
SUBSTITUTE SENATE BILL 5809

State of Washington 61st Legislature 2009 Regular Session

By Senate Labor, Commerce & Consumer Protection (originally sponsored by Senator Hargrove)

READ FIRST TIME 02/25/09.

1 AN ACT Relating to workforce employment and training; amending RCW
2 50.29.025, 50.24.014, and 50.20.---; adding a new section to chapter
3 50.22 RCW; creating new sections; providing an effective date;
4 providing an expiration date; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** It is the purpose of this act to reduce the
7 amount paid by employers in the state to the unemployment compensation
8 fund by one-tenth of one percent of taxable wages.

9 It is also the purpose of this act to establish a separate fund for
10 workforce training grants for dislocated workers. This fund shall
11 consist of contributions of one-tenth of one percent of taxable wages.

12 It is the intent of the legislature that this act not result in any
13 net increase in employer tax rates.

14 **Sec. 2.** RCW 50.29.025 and 2007 c 51 s 1 are each amended to read
15 as follows:

16 (1) Except as provided in subsection (2) of this section, the
17 contribution rate for each employer subject to contributions under RCW
18 50.24.010 shall be determined under this subsection.

1 (a) A fund balance ratio shall be determined by dividing the
2 balance in the unemployment compensation fund as of the September 30th
3 immediately preceding the rate year by the total remuneration paid by
4 all employers subject to contributions during the second calendar year
5 preceding the rate year and reported to the department by the following
6 March 31st. The division shall be carried to the fourth decimal place
7 with the remaining fraction, if any, disregarded. The fund balance
8 ratio shall be expressed as a percentage.

9 (b) The interval of the fund balance ratio, expressed as a
10 percentage, shall determine which tax schedule in (e) of this
11 subsection shall be in effect for assigning tax rates for the rate
12 year. The intervals for determining the effective tax schedule shall
13 be:

14	Interval of the	
15	Fund Balance Ratio	Effective
16	Expressed as a Percentage	Tax Schedule
17	2.90 and above	AA
18	2.10 to 2.89	A
19	1.70 to 2.09	B
20	1.40 to 1.69	C
21	1.00 to 1.39	D
22	0.70 to 0.99	E
23	Less than 0.70	F

24 (c) An array shall be prepared, listing all qualified employers in
25 ascending order of their benefit ratios. The array shall show for each
26 qualified employer: (i) Identification number; (ii) benefit ratio;
27 (iii) taxable payrolls for the four calendar quarters immediately
28 preceding the computation date and reported to the department by the
29 cut-off date; (iv) a cumulative total of taxable payrolls consisting of
30 the employer's taxable payroll plus the taxable payrolls of all other
31 employers preceding him or her in the array; and (v) the percentage
32 equivalent of the cumulative total of taxable payrolls.

33 (d) Each employer in the array shall be assigned to one of twenty
34 rate classes according to the percentage intervals of cumulative
35 taxable payrolls set forth in (e) of this subsection: PROVIDED, That

1 if an employer's taxable payroll falls within two or more rate classes,
 2 the employer and any other employer with the same benefit ratio shall
 3 be assigned to the lowest rate class which includes any portion of the
 4 employer's taxable payroll.

5 (e) Except as provided in RCW 50.29.026, the contribution rate for
 6 each employer in the array shall be the rate specified in the following
 7 tables for the rate class to which he or she has been assigned, as
 8 determined under (d) of this subsection, within the tax schedule which
 9 is to be in effect during the rate year:

