

**Commerce & Labor Committee
House of Representatives
State of Washington**

Final Report for 2003

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House of Representatives
State of Washington

Date: July 21, 2003

2003 SESSION REPORT
House Commerce & Labor Committee

Summary of Major Legislation

BUILDING AND CONSTRUCTION

Electrical Work

During the 2003 regular session, the Legislature passed four bills dealing with the regulation of electrical work.

ESSB 5713 exempts the like-in-kind replacement of household appliances and other basic electrical work from permitting and inspection requirements. (The Governor vetoed a section that would have exempted certain appliance repair work in residences from licensing and certification requirements, and created a joint legislative task force to review these requirements during the interim.)

In addition, **ESSB 5713** addresses: licensing and certification requirements for certain incidental work performed by electricians or plumbers; certification requirements for the equipment repair specialty; and classroom training and continuing education requirements for plumbers. Finally, the Electrical Board and the Board of Boiler Rules must review electrical licensing and certification requirements, as they apply to certain electrical work on boilers, and report to the Legislature by December 1, 2003.

The other bills passed by the Legislature also deal with electrical licensing and certification requirements. **SHB 1848** exempts certain medical devices from these requirements. **ESB 5210** narrows the scope of work and reduces the work experience and job site supervision requirements for certification in the restricted nonresidential maintenance specialty. **SSB 5434** creates an exemption from licensing requirements for certified electricians doing work for nonprofit organizations under particular circumstances.

Elevators

Licensing for elevator contractors and mechanics was required for the first time pursuant to legislation enacted in 2002. **ESSB 5942** modifies these requirements by creating an exemption for certain maintenance work and a category of licensure for certain material lift mechanics. It also requires the Elevator Advisory Committee to review the licensing requirements as they apply to work on private residence conveyances, and report to the Legislature by January 1, 2004.

BUSINESS LICENSING & REGULATION

Accountancy

The Legislature passed **HB 1211**, which requires CPAs and CPA firms to notify the Board of Accountancy (Board) of certain sanctions or charges filed against the CPA or firm by the Securities and Exchange Commission, the Internal Revenue Service, and state accountancy boards. The bill also requires CPA firms to retain certain audit-related documents and records for seven years and increases the Board's penalty authority from a maximum fine of \$10,000 to a maximum fine of \$30,000. The Board must report to the Legislature on auditor independence by December 1, 2003.

Licensing

Two bills dealing with manufacturer dealer relationships were passed. **SHB 1445** defines the relationship between automobile manufacturers and new auto dealers as to the sale of dealerships, dealer reimbursement for warranty work and incentive programs, and dealers selling multiple brands of new autos. **SSB 5407** contains similar provisions for motorsports vehicle manufacturers and dealers. Motorsports vehicles are defined as motorcycles, snowmobiles, personal watercraft and all-terrain vehicles.

Several bills were introduced related to geologist licensing. **HB 1443** would have extended the "grandfather" period to allow qualified geologists to become licensed without taking the written examination and would have designated "hydrogeology" as a specialty within the practice of geology. **HB 1966** would have created an exemption to the Geologist Licensing Act for soil scientists practicing soil science. The Legislature passed **SB 5065** which was amended to address both the grandfather period and soil science exception issues.

HB 1442 allows the sale of timeshares prior to completion of construction. Previously, timeshare promoters could accept deposits for timeshares not yet completed, but could not sell timeshares until complete.

HB 1634 revises and simplifies the Real Property Transfer Disclosure Statement. The form was revised in areas relating to water, irrigation, and on-site sewer systems, leased systems, structural deficiencies, and new and manufactured homes. Another bill, **HB 1439**, would have required disclosure of uncertified wood stoves and fireplace inserts. The bill died in the Senate Financial Services, Insurance and Housing Committee.

SSB 5413 allows an out-of-state real estate broker or salesperson to conduct commercial real estate transactions in Washington under certain conditions, including working in cooperation with a Washington real estate broker.

HB 2202 establishes a cosmetology apprenticeship pilot program. Individuals in the apprenticeship program may be paid while working and learning cosmetology skills in

preparation for the cosmetology licensing exam. Prior to the pilot program, the only way to become eligible to take the exam was to graduate from an accredited school.

SB 5167 links the dollar amount of surety bonds posted by sellers of travel to the seller's gross sales to Washington residents. Prior to this change, sellers of travel were required to post a surety bond with the Department of Licensing in an amount determined by total sales to all customers.

EMPLOYMENT

In the operating budget [Section 226 of **ESSB 5404**], the Legislature approved funding to establish an advisory partnership on the Washington manufacturing sector as outlined in **SHB 2164**. Although the bill died on the House Second Reading calendar, the budget proviso was not subject to a null and void clause. The partnership includes eight members that represent the Legislature, business, and labor. The partnership must study certain aspects of Washington's manufacturing sector, including work force education and training needs, manufacturing skill standards, and strategic industry clusters. The partnership must reports its findings and recommendations to the House Commerce and Labor Committee and the Senate Commerce and Trade Committee by December 1 of each year.

Under **SHB 2016**, as approved by the Committee, various entities who contract with the state or receive state funding would have been prohibited from using those state funds to encourage or discourage unionization of their employees. The bill died in the House Rules Committee. In another bill approved by the Committee, **HB 1574**, operating and maintenance employees at a commercial nuclear power plant would be added to the employees covered by interest arbitration under the Public Employees' Collective Bargaining Act. The bill died on the House Second Reading Calendar.

