

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1234 be amended to read as follows:

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 22-4-25-1, AS AMENDED BY P.L.163-1997,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 1998]: Sec. 1. (a) There is created in the state treasury a
6 special fund to be known as the special employment and training
7 services fund. All interest on delinquent contributions and penalties
8 collected under this article, together with any voluntary contributions
9 tendered as a contribution to this fund, shall be paid into this fund. The
10 money shall not be expended or available for expenditure in any
11 manner which would permit their substitution for (or a corresponding
12 reduction in) federal funds which would in the absence of said money
13 be available to finance expenditures for the administration of this
14 article, but nothing in this section shall prevent said money from being
15 used as a revolving fund to cover expenditures necessary and proper
16 under the law for which federal funds have been duly requested but not
17 yet received, subject to the charging of such expenditures against such
18 funds when received. The money in this fund shall be used by the board
19 for the payment of refunds of interest on delinquent contributions and
20 penalties so collected, for the payment of costs of administration which
21 are found not to have been properly and validly chargeable against
22 federal grants or other funds received for or in the employment and
23 training services administration fund, on and after July 1, 1945. Such
24 money shall be available either to satisfy the obligations incurred by

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

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

1 services fund has been returned to such fund.

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

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

17 (e) Subject to the approval of the board, the commissioner may use
18 not more than four million **five hundred thousand** dollars
19 (~~(\$4,000,000)~~ **(\$4,500,000)**) during a program year for:

20 (1) training and counseling assistance under IC 22-4-14-2
21 provided by state educational institutions (as defined in
22 IC 20-12-0.5-1) or counseling provided by the department for
23 individuals who:

24 (A) have been unemployed for at least four (4) weeks;
25 (B) are not otherwise eligible for training and counseling
26 assistance under any other program; and
27 (C) are not participating in programs that duplicate those
28 programs described in subdivision (2); or

29 (2) training provided by the state educational institution
30 established under IC 20-12-61 to participants in joint labor and
31 management apprenticeship programs approved by the United
32 States Department of Labor's Bureau of Apprenticeship
33 Training.

34 During a particular program year, at least ninety percent (90%) of the
35 money used under this subsection shall be allocated for training
36 programs described in subdivision (2), divided equally between
37 industrial programs and building trade programs. During a particular
38 program year, not more than ten percent (10%) of the money used
39 under this subsection may be allocated for training and counseling
40 assistance under subdivision (1). In addition, not more than fifteen
41 percent (15%) of the money used for training and counseling assistance
42 under subdivision (1) may be used for administrative expenses of the
43 department. Training or counseling provided under IC 22-4-14-2 does
44 not excuse the claimant from complying with the requirements of
45 IC 22-4-14-3. Eligibility for training and counseling assistance under
46 subdivision (1) shall not be determined until after the fourth week of

- 1 eligibility for unemployment training compensation benefits."
- 2 Renumber all SECTIONS consecutively.
 (Reference is to HB 1234 as printed January 22, 1998.)

Representative Alevizos