Percent of		Schedules of Contributions Rates									
Cumulative		for Effective Tax Schedule									
Taxable Payrolls											
Rate											
From	To Class	AA	A	B	C	D	E	F			
0.00	5.00	1	0.47	0.47	0.57	0.97	1.47	1.87	2.47		
5.01	10.00	2	0.47	0.47	0.77	1.17	1.67	2.07	2.67		
10.01	15.00	3	0.57	0.57	0.97	1.37	1.77	2.27	2.87		
15.01	20.00	4	0.57	0.73	1.11	1.51	1.90	2.40	2.98		
20.01	25.00	5	0.72	0.92	1.30	1.70	2.09	2.59	3.08		
25.01	30.00	6	0.91	1.11	1.49	1.89	2.29	2.69	3.18		
30.01	35.00	7	1.00	1.29	1.69	2.08	2.48	2.88	3.27		
35.01	40.00	8	1.19	1.48	1.88	2.27	2.67	3.07	3.47		
40.01	45.00	9	1.37	1.67	2.07	2.47	2.87	3.27	3.66		
45.01	50.00	10	1.56	1.86	2.26	2.66	3.06	3.46	3.86		
50.01	55.00	11	1.84	2.14	2.45	2.85	3.25	3.66	3.95		
55.01	60.00	12	2.03	2.33	2.64	3.04	3.44	3.85	4.15		
60.01	65.00	13	2.22	2.52	2.83	3.23	3.64	4.04	4.34		
65.01	70.00	14	2.40	2.71	3.02	3.43	3.83	4.24	4.54		
70.01	75.00	15	2.68	2.90	3.21	3.62	4.02	4.43	4.63		
75.01	80.00	16	2.87	3.09	3.42	3.81	4.22	4.53	4.73		
80.01	85.00	17	3.27	3.47	3.77	4.17	4.57	4.87	4.97		
85.01	90.00	18	3.67	3.87	4.17	4.57	4.87	4.97	5.17		
90.01	95.00	19	4.07	4.27	4.57	4.97	5.07	5.17	5.37		
95.01	100.00	20	5.40	5.40	5.40	5.40	5.40	5.40	5.40		

36 (f) The contribution rate for each employer not qualified to be in
 37 the array shall be as follows:

38 (i) Employers who do not meet the definition of "qualified
 39 employer" by reason of failure to pay contributions when due shall be

1 assigned a contribution rate two-tenths higher than that in rate class
2 20 for the applicable rate year, except employers who have an approved
3 agency-deferred payment contract by September 30 of the previous rate
4 year. If any employer with an approved agency-deferred payment
5 contract fails to make any one of the succeeding deferred payments or
6 fails to submit any succeeding tax report and payment in a timely
7 manner, the employer's tax rate shall immediately revert to a
8 contribution rate two-tenths higher than that in rate class 20 for the
9 applicable rate year; and

10 (ii) For all other employers not qualified to be in the array, the
11 contribution rate shall be a rate equal to the average industry rate as
12 determined by the commissioner; however, the rate may not be less than
13 one percent.

14 (2) Beginning with contributions assessed for rate year 2005, the
15 contribution rate for each employer subject to contributions under RCW
16 50.24.010 shall be the sum of the array calculation factor rate and the
17 graduated social cost factor rate determined under this subsection, and
18 the solvency surcharge determined under RCW 50.29.041, if any.

19 (a) The array calculation factor rate shall be determined as
20 follows:

21 (i) An array shall be prepared, listing all qualified employers in
22 ascending order of their benefit ratios. The array shall show for each
23 qualified employer: (A) Identification number; (B) benefit ratio; and
24 (C) taxable payrolls for the four consecutive calendar quarters
25 immediately preceding the computation date and reported to the
26 employment security department by the cut-off date.

27 (ii) Each employer in the array shall be assigned to one of forty
28 rate classes according to his or her benefit ratio as follows, and,
29 except as provided in RCW 50.29.026, the array calculation factor rate
30 for each employer in the array shall be the rate specified in the rate
31 class to which the employer has been assigned:

	Benefit Ratio		Rate	Rate
	At least	Less than	Class	(percent)
32		0.000001	1	0.00
33				
34		0.000001	2	0.13
35	0.000001	0.001250		
36	0.001250	0.002500	3	0.25