Two bills requested by the Office of Financial Management deal with the state employment. **EHB 1726** increases the maximum amount that the state of Washington, as a decedent's employer, is authorized to pay the decedent's survivors for the decedent's work. **SHB 1738** establishes a process for the state, as an employer, to recover overpayments of wages to employees.

GAMBLING, HORSE RACING, AND LOTTERY

Compulsive Gambling

The Governor signed **HB 1637**, allowing the Gambling, Horseracing, and Lottery commissions to contract for services to provide for public awareness and training on problem gambling. A private organization currently produces informational materials to educate the public about problem gambling and conducts classes on problem gambling

issues and treatment. **HB 1637** allows the three state agencies that oversee gambling activities to contract with this organization to provide these services.

Horse Racing Commission

Previously, the Legislature authorized the Horseracing Commission to perform background checks on individuals licensed by the Commission. The Commission was authorized to receive non-conviction criminal background information. This type of information may include arrests or investigations where no criminal charges were pursued. This authority was subject to a sunset clause which terminated the Commission's authority to receive this information on June 30, 2003. **SSB 5290** (companion to **HB 1276**) removed this sunset provision and allows the Commission to continue to receive this information.

Keno and Electronic Scratch Ticket Lottery Games

HB 2213 was introduced to allow the Lottery Commission to establish a multiple daily drawing lottery game (commonly referred to as five-minute keno). This bill was heard by the Committee.

A proposal to allow the use of video gambling devices by Gambling Commission licensees was introduced in **HB 1948**. The bill would allow cardrooms, racetracks, charitable organizations, and punchboard/pulltab operators to obtain a license to use electronic gaming devices similar to the tribal lottery system machines in use in tribal casinos.

Other

Other proposals introduced, but not passed this session, were: **HB 1227** which would have banned vending machines that determined the outcome of a contest, much like a slot machine; **HB 1667** which would have allowed local governments exercise zoning authority over businesses licensed to conduct gambling; **HB 1636** which would have continued funding for the treatment of pathological gambling; and **HB 1446** which would have consolidated the Horseracing and Gambling commissions.

LIQUOR AND TOBACCO

ESB 5560 repealed the prohibition against allowing liquor licenses on the University of Washington campus. Since 1895 no liquor licensee could operate on the campus. The University of Washington requested this legislation to allow museums and other non-profit organizations to have functions on campus that included the sale of alcohol.

Two bills dealing with the sale of bottled products at farmers markets were passed. **SSB 5265** allows wineries licensed in Washington to sell bottled wine at farmers markets. The wine must be made from made from grapes (or other agricultural products) produced

in Washington growing regions. The Liquor Control Board will ensure that the farmers markets meet certain criteria prior to allowing any wine sales at a farmers market. **SHB 2118** allows microbreweries and small domestic breweries to sell bottled beer at farmers markets. The farmers markets must meet the same conditions as those placed on markets at which bottled wine is sold.

SHB 1495 allows the Liquor Control Board to summarily suspend a licensee's liquor license for up to 180 days. The Board's enforcement division must conduct a preliminary investigation before a summary suspension is implemented. Previously, summary suspensions were limited to 30 days, after which the licensee could resume serving alcohol.

SSB 5051 regulates strong beer (beer containing more than 8% alcohol) under the same provisions as regular beer instead of the same provisions as liquor.

HB 1395 allows liquor licensees with a catering endorsement to sell alcohol at events open to the public so long as the event is hosted by a non-profit organization. Previously, these licensees could sell alcohol only at events attended only by invited guests.

UNEMPLOYMENT COMPENSATION

The Legislature passed **2ESB 6097**, which modified numerous provisions of the Employment Security Act governing unemployment compensation benefits and contributions. **2ESB 6097** reduced both the maximum duration of benefits (from 30 weeks to 26 weeks) and the maximum weekly benefit amount (from 70% of the state average weekly wage to 63% of the average weekly wage or \$496, whichever is greater). The reasons for "good cause" quits were narrowed, and the definitions of misconduct were broadened. Certain part-time workers are allowed to search for suitable part-time work. **2ESB 6097** also created a new tax array with 40 rate classes using rates based on three factors to take effect in 2005. The new tax rates are capped at 6.0% for certain seasonal industries (fishing, agriculture, and food processing) and at 6.5% for other industries, except when a solvency surcharge applies. Certain benefits are charged to the experience rating account of only the separating employer.

Two other bills, **HB 1832** and **SB 6099**, were also passed. **HB 1832** corrected an error in the unemployment insurance contribution rate for Rate Class 16 in Schedule B. **SB 6099** appropriated \$11.5 million from Reed Act funds to the Employment Security Department for administrative expenses related to the implementation of **2ESB 6097** in the 2003-05 biennium.

WAGE & HOUR

Rest and Meal Periods

In response to a law suit brought by state employees who alleged that their "straight eight" work shifts violated the rest and meal period rules of the Industrial Welfare Act (IWA), the Legislature passed **SSB 6054**. In the bill, the Legislature clarifies that the IWA does not apply to the public sector before the bill's effective date except as the IWA had already expressly provided. After the bill's effective date, the IWA applies to the public sector only to the extent that the IWA does not conflict with a state statute or rule and, with respect to local governments, does not conflict with a local resolution, ordinance, or rule adopted by the local legislative authority before April 1, 2003. Public employees are allowed to enter into collective bargaining agreements and other mutually agreed to employment agreements that supersede the IWA's rules on rest and meal periods.

