

adopted under those sections, nor as affecting any proceeding instituted under those sections.

NEW SECTION. Sec. 49. This act shall take effect July 1, 1984.

Passed the Senate March 6, 1984.

Passed the House March 7, 1984.

Approved by the Governor March 21, 1984.

Filed in Office of Secretary of State March 21, 1984.

## CHAPTER 205

[Substitute Senate Bill No. 4416]

### UNEMPLOYMENT COMPENSATION

AN ACT Relating to unemployment insurance; amending section 80, chapter 35, Laws of 1945 as last amended by section 11, chapter 23, Laws of 1983 1st ex. sess. and RCW 50.20.120; amending section 89, chapter 35, Laws of 1945 as last amended by section 9, chapter 33, Laws of 1977 ex. sess. and RCW 50.24.010; amending section 10, chapter 2, Laws of 1970 ex. sess. as last amended by section 17, chapter 23, Laws of 1983 1st ex. sess. and RCW 50.29.010; amending section 11, chapter 2, Laws of 1970 ex. sess. as amended by section 6, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.29.020; adding new sections to chapter 50.20 RCW; adding new sections to chapter 50.29 RCW; creating a new section; repealing section 15, chapter 2, Laws of 1970 ex. sess., section 13, chapter 158, Laws of 1973 1st ex. sess., section 18, chapter 23, Laws of 1983 1st ex. sess. and RCW 50.29.060; providing effective dates; and declaring an emergency.

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

Sec. 1. Section 80, chapter 35, Laws of 1945 as last amended by section 11, chapter 23, Laws of 1983 1st ex. sess. and RCW 50.20.120 are each amended to read as follows:

(1) Subject to the other provisions of this title, benefits shall be payable to any eligible individual during the individual's benefit year in a maximum amount equal to the lesser of thirty times the weekly benefit amount (determined hereinafter) or one-third of the individual's base year wages under this title: PROVIDED, That as to any week beginning on and after March 31, 1981, which falls in an extended benefit period as defined in RCW 50.22.010(1), as now or hereafter amended, an individual's eligibility for maximum benefits in excess of twenty-six times his or her weekly benefit amount will be subject to the terms and conditions set forth in RCW 50.22.020, as now or hereafter amended.

(2) An individual's weekly benefit amount shall be an amount equal to one twenty-fifth of the average quarterly wages of the individual's total wages during the two quarters of the individual's base year in which such total wages were highest. The maximum and minimum amounts payable weekly shall be determined as of each June 30th to apply to benefit years beginning in the twelve-month period immediately following such June 30th. The maximum amount payable weekly shall be fifty-five percent of the "average weekly wage" for the calendar year preceding such June 30th:

~~PROVIDED, That if as of (any June 30th the unemployment compensation trust fund balance has improved so that the employer contribution as determined pursuant to RCW 50.24.010 is less than three percent, the maximum amount payable weekly for benefit years beginning with the first full calendar week in July next following shall be sixty percent of the "average weekly wage" for the calendar year preceding such June 30))~~ the first December 31st on which the ratio of the balance in the unemployment compensation fund to total remuneration paid by all employers subject to contributions during the calendar year ending on such December 31st and reported to the department by the following March 31st is 0.024 or more, the maximum amount payable weekly for benefit years beginning with the first full calendar week in July next following, and thereafter, shall be sixty percent of the "average weekly wage". The computation for this ratio shall be carried to the fourth decimal place with the remaining fraction, if any, disregarded: PROVIDED FURTHER, That for benefit years beginning before July 7, 1985, the maximum amount payable weekly shall not exceed one hundred eighty-five dollars. The minimum amount payable weekly shall be fifteen percent of the "average weekly wage" for the calendar year preceding such June 30th. If any weekly benefit, maximum benefit, or minimum benefit amount computed herein is not a multiple of one dollar, it shall be reduced to the next lower multiple of one dollar.

