

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1289**

56th Legislature  
1999 Regular Session

Passed by the House March 11, 1999  
Yeas 96 Nays 0

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**Speaker of the House of Representatives**

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**Speaker of the House of Representatives**

Passed by the Senate April 6, 1999  
Yeas 41 Nays 0

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**President of the Senate**

Approved

\_\_\_\_\_  
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1289** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1289**

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Passed Legislature - 1999 Regular Session

**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Clements, McIntire and Wood; by request of Employment Security Department)

Read first time 02/26/1999.

1       AN ACT Relating to conforming unemployment compensation statutes  
2 with federal law; amending RCW 50.16.030; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4       **Sec. 1.** RCW 50.16.030 and 1983 1st ex.s. c 7 s 1 are each amended  
5 to read as follows:

6       (1) Moneys shall be requisitioned from this state's account in the  
7 unemployment trust fund solely for the payment of benefits and  
8 repayment of loans from the federal government to guarantee solvency of  
9 the unemployment compensation fund in accordance with regulations  
10 prescribed by the commissioner, except that money credited to this  
11 state's account pursuant to section 903 of the social security act, as  
12 amended, shall be used exclusively as provided in RCW 50.16.030(5).  
13 The commissioner shall from time to time requisition from the  
14 unemployment trust fund such amounts, not exceeding the amounts  
15 standing to its account therein, as he or she deems necessary for the  
16 payment of benefits for a reasonable future period. Upon receipt  
17 thereof the treasurer shall deposit such moneys in the benefit account  
18 and shall issue his or her warrants for the payment of benefits solely  
19 from such benefits account.

1 (2) Expenditures of such moneys in the benefit account and refunds  
2 from the clearing account shall not be subject to any provisions of law  
3 requiring specific appropriations or other formal release by state  
4 officers of money in their custody, and RCW 43.01.050, as amended,  
5 shall not apply. All warrants issued by the treasurer for the payment  
6 of benefits and refunds shall bear the signature of the treasurer and  
7 the countersignature of the commissioner, or his or her duly authorized  
8 agent for that purpose.

9 (3) Any balance of moneys requisitioned from the unemployment trust  
10 fund which remains unclaimed or unpaid in the benefit account after the  
11 expiration of the period for which sums were requisitioned shall either  
12 be deducted from estimates for, and may be utilized for the payment of,  
13 benefits during succeeding periods, or in the discretion of the  
14 commissioner, shall be redeposited with the secretary of the treasury  
15 of the United States of America to the credit of this state's account  
16 in the unemployment trust fund.

17 (4) Money credited to the account of this state in the unemployment  
18 trust fund by the secretary of the treasury of the United States of  
19 America pursuant to section 903 of the social security act, as amended,  
20 may be requisitioned and used for the payment of expenses incurred for  
21 the administration of this title pursuant to a specific appropriation  
22 by the legislature, provided that the expenses are incurred and the  
23 money is requisitioned after the enactment of an appropriation law  
24 which:

25 (a) Specifies the purposes for which such money is appropriated and  
26 the amounts appropriated therefor((τ))i

27 (b) Limits the period within which such money may be obligated to  
28 a period ending not more than two years after the date of the enactment  
29 of the appropriation law((τ))i and

30 (c) Limits the amount which may be obligated during a twelve-month  
31 period beginning on July 1st and ending on the next June 30th to an  
32 amount which does not exceed the amount by which (i) the aggregate of  
33 the amounts credited to the account of this state pursuant to section  
34 903 of the social security act, as amended, during the same twelve-  
35 month period and the thirty-four preceding twelve-month periods,  
36 exceeds (ii) the aggregate of the amounts obligated pursuant to RCW  
37 50.16.030 (4), (5) and (6) and charged against the amounts credited to  
38 the account of this state during any of such thirty-five twelve-month  
39 periods. For the purposes of RCW 50.16.030 (4), (5) and (6), amounts

1 obligated during any such twelve-month period shall be charged against  
2 equivalent amounts which were first credited and which are not already  
3 so charged; except that no amount obligated for administration during  
4 any such twelve-month period may be charged against any amount credited  
5 during such a twelve-month period earlier than the thirty-fourth  
6 twelve-month period preceding such period: PROVIDED, That any amount  
7 credited to this state's account under section 903 of the social  
8 security act, as amended, which has been appropriated for expenses of  
9 administration, whether or not withdrawn from the trust fund shall be  
10 excluded from the unemployment compensation fund balance for the  
11 purpose of experience rating credit determination.

12 (5) Money credited to the account of this state pursuant to section  
13 903 of the social security act, as amended, may not be withdrawn or  
14 used except for the payment of benefits and for the payment of expenses  
15 of administration and of public employment offices pursuant to RCW  
16 50.16.030 (4), (5) and (6). However, moneys credited because of excess  
17 amounts in federal accounts in federal fiscal years 1999, 2000, and  
18 2001 shall be used solely for the administration of the unemployment  
19 compensation program and are not subject to appropriation by the  
20 legislature for any other purpose.

21 (6) Money requisitioned as provided in RCW 50.16.030 (4), (5) and  
22 (6) for the payment of expenses of administration shall be deposited in  
23 the unemployment compensation fund, but until expended, shall remain a  
24 part of the unemployment compensation fund. The commissioner shall  
25 maintain a separate record of the deposit, obligation, expenditure and  
26 return of funds so deposited. Any money so deposited which either will  
27 not be obligated within the period specified by the appropriation law  
28 or remains unobligated at the end of the period, and any money which  
29 has been obligated within the period but will not be expended, shall be  
30 returned promptly to the account of this state in the unemployment  
31 trust fund.

32 NEW SECTION. **Sec. 2.** If any part of this act is found to be in  
33 conflict with federal requirements that are a prescribed condition to  
34 the allocation of federal funds to the state or the eligibility of  
35 employers in this state for federal unemployment tax credits, the  
36 conflicting part of this act is inoperative solely to the extent of the  
37 conflict, and the finding or determination does not affect the  
38 operation of the remainder of this act. Rules adopted under this act

1 must meet federal requirements that are a necessary condition to the  
2 receipt of federal funds by the state or the granting of federal  
3 unemployment tax credits to employers in this state.

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