
SENATE BILL 5016

State of Washington

54th Legislature

1995 Regular Session

By Senator Snyder

Read first time 01/09/95. Referred to Committee on Labor, Commerce & Trade.

1 AN ACT Relating to special base years for unemployed persons
2 directly affected by the salmon fishing disaster; adding a new chapter
3 to Title 50 RCW; creating a new section; providing an expiration date;
4 and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The purpose of this chapter is to provide a
7 special base year for persons who are unemployed as a result of the
8 closure of the salmon fishing season in Washington waters.

9 NEW SECTION. **Sec. 2.** A special base year is established only for
10 the purpose of calculating the amount of unemployment benefits and
11 disaster unemployment assistance for persons defined in section 3 of
12 this act. The special base year consists of the four calendar quarters
13 in any one calendar year in which employment, wages, and/or self-
14 employment are highest for the years of 1988, 1989, 1990, 1991, 1992,
15 or 1993.

16 NEW SECTION. **Sec. 3.** An individual is eligible for a special base
17 year only if the commissioner finds that he or she:

1 (1) Resided in or worked in a county that is included in the major
2 disaster declaration for the salmon fishing season of 1994 under the
3 Robert T. Stafford disaster relief and emergency assistance act;

4 (2) Is unemployed as a result of the closure of the salmon fishing
5 season in Washington waters; and

6 (3) Filed an application for an initial determination for
7 unemployment benefits or disaster unemployment assistance, or would
8 have filed such application had a special base year been available. If
9 he or she failed to file an initial determination but would have filed
10 if the special base year had been available, the commissioner shall
11 deem such failure good cause for backdating the initial determination
12 to the start of the unemployment period.

13 NEW SECTION. **Sec. 4.** Individuals who are eligible for the special
14 base year and who previously filed an initial determination for
15 unemployment benefits or disaster unemployment assistance are entitled
16 to a retroactive monetary redetermination using the special base year.

17 NEW SECTION. **Sec. 5.** The weekly benefit amount and maximum
18 benefits payable are governed by RCW 50.20.120 using the special base
19 year and are based on the average weekly wage for calendar year 1993.

20 NEW SECTION. **Sec. 6.** The special base year may not include wages,
21 hours, or weeks that have been used in the computation of a valid claim
22 for an expired benefit year.

23 NEW SECTION. **Sec. 7.** This chapter applies equally to persons
24 entitled to regular unemployment benefits and persons entitled to
25 disaster unemployment assistance.

26 NEW SECTION. **Sec. 8.** Benefits that are paid as a result of using
27 the special base year and are in excess of the benefits that would have
28 been paid under other provisions of Title 50 RCW shall not be charged
29 to the experience rating account of individual employers.

30 NEW SECTION. **Sec. 9.** 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.

1 NEW SECTION. **Sec. 10.** This act shall expire on June 30, 1998.

2 NEW SECTION. **Sec. 11.** If any part of this act is found to be in
3 conflict with federal requirements that are a prescribed condition to
4 the allocation of federal funds to the state or the eligibility of
5 employers in this state for federal unemployment tax credits, the
6 conflicting part of this act is hereby declared to be inoperative
7 solely to the extent of the conflict, and such finding or determination
8 shall not affect the operation of the remainder of this act. The rules
9 under this act shall meet federal requirements that are a necessary
10 condition to the receipt of federal funds by the state or the granting
11 of federal unemployment tax credits to employers in this state.

12 NEW SECTION. **Sec. 12.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 13.** Sections 1 through 8 of this act shall
17 constitute a new chapter in Title 50 RCW.

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