

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1241 be amended to read as follows:

- 1 Page 14, after line 27, begin a new paragraph and insert:
- 2 "SECTION 4. IC 22-4-10.5-7, AS ADDED BY P.L.290-2001,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2003]: Sec. 7. (a) **After making the deposit required by**
- 5 **subsection (b)**, the department shall deposit skills 2016 training
- 6 assessments paid to the department under this chapter in the skills 2016
- 7 training fund established by IC 22-4-24.5-1.
- 8 (b) **After June 30, 2003, unless the board approves a lesser**
- 9 **amount, the department annually shall deposit the first four**
- 10 **hundred fifty thousand dollars (\$450,000) in skills 2016 training**
- 11 **assessments paid to the department under this chapter in the**
- 12 **special employment and training services fund established by**
- 13 **IC 22-4-25-1 for the training and counseling assistance described**
- 14 **in IC 22-4-25-1(f).**
- 15 SECTION 5. IC 22-4-11-3, AS AMENDED BY P.L.30-2000,
- 16 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2003]: Sec. 3. (a) ~~Except as provided in section 3.2 of this~~
- 18 ~~chapter~~; The applicable schedule of rates for the calendar year 1983
- 19 and thereafter shall be determined by the ratio resulting when the
- 20 balance in the fund as of the determination date is divided by the total
- 21 payroll of all subject employers for the immediately preceding calendar
- 22 year. Schedule A, B, C, or D, appearing on the line opposite the fund
- 23 ratio in the schedule below, shall be applicable in determining and
- 24 assigning each employer's contribution rate for the calendar year

1 immediately following the determination date. For the purposes of this
 2 subsection, "total payroll" means total remuneration reported by all
 3 contributing employers as required by this article and does not include
 4 the total payroll of any employer who elected to become liable for
 5 payments in lieu of contributions (as defined in IC 22-4-2-32). For the
 6 purposes of this subsection, "subject employers" means those
 7 employers who are subject to contribution.

8 **FUND RATIO SCHEDULE**

9 When the Fund Ratio Is:

10	As Much As	But Less Than	Applicable Schedule
11		1.0%	A
12	1.0%	1.5%	B
13	1.5%	2.25%	C
14	2.25%		D

15
 16 (b) **For calendar years before 2002**, if the conditions and
 17 requirements of section 2 of this chapter are met, the rate of
 18 contributions shall be determined and assigned, with respect to each
 19 calendar year, to employers whose accounts have a credit balance and
 20 who are eligible therefor according to each employer's credit reserve
 21 ratio. Each employer shall be assigned the contribution rate appearing
 22 in the applicable schedule A, B, C, or D on the line opposite his credit
 23 reserve ratio as set forth in the rate schedule below:

24 **RATE SCHEDULE FOR ACCOUNTS
 25 WITH CREDIT BALANCES**

26 When the Credit Reserve Ratio Is:

27	As Much As	But Less Than	Rate Schedules (%)				
28	As	Than	A	B	C	D	E
29	3.0		1.2	0.2	0.2	0.2	0.15
30	2.8	3.0	1.4	0.4	0.2	0.2	0.15
31	2.6	2.8	1.6	0.6	0.2	0.2	0.15
32	2.4	2.6	1.8	0.8	0.4	0.2	0.2
33	2.2	2.4	2.0	1.0	0.6	0.2	0.2
34	2.0	2.2	2.2	1.2	0.8	0.4	0.4
35	1.8	2.0	2.4	1.4	1.0	0.6	0.6
36	1.6	1.8	2.6	1.6	1.2	0.8	0.8
37	1.4	1.6	2.8	1.8	1.4	1.0	1.0
38	1.2	1.4	3.0	2.0	1.6	1.2	1.2
39	1.0	1.2	3.2	2.2	1.8	1.4	1.4
40	0.8	1.0	3.4	2.4	2.0	1.6	1.6
41	0.6	0.8	3.6	2.6	2.2	1.8	1.8
42	0.4	0.6	3.8	2.8	2.4	2.0	2.0
43	0.2	0.4	4.0	3.0	2.6	2.2	2.2
44	0	0.2	4.2	3.2	2.8	2.4	2.4