Another bill passed by the Legislature, **SSB 5995**, addresses rest and meal period in the construction industry by allowing a collective bargaining agreement covering construction workers to supersede the IWA's rest and meal period rules.

Minimum Wage Rate

Several bills, including **HB 1750**, **HB 1774**, **HB 1819**, and **SB 5697**, would have modified the state minimum wage rate. None of these bills was reported out of the Committee.

Prohibiting Mandatory Overtime

The Committee and the House approved **SHB 1604** which would have expanded the health care facilities that are prohibited from requiring overtime for their nursing staff to include state hospitals, state veterans' homes, state rehabilitation centers, and correctional facilities. The bill died in the Senate Ways & Means Committee.

WORKERS' COMPENSATION

Health Care Providers

Two bills approved by the Committee and the House would have allowed providers other than physicians to perform certain functions related to injured workers. **EHB 1568** would have allowed, until July 1, 2006, supervised physician assistants, in non-compensable industrial injury cases, to execute the certificate that accompanies an injured worker's application for industrial insurance benefits. A second bill, **EHB 1691**, would have given advanced registered nurse practitioners, until July 1, 2006, nearly the same roles and responsibilities as physicians, including authority to sign accident report forms and time loss cards. Both bills died on the Senate Second Reading Calendar.

Premium Rates

The Committee approved **SHB 2052** which would have required the Department of Labor and Industries (Department) to set industrial insurance premium rates designed to attempt to limit premium fluctuations and would have required the Department to adopt rules regarding the contingency reserve and paying industrial insurance premium dividends. The bill died in the House Rules Committee.

Injured Worker Benefits

The Legislature passed **SB 5271**, which requires hearing loss claims to be filed within two years of last injurious exposure to noise. Another bill, **HB 1628**, was heard by the Committee and would have changed the date for determining the applicable compensation schedule to the earlier of the date the claim was filed or the date that the worker received notice from a physician and the associated audiogram.

A number of bills, including **HB 1606**, **HB 1834**, and **SSB 5378**, dealt with the definition of "wages" for calculating workers' compensation benefits and with other benefit determination issues. These bills were not adopted by the Committee, but another bill, **HB 2158**, was adopted. This bill stated the Legislature's intent to address the impacts of economic problems, including loss of investment income and resulting stresses on the system, by making policy changes that would treat injured workers fairly, support a sound financial basis for the system, and allow immediate efficiencies in administration. The bill was held on the House Second Reading Calendar until the end of the regular session without final action.

The Committee approved **HB 1611** which would have required time-loss and medical benefits to continue while an employer's request for reconsideration or appeal of an order granting these benefits to an injured worker was pending. The bill died in House Rules Committee.

Another bill, **SSB 5990**, heard in the Criminal Justice & Corrections Committee, addresses inmate benefits among various other corrections issues. The bill, which passed the Legislature, requires deductions from inmates' permanent partial disability awards for legal financial obligations and establishes a schedule of minimum deductions for the crime victims' compensation, inmate savings, and costs of incarceration.

WORKPLACE SAFETY

Mandatory cholinesterase monitoring of certain farm workers was the subject of **2SSB 5890**. In 2002 the state Supreme Court issued its decision in *Rios v. Department of Labor and Industries*, and ordered the Department "to initiate rulemaking on a mandatory cholinesterase monitoring program for agricultural pesticide handlers." In response to

this decision, the Legislature passed **2SSB 5890**, which requires the Department and others to report to the Legislature on the Department's rulemaking process.

Both **HB 1474** and **ESB 5161** would have repealed the state's ergonomics rules, but were not reported out of the Committee.

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House Commerce & Labor Committee

Enacted Bills

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>BUILDING & CONSTRUCTION</i>			
HB 1631	McCoy	<i>Fire protection.</i> Requires the state fire marshal to adopt rules defining infractions and fines applicable to fire protection sprinkler system contractors. Establishes civil penalties for contractors who commit infractions or fail to obtain certificates of competency.	C 74 L 03
SHB 1848	Conway	<i>Electrical code -- licensing and certification.</i> Exempts certain medical devices from electrical licensing and certification requirements.	C 78 L 03
ESB 5210	Honeyford	<i>Electrical code -- certification.</i> Reduces work experience required for certification as a restricted nonresidential maintenance specialty electrician. Reduces job site supervision requirements for trainees working in this specialty. Modifies the specialty's scope of work.	C 211 L 03
SSB 5434	Swecker	<i>Electrical code -- licensing.</i> Creates an exemption from electrical licensing requirements if certified electricians or trainees perform work for certain nonprofit organizations, they are not compensated for the work, and the value of the electrical work does not exceed \$30,000.	C 242 L 03
ESSB 5713	Honeyford	<i>Electrical and plumbing codes -- licensing, certification, permitting, and inspection.</i> Exempts certain basic electrical work from permitting and inspection. Exempts certain incidental work from electrical and plumbing licensing and certification requirements. Exempts appliance repair work performed by manufacturer-authorized dealers from electrical licensing and certification requirements, and creates a joint legislative task force to review these requirements. Classifies the equipment repair specialty as a "lower tier" specialty, and, for a limited time, allows certain persons to become licensed in this specialty without examination. Suspends enforcement of electrical code requirements as applied to maintenance work on the electrical controls of a boiler performed by employees of service companies, and requires industry boards to evaluate these requirements. Establishes classroom training and continuing education requirements for plumbers. <i>Partial Veto:</i> Vetoes the section that exempts appliance repair work performed by manufacturer-authorized dealers from electrical licensing and certification requirements, and creates a joint legislative task force to review these requirements.	C 399 L 03
ESSB 5942	Reardon	<i>Elevator code – licensing and permitting.</i> Exempts maintenance work on certain conveyances from licensing and permitting requirements. Permits certain persons to become licensed mechanics without examination. Permits other persons to become licensed material lift mechanics. Specifies the members of the advisory committee. Exempts work on private residence conveyances from licensing requirements for a specified period.	C 143 L 03