Sec. 2. Section 89, chapter 35, Laws of 1945 as last amended by section 9, chapter 33, Laws of 1977 ex. sess. and RCW 50.24.010 are each amended to read as follows:

Contributions shall accrue and become payable by each employer (except employers as described in RCW 50.44.010 who have properly elected to make payments in lieu of contributions and those employers who are required to make payments in lieu of contributions) for each calendar year in which the employer is subject to this title at the rate ~~((of two and seven-tenths percent of wages paid each employee, except for such rates as determined for qualified employers according))~~ established pursuant to chapter 50.29 RCW~~((: PROVIDED, That if, as of any June 30th, the amount in the unemployment compensation fund is less than three and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, contributions for the following calendar year for all employers shall be payable at the rate of three percent of wages subject to tax)).~~

~~((The amount of wages subject to tax for each individual as of January 1, 1971, shall be four thousand two hundred dollars. If the amount in the unemployment compensation fund on any June 30th, after January 1, 1971, is less than four and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, the amount of wages subject to tax shall~~

increase on the January 1st next following by six hundred dollars. ~~PROVIDED, That the amount of wages subject to tax in any calendar year shall not exceed eighty percent of the "average annual wage" for the second preceding calendar year rounded to the next lower multiple of three hundred dollars:)~~

In each rate year, the amount of wages subject to tax for each individual shall be one hundred fifteen percent of the amount of wages subject to tax for the previous year rounded to the next lower one hundred dollars: PROVIDED, That the amount of wages subject to tax in any rate year shall not exceed eighty percent of the "average annual wage for contributions purposes" for the second preceding calendar year rounded to the next lower one hundred dollars: PROVIDED FURTHER, That the amount subject to tax shall be twelve thousand dollars for rate year 1984 and ten thousand dollars for rate year 1985.

In making computations under this section and RCW 50.29.010, wages paid based on services for employers making payments in lieu of contributions shall not be considered remuneration. Moneys paid from the fund, based on services performed for employers who make payments in lieu of contributions, which have not been reimbursed to the fund as of any June 30 shall be deemed an asset of the unemployment compensation fund, to the extent that such moneys exceed the amount of payments in lieu of contributions which the commissioner has previously determined to be uncollectible: PROVIDED, FURTHER, That the amount attributable to employment with the state shall also include interest as provided for in RCW 50.44.020.

Contributions shall become due and be paid by each employer to the treasurer for the unemployment compensation fund in accordance with such regulations as the commissioner may prescribe, and shall not be deducted, in whole or in part, from the remuneration of individuals in employment of the employer. Any deduction in violation of the provisions of this section shall be unlawful.

In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

Sec. 3. Section 10, chapter 2, Laws of 1970 ex. sess. as last amended by section 17, chapter 23, Laws of 1983 1st ex. sess. 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;

"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 the provision of subdivision (1) of this paragraph but who had some employment in the twelve-month period immediately preceding April 1st of the first of the two consecutive calendar years immediately preceding the computation date and who had no period of four or more consecutive calendar quarters in such two 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 twenty-four month period immediately preceding the computation date have been paid by the cut-off date: PROVIDED, That for the purpose of this section, unpaid contributions, interest, or penalties of twenty-five dollars or less or unpaid contributions, interest, or penalties of one-half of one percent of the employer's total tax reported for the twelve-month period immediately preceding the computation date may be disregarded if showing is made to the satisfaction of the commissioner that an otherwise qualified employer acted in good faith and that forfeiture of qualification for a reduced contribution rate because of such delinquency would be inequitable.

~~("Surplus" is an amount of moneys in the unemployment compensation fund deemed in excess of the amount needed to insure the solvency of the fund. The "surplus" is determined in the following manner:~~

~~(1) For computations prior to January 1, 1974, the total remuneration paid during the calendar year preceding the computation date shall be multiplied by four percent and the product shall be subtracted from the amount in the fund as of the June 30th immediately preceding the computation~~

date. If that balance is at least one-tenth of one percent of the total remuneration paid during the calendar year, that portion of the balance not exceeding forty one-hundredths of one percent of the total remuneration paid during the preceding calendar year shall be deemed "surplus". Total remuneration paid in this computation is limited to remuneration paid during the calendar year preceding the computation date and reported to the department of employment security on or before the March 31st immediately preceding the computation date.

