

~~((4) Does it appear that such territory was improvidently included within such water district at the time of the establishment thereof or annexation thereto?))~~

Such findings shall be entered in the records of the water district, together with any recommendations the ((said)) commissioners may by resolution adopt.

Passed the House February 10, 1986.

Passed the Senate March 6, 1986.

Approved by the Governor March 21, 1986.

Filed in Office of Secretary of State March 21, 1986.

## CHAPTER 110

[Engrossed Senate Bill No. 4645]

### UNEMPLOYMENT INSURANCE COVERAGE—CORPORATE OFFICERS

AN ACT Relating to unemployment insurance coverage of corporate officers; amending RCW 50.04.165; creating a new section; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 13, chapter 35, Laws of 1981 as amended by section 4, chapter 23, Laws of 1983 1st ex. sess. and RCW 50.04.165 are each amended to read as follows:

Services performed (~~after October 1, 1983, in the capacity of~~) by corporate officers as defined in RCW 23A.08.470, other than those covered by chapter 50.44 RCW, shall not be considered services in employment. However, a corporation may elect to cover not less than all of its corporate officers under RCW 50.24.160. If an employer does not elect to cover its corporate officers under RCW 50.24.160, the employer must notify its corporate officers in writing that they are ineligible for unemployment benefits. If the employer fails to notify any corporate officer, then that person shall not be considered to be a corporate officer for the purposes of this section.

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

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. This act shall take effect July 1, 1986.

Passed the Senate February 14, 1986.

Passed the House March 4, 1986.

Approved by the Governor March 21, 1986.

Filed in Office of Secretary of State March 21, 1986.

## CHAPTER 111

[Senate Bill No. 4647]

### UNEMPLOYMENT INSURANCE—EMPLOYERS QUALIFIED FOR EXPERIENCE RATING

AN ACT Relating to employers qualified for experience rating under unemployment insurance law; amending RCW 50.29.010 and 50.29.022; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 10, chapter 2, Laws of 1970 ex. sess. as last amended by section 3, chapter 205, Laws of 1984 and RCW 50.29.010 are each amended to read as follows:

As used in this chapter:

"Computation date" means July 1st of any year;

"Cut-off date" means September 30th next following the computation date;

"Qualification date" means April 1st of the third year preceding the computation date.

"Rate year" means the calendar year immediately following the computation date;

~~("Experience rating year" is the twelve-month period beginning with July 1st of one calendar year and ending on June 30th of the following calendar year;)~~

"Payroll" means all wages (as defined for contribution purposes) paid by an employer to individuals in his employment;

~~("Acquire" means the right to occupy or use the operating assets formerly in the possession of a predecessor employer whether that acquisition be by purchase, lease, gift, or by any legal process;~~

~~"Qualified employer" means: (1) Any employer as of the computation date who had some employment in the twelve-month period immediately preceding April 1st of the first of the three consecutive calendar years immediately preceding the computation date and who had no period of four or more consecutive calendar quarters in such three years for which he reported no employment, except that no employer shall be deemed a qualified employer unless all contributions, interest, and penalties required under this title from that employer for the thirty-six month period immediately preceding the computation date have been paid by the cut-off date; or (2) Any employer as of the computation date who has not been subject to this title for a period of time sufficient to be classified as a qualified employer under~~