual is a dislocated worker as defined in RCW  
10 50.04.075 and, after assessment of the individual's labor market,  
11 occupation, or skills, is determined to need job-related training to  
12 find suitable employment in the individual's labor market. The  
13 assessment of demand for the individual's occupation or skill sets must  
14 be substantially based on declining occupation or skill sets and high-  
15 demand occupations identified in local labor market areas by the local  
16 workforce development councils in cooperation with the employment  
17 security department and its labor market information division; or

18 (b) For claims with an effective date on or after September 7,  
19 2009, the individual:

20 (i) Earned an average hourly wage in the individual's base year  
21 that is less than one hundred thirty percent of the state minimum wage,  
22 and after assessment, it is determined that the individual's earning  
23 potential will be enhanced through vocational training. The  
24 individual's average hourly wage is calculated by dividing the total  
25 wages paid by the total hours worked in the individual's base year;

26 (ii) Served in the United States military or the Washington  
27 national guard during the twelve-month period prior to the application  
28 date, was honorably discharged from military service or the Washington  
29 national guard and, after assessment, is determined to need job-related  
30 training to find suitable employment in the individual's labor market;

1 (iii) Is currently serving in the Washington national guard and,  
2 after assessment, is determined to need job-related training to find  
3 suitable employment in the individual's labor market; or

4 (iv) Is disabled due to an injury or illness and, after assessment,  
5 is determined to be unable to return to his or her previous occupation  
6 and to need job-related training to find suitable employment in the  
7 individual's labor market.

8 (3)(a) The individual must develop an individual training program  
9 that is submitted to the commissioner for approval within ninety days  
10 after the individual is notified by the employment security department  
11 of the requirements of this section;

12 (b) The individual must enter the approved training program (~~by~~  
13 ~~one hundred twenty days after the date of the notification, unless the~~  
14 ~~employment security department determines that the training is not~~  
15 ~~available during the one hundred twenty days, in which case the~~  
16 ~~individual enters training~~) as soon as it is available, but not later  
17 than the academic term beginning after the commissioner approves the  
18 individual training plan;

19 (c) The department may waive the deadlines established under this  
20 subsection for reasons deemed by the commissioner to be good cause.

21 (4) The individual must be enrolled in training approved under this  
22 section on a full-time basis as determined by the educational  
23 institution, except that less than full-time training may be approved  
24 when the individual has a physical, mental, or emotional disability  
25 that precludes enrollment on a full-time basis.

26 (5) The individual must make satisfactory progress in the training  
27 as defined by the commissioner and certified by the educational  
28 institution.

29 (6) An individual is not eligible for training benefits under this  
30 section if he or she:

31 (a) Is a standby claimant who expects recall to his or her regular  
32 employer; or

33 (b) Has a definite recall date that is within six months of the  
34 date he or she is laid off.

35 (7) The following definitions apply throughout this section unless  
36 the context clearly requires otherwise.

37 (a) "Educational institution" means an institution of higher

1 education as defined in RCW 28B.10.016 or an educational institution as  
2 defined in RCW 28C.04.410, including equivalent educational  
3 institutions in other states.

4 (b) "High-demand occupation" means an occupation with a substantial  
5 number of current or projected employment opportunities.

6 (c) "Training benefits" means additional benefits paid under this  
7 section.

8 (d) "Training program" means:

9 (i) An education program determined to be necessary as a  
10 prerequisite to vocational training after counseling at the educational  
11 institution in which the individual enrolls under his or her approved  
12 training program; or

13 (ii) A vocational training program at an educational institution  
14 that:

15 (A) Is targeted to training for a high-demand occupation;

16 (B) Is likely to enhance the individual's marketable skills and  
17 earning power; and

18 (C) Meets the criteria for performance developed by the workforce  
19 training and education coordinating board for the purpose of  
20 determining those training programs eligible for funding under Title I  
21 of P.L. 105-220.

22 "Training program" does not include any course of education  
23 primarily intended to meet the requirements of a baccalaureate or  
24 higher degree, unless the training meets specific requirements for  
25 certification, licensing, or for specific skills necessary for the  
26 occupation.