1	0.002500	0.003750	4	0.38
2	0.003750	0.005000	5	0.50
3	0.005000	0.006250	6	0.63
4	0.006250	0.007500	7	0.75
5	0.007500	0.008750	8	0.88
6	0.008750	0.010000	9	1.00
7	0.010000	0.011250	10	1.15
8	0.011250	0.012500	11	1.30
9	0.012500	0.013750	12	1.45
10	0.013750	0.015000	13	1.60
11	0.015000	0.016250	14	1.75
12	0.016250	0.017500	15	1.90
13	0.017500	0.018750	16	2.05
14	0.018750	0.020000	17	2.20
15	0.020000	0.021250	18	2.35
16	0.021250	0.022500	19	2.50
17	0.022500	0.023750	20	2.65
18	0.023750	0.025000	21	2.80
19	0.025000	0.026250	22	2.95
20	0.026250	0.027500	23	3.10
21	0.027500	0.028750	24	3.25
22	0.028750	0.030000	25	3.40
23	0.030000	0.031250	26	3.55
24	0.031250	0.032500	27	3.70
25	0.032500	0.033750	28	3.85
26	0.033750	0.035000	29	4.00
27	0.035000	0.036250	30	4.15
28	0.036250	0.037500	31	4.30
29	0.037500	0.040000	32	4.45
30	0.040000	0.042500	33	4.60
31	0.042500	0.045000	34	4.75
32	0.045000	0.047500	35	4.90
33	0.047500	0.050000	36	5.05
34	0.050000	0.052500	37	5.20
35	0.052500	0.055000	38	5.30
36	0.055000	0.057500	39	5.35
37	0.057500		40	5.40

1 (b) The graduated social cost factor rate shall be determined as
2 follows:

3 (i)(A) Except as provided in (b)(i)(B) and (C) of this subsection,
4 the commissioner shall calculate the flat social cost factor for a rate
5 year by dividing the total social cost by the total taxable payroll.
6 The division shall be carried to the second decimal place with the
7 remaining fraction disregarded unless it amounts to five hundredths or
8 more, in which case the second decimal place shall be rounded to the
9 next higher digit. The flat social cost factor shall be expressed as
10 a percentage.

11 (B) If, on the cut-off date, the balance in the unemployment
12 compensation fund is determined by the commissioner to be an amount
13 that will provide more than ten months of unemployment benefits, the
14 commissioner shall calculate the flat social cost factor for the rate
15 year immediately following the cut-off date by reducing the total
16 social cost by the dollar amount that represents the number of months
17 for which the balance in the unemployment compensation fund on the cut-
18 off date will provide benefits above ten months and dividing the result
19 by the total taxable payroll. However, the calculation under this
20 subsection (2)(b)(i)(B) for a rate year may not result in a flat social
21 cost factor that is more than four-tenths lower than the calculation
22 under (b)(i)(A) of this subsection for that rate year.

23 For the purposes of this subsection, the commissioner shall
24 determine the number of months of unemployment benefits in the
25 unemployment compensation fund using the benefit cost rate for the
26 average of the three highest calendar benefit cost rates in the twenty
27 consecutive completed calendar years immediately preceding the cut-off
28 date or a period of consecutive calendar years immediately preceding
29 the cut-off date that includes three recessions, if longer.

30 (C) The minimum flat social cost factor calculated under this
31 subsection (2)(b) shall be six-tenths of one percent, except that if
32 the balance in the unemployment compensation fund is determined by the
33 commissioner to be an amount that will provide:

34 (I) At least twelve months but less than fourteen months of
35 unemployment benefits, the minimum shall be five-tenths of one percent;
36 or

37 (II) At least fourteen months of unemployment benefits, the minimum

1 shall be five-tenths of one percent, except that, for employers in rate
2 class 1, the minimum shall be forty-five hundredths of one percent.