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>BUSINESS LICENSING & REGULATION</i>			
SHB 1211	Conway	<i>Public accounting.</i> Requires CPAs and CPA firms to notify the Board of Accountancy (Board) of certain compliance actions by specified federal agencies and state accountancy boards. Requires CPA firms to retain certain audit-related documents and records for seven years. Increases the Board's penalty authority from a maximum fine of \$10,000 to a maximum fine of \$30,000. Requires the Board to report to the Legislature on auditor independence by December 1, 2003.	C 290 L 03
SHB 1445	Conway	<i>Motor vehicle manufacturers and dealers.</i> Defines the relationship between automobile manufacturers and new auto dealers as to the sale of dealerships, dealer reimbursement for warranty work and incentive programs, and dealers selling multiple brands of new autos.	C 21 L 03
SHB 2202	McDonald	<i>Cosmetologists.</i> Provides for a pilot program for cosmetology apprenticeship. Allows individuals who successfully complete a cosmetology apprenticeship program to take the test to become licensed.	C 400 L 03
SB 5065	Swecker	<i>Geologists.</i> Extends the "grandfather" period for geologists to become licensed without taking an examination. Defines the practice of soil science and clarifies the overlap in the practices of soil science and geology.	C 292 L 03
SSB 5407	Horn	<i>Motorsports vehicle manufacturers and dealers.</i> Defines the relationship between manufacturers and dealers of motorsports vehicles as to the ownership and transfer of dealerships, franchise disputes, and unfair business practices. Defines motorsports vehicles.	C 354 L 03
SB 5413	Benton	<i>Out-of-state real estate licensees.</i> Allows an out-of-state real estate broker or salesperson to conduct commercial real estate transactions in Washington under certain conditions, including working in cooperation with a Washington real estate broker.	C 201 L 03
<i>CONSUMER PROTECTION</i>			
SHB 1442	Wood	<i>Sales of timeshares.</i> Authorizes the sale of timeshare interests in certain projects not yet completed. Requires purchasers's funds be held in escrow or a bond be posted in lieu of escrow. Establishes requirements for escrow accounts.	C 348 L 03
SHB 1634	Conway	<i>Residential property seller disclosure statement.</i> Revises the Real Property Transfer Disclosure Statement in areas relating to water, irrigation, and on-site sewer systems, leased systems, structural deficiencies, and new and manufactured homes.	C 200 L 03
SB 5167	Regala	<i>Sellers of travel – trust account provisions.</i> Links the dollar amount of surety bonds posted by sellers of travel to the seller's gross sales to Washington residents.	C 38 L 03
<i>GAMBLING, HORSE RACING & LOTTERY</i>			
HB 1637	Wood	<i>Problem gambling.</i> Authorizes the Gambling, Horse Racing, and Lottery Commissions to contract for services to provide for public awareness and training on problem gambling.	C 75 L 03

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SSB 5290	West	Horse Racing Commission -- criminal history information. Continues the Horse Racing Commission's authority to receive non-conviction data in criminal history records after June 30, 2003.	C 46 L 03
LIQUOR			
EHB 1395	Sullivan	Sales at non-profit events. Allows holders of a restaurant liquor license with a catering endorsement to sell alcohol at an event open to the public if the event is sponsored by a nonprofit organization.	C 345 L 03
SHB 1495	Hudgins	Summary suspension of a liquor license. Allows the Liquor Control Board to summarily suspend a liquor license for up to 180 days. Requires the Liquor Control Board to conduct a preliminary investigation prior to summarily suspending a liquor license.	C 320 L 03
SHB 2118	Newhouse	Sales at farmers markets -- microbrewed beer. Allows microbreweries and certain other small breweries licensed by the Liquor Control Board to obtain an endorsement to sell bottled beer at qualifying farmers markets.	C 154 L 03
SSB 5051	Jacobsen	Sales of strong beer. Allows the sale of strong beer under the same provisions as regular beer.	C 167 L 03
SSB 5265	Thibaudeau	Sales at farmers markets – Washington wines. Allows a Washington winery to obtain an endorsement from the Liquor Control Board to sell bottled wines at qualifying farmers markets.	C 44 L 03
ESB 5560	Honeyford	Sales on the University of Washington campus. Repeals the prohibition on selling alcohol on the University of Washington campus. Encourages institutions of higher education that allow the sale of alcohol on campus to feature products produced in Washington.	C 51 L 03
SB 5994	Hewitt	Wine suppliers and distributors. Removes wine manufacturers, suppliers, and distributors from the provisions of the law that define the business relationships between beer and wine suppliers and distributors.	C 59 L 03
PUBLIC EMPLOYMENT			
EHB 1726	Haigh	Payments to survivors. Increases the maximum amount that the state of Washington, as a decedent's employer, is authorized to pay the decedent's survivors for the decedent's work.	C 122 L 03
SHB 1738	Haigh	Overpayments of wages. Authorizes the state of Washington, as an employer, to recover overpayments of salary or wages to employees; and establishes a process for recovering such overpayments.	C 77 L 03
UNEMPLOYMENT COMPENSATION			
SHB 1832	Conway	Tax rates. Corrects the unemployment insurance contribution rate for Rate Class 16 in Schedule B.	C 4 L 03