27 (8) Benefits shall be paid as follows:

28 (a) The total training benefit amount shall be fifty-two times the  
29 individual's weekly benefit amount, reduced by the total amount of  
30 regular benefits and extended benefits paid, or deemed paid, with  
31 respect to the benefit year.

32 (b) The weekly benefit amount shall be the same as the regular  
33 weekly amount payable during the applicable benefit year and shall be  
34 paid under the same terms and conditions as regular benefits.

35 (c) Training benefits shall be paid before any extended benefits  
36 but not before any similar federally funded program.

37 (d) Training benefits are not payable for weeks more than two years  
38 beyond the end of the benefit year of the regular claim.

1 (9) The requirement under RCW 50.22.010(10) relating to exhausting  
2 regular benefits does not apply to an individual otherwise eligible for  
3 training benefits under this section when the individual's benefit year  
4 ends before his or her training benefits are exhausted and the  
5 individual is eligible for a new benefit year. These individuals will  
6 have the option of remaining on the original claim or filing a new  
7 claim.

8 (10) Individuals who receive training benefits under RCW 50.22.150  
9 or this section are not eligible for training benefits under this  
10 section for five years from the last receipt of training benefits.

11 (11) An individual eligible to receive a trade readjustment  
12 allowance under chapter 2, Title II of the trade act of 1974, as  
13 amended, shall not be eligible to receive benefits under this section  
14 for each week the individual receives such trade readjustment  
15 allowance.

16 (12) An individual eligible to receive emergency unemployment  
17 compensation under any federal law shall not be eligible to receive  
18 benefits under this section for each week the individual receives such  
19 compensation.

20 (13) All base year employers are interested parties to the approval  
21 of training and the granting of training benefits.

22 (14) Each local workforce development council, in cooperation with  
23 the employment security department and its labor market information  
24 division, must identify occupations and skill sets that are declining  
25 and high-demand occupations and skill sets. Each local workforce  
26 development council shall update this information annually or more  
27 frequently if needed.

28 (15) The commissioner shall adopt rules as necessary to implement  
29 this section.

30 **Sec. 6.** RCW 43.185.050 and 2006 c 371 s 236 are each amended to  
31 read as follows:

32 (1) The department shall use moneys from the housing trust fund and  
33 other legislative appropriations to finance in whole or in part any  
34 loans or grant projects that will provide housing for persons and  
35 families with special housing needs and with incomes at or below fifty  
36 percent of the median family income for the county or standard  
37 metropolitan statistical area where the project is located. At least

1 thirty percent of these moneys used in any given funding cycle shall be  
2 for the benefit of projects located in rural areas of the state as  
3 defined by the department. If the department determines that it has  
4 not received an adequate number of suitable applications for rural  
5 projects during any given funding cycle, the department may allocate  
6 unused moneys for projects in nonrural areas of the state.

7 (2) Activities eligible for assistance from the housing trust fund  
8 and other legislative appropriations include, but are not limited to:

9 (a) New construction, rehabilitation, or acquisition of low and  
10 very low-income housing units;

11 (b) Rent subsidies, including rent subsidy programs that give  
12 preference to individuals receiving unemployment benefits under Title  
13 50 RCW, who earned wages in employment in not less than one thousand  
14 three hundred hours of each of the past three calendar years, and whose  
15 income is less than two hundred percent of the federal poverty level as  
16 adjusted for family size and determined annually by the federal  
17 department of health and human services;

18 (c) Matching funds for social services directly related to  
19 providing housing for special-need tenants in assisted projects;

20 (d) Technical assistance, design and finance services and  
21 consultation, and administrative costs for eligible nonprofit community  
22 or neighborhood-based organizations;

23 (e) Administrative costs for housing assistance groups or  
24 organizations when such grant or loan will substantially increase the  
25 recipient's access to housing funds other than those available under  
26 this chapter;

27 (f) Shelters and related services for the homeless, including  
28 emergency shelters and overnight youth shelters;

29 (g) Mortgage subsidies, including temporary rental and mortgage  
30 payment subsidies to prevent homelessness, and mortgage subsidy  
31 programs that give preference to individuals receiving unemployment  
32 benefits under Title 50 RCW, who earned wages in employment in not less  
33 than one thousand three hundred hours of each of the past three  
34 calendar years, and whose income is less than two hundred percent of  
35 the federal poverty level as adjusted for family size and determined  
36 annually by the federal department of health and human services;