(2) For computations subsequent to January 1, 1974, the allowable "surplus" shall be computed by use of the following table. Column A represents the ratio of the unemployment compensation fund as of the June 30th preceding the computation date to total remuneration for the preceding calendar year. The percentage figures in Column B represent the maximum percentage of total remuneration during the preceding calendar year which may be deemed as "surplus" in view of the corresponding figures in Column A. No amount of the fund shall be declared surplus if the balance in the fund as of the June 30th immediately preceding the computation date is not at least one-tenth of one percent of total remuneration paid during the preceding calendar year in excess of four percent of total remuneration paid during the preceding calendar year. The percentage amount of total remuneration during the preceding calendar year, Column B, may be deemed surplus only to the extent that the balance remaining in the unemployment compensation fund exceeds four percent of the total remuneration paid during the preceding calendar year. Total remuneration paid in this computation is limited to remuneration paid during the calendar year preceding the computation date and reported to the department of employment security on or before the March 31st immediately preceding the computation date:

<u>Column A</u>	<u>Column B</u>
4.1% but less than 4.8%	0.40%
4.8% but less than 5.2%	0.55%
5.2% or more	0.70%

(3) In all computations of "surplus" moneys paid from the fund, based on services performed for employers who make payments in lieu of contributions, which have not been reimbursed to the fund as of any June 30 shall be deemed an asset of the unemployment compensation fund, to the extent that such moneys exceed the amount of payments in lieu of contributions which the commissioner has previously determined to be uncollectible: PROVIDED, FURTHER, That the amount attributable to employment with the state shall also include interest as provided for in RCW 50.44.020:))

NEW SECTION. Sec. 4. There is added to chapter 50.29 RCW a new section to read as follows:

For the rate year 1985 and each rate year thereafter, a benefit ratio shall be computed for each qualified employer by dividing the total amount of benefits charged to the account of the employer during the forty-eight consecutive months immediately preceding the computation date by the taxable payrolls of the employer for the same forty-eight month period as reported to the department by the cut-off dates. The division shall be carried to the sixth decimal place with the remaining fraction, if any, disregarded.

**NEW SECTION.** Sec. 5. There is added to chapter 50.29 RCW a new section to read as follows:

For the rate year 1984 and each rate year thereafter, the contribution rate for each employer shall be determined under this section.

(1) A fund balance ratio shall be determined by dividing the balance in the unemployment compensation fund as of the June 30th immediately preceding the rate year by the total remuneration paid by all employers subject to contributions during the second calendar year preceding the rate year and reported to the department by the following March 31st. The division shall be carried to the fourth decimal place with the remaining fraction, if any, disregarded. The fund balance ratio shall be expressed as a percentage.

(2) The interval of the fund balance ratio, expressed as a percentage, shall determine which tax schedule in subsection (5) of this section shall be in effect for assigning tax rates for the rate year: **PROVIDED**, That a uniform tax rate of 3.3 percent shall be in effect for the rate year 1984. The intervals for determining the effective tax schedule shall be:

<u>Interval of the Fund Balance Ratio Expressed as a Percentage</u>	<u>Effective Tax Schedule</u>
3.40 and above	A
2.90 to 3.39	B
2.40 to 2.89	C
1.90 to 2.39	D
1.40 to 1.89	E
Less than 1.40	F

(3) An array shall be prepared, listing all qualified employers in ascending order of their benefit ratios. The array shall show for each qualified employer: (a) Identification number; (b) benefit ratio; (c) taxable payrolls for the four calendar quarters immediately preceding the computation date and reported to the department by the cut-off date; (d) a cumulative total of taxable payrolls consisting of the employer's taxable payroll plus the taxable payrolls of all other employers preceding him or her in the array; and (e) the percentage equivalent of the cumulative total of taxable payrolls.

(4) Each employer in the array shall be assigned to one of twenty rate classes according to the percentage intervals of cumulative taxable payrolls

set forth in subsection (5) of this section: PROVIDED, That if an employer's taxable payroll falls within two or more rate classes, the employer and any other employer with the same benefit ratio shall be assigned to the lowest rate class which includes any portion of the employer's taxable payroll.

