

CHAPTER 4

[Senate Bill No. 2251]

MINIMUM WAGES—SEASONAL EMPLOYEES AT AGRICULTURAL FAIRS

AN ACT Relating to minimum wages for seasonal employees at agricultural fairs; and amending section 3, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.130.

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

Section 1. Section 3, chapter 289, Laws of 1975 1st ex. sess. and RCW 49.46.130 are each amended to read as follows:

(1) No employer shall employ any of his employees for a work week longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed, except that the provisions of this subsection (1) shall not apply to any person exempted pursuant to RCW 49.46.010(5) as now or hereafter amended and the provision of this subsection shall not apply to employees who request compensating time off in lieu of overtime pay nor to any individual employed as a seaman whether or not the seaman is employed on a vessel other than an American vessel, nor to seasonal employees who are employed at concessions and recreational establishments at agricultural fairs, including those seasonal employees employed by agricultural fairs, within the state provided that the period of employment for any seasonal employee at any or all agricultural fairs does not exceed fourteen working days a year.

(2) No public agency shall be deemed to have violated subsection (1) of this section with respect to the employment of any employee in fire protection activities or any employee in law enforcement activities (including security personnel in correctional institutions) if: (a) In a work period of twenty-eight consecutive days the employee receives for tours of duty which in the aggregate exceed two hundred and forty hours; or (b) in the case of such an employee to whom a work period of at least seven but less than twenty-eight days applies, in his work period the employee receives for tours of duty which in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in his work period as two hundred forty hours bears to twenty-eight days; compensation at a rate not less than one and one-half times the regular rate at which he is employed: PROVIDED, That this section shall not apply to any individual employed (i) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (ii) in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; or (iii) commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal

market for distribution for consumption: PROVIDED FURTHER, That in any industry in which federal law provides for an overtime payment based on a work week other than forty hours then provisions of this section shall not apply; however the provisions of the federal law regarding overtime payment based on a work week other than forty hours shall nevertheless apply to employees covered by this section without regard to the existence of actual federal jurisdiction over the industrial activity of the particular employer within this state: PROVIDED FURTHER, That "industry" as that term is used in this section shall mean a trade, business, industry, or other activity, or branch, or group thereof, in which individuals are gainfully employed (section 3(h) of the Fair Labor Standards Act of 1938, as amended (Public Law 93-259).

Passed the Senate April 5, 1977.

Passed the House April 4, 1977.

Approved by the Governor April 11, 1977.

Filed in Office of Secretary of State April 11, 1977.

CHAPTER 5

[Substitute House Bill No. 23]

DENTAL DISCIPLINARY BOARD ACT

AN ACT Relating to the practice of dentistry; amending section 22, chapter 112, Laws of 1935 and RCW 18.32.080; amending section 8, chapter 112, Laws of 1935 and RCW 18.32.230; amending section 7, chapter 93, Laws of 1953 as amended by section 38, chapter 52, Laws of 1957 and RCW 18.32.350; amending section 23, chapter 112, Laws of 1935 and RCW 18.32.380; adding new sections to chapter 18.32 RCW; repealing section 32, chapter 52, Laws of 1957 and RCW 18.32.240; repealing section 33, chapter 52, Laws of 1957 and RCW 18.32.250; repealing section 6, chapter 93, Laws of 1953, section 34, chapter 52, Laws of 1957 and RCW 18.32.260; repealing section 35, chapter 52, Laws of 1957 and RCW 18.32.270; repealing section 36, chapter 52, Laws of 1957, section 59, chapter 81, Laws of 1971 and RCW 18.32.280; prescribing penalties; and making an appropriation.

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

NEW SECTION. Section 1. The legislature finds that the health and well-being of the people of this state are of paramount importance.

The legislature further finds that the conduct of members of the dental profession licensed to practice dentistry in this state plays a vital role in preserving the health and well-being of the people of the state.

The legislature further finds that there is no effective means of handling disciplinary proceedings against members of the dental profession licensed in this state when such proceedings are necessary for the protection of the public health.

Therefore, the legislature declares its intention to exercise the police power of the state to protect the public health, to promote the welfare of the state, and to provide a dental disciplinary board to act as a disciplinary body for the members of the dental profession licensed to practice dentistry in this state.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout sections 1, and 3 through 28 of this 1977 amendatory act.

(1) "Board" means the dental disciplinary board created in section 6 of this 1977 amendatory act.