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
2ESB 6097	Honeyford	<p>Benefits and taxes. Modifies <u>benefit amounts</u> and <u>disqualification from benefits</u>, including the following: (1) Reduces the maximum weekly benefit amount to \$496 or 63 percent of the state average weekly wage, whichever is greater; (2) reduces the maximum benefit payable to the lesser of 26 times the weekly benefit amount or 1/3 of the total base year wages; (3) in 2004, calculates the weekly benefit amount based on average wages in three high quarters, and in 2005, based on wages in all four quarters; (4) narrows the reasons for "good cause" quits and broadens the definitions of misconduct; and (5) allows certain part-time workers to search for suitable part-time work. Modifies <u>taxes</u>, including the following: (1) In 2005, creates a new tax array with 40 rate classes using rates based on three factors; (2) caps the new tax rate at 6.0 percent for certain seasonal industries (fishing, agriculture, and food processing) and at 6.5 percent for other industries, except when a solvency surcharge applies; (3) requires that certain benefits are charged to the experience rating account of only the separating employer; and (4) establishes penalties for certain employer delinquencies and/or misrepresentations.</p> <p>Partial veto: Vetoes the section that requires the Employment Security Department to require claimants filing claims telephonically or electronically to provide additional proof of identity.</p>	C 4 L 03 E2
SB 6099	Honeyford	<p>Administrative appropriation. Appropriates \$11.5 million from Reed Act funds to implement 2ESB 6097.</p>	C 3 L 03 E2
WAGE AND HOUR			
SSB 5995	Honeyford	<p>Collective bargaining -- construction trades. Allows a collective bargaining agreement covering construction workers to supersede rest and meal period rules of the Department of Labor and Industries.</p>	C 146 L 03
SSB 6054	Rossi	<p>Employment standards -- public employers. Provides that, prior to the bill's effective date, the Industrial Welfare Act (IWA) does not apply to the public sector except as expressly provided, and that, after the bill's effective date, the IWA applies to the public sector only to the extent specified. Allows public employees to enter into collective bargaining agreements and other mutually agreed to employment agreements that supercede the IWA's rules on rest and meal periods.</p>	C 401 L 03
WORKERS' COMPENSATION			
SB 5271	Honeyford	<p>Hearing loss. Requires that claims for hearing loss be filed within two years of the workers' last injurious exposure to occupational noise or one year of the act's effective date, whichever is later. Provides that, for untimely claims, only medical aid benefits are allowed.</p>	C 2 L 03 E2
SB 5515	Johnson	<p>Industrial appeals judges. Allows the chairperson and the industrial appeals judges of the Board of Industrial Insurance Appeals to be either active or judicial members of the Washington State Bar Association.</p>	C 224 L 03
WORKPLACE SAFETY			
2SSB 5890	Swecker	<p>Cholinesterase monitoring. Expresses the Legislature's interest in tracking the Department of Labor and Industries' rulemaking process for cholinesterase monitoring. Requires the Department and others to report to the Legislature on that process.</p>	C 255 L 03

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Other Bills Passed Out of Committee

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>BUILDING & CONSTRUCTION</i>			
HB 1410	Fromhold	<i>Public utility districts.</i> Authorizes certain public utility districts to operate electrical appliance repair services.	H Rules 2
SHB 1428	Wood	<i>Electrical code -- trainees.</i> Increases the time that certified electricians must be on the same job site as electrical trainees. Provides that electrical trainees who are directed to work or left unsupervised are not subject to fines or penalties.	H 3rd Reading
HB 1547	Conway	<i>Construction liens -- residential homeowners.</i> Permits liens for materials and labor supplied after notice is given (instead of 10 days before notice is given). Applies to new construction as well as repair/remodel of single-family homes. Limits amount of recovery. Modifies the form of the notice.	H Rules 2
HB 1575	Conway	<i>Electrical board -- outside line worker.</i> Adds one outside line worker to the electrical board. Increases the number of board members from 14 to 15.	S 2nd Reading
HB 1746	Alexander	<i>Electrical code -- advertising.</i> Explicitly provides that a person may not advertise to do electrical work without having an electrical contractor license.	S 2nd Reading
HB 2188	Wood	<i>Electrical code. Title only.</i>	H Rules 2
HB 2203	Conway	<i>Electrical code. Title only.</i>	H Rules 2
<i>BUSINESS LICENSING & REGULATION</i>			
EHB 1369	Romero	<i>Land surveyors.</i> Requires land surveyors to complete 15 hours of continuing professional development per year.	S 2nd Reading
SHB 1440	Conway	<i>Out-of-state real estate licensees.</i> Authorizes out-of-state real estate brokers and salespersons to conduct commercial real estate transactions under limited conditions. Similar Senate bill (SB 5413) enacted.	S FS,I&H Committee
SHB 1897	Kenney	<i>Real estate appraiser trainees.</i> Creating a registration program for real estate appraiser trainees.	H Approp
<i>CONSUMER PROTECTION</i>			
HB 1439	Kenney	<i>Residential seller disclosure -- uncertified wood stoves.</i> Requiring sellers of residential real estate to disclose uncertified wood stoves and fireplace inserts.	S FS,I&H Committee
ESSB 5492	Mulliken	<i>Sales of timeshares.</i> Establishes requirements for time-share sellers taking deposits on time-share projects not yet completed. Similar House bill (SHB 1442) enacted.	H 2nd Reading