(5) The contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect during the rate year:

Percent of Cumulative Taxable Payrolls			Schedule of Contribution Rates for Effective Tax Schedule					
From	To	Rate Class	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
0.00	5.00	1	0.5	0.6	1.0	1.5	1.9	2.5
5.01	10.00	2	0.5	0.8	1.2	1.7	2.1	2.7
10.01	15.00	3	0.6	1.0	1.4	1.8	2.3	2.9
15.01	20.00	4	0.8	1.2	1.6	2.0	2.5	3.1
20.01	25.00	5	1.0	1.4	1.8	2.2	2.7	3.2
25.01	30.00	6	1.2	1.6	2.0	2.4	2.8	3.3
30.01	35.00	7	1.4	1.8	2.2	2.6	3.0	3.4
35.01	40.00	8	1.6	2.0	2.4	2.8	3.2	3.6
40.01	45.00	9	1.8	2.2	2.6	3.0	3.4	3.8
45.01	50.00	10	2.0	2.4	2.8	3.2	3.6	4.0
50.01	55.00	11	2.3	2.6	3.0	3.4	3.8	4.1
55.01	60.00	12	2.5	2.8	3.2	3.6	4.0	4.3
60.01	65.00	13	2.7	3.0	3.4	3.8	4.2	4.5
65.01	70.00	14	2.9	3.2	3.6	4.0	4.4	4.7
70.01	75.00	15	3.1	3.4	3.8	4.2	4.6	4.8
75.01	80.00	16	3.3	3.6	4.0	4.4	4.7	4.9
80.01	85.00	17	3.5	3.8	4.2	4.6	4.9	5.0
85.01	90.00	18	3.9	4.2	4.6	4.9	5.0	5.2
90.01	95.00	19	4.3	4.6	5.0	5.1	5.2	5.4
95.01	100.00	20	5.4	5.4	5.4	5.4	5.4	5.4

(6) The contribution rate for each employer not qualified to be in the array shall be a rate equal to the average industry tax rate as determined by the commissioner; however, the rate may not be less than one percent: PROVIDED, That employers who do not meet the definition of "qualified employer" by reason of failure to pay contributions when due shall be assigned the contribution rate of five and four-tenths percent. Assignment of employers by the commissioner to industrial classification, for purposes of

this subsection, shall be in accordance with established classification practices found in the "Standard Industrial Classification Manual" issued by the federal office of management and budget to the third digit provided in the Standard Industrial Classification code.

NEW SECTION, Sec. 6. There is added to chapter 50.29 RCW a new section to read as follows:

Predecessor and successor employer contribution rates shall be computed in the following manner:

(1) If the successor is an employer at the time of the transfer, his or her contribution rate shall remain unchanged for the remainder of the rate year in which the transfer occurs. From and after January 1 following the transfer, the successor's contribution rate for each rate year shall be based on his or her experience with payrolls and benefits including the experience of the acquired business or portion of a business from the date of transfer, as of the regular computation date for that rate year.

(2) If the successor is not an employer at the time of the transfer, he or she shall pay contributions at the rate assigned to the predecessor employer at the time of the transfer for the remainder for that rate year and continuing until such time as he or she qualifies for a different rate in his or her own right.

(3) If the successor is not an employer at the time of the transfer and simultaneously acquires the business or a portion of the business of two or more employers in different rate classes, his or her rate from the date the transfer occurred until the end of that rate year and until he or she qualifies in his or her own right for a new rate, shall be the highest rate applicable at the time of the acquisition to any predecessor employer who is a party to the acquisition.

(4) The contribution rate on any payroll retained by a predecessor employer shall remain unchanged for the remainder of the rate year in which the transfer occurs.

(5) In all cases, from and after January 1 following the transfer, the predecessor's contribution rate for each rate year shall be based on his or her experience with payrolls and benefits as of the regular computation date for that rate year including the experience of the acquired business or portion of business up to the date of transfer: **PROVIDED**, That if all of the predecessor's business is transferred to a successor or successors, the predecessor shall not be a qualified employer until he or she satisfies the requirements of a "qualified employer" as set forth in RCW 50.29.010.