37 (h) Mortgage insurance guarantee or payments for eligible projects;

1 (i) Down payment or closing cost assistance for eligible first-time  
2 home buyers;

3 (j) Acquisition of housing units for the purpose of preservation as  
4 low-income or very low-income housing;

5 (k) Projects making housing more accessible to families with  
6 members who have disabilities; and

7 (l) During the 2005-2007 fiscal biennium, a manufactured/mobile  
8 home landlord-tenant ombudsman conflict resolution and park  
9 registration program.

10 (3) During the 2005-2007 fiscal biennium, revenues generated under  
11 RCW 36.22.178 may be used for the development of affordable housing  
12 projects and other activities funded in section 108, chapter 371, Laws  
13 of 2006.

14 (4) Legislative appropriations from capital bond proceeds may be  
15 used only for the costs of projects authorized under subsection (2)(a),  
16 (i), and (j) of this section, and not for the administrative costs of  
17 the department.

18 (5) Moneys from repayment of loans from appropriations from capital  
19 bond proceeds may be used for all activities necessary for the proper  
20 functioning of the housing assistance program except for activities  
21 authorized under subsection (2)(b) and (c) of this section.

22 (6) Administrative costs of the department shall not exceed five  
23 percent of the annual funds available for the housing assistance  
24 program.

25 **Sec. 7.** RCW 43.185A.030 and 2005 c 518 s 1803 and 2005 c 219 s 3  
26 are each reenacted and amended to read as follows:

27 (1) Using moneys specifically appropriated for such purpose, the  
28 department shall finance in whole or in part projects that will provide  
29 housing for low-income households.

30 (2) Activities eligible for assistance include, but are not limited  
31 to:

32 (a) New construction, rehabilitation, or acquisition of housing for  
33 low-income households;

34 (b) Rent subsidies in new construction or rehabilitated multifamily  
35 units, including rent subsidy programs that give preference to  
36 individuals receiving unemployment benefits under Title 50 RCW, who  
37 earned wages in employment in not less than one thousand three hundred

1 hours of each of the past three calendar years, and whose income is  
2 less than two hundred percent of the federal poverty level as adjusted  
3 for family size and determined annually by the federal department of  
4 health and human services;

5 (c) Down payment or closing costs assistance for first-time home  
6 buyers;

7 (d) Mortgage subsidies for new construction or rehabilitation of  
8 eligible multifamily units, including mortgage subsidy programs that  
9 give preference to individuals receiving unemployment benefits under  
10 Title 50 RCW, who earned wages in employment in not less than one  
11 thousand three hundred hours of each of the past three calendar years,  
12 and whose income is less than two hundred percent of the federal  
13 poverty level as adjusted for family size and determined annually by  
14 the federal department of health and human services; and

15 (e) Mortgage insurance guarantee or payments for eligible projects.

16 (3) Legislative appropriations from capital bond proceeds may be  
17 used only for the costs of projects authorized under subsection (2)  
18 (a), (c), (d), and (e) of this section, and not for the administrative  
19 costs of the department.

20 (4) Moneys from repayment of loans from appropriations from capital  
21 bond proceeds may be used for all activities necessary for the proper  
22 functioning of the affordable housing program except for activities  
23 authorized under subsection (2)(b) of this section.

24 (5) Administrative costs of the department shall not exceed five  
25 percent of the annual funds available for the affordable housing  
26 program."

27 Renumber the remaining sections consecutively and correct any  
28 internal references accordingly.

29 Correct the title.

EFFECT: Modifies deadlines for participation in the training  
benefits. Individuals must enter training programs as soon as they are  
available, but not later than the academic term beginning after their  
program is approved (instead of within 90 days).

Specifies that, under the Housing Assistance Account and the Affordable Housing Program, eligible rent subsidy and mortgage assistance programs include ones that give preference to individuals receiving unemployment benefits who worked 1,300 hours in each of the past 3 years, and whose income is less than 200 percent of the federal poverty level.

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