
***HOUSE COMMERCE & LABOR
COMMITTEE***

***2000
FINAL REPORT***

***REGULAR AND SPECIAL
LEGISLATIVE SESSION***

***SUMMARY AND STATUS
OF BILLS REPORTED
FROM COMMITTEE
2000 ACTIVITY***

2000 REGULAR AND SPECIAL SESSION

SUMMARY AND STATUS OF BILLS REPORTED FROM COMMITTEE

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COMMERCE & LABOR COMMITTEE

Summary and Status of Bills Reported from Committee

2000 Regular and Special Legislative Session

Shaded rows indicate bills that passed the Legislature.

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 1955	McIntire, Clements, Conway	Data Sharing - Clarifies the ability of the Employment Security Department (ESD) to share confidential employment data with the Department of Social and Health Services and other agencies involved in the WorkFirst program. Allows ESD to share confidential employment data with partners implementing One-Stop career centers. Allows ESD to share confidential employment data with state agencies to facilitate operations and evaluation of programs. Exempts confidential data provided by ESD to other agencies and individuals from inspection and copying under the Public Disclosure Act. Provides for a civil fine if anyone receiving confidential information from ESD misuses or improperly releases this information. <i>(See ESB 6236)</i>	House 3rd Reading
SHB 2352	Sullivan, Conway, Kessler	Liquor Liability Insurance - Requires certain retail liquor licensees that serve liquor by the drink to have liability insurance or a bond.	House 2nd Reading
SHB 2358	Wood, McMorris	Charitable Organizations Conducting Fund Raising Events - Establishes another method for charitable and nonprofit organizations to conduct fund-raising events by allowing the sponsoring organization to hire a person or vendor to conduct the activities subject to certain restrictions and to raise money by charging participants rather than through gambling with real money.	C 178 L 00
HB 2369	Conway, Clements	Occupational Safety and Health Impact Grants - Reenacting the occupational safety and health impact grant program.	House 2nd Reading
SHB 2445	Constantine, Ballasiotes, O'Brien	Swap Meets - Prohibits the sale of nonprescription drugs, medical devices, baby food and formula, cosmetics, or personal care products at swap meets; requires merchants selling at swap meets and flea markets to keep receipts of the property they have purchased and are offering for sale.	House Rules R
HB 2496	Delvin, Wood	Out-of-state Certificate of Approval Holders Furnishing Wine or Beer to Nonprofit Charitable Organizations - Allows an out-of-state brewery or winery to donate beer or wine to charitable or nonprofit organizations.	C 179 L 00
SHB 2529	Clements, Hurst, Chandler, B.	Unfair Competition by Motor Vehicle Dealers and Manufacturers - Prohibits manufacturers or their agents from discriminating between auto dealerships with some exceptions, and prohibits the ownership, operation, or control of auto dealerships and service facilities by manufacturers or their agents with some exceptions. <i>(See ESSB 6220)</i>	House 2nd Reading
HB 2576	Sommers, D., Veloria	Business Trade Names - Modifies the provisions regarding the registration and changing of a trade name.	C 174 L 00

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 2633	Chandler, B., O'Brien	Structural Engineers - Modifies the registration requirements for structural engineers.	C 172 L 00
ESHB 2647	Reardon, Scott	Safety Rules for Flaggers - Requires several agencies to revise the safety rules governing flaggers, with emergency rules to take effect by June 1, 2000, and permanent rules by March 1, 2001. Specifies that the rules must address safety issues, including ensuring that flaggers have adequate visual warning of objects approaching from behind. Requires the Utilities and Transportation Commission to update its rules on employment qualifications for flaggers.	C 239 L 00
HB 2657	Chandler, B., Conway	Licensed Distiller Holding a Spirits, Beer, and Wine License - Allows, as an exception to the "tied-house" law, licensed distillers of spirituous liquor to hold a retail spirits, beer and wine restaurant license for a facility operated on the premises of the distillery.	C 177 L 00
SHB 2849	Hurst, Clements, Rockefeller	State Certification and Training of Liquor Control Board Agents - Requires that liquor enforcement officers receive basic law enforcement training through the Criminal Justice Training Commission (CJTC).	House Appropriations
SHB 2899	Conway, Clements	Workplace Safety Plans for State Hospitals - Requires state hospitals to develop and implement a plan to protect employees from workplace violence.	C 22 L 00
EHB 2946	Conway, Clements, Wood	Local Planning and Zoning of Gambling Activities - Recognizes that cities, towns, and counties may exercise land use and zoning powers with respect to the location of gambling activity licensed by the Gambling Commission.	Senate Commerce, Trade, Housing, and Financial Institutions
ESHB 3045	Wood, Clements	Class 1 Racing License - Allows a class 1 horse racing association to count race days canceled for reasons beyond the control of the racing association in order to maintain its class 1 status. Changes requirements for class 1 racing associations to provide additional flexibility.	C 223 L 00
SHB 3077	Conway, Clements	Unemployment Insurance and Training Benefits - Modifies unemployment insurance taxes by reducing tax rates, by applying a three-year average to the determination of the taxable wage base, and by changing the calculation date and reducing the triggers for determining the tax rate schedule. Establishes a training benefits program for qualified dislocated workers to receive additional unemployment insurance benefits for up to 52 weeks, including their regular unemployment insurance benefits, while they are in retraining and making satisfactory progress toward completion of their training plan. Specifies that qualified dislocated aerospace, timber and fin fish workers are eligible for up to 74 weeks of benefits, including their regular benefits, through June 30, 2002. Changes the requirements for qualification for unemployment insurance benefits after disqualification.	C 2 L 00
EHB 3144	Conway, Clements, Thomas	Electronic Filing of Annual Reports - Allows the Secretary of State to adopt rules governing electronic filing of annual reports by corporations and limited liability companies.	Passed House

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
ESB 5152	Kline, Fairley	Collective Bargaining for Appointed Public Employees - Limits the exclusion of appointed persons under the local government collective bargaining law to members of boards or commissions and adds an exclusion for court commissioners and magistrates.	C 23 L 00
ESB 5667	West, Heavey	Untaxed Complimentary Tickets for Boxing, Kickboxing, Martial Arts, and Wrestling - Increases the percentage of complimentary tickets issued for wrestling, boxing, and martial arts events that are exempt from taxation to 10 percent of total tickets sold, not to exceed 1,000 tickets.	C 151 L 00
2SSB 5802*	Fairley, Hochstatter, Honeyford	Telecommunications Contractors and Installations - Establishes regulatory requirements, including contractor licensing by the Department of Labor and Industries, for businesses performing telecommunications installations. <i>Partial Veto:</i> Vetoes section 203 which expressed the Legislature's intent that the department administer the act without expanding its oversight of telecommunications projects, through regulations, beyond the express authority granted by the act.	C 238 L 00 <i>Partial Veto</i>
ESSB 6220	Prentice, Winsley	Unfair Competition by Motor Vehicle Dealers and Manufacturers - Prohibits manufacturers or their agents from discriminating between auto dealerships with some exceptions, and prohibits the ownership, operation, or control of auto dealerships and service facilities by manufacturers or their agents with some exceptions.	C 203 L 00
ESB 6236	Fairley	Data Sharing - Clarifies the ability of the Employment Security Department (ESD) to share confidential employment data with the Department of Social and Health Services (DSHS) and other agencies involved in the WorkFirst program. Allows ESD to share confidential employment data with partners implementing One-Stop or Worksource career centers, but requires that notice be given to participants that they may refuse the sharing of their data with other agencies. Allows ESD to share confidential employment data with state agencies to facilitate operations and evaluation of programs. Exempts confidential data provided by ESD to other agencies and individuals from inspection and copying under the Public Disclosure Act. Provides for a civil fine if anyone receiving confidential information from ESD misuses or improperly releases this information.	C 134 L 00
SB 6237	Fairley	Deduction of Processing Fees From Unemployment Benefits - Repeals the Employment Security Department's authority to deduct processing fees from unemployment benefits withheld for child support payments.	C 29 L 00
SSB 6373	Gardner, Sheldon, T., Prentice	Promotional Contests of Chance - Declares that promotional contests of chance are not gambling activity and defines "consideration" for purposes of laws governing promotional contests of chance.	C 228 L 00
ESSB 6455	Gardner, Winsley, Fraser	Licensing of Geologists - Beginning July 1, 2001, requires licensure of geologists and specialty geologists, under a program administered by the Department of Licensing with advice of the State Geologist Licensing Board.	C 253 L 00