3 (ii)(A) Except as provided in (b)(ii)(B) and (C) of this
4 subsection, the graduated social cost factor rate for each employer in
5 the array is the flat social cost factor multiplied by the percentage
6 specified as follows for the rate class to which the employer has been
7 assigned in (a)(ii) of this subsection, except that the sum of an
8 employer's array calculation factor rate and the graduated social cost
9 factor rate may not exceed six and five-tenths percent or, for
10 employers whose North American industry classification system code is
11 within "111," "112," "1141," "115," "3114," "3117," "42448," or
12 "49312," may not exceed six percent through rate year 2007 and may not
13 exceed five and seven-tenths percent for rate year 2008 and thereafter:

- 14 (I) Rate class 1 - 78 percent;
- 15 (II) Rate class 2 - 82 percent;
- 16 (III) Rate class 3 - 86 percent;
- 17 (IV) Rate class 4 - 90 percent;
- 18 (V) Rate class 5 - 94 percent;
- 19 (VI) Rate class 6 - 98 percent;
- 20 (VII) Rate class 7 - 102 percent;
- 21 (VIII) Rate class 8 - 106 percent;
- 22 (IX) Rate class 9 - 110 percent;
- 23 (X) Rate class 10 - 114 percent;
- 24 (XI) Rate class 11 - 118 percent; and
- 25 (XII) Rate classes 12 through 40 - 120 percent.

26 (B) For contributions assessed beginning July 1, 2005, through
27 December 31, 2007, for employers whose North American industry
28 classification system code is "111," "112," "1141," "115," "3114,"
29 "3117," "42448," or "49312," the graduated social cost factor rate is
30 zero.

31 (C) For tax rate year 2010, one-tenth of one percent shall be
32 subtracted from the graduated social cost factor rate, if the graduated
33 social cost factor rate equals or exceeds one-tenth of one percent, and
34 that rate shall be transferred to the rate established in RCW
35 50.24.014(1)(a) for the separate and identifiable account in the
36 administrative contingency fund.

37 (iii) For the purposes of this section:

1 (A) "Total social cost" means the amount calculated by subtracting
2 the array calculation factor contributions paid by all employers with
3 respect to the four consecutive calendar quarters immediately preceding
4 the computation date and paid to the employment security department by
5 the cut-off date from the total unemployment benefits paid to claimants
6 in the same four consecutive calendar quarters. To calculate the flat
7 social cost factor for rate year 2005, the commissioner shall calculate
8 the total social cost using the array calculation factor contributions
9 that would have been required to be paid by all employers in the
10 calculation period if (a) of this subsection had been in effect for the
11 relevant period.

12 (B) "Total taxable payroll" means the total amount of wages subject
13 to tax, as determined under RCW 50.24.010, for all employers in the
14 four consecutive calendar quarters immediately preceding the
15 computation date and reported to the employment security department by
16 the cut-off date.

17 (c) For employers who do not meet the definition of "qualified
18 employer" by reason of failure to pay contributions when due:

19 (i) The array calculation factor rate shall be two-tenths higher
20 than that in rate class 40, except employers who have an approved
21 agency-deferred payment contract by September 30th of the previous rate
22 year. If any employer with an approved agency-deferred payment
23 contract fails to make any one of the succeeding deferred payments or
24 fails to submit any succeeding tax report and payment in a timely
25 manner, the employer's tax rate shall immediately revert to an array
26 calculation factor rate two-tenths higher than that in rate class 40;
27 and

28 (ii) The social cost factor rate shall be the social cost factor
29 rate assigned to rate class 40 under (b)(ii) of this subsection. For
30 tax rate year 2010, one-tenth of one percent shall be subtracted from
31 the social cost factor rate, if the social cost factor rate equals or
32 exceeds one-tenth of one percent, and that rate shall be transferred to
33 the rate established in RCW 50.24.014(1)(a) for the separate and
34 identifiable account in the administrative contingency fund.

