
SUBSTITUTE SENATE BILL 5381

State of Washington

65th Legislature

2017 Regular Session

By Senate Higher Education (originally sponsored by Senators Baumgartner, Palumbo, Chase, Mullet, and Conway; by request of State Board for Community and Technical Colleges)

READ FIRST TIME 02/08/17.

1 AN ACT Relating to making the customized training program
2 permanent; amending RCW 28B.67.020 and 28B.67.030; repealing RCW
3 28B.67.902; providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 28B.67.020 and 2012 c 46 s 1 are each amended to
6 read as follows:

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

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

19 (b) Allowances must be granted for applicants who meet the
20 following criteria:

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

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

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

24 (c) Preference is given to employers with fewer than fifty
25 employees.

26 (d) Preference is given to training that leads to transferable
27 skills that are interchangeable among different jobs, employers, or
28 workplaces.

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

33 (4) The board and qualified training institutions may solicit and
34 receive gifts, grants, funds, fees, and endowments, in trust or
35 otherwise, from tribal, local, federal, or other governmental
36 entities, as well as private sources, for the purpose of providing
37 training allowances under chapter 112, Laws of 2006. All revenue thus
38 solicited and received must be deposited into the employment training
39 finance account created in RCW 28B.67.030.

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

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

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

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

12 **Sec. 2.** RCW 28B.67.030 and 2013 2nd sp.s. c 4 s 961 are each
13 amended to read as follows:

14 (1) All payments received from a participant in the Washington
15 customized employment training program created in RCW 28B.67.020 must
16 be deposited into the employment training finance account, which is
17 hereby created in the custody of the state treasurer. Only the state
18 board for community and technical colleges may authorize expenditures
19 from the account and no appropriation is required for expenditures.
20 The money in the account must be used solely for training allowances
21 under the Washington customized employment training program created
22 in RCW 28B.67.020 and for providing up to seventy-five thousand
23 dollars per year for training, marketing, and facilitation services
24 to increase the use of the program. The deposit of payments under
25 this section from a participant ceases when the board specifies that
26 the participant has met the monetary obligations of the program.
27 During the 2013-2015 fiscal biennium, the legislature may transfer
28 from the employment training finance account to the state general
29 fund such amounts as reflect the excess fund balance in the account.

30 (2) All revenue solicited and received under the provisions of
31 RCW 28B.67.020(4) must be deposited into the employment training
32 finance account to provide training allowances.

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

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

35 NEW SECTION. **Sec. 3.** RCW 28B.67.902 (Expiration date—2006 c 112
36 §§ 1-4 and 8) and 2012 c 46 s 4 & 2006 c 112 s 11 are each repealed.

1 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of
3 the state government and its existing public institutions, and takes
4 effect June 30, 2017.

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