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SB 6548	McCaslin	Wholesale Consignment Sales of Motor Vehicles - Increases the period of time from 10 days to 20 days within which a wholesale auto auction dealer must pay the amount due to the consignor in a consignment sale. <i>(Included in 2ESSB 5610)</i>	House Commerce & Labor
SSB 6557	Prentice, Winsley	Raffles Conducted by Credit Unions - Allows credit unions to conduct raffles for members of their organizations if proceeds from raffles conducted during the calendar year do not exceed \$5,000.	C 233 L 00
SSB 6589	Prentice, Hale, Deccio	Two Additional Locations for Domestic Wineries - Allows a licensed domestic winery to provide tasting rooms and sell its product at retail at two additional locations separate from the winery's production site.	C 141 L 00
SB 6642	Benton, Heavey	Registered Sex Offender Holding a Real Estate Appraiser License or Certificate - Allows the Department of Licensing to deny, suspend, or revoke the license of a real estate appraiser who is a sex offender for as long as the offender is required to be registered.	C 35 L 00
SB 6678	Rasmussen, Roach	Parimutuel Wagering - Repeals the sunset provision to allow the current reduced parimutuel tax rate and tax distribution to remain in effect permanently.	C 145 L 00
SSB 6812	Prentice	Contract Brewing - Exempts domestic breweries that contract with brand owners for the manufacture of beer from the requirements to file contracts and other memoranda with the Liquor Control Board.	C 142 L 00
ESJM 8015	Honeyford, Rasmussen, Fairley	Socially and Economically Disadvantaged Businesses - Requests the Office of Minority and Women's Business Enterprises to certify socially and economically disadvantaged business enterprises, including businesses owned and controlled by disabled persons who can demonstrate such a disadvantage.	Filed with the Secretary of State

* This bill was not referred to a House Committee prior to passage.

STATUS OF BILLS

BILL TRACKER FOR ALL BILLS

REFERRED TO COMMITTEE

2000 ACTIVITY

HOUSE COMMERCE AND LABOR 2000 BILL TRACKING								
Bill Number	Brief Description	Sponsor	HOUSE			SENATE		Status
			PH	Com Rec	Floor Action	Com Rec	Floor Action	
HB 2324	Modifying Provisions Relating to Prevailing Wages on Public Works.	Boldt, Mielke						House C&L
HB 2325	Modifying State Lottery Laws.	Clements, Veloria, Washington State Lottery	X					House C&L
HB 2346	Evaluating Drug-free Workplace Programs.	Clements, Conway, Lieutenant Governor	X					House C&L
SHB 2352	Requiring Financial Responsibility of Certain Persons Who Serve Liquor.	Sullivan, Conway	X	DPS 5-3				House Rules R
SHB 2358	Allowing Charitable Organizations to Hire Vendors to Conduct Fund Raising Events.	Wood, McMorris	X	DPS 7-1	76-21	cthf 6-0	27-17	C 178 L 00
HB 2369	Addressing Occupational Safety and Health Impact Grants.	Conway, Clements	X	DP 6-2				House Rules R
HB 2387	Limiting Adoption of Safety and Health Standards for Work-related Musculoskeletal Disorders.	Clements, Chandler, B.						House C&L
HB 2413	Changing Unemployment Insurance.	Conway, Reardon	X					House C&L
HB 2416	Freezing Unemployment Insurance Benefits and Contributions.	Clements, Chandler, B.	X					House C&L
HB 2419	Allowing Unemployment Benefits During Lockouts.	Wood, Gombosky						House C&L
HB 2428	Modifying Who May Deduct Processing Fees for Certain Payroll Deductions.	Conway, Clements, Employment Security Department						House C&L
HB 2429	Addressing the Eligibility for Unemployment Insurance Benefits When an Employee Voluntarily Participates in an Employer Initiated Layoff.	Conway, Clements, Employment Security Department						House C&L
HB 2430	Allowing an Employer to Request Relief of Benefit Charges Within Thirty Days of Notice of the Claim Being Filed.	Conway, Clements, Employment Security Department						House C&L

Shaded rows indicate bills that passed the Legislature.

HOUSE COMMERCE AND LABOR 2000 BILL TRACKING								
Bill Number	Brief Description	Sponsor	HOUSE			SENATE		Status
			PH	Com Rec	Floor Action	Com Rec	Floor Action	
HB 2431	Allowing Competitive Industrial Insurance.	Clements, Chandler, B.						House C&L
HB 2432	Creating a Tobacco Enforcement Reward Program.	Clements, Chandler, B.						House C&L
SHB 2445	Regulating Swap Meets.	Constantine, Ballasiotes	X	DPS 8-0				House Rules R
HB 2463	Providing for a Certificate of Competency as a Journeyman Pipefitter or a Journeyman Fuel Gas Fitter.	Cooper, Campbell						House C&L
HB 2496	Creating an Exemption for Out-of-state Certificate of Approval Holders That Furnish Wine or Beer to Nonprofit Charitable Organizations.	Delvin, Wood	X	DP 8-0	96-1	cthf 8-0	45-0	C 179 L 00
HB 2502	Creating a Presumption of Occupational Disease for Fire Fighters.	Edmonds, Hurst						House C&L
HB 2527	Protecting Consumers in Contractor Transactions.	Ogden, Conway, Department of Labor & Industries						House C&L
SHB 2529	Prohibiting Unfair Competition by Motor Vehicle Dealers and Manufacturers.	Clements, Hurst	X	DPS 7-1				House Rules R
HB 2545	Qualifying for the Electricians Exam.	Clements, Lambert						House C&L
HB 2548	Modifying the Taxation of Gambling Activities.	Kastama						House C&L
HB 2576	Modifying Provisions Concerning the Registration of Business Trade Names.	Sommers, D., Veloria, Department of Licensing	X	DP 8-0	97-0	jud 11-0	46-0	C 174 I 00
HB 2592	Allowing Unemployment Compensation for Leave Taken Due to Domestic Violence.	Ogden, Hankins						House C&L
HB 2615	Modifying the Definition of Wages for Unemployment Compensation.	Chandler, B., Lisk	X					House C&L

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**HOUSE COMMERCE AND LABOR
2000 BILL TRACKING**

Bill Number	Brief Description	Sponsor	HOUSE			SENATE		Status
			PH	Com Rec	Floor Action	Com Rec	Floor Action	
HB 2632	Creating a Liquor Agencies Advisory Committee.	McMorris, O'Brien						House C&L
SHB 2633	Registering Structural Engineers.	Chandler, B., O'Brien	X	DPS 8-0	97-0	cthf 8-0	41-0	C 172 L 00
ESHB 2647	Requiring Safety Devices for Flaggers.	Reardon, Scott	X	DPS 5-3	92-5 amd	lwd 5-0 dps	39-6	C 239 L 00
HB 2654	Paying Commissioned Sales Representatives.	Wood						House C&L
HB 2657	Allowing a Licensed Distiller to Hold a Spirits, Beer, and Wine License.	Chandler, B., Conway	X	DP 8-0	97-0	cthf 7-0	44-2	C 177 L 00
HB 2669	Regulating Occupational Exposure to Bloodborne Pathogens and Other Infectious Materials.	Cody, McDonald	X					House C&L
HB 2674	Allowing the Wholesale and Retail Sale and Distribution of Alcoholic Beverages.	Lambert, Delvin						House C&L
HB 2728	Establishing a Partial Wage Replacement Program for Child Care Leave.	Dickerson, Keiser						House C&L
HB 2756	Requiring That Staffing Agencies Disclose Their Pay Rate.	Conway, Clements	X					House C&L
HB 2757	Describing Which Workplaces Are Subject to Safety and Health Standards.	Schindler, Boldt						House C&L
HB 2764	Allowing Credit Unions to Conduct Raffles.	Clements, Conway						House C&L
HB 2768	Suspending Application Approval for the Enhanced Card Room Pilot Project.	Hurst, McIntire						House C&L
HB 2811	Regulating Wages of Employees of Community Services Programs for Persons with Developmental Disabilities.	McIntire, Boldt						House C&L
HB 2816	Providing Legal Recognition to the Professions of Industrial Hygiene and Occupational Safety.	Delvin, Clements						House C&L
HB 2830	Regulating the Practice of Industrial Hygiene.	Alexander, DeBolt						House C&L

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HOUSE COMMERCE AND LABOR 2000 BILL TRACKING								
Bill Number	Brief Description	Sponsor	HOUSE			SENATE		Status
			PH	Com Rec	Floor Action	Com Rec	Floor Action	
HB 2833	Developing Work Force Training Using the Apprenticeship Model.	Kenney, Carlson						House C&L
HB 2843	Modifying Unemployment Compensation Payable to Individuals Who Took Family and Medical Leave.	Kagi, Conway	X					House C&L
SHB 2849	Providing for State Certification and Training for Liquor Control Board Officers.	Hurst, Clements	X	DPS 8-0				House Appropriations
HB 2875	Changing Alcohol Distribution.	Dunn, DeBolt						House C&L
SHB 2899	Developing a Workplace Safety Plan for State Hospitals.	Conway, Clements, Department of Social and Health Services	X	DPS 8-0	96-0	hsc 9-0	47-0	C 22 L 00
HB 2916	Defining Reasonable Assurance for Part-time Faculty.	Conway, Dunn						House C&L
EHB 2946	Allowing Local Planning and Zoning of Gambling Activities.	Conway, Clements	X	DP 6-2	95-0 amd			Senate Commerce, Trade, Housing, & Financial Institutions
HB 2983	Prohibiting the Sale of Tobacco in Publicly Owned Buildings or Vessels.	Edwards, O'Brien						House C&L
HB 2987	Defining Employees Working under a Site Certification Issued under Chapter 80.50 Rcw.	Cooper						House C&L
HB 2990	Regulating Telecommunications Contractors and Installations.	Conway, Chandler, B., Department of Labor & Industries						House C&L
HB 3007	Compensating Wholesalers and Retailers for Their Services in Affixing Cigarette Excise Tax Stamps.	Grant, Mastin						House C&L
HB 3027	Requiring Public Facilities to Install Baby Changing Devices.	Murray, Gombosky						House C&L