35 (d) For all other employers not qualified to be in the array:

36 (i) For rate years 2005, 2006, and 2007:

37 (A) The array calculation factor rate shall be a rate equal to the
38 average industry array calculation factor rate as determined by the

1 commissioner, plus fifteen percent of that amount; however, the rate
2 may not be less than one percent or more than the array calculation
3 factor rate in rate class 40; and

4 (B) The social cost factor rate shall be a rate equal to the
5 average industry social cost factor rate as determined by the
6 commissioner, plus fifteen percent of that amount, but not more than
7 the social cost factor rate assigned to rate class 40 under (b)(ii) of
8 this subsection.

9 (ii) Beginning with contributions assessed for rate year 2008:

10 (A) The array calculation factor rate shall be a rate equal to the
11 average industry array calculation factor rate as determined by the
12 commissioner, multiplied by the history factor, but not less than one
13 percent or more than the array calculation factor rate in rate class
14 40;

15 (B) The social cost factor rate shall be a rate equal to the
16 average industry social cost factor rate as determined by the
17 commissioner, multiplied by the history factor, but not more than the
18 social cost factor rate assigned to rate class 40 under (b)(ii) of this
19 subsection. For tax rate year 2010, one-tenth of one percent shall be
20 subtracted from the social cost factor rate, if the social cost factor
21 rate equals or exceeds one-tenth of one percent, and that rate shall be
22 transferred to the rate established in RCW 50.24.014(1)(a) for the
23 separate and identifiable account in the administrative contingency
24 fund; and

25 (C) The history factor shall be based on the total amounts of
26 benefits charged and contributions paid in the three fiscal years
27 ending prior to the computation date by employers not qualified to be
28 in the array, other than employers in (c) of this subsection, who were
29 first subject to contributions in the calendar year ending three years
30 prior to the computation date. The commissioner shall calculate the
31 history ratio by dividing the total amount of benefits charged by the
32 total amount of contributions paid in this three-year period by these
33 employers. The division shall be carried to the second decimal place
34 with the remaining fraction disregarded unless it amounts to five
35 one-hundredths or more, in which case the second decimal place shall be
36 rounded to the next higher digit. The commissioner shall determine the
37 history factor according to the history ratio as follows:

	History	History
	Ratio	Factor
		(percent)
	At least	Less than
(I)		.95
(II)	.95	1.05
(III)	1.05	115

(3) Assignment of employers by the commissioner to industrial classification, for purposes of this section, shall be in accordance with established classification practices found in the "Standard Industrial Classification Manual" issued by the federal office of management and budget to the third digit provided in the standard industrial classification code, or in the North American industry classification system code.

Sec. 3. RCW 50.24.014 and 2007 c 327 s 2 are each amended to read as follows:

(1)(a) A separate and identifiable account to provide for the financing of special programs to assist the unemployed is established in the administrative contingency fund. All money in this account shall be expended solely for the purposes of this title and for no other purposes whatsoever. Contributions to this account shall accrue and become payable by each employer, except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, taxable local government employers as described in RCW 50.44.035, and those employers who are required to make payments in lieu of contributions, at a basic rate of two one-hundredths of one percent. The amount of wages subject to tax shall be determined under RCW 50.24.010. Using the rate transferred from the social cost factor rate in RCW 50.29.025(2) (b)(ii)(C), (c)(ii), and (d)(ii)(B), the account may also be used for the administration and provision of workforce training grants under section 4 of this act until the funds from the rate transfer are expended or no later than June 30, 2012. These funds shall not replace or supplant any existing enrollments, programs, support services, or funding sources.

1 (b) A separate and identifiable account is established in the
2 administrative contingency fund for financing the employment security
3 department's administrative cost under RCW 50.22.150 and the costs
4 under RCW 50.22.150(10). All money in this account shall be expended
5 solely for the purposes of this title and for no other purposes
6 whatsoever. Contributions to this account shall accrue and become
7 payable by each employer, except employers as described in RCW
8 50.44.010 and 50.44.030 who have properly elected to make payments in
9 lieu of contributions, taxable local government employers as described
10 in RCW 50.44.035, those employers who are required to make payments in
11 lieu of contributions, those employers described under RCW
12 50.29.025(1)(f)(ii), and those qualified employers assigned rate class
13 20 or rate class 40, as applicable, under RCW 50.29.025, at a basic
14 rate of one one-hundredth of one percent. The amount of wages subject
15 to tax shall be determined under RCW 50.24.010. Any amount of
16 contributions payable under this subsection (1)(b) that exceeds the
17 amount that would have been collected at a rate of four one-thousandths
18 of one percent must be deposited in the account created in (a) of this
19 subsection.

