

SENATE BILL REPORT

SB 5546

AS PASSED SENATE, MARCH 16, 1993

Brief Description: Regulating unemployment compensation.

SPONSORS: Senators Prentice and Moore; by request of Employment Security Department

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Amondson, Barr, Cantu, Fraser, McAuliffe, Newhouse, Prince, Sutherland, Vognild, and Wojahn.

Staff: Erika Lim (786-7488)

Hearing Dates: February 26, 1993; March 1, 1993

BACKGROUND:

The Washington Business Corporation Act was passed in 1989. It contains a definition of corporate officers. The RCW dealing with unemployment compensation for corporate officers was enacted before the adoption of the Corporation Act and uses its own definition of corporate officers.

The state Employment Security Department requires aliens to have been legally in the United States at the time the work which gives rise to unemployment benefits was performed. However, in the RCW dealing with unemployment compensation for aliens, the verb tenses used make it unclear whether a non-citizen must have been legally in this country at the time such work was done. Federal law requires that this area of state law be in conformity with federal law.

The RCW section which deals with extended unemployment benefits includes eligibility standards. A recent amendment to the Federal-State Unemployment Act of 1970 suspends these standards for weeks of unemployment beginning after March 6, 1993 and before January 1, 1995.

SUMMARY:

The RCW section dealing with unemployment compensation for corporate officers will use the definition of corporate officers supplied in the Washington Business Corporation Act. Also, a code reviser's error is corrected.

Wording is clarified so that, in order to be eligible for unemployment benefits, an alien must have been legally in the

United States at the time work which gives rise to unemployment benefits was performed.

Standards governing eligibility for extended unemployment benefits are suspended for the weeks of unemployment beginning after March 6, 1993 and before January 1, 1995.

There are two severability clauses in case of conflict with federal law or invalidity.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: March 6, 1993

TESTIMONY FOR:

This bill is necessary for the state to be in federal compliance.

TESTIMONY AGAINST: None

TESTIFIED: Graeme Sackrison, Employment Security Department (pro)