45
 46 (c) Each employer whose account as of any computation date

1 occurring on and after June 30, 1984, shows a debit balance shall be
 2 assigned the rate of contributions appearing on the line opposite his
 3 debit ratio as set forth in the following rate schedule for accounts with
 4 debit balances:

5 **RATE SCHEDULE FOR ACCOUNTS**
 6 **WITH DEBIT BALANCES**

7 When the Debit Reserve Ratio Is:

8	As	But	Rate Schedules				
9	Much	Less	(%)				
10	As	Than	A	B	C	D	E
11		1.5	4.5	4.4	4.3	4.2	3.6
12	1.5	3.0	4.8	4.7	4.6	4.5	3.8
13	3.0	4.5	5.1	5.0	4.9	4.8	4.1
14	4.5	6.0	5.4	5.3	5.2	5.1	4.4
15	6.0		5.7	5.6	5.5	5.4	5.4

16 (d) Any adjustment in the amount charged to any employer's
 17 experience account made subsequent to the assignment of rates of
 18 contributions for any calendar year shall not operate to alter the amount
 19 charged to the experience accounts of any other base-period employers.

20 SECTION 6. IC 22-4-11-3.3, AS AMENDED BY P.L.1-2002,
 21 SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2003]: Sec. 3.3. (a) For calendar years 2002 through 2004, if
 23 the conditions of section 2 of this chapter are met, the rate of
 24 contributions shall be determined and assigned, with respect to each
 25 calendar year, to employers whose accounts have a credit balance and
 26 who are eligible therefore according to each employer's credit reserve
 27 ratio. ~~Except as provided in section 3-2(b) of this chapter,~~ Each
 28 employer shall be assigned the contribution rate appearing in the
 29 applicable schedule A, B, C, D, or E on the line opposite the employer's
 30 credit reserve ratio as set forth in the rate schedule below:

31 **RATE SCHEDULE FOR ACCOUNTS**
 32 **WITH CREDIT BALANCES**

33 When the Credit Reserve Ratio Is:

34	As	But	Rate Schedules				
35	Much	Less	(%)				
36	As	Than	A	B	C	D	E
37	3.00		1.10	0.10	0.10	0.10	0.15
38	2.80	3.00	1.30	0.30	0.10	0.10	0.15
39	2.60	2.80	1.50	0.50	0.10	0.10	0.15
40	2.40	2.60	1.70	0.70	0.30	0.10	0.20
41	2.20	2.40	1.90	0.90	0.50	0.10	0.20
42	2.00	2.20	2.10	1.10	0.70	0.30	0.40
43	1.80	2.00	2.30	1.30	0.90	0.50	0.60
44	1.60	1.80	2.50	1.50	1.10	0.70	0.80
45	1.40	1.60	2.70	1.70	1.30	0.90	1.00
46	1.20	1.40	2.90	1.90	1.50	1.10	1.20

1	1.00	1.20	3.10	2.10	1.70	1.30	1.40
2	0.80	1.00	3.30	2.30	1.90	1.50	1.60
3	0.60	0.80	3.50	2.50	2.10	1.70	1.80
4	0.40	0.60	3.70	2.70	2.30	1.90	2.00
5	0.20	0.40	3.90	2.90	2.50	2.10	2.20
6	0.00	0.20	4.10	3.10	2.70	2.30	2.40

7 (b) For calendar years 2002 through 2004, if the conditions of
8 section 2 of this chapter are met, the rate of contributions shall be
9 determined and assigned, with respect to each calendar year, to
10 employers whose accounts have a debit balance and who are eligible
11 therefore according to each employer's debit reserve ratio. Each
12 employer shall be assigned the contribution rate appearing in the
13 applicable schedule A, B, C, D, or E on the line opposite the employer's
14 debit reserve ratio as set forth in the rate schedule below:

15 **RATE SCHEDULE FOR ACCOUNTS**
16 **WITH DEBIT BALANCES**

17 When the Debit Reserve Ratio Is:

18	As	But	Rate Schedules				
19	Much	Less	(%)				
20	As	Than	A	B	C	D	E
21		1.50	4.40	4.30	4.20	4.10	5.40
22	1.50	3.00	4.70	4.60	4.50	4.40	5.40
23	3.00	4.50	5.00	4.90	4.70	4.70	5.40
24	4.50	6.00	5.30	5.20	5.10	5.00	5.40
25	6.00		5.60	5.50	5.40	5.40	5.40

26 SECTION 7. IC 22-4-24.5-1, AS AMENDED BY P.L.1-2002,
27 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2003]: Sec. 1. (a) The skills 2016 training fund is established
29 to do the following:

- 30 (1) Administer the costs of the skills 2016 training program
31 established by IC 22-4-10.5.
- 32 (2) Undertake any program or activity that furthers the purposes
33 of IC 22-4-10.5.
- 34 (3) Refund skills 2016 training assessments erroneously collected
35 and deposited in the fund.

36 (b) ~~Subject to subsection (j), fifty-five~~ **Ninety-five** percent ~~(55%)~~
37 **(95%)** of the money in the fund shall be allocated to the state
38 educational institution established under IC 20-12-61. The money so
39 allocated to that state educational institution shall be used as follows:

- 40 (1) An amount to be determined annually shall be allocated to the
41 state educational institution established under IC 20-12-61 for its
42 costs in administering the training programs described in
43 subsection ~~(b)~~: **(a)**. However, the amount so allocated may not
44 exceed ~~fifteen~~ **twelve and one-half** percent ~~(15%)~~ **(12.5%)** of the
45 total amount of money allocated under this subsection.
- 46 (2) After the allocation made under subdivision (1), forty percent

- 1 (40%) shall be used to provide training to participants in joint
 2 labor and management building trades apprenticeship programs
 3 approved by the United States Department of Labor's Bureau of
 4 Apprenticeship Training.
- 5 (3) After the allocation made under subdivision (1), forty percent
 6 (40%) shall be used to provide training to participants in joint
 7 labor and management industrial apprenticeship programs
 8 approved by the United States Department of Labor's Bureau of
 9 Apprenticeship Training.
- 10 (4) After the allocation made under subdivision (1), twenty
 11 percent (20%) shall be used to provide training to industrial
 12 employees not covered by subdivision (2).
- 13 (c) ~~Subject to subsection (j)~~; The remainder of the money in the
 14 fund shall be allocated as follows:
- 15 (1) An amount not to exceed one million dollars (\$1,000,000)
 16 shall be allocated to the department of workforce development
 17 annually for technology needs of the department.
- 18 ~~(2) An amount not to exceed four hundred fifty thousand dollars~~
 19 ~~(\$450,000) shall be allocated annually for training and counseling~~
 20 ~~assistance under IC 22-4-14-2 provided by state educational~~
 21 ~~institutions (as defined in IC 20-12-0.5-1) or counseling provided~~
 22 ~~by the department of workforce development for individuals who:~~
- 23 ~~(A) have been unemployed for at least four (4) weeks;~~
 24 ~~(B) are not otherwise eligible for training and counseling~~
 25 ~~assistance under any other program; and~~
 26 ~~(C) are not participating in programs that duplicate those~~
 27 ~~programs described in IC 22-4-25-1(e).~~
- 28 ~~Training or counseling provided under IC 22-4-14-2 does not~~
 29 ~~excuse the claimant from complying with the requirements of~~
 30 ~~IC 22-4-14-3. Eligibility for training and counseling assistance~~
 31 ~~under this subdivision shall not be determined until after the~~
 32 ~~fourth week of eligibility for unemployment training~~
 33 ~~compensation benefits.~~
- 34 ~~(3) (2)~~ An amount to be determined annually shall be set aside for
 35 the payment of refunds from the fund.
- 36 ~~(4) (3)~~ The remainder of the money in the fund after the
 37 allocations provided for in subsection (b) and subdivisions (1)
 38 through ~~(3) (2)~~ shall be allocated to other incumbent worker
 39 training programs.
- 40 (d) The fund shall be administered by the board. However, all
 41 disbursements from the fund must be recommended by the incumbent
 42 workers training board and approved by the board as required by
 43 IC 22-4-18.3-6.
- 44 (e) The treasurer of state shall invest the money in the fund not
 45 currently needed to meet the obligations of the fund in the same
 46 manner as other public money may be invested. Interest that accrues