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HOUSE COMMERCE AND LABOR 2000 BILL TRACKING								
Bill Number	Brief Description	Sponsor	HOUSE			SENATE		Status
			PH	Com Rec	Floor Action	Com Rec	Floor Action	
HB 3035	Modifying Fire Sprinkler System Laws.	Schmidt, D., Romero, Washington State Patrol						House C&L
HB 3039	Calculating Wage Replacement Benefits.	Conway						House C&L
ESHB 3045	Clarifying the Requirements for a Class 1 Racing License.	Wood, Clements	X	DPS 8-0	95-0 amd	cthf 11-0	37-2	C 223 L 00
HB 3053	Providing for the Licensing of Geologists.	Edmonds, Miloscia						House C&L
HB 3063	Establishing a Process for Licensing of House-banked Card Games.	Conway, Clements						House C&L
HB 3064	Modifying Zoning and Licensing of Gambling Activities.	Conway, Clements						House C&L
SHB 3077	Modifying Provisions on Unemployment Insurance.	Conway, Clements		DP 8-0	96-1	not heard in committee	48-0	C 2 L 00
HB 3104	Reducing Taxes on Gambling Activities.	Mastin						House C&L
HB 3106	Determining Prevailing Wages.	Chandler, B., McMorris						House C&L
HB 3110	Allowing Contract Brewing by Domestic Brewers.	Alexander, Wolfe						House C&L
HB 3112	Adjusting Reasonable Offset for Use of a Motorcycle under the Lemon Law.	Sommers, H.						House C&L
2EHB 3144	Authorizing Electronic Filing of Corporation and Limited Liability Company Annual Reports.	Conway, Clements, Secretary of State	X	Bill removed from committee 3-1-00	97-0 amd			HPassed 3rd
HJM 4017	Requesting Businesses Owned by Disabled Persons Be a Subcategory of Minority Business Enterprises.	Clements, Conway	X					House C&L

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HOUSE COMMERCE AND LABOR 2000 BILL TRACKING								
Bill Number	Brief Description	Sponsor	HOUSE			SENATE		Status
			PH	Com Rec	Floor Action	Com Rec	Floor Action	
SB 5123	Regulating Factory Assembled Structures.	Fairley, Oke, Department of Labor & Industries						House C&L
ESB 5152	Clarifying Who Are Appointed Personnel for the Purpose of Public Employees' Collective Bargaining.	Kline, Fairley	X	DP 5-2-1	94-3	lwd 6-0	44-0 amd	C 23 L 00
ESSB 5295	Protecting the Act of Breastfeeding.	Costa, Prentice						House C&L
ESB 5580	Paying Industrial Insurance Benefits During Appeal.	Wojahn, Roach						House C&L
ESB 5667	Increasing the Number of Untaxed Complimentary Tickets Available for Boxing, Kickboxing, Martial Arts, and Wrestling.	West, Heavey	X	DP 5-2-1	80-17	not heard in committee	45-0	C 151 L 00
2SSB 5802	Regulating telecommunications contractors and installations.	Fairley, Hochstatter, Honeyford		not heard in committee	98-0	wm dp	38-10	C 238 L 00 PV
SSB 5881	Regulating Youth Access to Tobacco Products.	Thibaudeau, Oke, Governor Locke	X					House C&L
SB 6158	Creating a Presumption of Occupational Disease for Fire Fighters.	Fairley, Prentice						House C&L
ESSB 6220	Prohibiting Unfair Competition by Motor Vehicle Dealers and Manufacturers.	Prentice, Winsley	X	DPA 7-0-1	96-1	cthf 10-0 dps	48-0 amd 45-0 cncr	C 203 L 00
ESB 6232	Evaluating Drug-free Workplace Programs.	Fairley, Oke, Lieutenant Governor						House C&L
ESB 6236	Promoting Efficiency with Respect to Employment and Related Services.	Fairley, Employment Security Department	X	Bill removed from committee 3-1-00	98-0 amd	lwd 6-0 dpa	45-0 48-0 cncr	C 134 L 00
SB 6237	Modifying Who May Deduct Processing Fees for Certain Payroll Deductions.	Fairley, Employment Security Department	X	DP 7-0-1	97-0	lwd 6-0	42-0	C 29 L 00

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HOUSE COMMERCE AND LABOR 2000 BILL TRACKING								
Bill Number	Brief Description	Sponsor	HOUSE			SENATE		Status
			PH	Com Rec	Floor Action	Com Rec	Floor Action	
SB 6238	Addressing the Eligibility for Unemployment Insurance Benefits When an Employee Voluntarily Participates in an Employer Initiated Layoff.	Fairley, Employment Security Department						House C&L
SB 6368	Allowing Unemployment Benefits During Lockouts.	Brown, Franklin						House C&L
SSB 6373	Clarifying Promotional Contests of Chance.	Gardner, Sheldon, T.	X	Bill removed from committee 3-1-00	97-1 amd	cthf 8-0 dps	43-3	C 228 L 00
ESSB 6416	Regulating Occupational Exposure to Bloodborne Pathogens and Other Infectious Materials.	Thibaudeau, Deccio						House C&L
ESSB 6455	Providing for the Licensing of Geologists.	Gardner, Winsley	X	Bill removed from committee 3-1-00	95-3 amd	cthf 9-0 dps	36-12 amd 33-12 cnrc	C 253 L 00
SSB 6548	Selling a Vehicle by Consignment at Wholesale Motor Vehicle Auctions.	McCaslin	X					House C&L
SSB 6557	Allowing Credit Unions to Conduct Raffles.	Prentice, Winsley	X	DPA 6-1	87-10	cthf 6-0 dps	32-6 32-13 cnrc	C 233 L 00
SB 6579	Regulating Cosmetology, Barbering, Manicuring, and Esthetics.	Prentice, Haugen	X	Bill removed from committee 3-1-00		cthf 7-0	48-0	House Rules R
SSB 6586	Prohibiting Pyramid Schemes.	Prentice, Hale, Attorney General	X					House C&L

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**HOUSE COMMERCE AND LABOR
2000 BILL TRACKING**

Bill Number	Brief Description	Sponsor	HOUSE			SENATE		Status
			PH	Com Rec	Floor Action	Com Rec	Floor Action	
SSB 6589	Allowing Domestic Wineries to Exercise Licensing Privileges at up to Two Additional Locations.	Prentice, Hale	X	Bill removed from committee 3-1-00	98-0	cthf 8-0 dps	43-0	C 141 L 00
SB 6642	Preventing a Registered Sex Offender from Holding a Real Estate Appraiser License or Certificate.	Benton, Heavey	X	DP 7-0-1	97-0	cthf 7-0	47-0	C 35 L 00
SB 6678	Repealing Parimutuel Wagering Sunset Provisions.	Rasmussen, Roach	X	DP 7-0-1	97-0	cthf 11-0	43-3	C 145 L 00
SSB 6682	Developing a Workplace Safety Plan for State Hospitals.	Costa, Winsley, Department of Social and Health Services						House C&L
SSB 6812	Allowing Contract Brewing by Domestic Brewers.	Prentice	X	Bill removed from committee 3-1-00	98-0 amd	cthf 8-0 dps	44-0 47-1 cncr	C 142 L 00
ESJM 8015	Requesting the Office of Minority and Women's Business Enterprises to Certify Socially and Economically Disadvantaged Businesses, Including Those Owned by Disabled Persons.	Honeyford, Rasmussen	X	Bill removed from committee 3-1-00	98-0	cthf 6-0	46-0 amd	Filed with the Secretary of State

FINAL BILL REPORTS

2000 ACTIVITY

***REGULAR AND SPECIAL
LEGISLATIVE SESSION***

FINAL BILL REPORT
SHB 2358
C 178 L 00

Brief Description: Allowing charitable organizations to hire vendors to conduct fund raising events.

Effective Date: June 8, 2000

Background: Nonprofit or charitable organizations may conduct fund-raising events that include gambling activities such as bingo, casino-style games, amusement games, and raffles. Wagers in these gambling activities are made using money. The number of events an organization may hold each year is limited to an extended event once a year lasting up to three days, or two one-day events twice a year.

