

~~((35))~~ (37) RCW 46.64.020 relating to nonappearance after a written promise;

~~((36))~~ (38) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;

~~((37))~~ (39) Chapter 46.65 RCW relating to habitual traffic offenders;

~~((38))~~ (40) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;

~~((39))~~ (41) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;

~~((40))~~ (42) Chapter 46.80 RCW relating to motor vehicle wreckers;

~~((41))~~ (43) Chapter 46.82 RCW relating to driver's training schools.

Passed the House April 15, 1987.

Passed the Senate April 6, 1987.

Approved by the Governor May 5, 1987.

Filed in Office of Secretary of State May 5, 1987.

## CHAPTER 248

[Engrossed Senate Bill No. 5217]

### WELLNESS PROGRAM FOR STATE EMPLOYEES

AN ACT Relating to wellness programs for state employees; amending RCW 41.06.280; adding new sections to chapter 41.04 RCW; and creating a new section.

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

NEW SECTION. Sec. 1. The legislature finds that:

(1) Improved health among employees will result in a more productive workforce, better morale, reduced stress, lower injury rates and absenteeism, and improved recruitment and retention rates;

(2) A substantial amount of illness and injury in the work force is preventable because it results from lifestyle decisions;

(3) Illness and injury among state employees can be reduced if employees engage in healthier lifestyles.

The state, as an employer, desires to foster a working environment that promotes the health and well-being of its employees. Therefore, it is the purpose of this act to establish a state employee wellness program. "Wellness program" means those policies, procedures, and activities that promote the health and well-being of state employees and that contribute to a healthful work environment.

NEW SECTION. Sec. 2. A new section is added to chapter 41.04 RCW to read as follows:

(1) The director of the department of personnel, in consultation with applicable state agencies and employee organizations, may develop and administer a voluntary state employee wellness program.

(2) The director may:

(a) Develop and implement state employee wellness policies, procedures, and activities;

(b) Disseminate wellness educational materials to state agencies and employees;

(c) Encourage the establishment of wellness activities in state agencies;

(d) Provide technical assistance and training to agencies conducting wellness activities for their employees;

(e) Develop standards by which agencies sponsoring specific wellness activities may impose a fee to participating employees to help defray the cost of those activities;

(f) Monitor and evaluate the effectiveness of this program, including the collection, analysis, and publication of relevant statistical information; and

(g) Perform other duties and responsibilities as necessary to carry out the purpose of this section.

(3) No wellness program or activity that involves or requires organized or systematic physical exercise may be implemented or conducted during normal working hours.

**NEW SECTION.** Sec. 3. A new section is added to chapter 41.04 RCW to read as follows:

Individual employees' participation in the wellness program and all individually identifiable information gathered in the process of conducting the program shall be held in strict confidence and shall not in any way jeopardize any employee's job security, promotional opportunities, or other employment rights.

Sec. 4. Section 28, chapter 1, Laws of 1961 as last amended by section 45, chapter 7, Laws of 1984 and RCW 41.06.280 are each amended to read as follows:

There is hereby created a fund within the state treasury, designated as the "Department of Personnel Service Fund," to be used by the board as a revolving fund for the payment of salaries, wages, and operations required for the administration of the provisions of this chapter, applicable provisions of chapter 41.04 RCW, and chapter 41.60 RCW. An amount not to exceed one percent of the approved allotments of salaries and wages for all positions in the classified service in each of the agencies subject to this chapter, except the institutions of higher learning, shall be charged to the operations appropriations of each agency and credited to the department of personnel service fund as the allotments are approved pursuant to chapter 43.88 RCW. Subject to the above limitations, the amount shall be charged against the allotments pro rata, at a rate to be fixed by the director from time to

time which, together with income derived from services rendered under RCW 41.06.080, will provide the department with funds to meet its anticipated expenditures during the allotment period.

The director of personnel shall fix the terms and charges for services rendered by the department of personnel pursuant to RCW 41.06.080, which amounts shall be credited to the department of personnel service fund and charged against the proper fund or appropriation of the recipient of such services on a quarterly basis. Payment for services so rendered under RCW 41.06.080 shall be made on a quarterly basis to the state treasurer and deposited by him in the department of personnel service fund.

Moneys from the department of personnel service fund shall be disbursed by the state treasurer by warrants on vouchers duly authorized by the board.

Passed the Senate April 22, 1987.

Passed the House April 15, 1987.

Approved by the Governor May 5, 1987.

Filed in Office of Secretary of State May 5, 1987.

## CHAPTER 249

[Substitute Senate Bill No. 5191]

### MEXICAN-AMERICAN AFFAIRS COMMISSION REDESIGNATED AS THE COMMISSION ON HISPANIC AFFAIRS

AN ACT Relating to the redesignation of the Washington state commission on Mexican-American affairs; and amending RCW 43.115.010, 43.115.020, 43.115.030, 43.115.040, 43.115.050, 43.115.060, and 43.03.028; adding new sections to chapter 43.131 RCW; and repealing RCW 43.115.010, 43.115.020, 43.115.030, 43.115.040, 43.115.050, 43.115.060, and 43.115.900.

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

Sec. 1. Section 1, chapter 34, Laws of 1971 ex. sess. and RCW 43.115.010 are each amended to read as follows:

The legislature declares that the public policy of this state is to insure equal opportunity for all of its citizens. The legislature finds that ~~((Mexican-Americans and other Spanish speaking Americans))~~ Hispanics have unique and special problems. It is the purpose of this chapter to improve the well-being of ~~((Mexican-Americans and other Spanish speaking Americans))~~ Hispanics by insuring their participation in the fields of government, business, and education. The legislature further finds that it is necessary to aid ~~((Mexican-Americans and other Spanish speaking Americans))~~ Hispanics in obtaining governmental services in order to promote the health, safety and welfare of all the residents of this state. Therefore the legislature deems it necessary to create a commission to carry out the purposes of this chapter.