- 1 from these investments shall be deposited in the fund.
- 2 (f) Money in the fund at the end of a state fiscal year does not revert
3 to the state general fund.
- 4 (g) The fund consists of the following:
- 5 (1) Assessments deposited in the fund.
- 6 (2) Earnings acquired through the use of money belonging to the
7 fund.
- 8 (3) Money received from the fund from any other source.
- 9 (4) Interest earned from money in the fund.
- 10 (5) Interest and penalties collected.
- 11 (h) All money deposited or paid into the fund is appropriated
12 annually for disbursements authorized by this section.
- 13 (i) Any balance in the fund does not lapse but is available
14 continuously to the department for expenditures consistent with this
15 chapter.
- 16 ~~(j) If the fund ratio (as described in IC 22-4-11-3) is less than or
17 equal to 1.5 or if the board determines that the solvency of the
18 unemployment insurance benefit fund established by IC 22-4-26-1 is
19 threatened, the funds assessed for or deposited in the skills 2016
20 training fund shall be directed or transferred to the unemployment
21 insurance benefit fund.~~
- 22 SECTION 8. IC 22-4-25-1, AS AMENDED BY P.L.290-2001,
23 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2003]: Sec. 1. (a) There is created in the state treasury a
25 special fund to be known as the special employment and training
26 services fund. All interest on delinquent contributions and penalties
27 collected under this article, together with any voluntary contributions
28 tendered as a contribution to this fund **and amounts deposited as
29 required by IC 22-4-10.5-7(b)**, shall be paid into this fund. The
30 money shall not be expended or available for expenditure in any
31 manner which would permit their substitution for (or a corresponding
32 reduction in) federal funds which would in the absence of said money
33 be available to finance expenditures for the administration of this
34 article, but nothing in this section shall prevent said money from being
35 used as a revolving fund to cover expenditures necessary and proper
36 under the law for which federal funds have been duly requested but not
37 yet received, subject to the charging of such expenditures against such
38 funds when received. The money in this fund shall be used by the board
39 for the payment of refunds of interest on delinquent contributions and
40 penalties so collected, for the payment of costs of administration which
41 are found not to have been properly and validly chargeable against
42 federal grants or other funds received for or in the employment and
43 training services administration fund, on and after July 1, 1945. Such
44 money shall be available either to satisfy the obligations incurred by
45 the board directly, or by transfer by the board of the required amount
46 from the special employment and training services fund to the

1 employment and training services administration fund. No expenditure
2 of this fund shall be made unless and until the board finds that no other
3 funds are available or can properly be used to finance such
4 expenditures, except that expenditures from said fund may be made for
5 the purpose of acquiring lands and buildings or for the erection of
6 buildings on lands so acquired which are deemed necessary by the
7 board for the proper administration of this article. The board shall order
8 the transfer of such funds or the payment of any such obligation or
9 expenditure and such funds shall be paid by the treasurer of state on
10 requisition drawn by the board directing the auditor of state to issue the
11 auditor's warrant therefor. Any such warrant shall be drawn by the state
12 auditor based upon vouchers certified by the board or the
13 commissioner. The money in this fund is hereby specifically made
14 available to replace within a reasonable time any money received by
15 this state pursuant to 42 U.S.C. 502, as amended, which, because of
16 any action or contingency, has been lost or has been expended for
17 purposes other than or in amounts in excess of those approved by the
18 bureau of employment security. The money in this fund shall be
19 continuously available to the board for expenditures in accordance with
20 the provisions of this section and shall not lapse at any time or be
21 transferred to any other fund, except as provided in this article. Nothing
22 in this section shall be construed to limit, alter, or amend the liability
23 of the state assumed and created by IC 22-4-28, or to change the
24 procedure prescribed in IC 22-4-28 for the satisfaction of such liability,
25 except to the extent that such liability may be satisfied by and out of the
26 funds of such special employment and training services fund created
27 by this section.