The total annual profit from fund-raising events may not exceed \$10,000 for any individual organization. Organizations may join together to sponsor an event. The total profit from a joint event may not exceed \$10,000. In calculating the \$10,000 limit, an organization reduces the amount of gross wagers by the amount paid out as winnings and the cost of prizes given as winnings.

These events may be conducted only as prescribed by the gambling laws. For example, only members of the organization may participate in the management or operation of the activities. All income, less prizes and expenses, must be devoted solely to the lawful purposes of the organization, and local law enforcement must be notified of the time and place of the event.

This method of raising money by nonprofit and charitable organizations has become less popular and revenue from this type of event has declined.

Summary: Another method is established for conducting fund-raising events by charitable and nonprofit organizations.

Organizations may hire a person or a vendor who is licensed by the Gambling Commission to conduct a fund-raising event on behalf of the organization under the following conditions:

- (1) all wagers must be made with chips or scrip having no cash value that can be redeemed for prizes;
- (2) the value of all purchased prizes may not exceed 10 percent of the gross revenue from the event;
- (3) the person or vendor conducting the event may provide the equipment and the personnel to operate the equipment but may not provide the facility;
- (4) the person or vendor may receive a fixed fee determined prior to the event and may not share in the proceeds of the event; and
- (5) only members and guests may participate in the event.

These fund-raising events remain subject to all other provisions of the gambling laws.

FINAL BILL REPORT
HB 2496
C 179 L 00

Brief Description: Creating an exemption for out-of-state certificate of approval holders that furnish wine or beer to nonprofit charitable organizations.

Effective Date: June 8, 2000

Background: Liquor manufacturers and distributors may not give away liquor to any person except as allowed by law.

Exceptions to this prohibition are provided for specific purposes such as allowing a manufacturer to negotiate a sale to the Liquor Control Board or a retail licensee. Other exceptions require that the liquor be consumed in a designated place to a limited group of people such as during an educational presentation to an organization formed for the purpose of studying wine and wine making. Breweries and wineries may furnish tastings

of beer or wine free of charge at the brewery or winery. There are a limited number of occasions when liquor may be furnished or donated for a specific event to a specific audience, such as delegates to an international trade fair conducted by a governmental entity.

In 1998 an exception was added allowing a domestic winery and a domestic brewery to furnish their product without charge to nonprofit charitable organizations for use consistent with the purpose of the organization. The organizations that qualify are those designated as exempt from taxation under section 501(c)(3) of the Internal Revenue Code. There is no similar exception allowing donations of beer or wine for out-of-state breweries and wineries.

Consistent with other exceptions for donating beer and wine, the beer and wine are subject to state beer and wine taxes.

Summary: Out-of-state breweries and wineries may donate beer or wine at no charge to charitable and nonprofit organizations for use consistent with the purpose of the organization.

FINAL BILL REPORT
HB 2576
C 174 L 00

Brief Description: Modifying provisions concerning the registration of business trade names.

Effective Date: June 8, 2000

Background: A trade name is a name under which a person identifies his or her business or vocation. A trade name does not include the use of an individual's surname, registered corporate or partnership name, or the name of a general partnership. If a person is conducting business under a trade name, he or she must register the trade name with the Department of Licensing.

The registration of a trade name must be made by specified individuals: the sole proprietor of a sole proprietorship, a general partner of a partnership, or the officer of a corporation. Such persons must "execute" the registration by signing in their official capacity and under penalty of perjury.

An executed document is also required in order to change a trade name or change the mailing address associated with a trade name. However, the amending document does not have to be executed by any specified individuals. Changes may be made by an agent or employee of the business.

The cancellation of a trade name does not require an executed document. Only notice must be provided to the Department of Licensing to cancel a trade name.

Summary: The registration of a trade name no longer must be made by specified persons. An executed document is not required for the registration of a trade name.

The changing of a trade name or associated address does not require an executed document. Changes may be made by filing a notice of change with the Department of Licensing.

FINAL BILL REPORT
SHB 2633
C 172 L 00

Brief Description: Registering structural engineers.

Effective Date: June 8, 2000

Background: Structural engineering is the branch of engineering involved with the design, analysis, and construction of buildings and structures. Structural engineers are licensed by the Board of Registration for Professional Engineers and Land Surveyors.

Prior to 1997, applicants for a structural engineering license were first required to meet the requirements for a general engineering license, which was eight years engineering experience and successful completion of two

exams. Up to five years of education in engineering could be substituted for years of experience. In addition, applicants had to have two years structural engineering experience and pass an additional exam on structural engineering.

In 1997, after a rules review process by the board, these rules were determined to be beyond the authority given by statute, and the rules for structural engineers were changed. The new rules require applicants to have eight years of progressive responsibility in structural engineering experience, or equivalent education. Applicants may substitute one year of engineering education for each year of experience, up to four years. A fifth year may be substituted with structural engineering postgraduate work. Applicants must also pass two exams given at least six months apart. One exam is specific to structural engineering.

Summary: The requirements for registering as a structural engineer are changed. The pre-1997 standards are adopted. Structural engineering is recognized as a specialized branch of professional engineering. To become licensed as a structural engineer, an applicant must have eight years of general engineering experience plus two years of structural engineering experience and hold a license as a professional engineer. Course work can substitute for up to five years of experience, but not for the two years of structural engineering experience.

Applicants must also pass a specific structural engineering exam in addition to the two exams given for the general engineering license.

An applicant for a structural engineering license who receives approval of his or her application prior to July 1, 2001, need not meet the requirement of the additional two years of structural engineering experience if they complete the structural engineering exam prior to January 30, 2002.

FINAL BILL REPORT
ESHB 2647
C 239 L 00

Brief Description: Requiring safety devices for flaggers.

Effective Date: June 8, 2000

Background: Under the Washington Industrial Safety and Health Act (WISHA), the director of the Department of Labor and Industries adopts rules governing workplace safety, including construction work. These rules require the use of flaggers or other appropriate traffic control systems if signs and barricades do not provide necessary protection on a highway or street. The state's public highway laws have similar requirements during construction on, or adjacent to, public thoroughfares when that work interferes with

traffic.

The WISHA rules determine the size, color, and lettering of flaggers' signs. When signs are used in the dark, the rules specify that reflective material must be used in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) as adopted by the Department of Transportation. Under the rules, flaggers must wear orange warning clothing and a yellow helmet. They must be trained every three years in accordance with the MUTCD, and must carry a valid certificate verifying the completion of training.

The Utility and Transportation Commission also has rules governing signaling devices and flagging procedures. In addition, these rules establish certain minimum qualifications for flaggers, including that flaggers must be of at least average intelligence, be in good physical condition, and have a courteous but firm manner.

The WISHA rules require that vehicles used in construction (other than passenger vehicles) have a reverse signal alarm or have a signaler assigned to the truck. If an alarm is used, it must be audible above the surrounding noise level no less than 15 feet from the rear of the vehicle.

In October 1999 a flagger directing traffic was killed when struck by a dump truck backing up behind her. According to State Patrol officers investigating the accident, the dump truck's alarm was operating normally, but was difficult to hear because of heavy winds.

Summary: The Department of Labor and Industries, the Transportation Commission, and the Utilities and Transportation Commission (UTC) must adopt emergency rules that revise the safety standards governing flaggers. These emergency rules must take effect by June 1, 2000, and remain in effect until permanent rules are adopted.

The permanent rules must take effect by March 1, 2001, and must address flagger safety, visual warning of objects approaching from behind, and, with respect to the UTC rules, employment qualifications for flaggers. The agencies must coordinate and make their permanent rules consistent to the extent possible.

By September 15, 2000, the agencies must report to specified legislative committees on the emergency rules, and must report on the permanent rules by April 22, 2001.

Technical amendments are made, including eliminating gender-specific references in statutes referring to flaggers.

The act will be named the "Kim Vendl Worker Safety Act."

FINAL BILL REPORT
HB 2657
C 177 L 00

Brief Description: Allowing a licensed distiller to hold a spirits, beer, and wine license.

Effective Date: June 8, 2000

Background: Under Washington's "tied-house" law, certain financial "ties" or business relationships are prohibited between alcohol retailers and alcohol manufacturers or distributors.

The purposes of the tied-house prohibitions are to prevent manufacturers and distributors from engaging in practices that induce retailers to sell certain alcohol products and exclude others and to inappropriately increase consumption.

One type of business relationship prohibited by the tied-house law is allowing licensed liquor manufacturers and distributors to also hold a retail liquor license. However, the law does allow a brewery or a winery to hold a spirits, beer and wine restaurant license for operation of a restaurant on the site of the brewery or winery or on contiguous property.

A distiller manufactures spirituous liquor products and must be licensed under the liquor laws.

Summary: An exception to the tied-house law is created to allow a licensed distiller to hold a spirits, beer and wine restaurant license for the operation of a restaurant on the site of the distillery or on contiguous property. This exception is similar to that granted to breweries and wineries.