20 (2)(a) Contributions under this section shall become due and be
21 paid by each employer under rules as the commissioner may prescribe,
22 and shall not be deducted, in whole or in part, from the remuneration
23 of individuals in the employ of the employer. Any deduction in
24 violation of this section is unlawful.

25 (b) In the payment of any contributions under this section, a
26 fractional part of a cent shall be disregarded unless it amounts to
27 one-half cent or more, in which case it shall be increased to one cent.

28 (3) If the commissioner determines that federal funding has been
29 increased to provide financing for the services specified in chapter
30 50.62 RCW, the commissioner shall direct that collection of
31 contributions under this section be terminated on the following January
32 1st.

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 50.22 RCW
34 to read as follows:

35 (1) Subject to availability of funds, workforce training grants are
36 available to workforce development councils and eligible colleges to
37 serve individuals who are eligible for or have exhausted entitlement to

1 unemployment compensation benefits and who are receiving or eligible to
2 receive training benefits under RCW 50.22.150 or 50.22.--- (section 4,
3 chapter . . . (Engrossed Substitute House Bill No. 1906), Laws of 2009)
4 and are enrolled in a high demand training program.

5 (2) The employment security department shall consult the state
6 board for community and technical colleges and the workforce training
7 and education coordinating board to identify high demand training
8 programs that are consistent with workforce training priorities and
9 based upon the comprehensive plan for workforce training developed by
10 the workforce training and education coordinating board.

11 (3) Workforce training grants can be used for the following
12 purposes for individuals eligible under subsection (1) of this section:
13 Expenses related to educational and career counseling services,
14 training plan development, and referral to appropriate training
15 programs in high demand occupations; increased capacity at community
16 and technical colleges to make training programs in high demand
17 occupations available; financial aid for eligible students enrolled at
18 an institution of higher education as defined in RCW 28B.10.016 or an
19 educational institution as defined in RCW 28C.04.410; and job
20 development and referral services.

21 (4) The employment security department shall disperse funds for
22 workforce training grants to the state board for community and
23 technical colleges. The state board for community and technical
24 colleges shall review proposals submitted jointly by workforce
25 development councils and eligible colleges and award funds through a
26 competitive process. Preference shall be given to proposals
27 emphasizing health care workers and energy efficiency workers.

28 (5) The employment security department and the state board for
29 community and technical colleges shall jointly establish rules that
30 provide for the awarding of workforce training grants from the
31 administrative contingency fund defined in RCW 50.24.014(1)(a).

32 (6) After the first year of the program, if funds are not fully
33 expended, the employment security department may broaden individual
34 eligibility criteria.

35 (7) Workforce training grants cannot be used to replace or supplant
36 any existing enrollments, programs, support services, or funding
37 sources.

1 **Sec. 5.** RCW 50.20.--- and 2009 c 3 s 2 are each amended to read as
2 follows:

3 (1) This section applies beginning May 3, 2009.

4 (2)(a) For claims with an effective date before May 3, 2009, in
5 weeks of unemployment beginning on or after May 3, 2009, an
6 individual's weekly benefit amount shall be the amount established
7 under RCW 50.20.120 and subsection (3) of this section plus an
8 additional ((~~forty-five~~)) thirty-one dollars. For individuals who have
9 a balance of regular unemployment benefits available, the weekly
10 benefit amount under this subsection (2)(a) is payable for all
11 remaining weeks of regular, extended, emergency, supplemental, or
12 additional benefits on that claim. For individuals who have exhausted
13 regular benefits but have a balance of training benefits available as
14 provided in section 4 of this act or RCW 50.22.150, the weekly benefit
15 amount under this subsection (2)(a) is payable for all remaining weeks
16 of training benefits, but not for weeks of extended, emergency,
17 supplemental, or additional benefits on that claim unless specifically
18 authorized under federal or state law.

