

1 **SB 5571** - H COMM AMD **ADOPTED 4-17-97**

2 By Committee on Commerce & Labor

3 Strike everything after the enacting clause and insert the
4 following:

5 "NEW SECTION. **Sec. 1.** (1) The legislature finds that
6 failure to report and underreporting of industrial insurance
7 premiums and unemployment insurance contributions creates, among
8 other problems, a serious economic disadvantage for those employers
9 who comply with the law. Based on the recommendations of a
10 legislative task force that reviewed these issues, the legislature
11 finds that some employers who comply with one of these laws, but
12 fail to comply with the other, may be more likely to comply with
13 both laws if employers were required to file their reports on a
14 unified form. In addition, the agencies may be better able to
15 coordinate efforts to enforce the reporting requirements if
16 reporting information is provided to both agencies.

17 (2) By January 1, 1998, the department of labor and
18 industries and the employment security department shall jointly
19 develop a plan, and report the plan to the appropriate committees
20 of the legislature, for implementing a unified form for reporting
21 industrial insurance premiums under Title 51 RCW and unemployment
22 insurance contributions under Title 50 RCW beginning with reports
23 due in calendar year 1999. The implementation plan must address at
24 least the following:

25 (a) The use of separate pages or separate sections on the form
26 for each agency's report. The agencies may review but are not
27 required to change coverage or reporting requirements in developing
28 a unified form;

29 (b) Procedures for employers to mail or electronically
30 transmit the report to a central location with distribution to the
31 agencies or other distribution alternative that provides the
32 agencies with notice of the employers' filings; and

33 (c) Methods to permit employers to make payment to both
34 agencies in a single payment.

1 (3) By January 1, 1998, the department of labor and industries
2 and the employment security department shall report to the
3 appropriate committees of the legislature the results of a study
4 that cross-matches the names or the unified business identifier
5 numbers, or both, of employers who file reports under Title 50 RCW
6 or Title 51 RCW, or both. At a minimum, the report must include
7 the number of employers who file a report under only one title and
8 the results of the agency's investigating the failure to file a
9 report under both titles.

10 **Sec. 2.** RCW 51.32.140 and 1971 ex.s. c 289 s 45 are each
11 amended to read as follows:

12 Except as otherwise provided by treaty or this title, whenever
13 compensation is payable to a beneficiary who is an alien not
14 residing in the United States, ~~((there shall be paid fifty percent~~
15 ~~of)) the department or self-insurer, as the case may be, shall pay~~
16 ~~the compensation ((herein otherwise provided)) to ((such))~~ which a
17 resident beneficiary is entitled under this title. But if a
18 nonresident alien beneficiary is a citizen of a government having
19 a compensation law which excludes citizens of the United States,
20 either resident or nonresident, from partaking of the benefit of
21 such law in as favorable a degree as herein extended to nonresident
22 aliens, he or she shall receive no compensation. No payment shall
23 be made to any beneficiary residing in any country with which the
24 United States does not maintain diplomatic relations when such
25 payment is due.

26 **Sec. 3.** RCW 51.08.050 and 1977 ex.s. c 350 s 11 are each
27 amended to read as follows:

28 "Dependent" means any of the following named relatives of a
29 worker whose death results from any injury and who leaves surviving
30 no widow, widower, or child, viz: father, mother, grandfather,
31 grandmother, stepfather, stepmother, grandson, granddaughter,
32 brother, sister, half-sister, half-brother, niece, nephew, who at
33 the time of the accident are actually and necessarily dependent in
34 whole or in part for their support upon the earnings of the
35 worker(~~(:— PROVIDED, That unless otherwise provided by treaty,~~

1 ~~aliens other than father or mother, not residing within the United~~
2 ~~States at the time of the accident, are not included))."~~

3 Correct the title.

EFFECT: The amendment:

(1) deletes the requirement for employers to begin reporting industrial insurance premiums and unemployment insurance contributions on a unified form beginning January 1998. The amendment requires the Department of Labor and Industries and the Employment Security Department to develop, and report to the legislature by January 1, 1998, a plan for reporting on a unified report. The agencies must also report the results of a study that cross-matches the names or UBI numbers, or both, of employers who file reports under only one law; and

(2) adds that, under the industrial insurance law, an alien beneficiary will receive the same benefits as other beneficiaries whether or not residing in the U.S.(unless a treaty provides otherwise or the U.S. does not maintain diplomatic relations with the country of residence). For determining who is a beneficiary, the amendment changes the definition of "dependent" to delete the exclusion of specified relatives who are alien dependents not residing in the U.S.