FINAL BILL REPORT
SHB 2899
C 22 L 00

Brief Description: Developing a workplace safety plan for state hospitals.

Effective Date: June 8, 2000

Background: Most employers in Washington are required to have written accident prevention plans under the Washington Industrial Safety and Health Act (WISHA). These plans must include a safety orientation program for employees, with information about how and when to report injuries and unsafe working conditions. In 1998 the Department of Labor and Industries published a non-mandatory guide on workplace violence prevention that included a sample violence prevention program for

employers to use in creating a workplace violence prevention program or incorporating such a program into their accident prevention plans.

Legislation enacted in 1999 requires certain hospitals and other health care settings to develop and implement workplace violence prevention plans by July 1, 2000. As enacted, this legislation would have applied to state hospitals, but the provision was voided when funding was not provided in the biennial budget.

According to a report published in 1997 by the Department of Labor and Industries, data from 1992 to 1995 show that social services and health services accounted for 51 percent of assault-related claims in the workplace. Psychiatric hospitals had the highest rate of assault of any industry, averaging 90 injuries per 1,000 workers over the four-year period.

Summary: State hospitals for the care of the mentally ill must develop and implement plans and training programs to prevent workplace violence. The departments of Labor and Industries, Health, and Social and Health Services must collaborate with the state hospitals to develop technical assistance and training seminars on plan development and implementation.

Plans for preventing workplace violence. By November 1, 2000, each state hospital must develop and implement by January 1, 2001, a plan to reasonably prevent and protect employees from workplace violence. The plan must be developed with input from the hospital's safety committee. The plans must address security considerations related to:

- C the state hospital's physical attributes;
- C staffing, including security staffing;
- C personnel policies;
- C first aid and emergency procedures;
- C procedures for reporting and responding to violent acts;
- C criteria for determining and reporting verbal threats;
- C employee education and training; and
- C clinical and patient policies.

Before developing the plan, the state hospital must conduct a security and safety assessment, including an analysis of workers' compensation data, to identify existing or potential hazards for violence and determine appropriate preventive action.

In developing the plan, the state hospital may consider any relevant guidelines issued by government agencies or state hospital accrediting organizations.

Violence prevention training. By January 2001, and at least annually thereafter, each state hospital must provide violence prevention training to its affected employees. Initial training must occur before assignment to a patient unit, and must be in addition to ongoing training as determined under the plan. The training must address specific topics, as appropriate to the particular workplace setting and the duties of the employees being trained, including following general and personal safety procedures, dealing with violent behavior, documenting and reporting incidents, and using intershift reporting procedures to communicate about patients between shifts. The form of the training may vary, and may include classes, videotapes, brochures, and instruction.

Recordkeeping. Beginning no later than July 2000, each state hospital must keep records of any violent acts committed against employees or patients occurring at the hospital, including specified minimum information. The records must be preserved for five years and must be made available to the Department of Labor and Industries upon request.

Enforcement. State hospitals failing to comply with these safety plan requirements may be cited under WISHA.

Reports. The Department of Social and Health Services is required to report to the Legislature on the progress of plan development by July 1, 2000, and to provide a copy of the completed plan by November 1, 2000. Thereafter, by September 1st each year, the department must report on its efforts to reduce violence in state hospitals.

FINAL BILL REPORT
ESHB 3045
C 223 L 00

Brief Description: Clarifying the requirements for a class 1 racing license.

Effective Date: June 8, 2000

Background: A class 1 racing association is a racing association, licensed by the Horse Racing Commission, that conducts live racing for at least 40 days during a consecutive 4-month period in any 12-month period. The commission may increase the number of live racing days required to maintain an association's class 1 racing status.

Only class 1 racing associations may simulcast out-of-state horse races to an in-state facility.

When a racing association is conducting a live race meet, it may simulcast a limited number of out-of-state races on live race days and on two non-live race days each week. When no live race meet is being conducted at a race track, the racing association may simulcast racing for up to 12 hours a day, five days a week. A class 1 racing association may also export the signal from its own live races to out-of-state locations.

A class 1 racing association generates revenue from parimutuel wagering on races conducted live at its own racing facility and from races run in other states and simulcasted to the live in-state race track facility.

Summary: A class 1 racing association is a horse racing licensee approved to conduct live racing at least 40 days during a 12-month period. The minimum 40 day requirement no longer must be consecutive days.

A racing association may simulcast races to the live track facility for up to 14 hours a day, five days a week during the non-race meet period where no live racing is being conducted.

If a live race is canceled due to acts of God, labor disruptions not involving the licensee or its employees, or other circumstances beyond the control of the class 1 racing association, the canceled day counts toward the 40-day requirement for class 1 racing association status.

FINAL BILL REPORT
SHB 3077
C 2 L 00

Brief Description: Modifying provisions on unemployment insurance.

Effective Date: February 7, 2000

Background: UNEMPLOYMENT INSURANCE TAXES

Washington's unemployment insurance system requires each covered employer to pay contributions on a percentage of his or her taxable payroll, except for certain employers that reimburse the benefits paid. These contributions are held in trust to pay benefits to unemployed workers.

Tax schedule and rates. For qualified employers, contribution rates are determined by two factors: the employer's position in the tax array and the statutory tax schedule in effect. The employer's position in the tax array depends on the employer's layoff experience relative to other employers' experience. Based on this relationship, employers may be placed in any one of 20 tax rate classes.

The rates in these classes are determined by the tax schedule in effect. The statute establishes seven different tax schedules, AA through F. The tax schedule that will be in effect for any given calendar year depends on the fund balance ratio, which compares the unemployment insurance trust fund balance on June 30 of the previous year to the total payroll in covered employment in the state for the completed calendar year prior to that June 30.

When the reported fund balance ratio is greater than 2.9 percent, the lowest tax schedule, AA, will be in effect. If the fund balance ratio is less than 1 percent, the highest tax schedule, F, will be in effect. Tax schedules A through E will be in effect as specified by the following fund balance ratio intervals:

Tax schedule	Fund balance ratio interval
AA	2.9 and above
A	2.5 to 2.89
B	2.1 to 2.49
C	1.7 to 2.09
D	1.4 to 1.69
E	1.0 to 1.39
F	below 1.0

Under this statute, the tax schedule in effect for 2000 is schedule B. In 1999, schedule A was in effect.

In 1985, an offset tax of 0.02 percent of the taxable wage base was established to fund employment services for claimants. This tax was offset by reducing the rates in all the tax schedules, except for rate class 20, by the amount of the offset tax.

Taxable wage base. The amount of tax that an employer pays is determined by multiplying the employer's tax rate times the employer's taxable wage base. The taxable wage base is the amount of each employee's wages subject to tax. This amount increases by 15 percent each year from the

previous year's taxable wage base, with a cap of 80 percent of the state "average annual wage for contribution purposes." The taxable wage base for 2000 is \$26,500. In 1999, the taxable wage base was \$24,300.

UNEMPLOYMENT INSURANCE BENEFITS

Regular unemployment insurance benefits. To qualify for unemployment insurance benefits, a claimant must have worked at least 680 hours in his or her base year. (Generally, the base year is the first four of the last five calendar quarters completed before applying for benefits.) Once this work threshold is met, a weekly benefit amount is calculated for that individual using wage information provided by the person's employer. From that information, the individual's weekly benefit amount and the maximum number of weeks for which that individual may receive the benefit are determined.

To continue to receive regular benefits, a claimant must be able to work and must be actively searching for work. The requirement that the individual actively search for work may be excused if the commissioner of the Employment Security Department determines that the individual's long-term employment prospects will improve if the individual completes a training plan. The individual may enroll in training and continue to receive his or her regular weekly benefit amount as long as the individual is making satisfactory progress toward completing the training plan.

Each June 30, the Employment Security Department determines the new maximum and minimum weekly benefit amounts for new claims filed in the following fiscal year. The maximum and minimum weekly benefit amounts for the period from July 1, 1999, to June 30, 2000, are \$441 and \$94 per week, respectively. The maximum number of weeks that any individual may receive benefits is set in statute at 30 weeks. Not all individuals qualify for the 30 week maximum.

Under both state and federal law, only those individuals who are legally eligible to work in the United States may receive unemployment insurance benefits.

Additional benefits programs. A dislocated worker is one who is unemployed, has exhausted his or her regular unemployment insurance benefits and is unlikely to return to previous employment because of a diminishing demand for his or her skills.

Since 1991, there have been additional benefits programs for dislocated workers in the timber industry who are in retraining. In 1995, the program was extended to dislocated fin fish workers. The eligibility requirements varied over the years. The most recent program was subject to termination under a sunset review. The program sunset and no new applications for claims have been accepted since July 1, 1999.