19 (b) For claims with an effective date on or after May 3, 2009, and
20 before January 3, 2010, an individual's weekly benefit amount shall be
21 the amount established under RCW 50.20.120 and subsection (3) of this
22 section plus an additional ((~~forty-five~~)) thirty-one dollars. The
23 weekly benefit amount under this subsection (2)(b) is payable for all
24 weeks of regular, extended, emergency, supplemental, or additional
25 benefits on that claim.

26 (3)(a) For benefit years beginning before May 3, 2009, in weeks of
27 unemployment beginning on or after May 3, 2009, the minimum amount
28 payable weekly shall be one hundred fifty-five dollars. For
29 individuals who have a balance of regular unemployment benefits
30 available, the minimum amount payable weekly under this subsection
31 (3)(a) is payable for all remaining weeks of regular, extended,
32 emergency, supplemental, or additional benefits on that claim. For
33 individuals who have exhausted regular benefits but have a balance of
34 training benefits available as provided in section 4 of this act or RCW
35 50.22.150, the minimum amount payable weekly under this subsection
36 (3)(a) is payable for all remaining weeks of training benefits, but not
37 for weeks of extended, emergency, supplemental, or additional benefits

1 on that claim unless specifically authorized under federal or state
2 law.

3 (b) For benefit years beginning on or after May 3, 2009, and before
4 January 3, 2010, the minimum amount payable weekly shall be one hundred
5 fifty-five dollars. The minimum amount payable weekly under this
6 subsection (3)(b) is payable for all weeks of regular, extended,
7 emergency, supplemental, or additional benefits on that claim.

8 (4) The weekly benefit amounts and the minimum amounts payable
9 weekly under this section shall increase the maximum benefits payable
10 to the individual under RCW 50.20.120(1) by a corresponding dollar
11 amount.

12 (5) The weekly benefit amounts under this section shall increase
13 the maximum amount payable weekly, irrespective of the provisions of
14 RCW 50.20.120(3).

15 (6) Payment of benefits to individuals whose weekly benefit amounts
16 are increased under this section shall be subject to the same terms and
17 conditions under this title that apply to the payment of benefits to
18 individuals whose benefit amounts are established under RCW 50.20.120.

19 (7) This section does not apply to claims with an effective date on
20 or after January 3, 2010.

21 NEW SECTION. **Sec. 6.** The employment security department together
22 with the state board for community and technical colleges shall report
23 to the appropriate committees of the legislature by December 1, 2012,
24 on the number of certified full-time equivalent students receiving
25 training as provided in this act and the types of training received by
26 the students. The report shall also include student demographics,
27 number of training plans developed, training completion rates,
28 employment rates, and comparisons of preprogram and postprogram wage
29 levels.

30 NEW SECTION. **Sec. 7.** If any part of this act is found to be in
31 conflict with federal requirements that are a prescribed condition to
32 the allocation of federal funds to the state, the conflicting part of
33 this act is inoperative solely to the extent of the conflict and with
34 respect to the agencies directly affected, and this finding does not
35 affect the operation of the remainder of this act in its application to

1 the agencies concerned. Rules adopted under this act must meet federal
2 requirements that are a necessary condition to the receipt of federal
3 funds by the state.

4 NEW SECTION. **Sec. 8.** If any provision of this act or its
5 application to any person or circumstance is held invalid, the
6 remainder of the act or the application of the provision to other
7 persons or circumstances is not affected.

8 NEW SECTION. **Sec. 9.** Section 5 of this act is necessary for the
9 immediate preservation of the public peace, health, or safety, or
10 support of the state government and its existing public institutions,
11 and takes effect April 5, 2009.

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