
SUBSTITUTE SENATE BILL 6073

AS AMENDED BY THE HOUSE

Passed Legislature - 1994 Regular Session

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Labor & Commerce (originally sponsored by Senators Prentice, Newhouse and Vognild; by request of Employment Security Department)

Read first time 02/04/94.

1 AN ACT Relating to unemployment compensation; amending RCW
2 50.04.020 and 50.04.223; creating a new section; providing effective
3 dates; and declaring an emergency.

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

5 **Sec. 1.** RCW 50.04.020 and 1987 c 278 s 1 are each amended to read
6 as follows:

7 "Base year" with respect to each individual, shall mean either the
8 first four of the last five completed calendar quarters or the last
9 four completed calendar quarters immediately preceding the first day of
10 the individual's benefit year.

11 For the purposes of establishing a benefit year, the department
12 shall initially use the first four of the last five completed calendar
13 quarters as the base year. If a benefit year is not established using
14 the first four of the last five calendar quarters as the base year, the
15 department shall use the last four completed calendar quarters as the
16 base year.

17 Computations using the last four completed calendar quarters shall
18 be based on available wage items processed as of the close of business
19 on the day preceding the date of application. (~~Wage items not~~

1 processed at the time of application shall become available to the
2 claim as they are added to department systems. The department shall
3 not be required to make employer contacts or take other actions that
4 would not be applicable to claims based on the first four of the last
5 five completed calendar quarters.)) The department shall promptly
6 contact employers to request assistance in obtaining wage information
7 for the last completed calendar quarter if it has not been reported at
8 the time of initial application.

9 **Sec. 2.** RCW 50.04.223 and 1993 c 167 s 1 are each amended to read
10 as follows:

11 The term "employment" does not include services performed by a
12 massage practitioner licensed under chapter 18.108 RCW in a massage
13 business if the use of the business facilities is contingent upon
14 compensation to the owner of the business facilities and the person
15 receives no compensation from the owner for the services performed.

16 This exemption does not include services performed by a massage
17 practitioner for an employer under chapter 50.44 RCW.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 50.22 RCW
19 to read as follows:

20 Supplemental additional benefits shall be available to individuals
21 who, under this chapter, had a balance of extended benefits available
22 after payments up to and including the week ending February 26, 1994.

23 (1) Total supplemental additional benefits payable shall be equal
24 to the extended benefit balance remaining after extended benefit
25 payments for up to and including the week ending February 26, 1994, and
26 shall be paid at the same weekly benefit amount.

27 (2) The week ending March 5, 1994, is the first week for which
28 supplemental additional benefits are payable.

29 (3) Supplemental additional benefits shall be paid under the same
30 terms and conditions as extended benefits.

31 (4) Supplemental additional benefits are not payable for weeks more
32 than one year beyond the end of the benefit year of the regular claim.

33 (5) Weeks of supplemental additional benefits may not be paid for
34 weeks that begin after the start of a new extended benefit period, or
35 any totally federally funded benefit program with eligibility criteria
36 and benefits comparable to additional benefits.

1 (6) Weeks of supplemental additional benefits may not be paid for
2 weeks of unemployment beginning after December 31, 1995.

3 (7) The department shall seek federal funding to reimburse the
4 state for the supplemental additional benefits paid under this section.
5 Any federal funds received by the state for reimbursement shall be
6 deposited in the unemployment trust fund solely for the payment of
7 benefits under this title.

8 NEW SECTION. **Sec. 4.** If any part of this act is found to be in
9 conflict with federal requirements that are a prescribed condition to
10 the allocation of federal funds to the state or the eligibility of
11 employers in this state for federal unemployment tax credits, the
12 conflicting part of this act is hereby declared to be inoperative
13 solely to the extent of the conflict, and such finding or determination
14 shall not affect the operation of the remainder of this act. The rules
15 under this act shall meet federal requirements that are a necessary
16 condition to the receipt of federal funds by the state or the granting
17 of federal unemployment tax credits to employers in this state.

18 NEW SECTION. **Sec. 5.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

22 NEW SECTION. **Sec. 6.** (1) Section 1 of this act is necessary for
23 the immediate preservation of the public peace, health, or safety, or
24 support of the state government and its existing public institutions,
25 and shall take effect April 3, 1994.

26 (2) Section 2 of this act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and shall take
29 effect April 1, 1994.

30 (3) Section 3 of this act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of the
32 state government and its existing public institutions, and shall take
33 effect immediately.

Passed the Senate February 26, 1994.

Passed the House February 25, 1994.

Approved by the Governor February 26, 1994.

Filed in Office of Secretary of State February 26, 1994.