Under the additional benefits program, if a person was in training and was making satisfactory progress toward completion of his or her training plan, the person was eligible to receive unemployment insurance benefits in addition to their regular benefits. Under the various programs over the past 10 years, the maximum weeks of training benefits ranged from 52 weeks to 122 weeks including up to 30 weeks of regular unemployment insurance benefits.

Federal National Reserve Grant. A federal National Reserve Grant may be awarded through the U.S. Department of Labor when there is a large industry or company layoff. The aerospace

industry in this state has experienced layoffs in sufficient numbers to qualify for a National Reserve Grant. One of the benefits for which workers may qualify is income support or "needs-related payments." These payments are available to those who qualify within a particular time period, have exhausted their regular unemployment insurance benefits, and who need this income support to participate in necessary retraining. Under the current grant, eligibility for these needs-related payments will end April 1, 2000. There were a number of aerospace workers who otherwise qualify but for whom funding is not available under the grant.

Local Workforce Investment Councils. In August 1998, Congress enacted the Workforce Investment Act (WIA). The federal act repeals the Joint Training Partnership Act (JTPA) effective July 1, 2000, and amends other federal workforce development programs.

The act requires appointment of local workforce investment boards by local elected officials based on criteria set by the Governor and the state board. The local board is responsible for developing local plans and overseeing the local programs. The board recommends local providers of training services who must meet minimum criteria established by the Governor to be placed on an approved list of service providers. Training providers must meet certain performance criteria to maintain their eligibility as training providers. Local workforce investment boards must also assist in developing employment statistics.

Requalification for UI benefits. An applicant for unemployment insurance benefits may be disqualified to receive benefits if the individual:

- C voluntarily quit his or her employment without good cause;
- C is discharged or suspended for work-related misconduct; or
- C refuses to accept suitable work.

The disqualified individual may requalify for unemployment insurance benefits by allowing five weeks to elapse and earning five times the individual's weekly benefit amount.

If an individual can establish that he or she left employment for good cause, unemployment benefits are not denied. One of the circumstances considered good cause is leaving employment to relocate with a spouse whose change in employment is outside the existing labor market area.

Summary: UNEMPLOYMENT INSURANCE TAXES

Tax schedule determination. Effective beginning with 2000, the date for calculating the unemployment trust fund balance for determining the unemployment insurance tax schedule in the following rate year is changed from June 30 to September 30. In addition, the fund balance ratio intervals that will determine the tax schedule are changed as follows:

Tax schedule	<u>Fund balance ratio intervals</u>	
	<u>from</u>	<u>to</u>
AA	2.9 and above	(no change)
A	2.5 to 2.89	2.1 to 2.89
B	2.1 to 2.49	1.7 to 2.09
C	1.7 to 2.09	1.4 to 1.69

D	1.3 to 1.69	1.0 to 1.39
E	1.1 to 1.29	0.7 to 0.99
F	under 1.0	0.7

Using this new method of calculation, schedule A remains in effect for 2000. (NOTE: The tax rates in the schedules are revised. See below.)

Tax rates. Effective beginning with 2000, the average tax rate in the various tax rate schedules is reduced by reducing the rates in classes four through 16. (For example: The rates in schedule A are reduced by approximately 5 percent. This change in the rates reduces the average tax rate for schedule A from 2.28 percent to 2.19 percent.) The rates in classes one through three and 17 through 20 are not changed.

The rates are further reduced to account for an offset tax established to fund the costs of administering a training benefits program. This tax is set at 0.01 percent of the taxable wage base, and is offset by reducing the rates in all the unemployment tax schedules, except for rate class 20, by the amount of the offset tax. This offset tax does not apply to employers in rate class 20 or to new employers not qualified to be in the tax array. The amount of the offset tax that exceeds the amount that would have been collected at a rate of 0.004 percent must be returned to the unemployment insurance trust fund.

Taxable wage base. For 2000, employers will pay unemployment taxes on the first \$24,300 of each employee's wages (the same as the wage base in 1999). For 2001 and beyond, the taxable wage base will be capped using an "average annual wage for contribution purposes" based on the average of the three previous years' wages.

Technical changes in the tax provisions. For 2000, the period of time for employers to file voluntary contributions is extended from February 15 to March 31. Other technical changes are made, including clarifying references to delinquent contributions and deleting obsolete provisions.

UNEMPLOYMENT INSURANCE BENEFITS

Training Benefits Program

A training benefits program is established for dislocated workers who need retraining to reenter the job market. The program allows a qualified unemployed dislocated worker to receive additional unemployment insurance benefits while he or she is in retraining and making satisfactory progress toward completion of a training plan.

Eligibility requirements.

Dislocated worker. To qualify, an unemployed individual must be a dislocated worker. A dislocated worker is someone who is unlikely to return to his or her previous employment because of a diminishing demand for his or her skills.

Work history. The individual must have worked in an occupation or with a particular set of skills for at least three of the last five years. This requirement does not apply to dislocated aerospace, timber, or fin fish workers until July 1, 2002.

Retraining necessary. The individual, through an assessment of his or her skills, must need job-related training to find suitable employment in his or her labor market. The assessment includes a determination that the individual's skills are not in demand in his or her labor market. Beginning July 1, 2001, this assessment must be substantially based on occupations and skills identified in local labor market areas by local workforce development councils, in cooperation with the Employment Security Department.

Ineligibility. Individuals who are not eligible for training benefits include individuals on standby status who expect recall to their regular employer, individuals who have a definite recall date within six months of the date of layoff, and individuals unemployed due to regular seasonal layoffs.

Training plan. The individual must develop a training plan that is approved through the Employment Security Department and is submitted within 60 days of the individual's notification of the requirements of the training benefits program. The individual must be enrolled in training on a full-time basis and must continue to make satisfactory progress toward completion of the training plan. The training must target skills in a high demand occupation and must include vocational training or courses needed as a prerequisite to that training. The training may not include courses primarily intended for completion of a baccalaureate degree.

Benefits.

Duration of benefits. A qualified individual may receive up to 52 weeks of benefits that include any regular benefits to which he or she is entitled. Until July 1, 2002, aerospace, timber and fin fish workers may receive up to 74 weeks of benefits including their regular UI benefits. Any aerospace worker receiving needs-related payments under a National Reserve Grant may not receive training benefits until the needs-related payments terminate. The weekly benefit amount is the same as the amount the individual receives as regular UI benefits. An individual may qualify for this program only once every five years.

The Employment Security Department must verify that claimants for training benefits are eligible to work in the United States. By July 1, 2002, the department must develop and implement a method to determine eligibility to work in the United States for individuals seeking unemployment insurance benefits.

Limited to available funds. This program is subject to available funding. Funding is limited to \$60 million for the two fiscal years ending June 30, 2002, and the remainder of fiscal year 2000. Thereafter, the total amount that may be obligated from the Unemployment Insurance Trust Fund is \$20 million annually. Any unobligated amounts available in any given fiscal year may be carried over to the subsequent fiscal year and added to that year's \$20 million maximum. The Employment Security Department must develop a process to ensure that expenditures do not exceed available funds.

Study. The Workforce Training and Education Coordinating Board, in cooperation with the State Board for Community and Technical Colleges and the Employment Security Department, is directed to review the program and report to the Legislature by December 1, 2002. The review must include a demographic analysis of the participants, the duration of training benefits actually claimed per claimant, the type of training provided, each participant's subsequent employment and

wage history, the impact of the program on employers' unemployment insurance contributions, and identification of administrative costs. The Employment Security Department must collect data on individuals who are disqualified and those who requalify for UI benefits. All demographic data is subject to the department's provisions regarding confidentiality.

Local Workforce Development Councils. By July 1, 2001, local workforce development councils, in cooperation with the Employment Security Department, must identify occupations and skill that are declining and those that are in high demand and update this identification regularly.

Requalification for Unemployment Benefits

Individuals who are disqualified from receiving unemployment insurance benefits for voluntarily quitting work without good cause, for being discharged for misconduct, or for refusing to accept suitable work may purge their disqualification by allowing a lapse of seven weeks, rather than five weeks, and by earning seven times his or her weekly benefit amount, rather than five times the weekly benefit amount.

Individuals who quit work to follow a spouse who changes employment to a different labor market area due to an employer-initiated mandatory transfer may establish this as a voluntary quit for good cause and may receive unemployment insurance benefits. If an individual quits work because of marital status or domestic responsibility, including quitting work to follow a spouse who voluntarily changes employment to a different labor market area, the individual is disqualified but may requalify by allowing a lapse of seven weeks, rather than five weeks, and by earning seven times his or her weekly benefit amount, rather than five times, or may report in person to a local job service office for 10 weeks that he or she is able to work and is seeking work.

Legislative Task Force

A Legislative Task Force of 15 members is established to review and recommend changes to the unemployment insurance system to the Legislature by December 1, 2000.

FINAL BILL REPORT
ESB 5152
C 23 L 00

Brief Description: Clarifying who are appointed personnel for the purpose of public employees' collective bargaining.

