
SUBSTITUTE SENATE BILL 6073

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.** If any part of this act is found to be in
19 conflict with federal requirements that are a prescribed condition to
20 the allocation of federal funds to the state or the eligibility of
21 employers in this state for federal unemployment tax credits, the
22 conflicting part of this act is hereby declared to be inoperative
23 solely to the extent of the conflict, and such finding or determination
24 shall not affect the operation of the remainder of this act. The rules
25 under this act shall meet federal requirements that are a necessary
26 condition to the receipt of federal funds by the state or the granting
27 of federal unemployment tax credits to employers in this state.

28 NEW SECTION. **Sec. 4.** If any provision of this act or its
29 application to any person or circumstance is held invalid, the
30 remainder of the act or the application of the provision to other
31 persons or circumstances is not affected.

32 NEW SECTION. **Sec. 5.** (1) Section 1 of this act is necessary for
33 the immediate preservation of the public peace, health, or safety, or
34 support of the state government and its existing public institutions,
35 and shall take effect April 3, 1994.

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

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