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
GAMBLING, HORSE RACING & LOTTERY			
SHB 1227	Pflug	Promotional contests. Prohibits using vending machines for purchases related to additional chances in promotional contests.	S C&T
SHB 1276	Cody	Horse Racing Commission -- criminal history information. Authorizes the Horse Racing Commission to continue receiving criminal background information by removing the expiration date clause. Similar Senate bill (SSB 5290) enacted.	S C&T
SHB 1636	Wood	Pathological gambling. Makes the \$500,000 lottery commission contribution to pathological gambling treatment in fiscal year 2003 an annual transfer.	H Approp
SHB 1667	Conway	Local government land use powers. Recognizes that local jurisdictions may exercise land use and zoning powers with respect to licensed gambling activities.	S C&T
LABOR			
SHB 1574	Conway	Collective bargaining -- nuclear power plants. Requires operating and maintenance employees of agencies operating certain commercial nuclear power plants to settle certain contract disputes through binding interest arbitration.	H 2nd Reading
SHB 1944	Hudgins	Notice of mass layoffs. Requires employers with 75 or more employees to give notice to affected employees of mass layoffs, terminations, and relocations. Provides for damages and civil penalties.	H Rules 2
SHB 2016	Hudgins	Unionization. Prohibits using public funds to encourage or discourage unionization.	H Rules 2
LIQUOR			
SHB 1459	Hudgins	Sales at farmers markets -- Washington wines. Allows licensed wineries to sell bottled wine at approved farmers markets. Similar Senate bill (SSB 5265) enacted.	S C&T
HB 1647	Conway	Sales on the University of Washington campus. Repeals the prohibition on selling alcohol on the UW campus. Similar Senate bill (ESB 5560) enacted.	S C&T
UNEMPLOYMENT COMPENSATION			
HB 1833	Conway	Benefits – effects of family and medical leave. Allows an unemployment claimant to request a special base year when the claimant has taken family and medical leave during the normal base year.	H Rules 2
HB 2152	Conway	Unemployment insurance. Title only.	H 2nd Reading
SSB 5955	Benton	Personal reemployment account program. Establishes the personal reemployment account program within the Employment Security Department (Department). Requires the Department to develop and submit a state plan for the program. Specifies that the amount of each account is \$3,000. Establishes eligibility criteria and allowable uses for the accounts. Authorizes reemployment bonuses equal to account balances for eligible persons who become reemployed within 13 weeks. Creates a legislative work group to examine reauthorization of the federal Workforce Investment Act.	S Rules 3

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
WAGE AND HOUR			
HB 1285	Campbell	<i>Reemployment following service in the uniformed services.</i> Extends coverage to persons employed in temporary positions.	H Rules 2
HB 1548	McCoy	<i>Penalties for wage payment violations.</i> Requires an employer who violates wage payment laws to pay interest to the worker and civil penalties to the supplemental pension fund. Provides for appeal of citations. Preserves private rights of action. Specifies collection procedures. Authorizes rulemaking.	H Rules 2
SHB 1604	Cody	<i>Mandatory overtime – health care facilities.</i> Adds various home health agencies and various public facilities, including state hospitals, veterans' homes, residential habilitation centers, and correctional facilities, to the health care facilities prohibited from requiring overtime from nursing staff.	S Ways & Means
WORKERS' COMPENSATION			
HB 1483	Lantz	<i>Industrial appeals judges.</i> Allows the chairperson and the industrial appeals judges of the Board of Industrial Insurance Appeals to be either active or judicial members of the Washington State Bar Association. Similar Senate bill (SB 5515) enacted.	S C&T
EHB 1568	Darneille	<i>Physician assistants.</i> Authorizes PAs working under a physician's supervision to sign applications for industrial insurance compensation.	S 2nd Reading
HB 1611	Conway	<i>Benefits – appeals.</i> Requires benefits awarded to the worker to continue during reconsideration or appeal by an employer.	H Rules 2
EHB 1691	Grant	<i>Advanced registered nurse practitioners.</i> Makes health services provided by ARNPs, within their scope of practice, available to injured workers.	S 2nd Reading
HB 2052	Conway	<i>Premium rates.</i> Requires adoption of industrial insurance rates that, in addition to meeting solvency requirements, must be designed to attempt to limit fluctuations in premiums. Requires the Department of Labor and Industries to adopt rules regarding contingency reserve funding and dividend policies.	H 2nd Reading
HB 2158	Conway	<i>Workers' compensation. Title only.</i>	H 2nd Reading
WORKFORCE DEVELOPMENT			
2SHB 1065	Conway	<i>Apprenticeship utilization requirements.</i> Directs that contracts for public works awarded by state agencies and political subdivisions require that apprentices enrolled in state-approved apprenticeship training programs participate in those projects at specified levels.	S C&T
SHB 2164	Conway	<i>Manufacturing advisory partnership.</i> Establishes a manufacturing advisory partnership consisting of business representatives, labor representatives, and legislators. Requires the partnership to make findings and recommendations related to certain aspects of Washington's manufacturing sector. Related budget proviso enacted (Section 226 of ESSB 5404).	H Rules 2

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>WORKPLACE SAFETY</i>			
SHB 1517	Cooper	<i>Objectives for fire department services.</i> Requires written policies on fire department services, structure, number of employees, and functions. Requires policies on turnout times, response times, and performance objectives.	S C&T