Sec. 7. Section 11, chapter 2, Laws of 1970 ex. sess. as amended by section 6, chapter 228, Laws of 1975 1st ex. sess. and RCW 50.29.020 are each amended to read as follows:

(1) An experience rating account shall be established and maintained for each employer, except those employers whose employees are covered under chapter 50.44 RCW, based on existing records of the employment



security department (~~(and shall be effective beginning with July 1, 1967)~~). Benefits paid to any eligible individuals (~~(for benefit years beginning subsequent to June 30, 1967;)~~) shall be charged to the experience rating accounts of each of his employers during his base year in the same ratio that the wages paid by each employer to the individual during the base year bear to the wages paid by all employers to that individual during that base year.

(2) The legislature finds that certain benefit payments, in whole or in part, should not be charged to the experience rating accounts of employers whose employees are not covered under chapter 50.44 RCW, as follows:

(a) Benefits paid to any individuals later determined to be ineligible shall not be charged to the experience rating account of any contribution paying employer.

(b) Benefits paid to an individual under the provisions of RCW 50.12-.050 shall not be charged to the account of any contribution paying employer if the wage credits earned in this state by the individual during his base year are less than the minimum amount necessary to qualify the individual for unemployment benefits.

(c) Benefits paid to an individual filing under the provisions of chapter 50.06 RCW shall not be charged to the experience rating account of any contribution paying employer.

(d) Benefits paid which represent the state's share of benefits payable under chapter 50.22 RCW shall not be charged to the experience rating account of any contribution paying employer.

(e) Benefits paid to a claimant who requalifies for benefits under RCW 50.20.050 or 50.20.060 shall not be charged to the experience rating account of the contribution paying employer with whom the disqualifying separation took place.

(f) Benefits paid to an individual as the result of a determination by the commissioner that no stoppage of work exists, pursuant to RCW 50.20-.090, shall not be charged to the experience rating account of any contribution paying employer.

(g) In the case of individuals identified under section 9 of this 1984 act, benefits paid with respect to a calendar quarter, which exceed the total amount of wages earned in the state of Washington in the higher of two corresponding calendar quarters included within the individual's determination period, as defined in section 9 of this 1984 act, shall not be charged to the experience rating account of any contribution paying employer.

NEW SECTION. Sec. 8. There is added to chapter 50.20 RCW a new section to read as follows:

If an otherwise eligible individual fails without good cause, as determined by the commissioner under rules prescribed by the commissioner, to attend a job search workshop or a training or retraining course when directed by the department and such workshop or course is available at public

expense, such individual shall not be eligible for benefits with respect to any week in which such failure occurred.

**NEW SECTION.** Sec. 9. There is added to chapter 50.20 RCW a new section to read as follows:

(1) If the product of an otherwise eligible individual's weekly benefit amount multiplied by thirteen is greater than the total amount of wages earned in the state of Washington in the higher of two corresponding calendar quarters included within the individual's determination period, that individual shall be considered to have marginal labor force attachment. However, the individual shall not be considered to have marginal labor force attachment if he or she had no wages or reduced wages in either of such two corresponding calendar quarters because of illness or disability or because such individual's first wages in covered employment were earned after the fifth completed calendar quarter of the individual's determination period. For the purposes of this subsection and RCW 50.29.020, "determination period" means the first eight of the last nine completed calendar quarters immediately preceding the individual's current benefit year.

(2) In addition to any other requirements established under this chapter which are not inconsistent with (a) through (f) of this subsection, if a determination is made under subsection (1) of this section that an individual has marginal labor force attachment, the following provisions shall apply to benefits payable to such individuals under this chapter:

(a) Payment of benefits under this chapter shall not be made to any individual for any week of unemployment:

(i) During which he or she fails to accept any offer of suitable work, as defined in subsection (2)(c) of this section, or fails to apply for any suitable work to which he or she was referred by the department; or

(ii) During which he or she fails to actively engage in seeking work.