28 (b) The board, subject to the approval of the budget agency and
29 governor, is authorized and empowered to use all or any part of the
30 funds in the special employment and training services fund for the
31 purpose of acquiring suitable office space for the department by way
32 of purchase, lease, contract, or in any part thereof to purchase land and
33 erect thereon such buildings as the board determines necessary or to
34 assist in financing the construction of any building erected by the state
35 or any of its agencies wherein available space will be provided for the
36 department under lease or contract between the department and the
37 state or such other agency. The commissioner may transfer from the
38 employment and training services administration fund to the special
39 employment and training services fund amounts not exceeding funds
40 specifically available to the commissioner for that purpose equivalent
41 to the fair, reasonable rental value of any land and buildings acquired
42 for its use until such time as the full amount of the purchase price of
43 such land and buildings and such cost of repair and maintenance
44 thereof as was expended from the special employment and training
45 services fund has been returned to such fund.

46 (c) The board may also transfer from the employment and training

1 services administration fund to the special employment and training
 2 services fund amounts not exceeding funds specifically available to the
 3 commissioner for that purpose equivalent to the fair, reasonable rental
 4 value of space used by the department in any building erected by the
 5 state or any of its agencies until such time as the department's
 6 proportionate amount of the purchase price of such building and the
 7 department's proportionate amount of such cost of repair and
 8 maintenance thereof as was expended from the special employment and
 9 training services fund has been returned to such fund.

10 (d) Whenever the balance in the special employment and training
 11 services fund is deemed excessive by the board, the board shall order
 12 payment into the unemployment insurance benefit fund of the amount
 13 of the special employment and training services fund deemed to be
 14 excessive.

15 (e) Subject to the approval of the board, the commissioner may use
 16 not more than five million dollars (\$5,000,000) during a program year
 17 for training provided by the state educational institution established
 18 under IC 20-12-61 to participants in joint labor and management
 19 apprenticeship programs approved by the United States Department of
 20 Labor's Bureau of Apprenticeship Training. Of the money allocated for
 21 training programs under this subsection, fifty percent (50%) is
 22 designated for industrial programs, and the remaining fifty (50%)
 23 percent is designated for building trade programs.

24 **(f) The commissioner shall allocate an amount not to exceed**
 25 **four hundred fifty thousand dollars (\$450,000) annually for**
 26 **training and counseling assistance under IC 22-4-14-2 provided by**
 27 **state educational institutions (as defined in IC 20-12-0.5-1) or**
 28 **counseling provided by the department of workforce development**
 29 **for individuals who:**

- 30 (1) have been unemployed for at least four (4) weeks;
 31 (2) are not otherwise eligible for training and counseling
 32 assistance under any other program; and
 33 (3) are not participating in programs that duplicate those
 34 programs described in subsection (e).

35 **Training or counseling provided under IC 22-4-14-2 does not**
 36 **excuse the claimant from complying with the requirements of**
 37 **IC 22-4-14-3. Eligibility for training and counseling assistance**
 38 **under this subsection shall not be determined until after the fourth**
 39 **week of eligibility for unemployment training compensation**
 40 **benefits. The training and counseling assistance programs funded**

1 **by this subsection must be approved by the United States**
2 **Department of Labor's Bureau of Apprenticeship Training.**
3 SECTION 9. THE FOLLOWING ARE REPEALED [EFFECTIVE
4 JULY 1, 2003]: IC 22-4-10.5-1; IC 22-4-11-3.2."
5 Renumber all SECTION consecutively.
 (Reference is to HB 1241 as printed February 28, 2003.)

Representative Stilwell