
SENATE BILL 6073

State of Washington

53rd Legislature

1994 Regular Session

By Senators Prentice, Newhouse and Vognild; by request of Employment Security Department

Read first time 01/11/94. Referred to Committee on Labor & Commerce.

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
18 shall be based on available wage items processed as of the close of
19 business 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.))

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

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

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

15 NEW SECTION. **Sec. 3.** If any part of this act is found to be in
16 conflict with federal requirements that are a prescribed condition to
17 the allocation of federal funds to the state or the eligibility of
18 employers in this state for federal unemployment tax credits, the
19 conflicting part of this act is hereby declared to be inoperative
20 solely to the extent of the conflict, and such finding or determination
21 shall not affect the operation of the remainder of this act. The rules
22 under this act shall meet federal requirements that are a necessary
23 condition to the receipt of federal funds by the state or the granting
24 of federal unemployment tax credits to employers in this state.

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

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

33 (2) Section 2 of this act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take
2 effect April 1, 1994.

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