

## CHAPTER 252

[Substitute Senate Bill No. 3480]

## MUSICIANS—ENTERTAINERS—INDUSTRIAL INSURANCE COVERAGE

AN ACT Relating to industrial insurance coverage for entertainers or musicians; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 15, chapter 63, Laws of 1982 and RCW 51.12.020; and adding a new section to chapter 51.12 RCW.

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

Sec. 1. Section 51.12.020, chapter 23, Laws of 1961 as last amended by section 15, chapter 63, Laws of 1982 and RCW 51.12.020 are each amended to read as follows:

The following are the only employments which shall not be included within the mandatory coverage of this title:

(1) Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment.

(2) Any person employed to do gardening, maintenance, repair, remodeling, or similar work in or about the private home of the employer.

(3) A person whose employment is not in the course of the trade, business, or profession of his or her employer and is not in or about the private home of the employer.

(4) Any person performing services in return for aid or sustenance only, received from any religious or charitable organization.

(5) Sole proprietors or partners: PROVIDED, That after July 26, 1981, sole proprietors or partners who for the first time register under chapter 18.27 RCW or become licensed for the first time under chapter 19.28 RCW shall be included under the mandatory coverage provisions of this title subject to the provisions of RCW 51.32.030. These persons may elect to withdraw from coverage under RCW 51.12.115.

(6) Any employee, not regularly and continuously employed by the employer in agricultural labor, whose cash remuneration paid by or due from any one employer in that calendar year for agricultural labor is less than one hundred fifty dollars. Employees not regularly and continuously employed in agricultural labor by any one employer but who are employed in agricultural labor on a seasonal basis shall come under the coverage of this title only when their cash remuneration paid or due in that calendar year exceeds one hundred fifty dollars but only as of the occurrence of that event and only as to their work for that employer.

(7) Any child under eighteen years of age employed by his parent or parents in agricultural activities on the family farm.

(8) Jockeys while participating in or preparing horses for race meets licensed by the Washington horse racing commission pursuant to chapter 67-.16 RCW.

(9) Any executive officer elected and empowered in accordance with the articles of incorporation or bylaws of a corporation who at all times during the period involved is also a director and shareholder of the corporation. Any officer who was considered by the department to be covered on and after June 30, 1977, shall continue to be covered until such time as the officer voluntarily elects to withdraw from coverage in the manner provided by RCW 51.12.110. However, any corporation may elect to cover such officers who are in fact employees of the corporation in the manner provided by RCW 51.12.110.

(10) Services rendered by a musician or entertainer under a contract with a purchaser of the services, for a specific engagement or engagements when such musician or entertainer performs no other duties for the purchaser and is not regularly and continuously employed by the purchaser. A purchaser does not include the leader of a group or recognized entity who employs other than on a casual basis musicians or entertainers.

**NEW SECTION.** Sec. 2. There is added to chapter 51.12 RCW a new section to read as follows:

Any musician or entertainer who performs as a member of a group or recognized entity is deemed an employee of the group or entity and the leader of the group or entity shall be required to properly register as an employer with the department and pay industrial insurance premiums on behalf of his or her employees. If a musician or entertainer is a sole performer or performs as a partner in a group or entity, or performs on a casual basis, the musician or entertainer shall be exempted from mandatory coverage of this title. However, any such sole performer, partner, or casual performer may elect to be covered under this title and shall be subject to all the provisions and entitled to all the benefits under this title.

Passed the Senate April 23, 1983.

Passed the House April 16, 1983.

Approved by the Governor May 17, 1983.

Filed in Office of Secretary of State May 17, 1983.

## CHAPTER 253

[Substitute Senate Bill No. 3483]

### OIL AND GAS CONSERVATION—EXPLORATION—DEVELOPMENT— PRODUCTION—RECLAMATION

AN ACT Relating to oil and gas conservation; amending section 1, chapter 146, Laws of 1951 and RCW 78.52.001; amending section 3, chapter 146, Laws of 1951 and RCW 78.52.010; amending section 5, chapter 146, Laws of 1951 and RCW 78.52.025; amending section 7, chapter 146, Laws of 1951 and RCW 78.52.031; amending section 10, chapter 146, Laws of 1951 and RCW 78.52.040; amending section 11, chapter 146, Laws of 1951 and RCW 78.52.050; amending section 13, chapter 146, Laws of 1951 and RCW 78.52.100; amending section 14, chapter 146, Laws of 1951 and RCW 78.52.120; amending section 22, chapter 146, Laws of 1951 and RCW 78.52.200; amending section 23, chapter 146, Laws of 1951 and RCW 78.52.210; amending section 24, chapter 146, Laws of 1951