

CERTIFICATION OF ENROLLMENT  
**SUBSTITUTE SENATE BILL 6073**

Chapter 3, Laws of 1994

53rd Legislature  
1994 Regular Session

UNEMPLOYMENT COMPENSATION--REVISIONS RELATING TO EXTENDED  
BENEFITS, BASE YEAR, AND THE MASSAGE THERAPIST EXEMPTION

EFFECTIVE DATE: 2/26/94 - Except Section 1 which becomes effective  
4/3/94; and Section 2 which becomes effective 4/1/94.

Passed by the Senate February 26, 1994  
YEAS 47 NAYS 0

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JOEL PRITCHARD  
**President of the Senate**

Passed by the House February 25, 1994  
YEAS 94 NAYS 0

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BRIAN EBERSOLE  
**Speaker of the  
House of Representatives**

Approved February 26, 1994

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MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the  
Senate of the State of Washington, do  
hereby certify that the attached is  
**SUBSTITUTE SENATE BILL 6073** as passed  
by the Senate and the House of  
Representatives on the dates hereon  
set forth.

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MARTY BROWN  
**Secretary**

FILED

February 26, 1994 - 2:05 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6073**

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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.