Effective Date: June 8, 2000

Background: In 1999 deputy prosecutors were represented by collective bargaining units certified by the Public Employment Relations Commission (PERC) in six counties in Washington. The first union representation of deputy prosecutors began in 1982.

The state Supreme Court recently ruled that deputy prosecutors are appointed personnel and at-will employees who do not meet the definition of a public employee under the state's public employees' collective

bargaining statute.

Summary: The definition of a public employee is changed in the public employees' collective bargaining statute to: (1) clarify that those appointed to office by a public employer are not public employees if their appointment is to a board, commission, or committee; and (2) specify that court commissioners or magistrates are not public employees. Elected prosecuting attorneys may not alter the at-will employment of deputies beyond the elected prosecutor's term of office.

FINAL BILL REPORT
ESB 5667
C 151 L 00

Brief Description: Increasing the number of untaxed complimentary tickets available for boxing, kickboxing, martial arts, and wrestling.

Effective Date: June 8, 2000

and other promotional giveaways.

The department supervises and controls wrestling, boxing, or martial arts events to ensure the safety and welfare of the participants. For certain events, the department may deny, revoke, or suspend a license to promote, conduct or hold these events for cause.

Summary: The untaxed complimentary tickets for events such as wrestling, boxing, and martial arts are limited to 10 percent of the total tickets sold per event, but not to exceed 1,000 tickets. The term “for cause,” for purposes of denying, revoking or suspending an event license, is modified to specifically include concern for the safety and welfare of the participants.

Background: Promoters of sporting events such as wrestling, boxing, or martial arts must pay a 5 percent tax on the gross receipts of these events. These taxes are paid to the Department of Licensing and immediately deposited into the state general fund. Complimentary tickets are subject to the 5 percent tax to the extent they exceed the limit for untaxed tickets. Untaxed complimentary tickets are limited to 5 percent of the total tickets sold per event, but not to exceed 300 tickets.

Complimentary tickets may be given away to promote events through radio, television,

FINAL BILL REPORT
2SSB 5802
C 238 L 00

Brief Description: Regulating telecommunications contractors and installations.

Effective Date: June 8, 2000

Background: Wires and equipment that use, conduct, or operate on electrical current must conform to the state's electrical code. The Department of Labor and Industries regulates electrical wires and equipment through a permitting and inspection process.

In 1998 the Governor vetoed legislation exempting noncomposite fiber optic cables and persons working with structured communications cabling. The Governor's veto expressed concerns about safety and

the scope of the exemption. In response the department convened an advisory committee of stakeholders to develop a new approach.

Summary: A telecommunications contractor license is required to install or maintain a telecommunications system, with limited exceptions. A telecommunications contractor must appoint a certified telecommunications administrator to be responsible for compliance with installation codes, obtaining permits and scheduling inspections. A surety bond or a cash deposit filed with the department is also required in case the contractor fails to meet any obligations arising out of the contractor's installation or maintenance of telecommunication systems. A contractor is required to maintain insurance or file an assigned account to cover injury or damage to property or individuals.

Permits and inspections are required for most non-residential installations. The composition of the electrical board is changed to include telecommunications specialists. The board is authorized to settle disputes over methods of installation or maintenance of telecommunications materials and equipment. The board is also authorized to review and reverse any license or certificate suspensions or revocations, or penalties imposed by the department for violations of its telecommunications regulations.

Violations of the licensing and regulatory provisions of the bill may result in a minimum \$100 penalty and a maximum \$10,000 penalty. Noncompliance with requirements may result in the revocation or suspension of a contractor's license or administrator's certificate. Cities or towns may enact and enforce telecommunication standards that are equal to, higher than, or better than the department's and disputes with the department over such standards are subject to arbitration.

Partial Veto Summary: *The Governor vetoed section 203 which expressed the Legislature's intent that the department administer the act without expanding its oversight of telecommunications projects, through regulations, beyond the expressed authority granted by the act.*

FINAL BILL REPORT
ESSB 6220
C 203 L 00

Brief Description: Prohibiting unfair competition by motor vehicle dealers and manufacturers.

Effective Date: June 8, 2000

Background: There are approximately 350 new motor vehicle dealerships in the state of Washington. None of these dealerships are currently owned by manufacturers.

Recently, some motor vehicle manufacturers have indicated an interest in purchasing dealerships. There is concern that dealers who do not agree to sell their dealership to manufacturers may not be treated fairly, and that the increase in manufacturer-owned dealerships may result in decreased consumer choice.

Summary: A motor vehicle manufacturer, distributor, factory branch, factory representative or any person acting on behalf of these entities is prohibited from giving preferential treatment to any new motor vehicle dealers. Preferential treatment is defined as: offering to sell vehicles, parts, or accessories at a lower price to one dealer than another; or having a different method or schedule of delivering vehicles, parts or accessories to one dealer than another. Preferential treatment does not include sales incentives, rebates, or fleet discounts.

Manufacturers, distributors, and factory branches or representatives are prohibited from owning, operating or controlling a new motor vehicle dealership with some exceptions. Exceptions include when the dealership is operated during the transition from one owner to the next or in conjunction with an independent person as part of a dealer development program. The terms “own,” “operate” and “control” are specified.

A motor vehicle manufacturer, distributor, factory branch, or factory representative is prohibited from operating a service facility for repair or maintenance not covered under the manufacturer’s new car warranty and extended warranty policies.

Manufacturers and other named entities are prohibited from using confidential information to unfairly compete with dealers. “Confidential information” is defined.

FINAL BILL REPORT
ESB 6236
C 134 L 00

Brief Description: Promoting efficiency with respect to employment and related services.

Effective Date: June 8, 2000

Background: A government agency or private organization may request confidential information held by the Employment Security Department by submitting an application to the department. With some exceptions, the requesting party must also notify the individual or employer involved that information is being sought. When notification occurs, the Employment Security Department must consider an objection to the release of information before the information is released.

Thirteen one-stop WorkSource career development centers are currently operating throughout the state. The centers were created to provide all the job resources, technology and personal assistance that job seekers need in one place. Businesses can also recruit new employees through WorkSource centers.

There is concern that the process of requesting data limits the ability of the department and partner organizations to jointly track program outcomes of WorkSource career centers in a timely and efficient manner. In addition, WorkSource participants are sometimes required to submit duplicate information to different organizations due to the lack of data sharing between WorkSource partner organizations.

Currently, information provided by the Department of Employment Security to other agencies is not explicitly exempt from public disclosure.

Summary: The Commissioner of Employment Security may enter into data sharing contracts with agencies and organizations involved in one-stop WorkSource career centers. The commissioner may also enter into data sharing contracts with state agencies to facilitate operation and evaluation of state programs.

The contract takes the place of a formal agency request and the personal notification requirement is waived. Confidential information is to be exchanged only to the extent that the information is necessary for the operation or evaluation of state services and is not subject to public disclosure. A civil penalty of \$5,000 is created for the misuse or unauthorized release of information.

The confidential information provided by Employment Security to the Office of Financial Management and the Department of Social and Health Services for evaluation of the WorkFirst program is not subject to public disclosure. Individually identifiable information received by the Workforce Training and Education Coordinating Board is also made exempt from public inspection and copying.

The Employment Security Department must notify individuals who apply for services from one-stop career centers that information is being shared under data-sharing contracts with other one-stop partners. The notification must: (1) advise the individual that he or she may

request that private and confidential information not be shared and that such a request will not affect his or her receipt of services; (2) describe the nature of the information being shared, the general use of the shared information, and those with whom the information will be shared; (3) inform the individual that information will be used only for purposes of delivering services and any other disclosure is prohibited; and (4) be provided in English and an alternate language selected by the one-stop center or job service center that is appropriate for the community where the center is located.

FINAL BILL REPORT
SB 6237
C 29 L 00

Brief Description: Modifying who may deduct processing fees for certain payroll deductions.

Effective Date: March 17, 2000

Background: Washington State law allows for the collection and interception of child support by withholding of wages or unemployment insurance benefits. When payroll deduction or benefit intercept is used, the employer or the Employment Security Department is permitted, but not required, to also deduct a processing fee.

The U.S. Department of Labor has found Washington State to be potentially out of compliance with federal unemployment insurance law, which does not permit such a fee. In order to conform to federal requirements, the Employment Security Department is seeking to clarify that the department will not deduct a processing fee from unemployment insurance benefits.

Summary: The Employment Security Department is not permitted to deduct a processing fee when intercepting and deducting child support from an individual's unemployment insurance benefits.

FINAL BILL REPORT
SSB 6373
C 228 L 00

Brief Description: Clarifying promotional contests of chance

Effective Date: June 8, 2000

Background: In 1973 the Legislature authorized promotional contests of chance. Businesses use promotional contests of chance to enhance sales of products and services. An example of a promotional contest of chance is when a restaurant gives a free lunch to someone who places his or her business card in a jar for a drawing.