(b) If any individual is ineligible for benefits for any week by reason of a failure described in subsection (2)(a)(i) or (2)(a)(ii) of this section, the individual shall be ineligible to receive benefits for any week which begins during a period which:

(i) Begins with the week following the week in which such failure occurs; and

(ii) Does not end until such individual has obtained bona fide work and earned wages of not less than his or her suspended weekly benefit amount in each of five calendar weeks.

(c) For purposes of this section, the term "suitable work" means, with respect to any individual, any work which is within such individual's capabilities and which does not involve conditions described in RCW 50.20.110.

(d) Benefits shall not be denied under subsection (2)(a)(i) of this section to any individual for any week by reason of a failure to accept an offer of, or apply for, suitable work if:

(i) The gross average weekly remuneration payable to such individual for the position does not exceed the sum of:

(A) The individual's weekly benefit amount, as determined under RCW 50.20.120, for his or her benefit year; plus

(B) The amount (if any) of supplemental unemployment compensation benefits (as defined in section 501(c)(17)(D) of the Internal Revenue Code of 1954, 26 U.S.C. Sec. 501(c)(17)(D)), payable to such individual for such week;

(ii) The position was not offered to such individual in writing and was not listed with the department;

(iii) Such failure would not result in a denial of benefits under the provisions of RCW 50.20.080 and 50.20.100 to the extent such provisions are not inconsistent with the provisions of subsections (2)(c) and (2)(e) of this section; or

(iv) The position pays wages less than the higher of:

(A) The minimum wage provided by section (6)(a)(1) of the Fair Labor Standards Act of 1938, without regard to any exemption; or

(B) Any applicable state or local minimum wage.

(c) For purposes of this section, an individual shall be treated as actively engaged in seeking work during any week if:

(i) The individual has engaged in a systematic and sustained effort to obtain work during such week, which has included at least five employer contacts: PROVIDED, That if the department determines that economic conditions within a designated labor market area make it unlikely that individuals will be able to fulfill the requirement of five employer contacts per week, then the department shall designate an appropriate number of required contacts for individuals within such labor market area: PROVIDED FURTHER, That if the department makes such a determination, then it shall report the determination, the newly-established number of employer contacts required within the designated labor market area, and supporting documentation for these actions, to the governor and the respective chairpersons of the house committee on labor and the senate committee on commerce and labor;

(ii) The individual provides tangible evidence to the department that he or she has engaged in such an effort during such week. Such evidence shall include information supplied by the individual on forms developed by the department which also provide for employer signature to verify work search contacts and comments regarding the individual's preparedness for immediate work.

(f) The department shall refer applicants to any suitable work to which subsections (2)(d)(i) through (2)(d)(iv) of this section would not apply. To the extent possible, the department shall provide each applicant with five referrals each week. A referral shall serve as one of the employer contacts required in subsection (2)(e)(i) of this section.

(3) This section shall not apply to an individual who earned wages in covered employment in at least eighty hours in each calendar quarter of the individual's base period.

NEW SECTION. Sec. 10. There is added to chapter 50.29 RCW a new section to read as follows:

Within thirty days after the end of every calendar quarter, the commissioner shall notify each employer of the benefits received during that quarter by each claimant for whom he or she is the base year employer and the amount of those benefits charged to his or her experience rating account.

NEW SECTION. Sec. 11. 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. 12. 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. 13. Section 15, chapter 2, Laws of 1970 ex. sess., section 13, chapter 158, Laws of 1973 1st ex. sess., section 18, chapter 23, Laws of 1983 1st ex. sess. and RCW 50.29.060 are each repealed.

NEW SECTION. Sec. 14. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except as follows:

- (1) Sections 6 and 13 of this act shall take effect on January 1, 1985;
- (2) Section 7 of this act shall be effective for compensable weeks of unemployment beginning on or after January 6, 1985; and
- (3) Section 9 of this act shall take effect on July 1, 1985.

Passed the Senate February 25, 1984.

Passed the House March 5, 1984.

Approved by the Governor March 21, 1984.

Filed in Office of Secretary of State March 21, 1984.