2003 SESSION REPORT
House Commerce & Labor Committee
Bills Referred to Committee

BILL NO.	SPONSOR	SUMMARY
<i>BUILDING & CONSTRUCTION</i>		
HB 1358	O'Brien	<i>Electrical code -- nonresidential maintenance and specialty.</i> For restricted nonresidential maintenance specialty electricians, decreases the hours of work experience required to take the exam, and the supervision requirements for noncertified persons.
HB 1523	O'Brien	<i>Electrical code -- licensing requirements for basic work.</i> Eliminates licensing requirements for work on plug-in appliances, travel trailers, or like-in-kind replacement of circuit breakers, fuses, lamps, and other items.
HB 1951	Buck	<i>Electrical code -- scope of regulated work.</i> Limits the scope of regulated work to that which was subject to regulation as of 1/1/98. Authorizes cities to adopt local standards so long as they are the same as state standards.
HB 2165	Conway	<i>Electrical code -- title only.</i> Appliance repair specialty.
HB 2208	Conway	<i>Electrical code -- equipment repair specialty. Title only.</i>
SSB 5212	Honeyford	<i>Electrical code -- licensing requirements for basic work.</i> Eliminates licensing requirements for work on plug-in appliances, travel trailers, or like-in-kind replacement of circuit breakers, fuses, lamps, and other items.
SSB 5687	Prentice	<i>Electrical code -- medical devices.</i> Exempts certain medical devices from electrical licensing and certification requirements. Similar House bill (SHB 1848) enacted.
<i>BUSINESS LICENSING & REGULATION</i>		
HB 1443	Wood	<i>Geologists.</i> Extends the "grandfather" period for geologists to become licensed without taking an examination, and establishes hydrogeology as a specialty within the practice of geology.
HB 1671	McDonald	<i>Cosmetologists.</i> Provides for an exemption from the cosmetology licensing requirement for cosmetology apprentices.
HB 1966	Kirby	<i>Soil scientists.</i> Creates an exception to the Geologists Licensing Act for soil scientists practicing soil science.
HB 2060	Boldt	<i>Bail bond recovery agents.</i> Requires bail bond agents to certify that bail bond recovery agents have met the Department of Licensing requirements.
HB 2096	Sullivan	<i>Motorsports vehicle manufacturing dealers.</i> Defines the relationship between manufacturers and dealers of motorsports vehicles as to the ownership and transfer of dealerships, franchise disputes, and unfair business practices. Defines motorsports vehicles. Similar Senate bill (SSB 5407) enacted.
<i>EMPLOYMENT</i>		
HB 1221	Dickerson	<i>Paid time off.</i> Provides that employees must accrue at least 40 hours of paid time off for each six months of full-time work, and that employees may take paid time off only after six months of work.
HB 2159	Conway	<i>Employer disclosures.</i> Requires employers of 10 or more employees to provide specified information to applicants about positions of employment.

BILL NO.	SPONSOR	SUMMARY
<i>GAMBLING, HORSE RACING & LOTTERY</i>		
HB 1397	Hankins	<i>Local government land use.</i> Recognizes that local jurisdictions may exercise land use and zoning powers with respect to licensed gambling activities. Similar House bill (SHB 1667) passed out of Committee.
HB 1793	Wood	<i>Simulcast horse racing.</i> Authorizes wagering on simulcast horse racing at satellite extensions of class 1 race tracks in eastern Washington.
HB 1821	Sullivan	<i>Sweepstakes.</i> Establishes required disclosures and prohibited practices for contests, sweepstakes and giveaways.
HB 1948	Grant	<i>Electronic scratch ticket games and systems.</i> Allows electronic scratch ticket games for gambling licensees.
HB 2213	Gombosky	<i>Multiple daily drawing on-line games.</i> Authorizes the Lottery Commission to offer on-line games with drawings more frequent than once every 24 hours.
HB 2263	Bush	<i>House-banked cardrooms.</i> Prohibits the Gambling Commission from accepting new application for licenses to operate house-banked cardrooms after the effective date of the act.
HB 2272	Gombosky	<i>Electronic scratch ticket games. Title only.</i>
HB 2273	Gombosky	<i>Electronic scratch ticket games. Title only.</i>
HB 2274	Gombosky	<i>Electronic gaming. Title only.</i>
HB 2282	Grant	<i>Electronic scratch ticket games.</i> Allows electronic scratch ticket games for gambling and horse racing licensees.
<i>LIQUOR</i>		
HB 1026	Nixon	<i>Privatizing liquor sales.</i> Privatizes the state liquor distribution and retail system by replacing it with private, but state franchised, distributors and retail stores.
HB 1674	Kirby	<i>Mid-strength beer.</i> Creates a classification of "mid-strength beer" and provides for a license.
HB 2062	Grant	<i>Retail business plan.</i> Requires the Liquor Control Board to maximize revenue through additional hours of operation and in-store merchandising.
HB 2131	Grant	<i>Retail sales.</i> Requires the Liquor Control Board to maximize revenue through additional hours of operation and in-store merchandising.
SSB 5302	Honeyford	<i>Summary suspension of liquor licenses.</i> Allows for summary suspension of liquor licenses beyond the current 30-day limit. Similar House bill (SHB 1495) enacted.
ESSB 5522	Sheldon	<i>Privatizing sales.</i> Privatizes the state liquor distribution and retail system by replacing it with private, but state franchised, distributors and retail stores.
<i>UNEMPLOYMENT COMPENSATION</i>		
HB 1020	Nixon	<i>Time periods for appeals.</i> Specifies how time periods for appeal are calculated. (Does not change time periods.)
HB 1528	Clements	<i>Benefits paid to retirees.</i> Excludes remuneration paid by public employers to retirees in postretirement employment from wages.