The Gambling Commission monitors entry requirements for promotional contests of chance. Generally, businesses may not require a person to purchase anything in order to participate in a promotional contest of chance. The only exception is that businesses may ask customers to bring in a product container or only part of it, but only if the business accepts a plain piece of paper in its place. The law allows businesses to ask customers to engage in various activities in order to participate in a promotional contest of chance. For example, businesses may ask customers to fill out coupons and return them through the mail or businesses may ask consumers to attend a demonstration or tour a facility.

Concerns exist that the current law regarding promotional contests of chance needs modernization because it does not permit persons to enter promotions electronically or participate in instant win games.

Summary: The statute regarding promotional contests of chance is repealed and replaced by a new statute. Promotional contests of chance are permitted as long as consideration or purchases are not required to participate. However, if a person makes a purchase, the business may give additional entries or chances as long as the business provides a free alternative method of entering the promotional contest. This exemption does not apply to direct mail solicitations. Consideration is defined as money paid in order to participate in a promotional contest of chance. Equipment or devices for use in gambling activities are prohibited for use in promotional contests of chance unless authorized by the Gambling Commission.

FINAL BILL REPORT
ESSB 6455
C 253 L 00

Brief Description: Providing for the licensing of geologists.

Effective Dates: June 8, 2000, except for sections 1-4 and 6-21, which are effective July 1, 2001

include educational requirements, five years of experience in geological work, and satisfactory completion of a licensing examination. An applicant who applies for licensing by July 1, 2001, is granted a license without written examination if the applicant meets specified criteria.

Acts which constitute grounds for suspension or revocation of a geologist license are specified. The director is authorized to investigate reports of unprofessional conduct, and may use the board to conduct hearings. Practicing or offering to practice geology without a license is considered a class one civil infraction.

A geologist's account is created in the custody of the State Treasurer. All fees and fines collected due pursuant to this act are deposited in this account.

In accordance with Initiative 695, the portion of the act pertaining to fees is referred to the people for their approval at the next general election.

Background: Twenty-seven states currently require geologists to be licensed. Concern exists that not licensing geologists may lead to a lack of standardization in the work these geologists provide.

Summary: It is unlawful for any person to practice or offer to practice geology in this state unless the person has been licensed, with limited exceptions.

A state Geologist Licensing Board is created. Requirements for becoming a licensed geologist are specified, and

FINAL BILL REPORT
SSB 6557
C 233 L 00

Brief Description: Allowing credit unions to conduct raffles.

Effective Date: June 8, 2000

local taxation on the first \$10,000 of gross receipts less prizes from raffles conducted by such organizations.

A credit union is a cooperative society organized as a nonprofit corporation for the purposes of promoting thrift among its members and creating a source of credit for them at fair and reasonable rates of interest.

Summary: Both state and federal credit unions are included in the definition of a bona fide charitable and nonprofit organization for the purposes of conducting raffles where the gross revenues do not exceed \$5,000 within a calendar year and tickets are sold only to and winners are determined only from among regular members of the organization. The proceeds are exempt from local taxation. The use of the proceeds generated from raffles by credit unions are limited to the purposes authorized for charitable or nonprofit organizations under the gambling law.

Background: A bona fide charitable or nonprofit organization, as defined in the gambling act, may conduct raffles without obtaining a license when the gross revenue from all the organization's raffles within the calendar year do not exceed \$5,000 and the raffle tickets are sold only to and winners are determined only from among regular members of the organization. Bona fide charitable and nonprofit organizations are allowed other exemptions under the gambling act including exclusion from

FINAL BILL REPORT
SSB 6589
C 141 L 00

Brief Description: Allowing domestic wineries to exercise licensing privileges at up to two additional locations.

Effective Date: June 8, 2000

shall not act as distributors.

Background: A domestic winery may act as a distributor and/or retailer of wine of its own production. Currently, wineries may only exercise these privileges at the licensed winery site.

Summary: A licensed domestic winery may serve wine tastings of its own products and sell wine of its own production at up to two additional locations. Each additional location must be approved by the Liquor Control Board but does not require additional licensing. Additional locations

FINAL BILL REPORT
SB 6642
C 35 L 00

Brief Description: Preventing a registered sex offender from holding a real estate appraiser license or certificate.

Effective Date: June 8, 2000

Background: The Department of Licensing administers the real estate appraiser licensing program. The department may discipline an appraiser if the director finds a violation of one of the grounds for discipline. Once the director finds that an individual violated one of the grounds for discipline, the director may deny, suspend, or revoke the license or certificate, or may levy a fine for each offense.

One of the grounds for discipline is conviction of any gross misdemeanor or felony or the commission of any act involving moral turpitude, dishonesty, or corruption. Persons convicted of sexual offenses must register after their release from incarceration. Depending on the level of the crime committed, sex offenders register for life, 15 years or 10 years.

The director's ability to deny a license to a registered sex offender may be limited by a statutory restriction that a person is not disqualified to practice in an licensed occupation solely because of a prior felony conviction. However, the conviction may be considered. A person may be denied a license if the felony for which he or she was convicted directly relates to the licensed occupation and the conviction occurred less than 10 years ago.

Summary: The law provides that a person is not disqualified to engage in a licensed occupation solely because of a prior felony conviction and that a license may be denied if the conviction directly relates to the licensed occupation and occurred less than 10 years ago. However, this law does not apply to a registered sex offender under the real estate appraiser program.

FINAL BILL REPORT
SB 6678
C 145 L 00

Brief Description: Repealing parimutuel wagering sunset provisions.

Effective Date: June 8, 2000

Background: The Horse Racing Commission licenses, regulates, and supervises the conduct of parimutuel wagering on horse racing in the state of Washington. Parimutuel wagering is a system of betting on races in which those wagering on the winners divide, in proportion to their wagers, the total amount wagered minus a percentage for track operators and taxes.

The parimutuel tax is a set percent of gross receipts or “handle” of all parimutuel (betting) machines at each horse racing event in the state.

In 1998 the Legislature passed Chapter 345, Laws of 1998 (E2SSB 6562), which amended parimutuel tax provisions and temporarily reduced the parimutuel tax by approximately 50 percent until June 30, 2001. This legislation also provided that the Joint Legislative Audit and Review Committee (JLARC) conduct a sunset review of the tax reduction prior to June 30, 2001.

JLARC issued its report on December 1, 1999.

Prior to the passage of the 1998 law, the state used revenues from the parimutuel tax and licensing fees to fund the operation of the horse racing commission. In addition, these monies funded the state trade fair fund, the agricultural fair fund, and a small percentage went to the general fund. After the passage of the new law, the Horse Racing Commission became the only recipient of the reduced parimutuel tax and horse racing licensee fees. The 1998 law terminated any tax distributions to the state trade fair fund, the agricultural fair fund, and the general fund.

Generally, the JLARC study found that in the calendar year 1999 Emerald Downs (the only operating race track in 1999) reported a financial loss, but that the magnitude of the loss was less than in previous years. In addition, the report concluded that “the overall legislative goal of an economically viable horse racing industry has not been achieved. Moreover, allowing the parimutuel tax change to sunset would most likely worsen the financial status of the industry.” As a result of the findings in the report, JLARC recommends that the parimutuel tax reduction not be terminated.

Summary: Provisions that return the parimutuel tax structure and distribution to the way it was before the passage of Chapter 345, Laws of 1998 (E2SSB 6562) are repealed. The parimutuel tax reduction is continued without a termination date.

FINAL BILL REPORT
SSB 6812
C 142 L 00

Brief Description: Allowing contract brewing by domestic brewers.

Effective Date: June 8, 2000

Background: Beer and wine distributors must file with the Liquor Control Board the wholesale prices they charge to retailers. Distributors may not modify these prices without prior notice to the board and must have the board's approval.

Beer and wine manufacturers, importers and distributors who sell to other distributors must file with the board all contracts and memoranda that reflect the schedule of prices and other charges and

discounts used in dealings with distributors. Prices must be uniform to all distributors and the charges cannot differ from those filed.

Current law defines brewer as any person engaged in the business of manufacturing beer and malt liquor. Domestic brewer is not defined in current liquor statutes.

Summary: Domestic brewery is defined as a place where beer is manufactured by a brewer in this state. The definition of brewer is modified to include a brand owner whose malt beverage is brewed under contract with an in-state brewery. An exception from price posting requirements is made for contract production of beer between a brand owner (brewer) and a licensed domestic brewery. The brand owner of contract-produced beer may not act as a distributor for its own product under a domestic brewery license.

**FINAL BILL REPORT
ESJM 8015**

Filed with the Secretary of State

Brief Description: Requesting the office of minority and women's business enterprises to certify socially and economically disadvantaged businesses, including those owned by disabled persons

Background: Businesses owned and controlled by disabled persons are not classified as minority business enterprises.

Summary: The Office of Minority and Women's Business Enterprises is requested to add a new limited category for certification which includes businesses owned and controlled by disabled persons who can demonstrate social and economic disadvantage.