BILL NO.	SPONSOR	SUMMARY
WAGE AND HOUR		
HB 1386	Mielke	Prevailing wage laws. Uses stratified random sampling method to determine average rate rather than majority rate, in county rather than in city, that's paid to workers on nonpublic projects. Sets threshold of \$250,000. Exempts counties and cities with population of less than 75,000, and exempts projects which are subject to federal Davis-Bacon Act from state prevailing wage law.
HB 1690	Chandler	Federal definitions for state laws. Provides that state wage and hour laws be given the same meaning as comparable federal laws in the absence of expressly different requirements enacted by the legislature (<u>Drinkwitz</u>).
HB 1750	Grant	Minimum wage rate – inflation rate. Adjusts the minimum wage rate only when the state unemployment rate is less than the national unemployment rate.
HB 1774	Cox	Minimum wage rate -- urban and rural rates. Provides for an urban minimum wage rate indexed using the CPI-W for <u>cities</u> , and a rural minimum wage rate indexed using the CPI-W for <u>class D areas</u> .
HB 1819	Grant	Minimum wage rate – tip credit. Establishes an adjusted minimum tipped wage rate equal to 50 percent of the adjusted minimum wage rate, but not less than \$7.01. Requires the Department of Labor and Industries to establish a process for certifying employers as eligible to pay the adjusted minimum tipped wage rate.
HB 2292	Chandler	Minimum wage rate -- inflation rate. Adjusts the minimum wage rate only when the state unemployment rate is less than the national unemployment rate.
SSB 5462	Mulliken	Federal definitions for state laws. Provides that state wage and hour laws be given the same meaning as comparable federal laws in the absence of expressly different requirements enacted by the legislature (<u>Drinkwitz</u>).
ESSB 5697	Hewitt	Minimum wage rate – inflation rate. Adjusts the minimum wage rate only when the state unemployment rate is less than the national unemployment rate.
WORKERS' COMPENSATION		
HB 1529	Clements	Reporting industrial insurance accidents. Requires injured workers to report accidents to employers within the lesser of 30 days of the accident or five days of treatment. Makes claims for unreported accidents unenforceable.
HB 1587	Hudgins	Independent medical examiners. Establishes requirements for the treatment of injured workers and procedures for the Department of Labor and Industries (Department) and self-insured employers to use when conducting a medical examination of an injured worker. Specifies criteria for Department rules governing the qualifications of examiners and their eligibility for the approved list of examiners.
HB 1588	Kenney	Duty of good faith and fair dealing. Establishes that the Department of Labor and Industries and the employer have a duty of good faith and fair dealing relating to industrial insurance.
HB 1606	Conway	Wage definition. Changes the definition of wages for purposes of calculating industrial insurance benefits to, among other things, establish a value for health benefits and exclude other fringe benefits. Changes the calculation of benefits from a variable percentage of the worker's wage at injury to a flat 67 percent. Defines "temporary workers" whose benefits are calculated based on all wages in the highest 12 successive months of the three years preceding the injury.

BILL NO.	SPONSOR	SUMMARY
HB 1626	Conway	Vocational rehabilitation benefits. Authorizes vocational rehabilitation services to assist an injured worker to become employable at wages that are at least 80 percent of preinjury wages and directs that the provision of services be intended to assist the worker to reach that goal.
HB 1627	Wood	Pain-related impairments. Directs the Department of Labor and Industries to adopt by rule a nationally recognized standard for rating pain-related impairments of injured workers.
HB 1628	McCoy	Hearing loss. Changes the date for determining the compensation schedule that applies to a noise-induced hearing loss claim to the earlier of: (1) the date by which the worker received both specified written notice from the physician about the hearing loss and the associated audiogram; or (2) the date the claim was filed. Modifies provisions dealing with the provision of hearing aids. Another bill (SB 5271) was enacted related to hearing loss claims.
HB 1673	Newhouse	Family businesses – minors excluded. Excludes from mandatory industrial insurance coverage a minor child employed by his or her parents (instead of excluding only those employed in agricultural activities on the family farm).
HB 1729	O'Brien	Inmate benefits – deductions. Permits certain deductions from industrial insurance benefits paid to an inmate (the same deductions to recover the costs of incarceration that are permitted from other funds that an inmate receives). Similar Senate bill (SSB 5990) enacted.
HB 1781	Chandler	Competitive industrial insurance system. Allows insurance carriers to offer worker's compensation insurance beginning July 1, 2006, along with an independent state fund and self-insurance. Repeals the current system and establishes a Joint Select Committee on Industrial Insurance Competition to propose legislation for a new system effective July 1, 2006.
HB 1797	Chandler	Hearing loss. Requires that claims for hearing loss be filed within two years of the workers' last injurious exposure to occupational noise or one year of the act's effective date, whichever is later. Provides that, for untimely claims, only medical aid benefits are allowed. Similar Senate bill (SB 5271) enacted.
HB 1798	Chandler	Calculation of benefits. Changes the calculation of wages for determining industrial insurance benefits by, among other things, applying a 12-month averaging formula and excluding fringe benefits. Changes the amount of benefits by using an across-the-board 65.5 percent of wages. Adjusts benefits using the implicit price deflator. Increases the annual cap on vocational rehabilitation benefits from \$4,000 to \$5,000.
HB 1799	Chandler	False industrial insurance claims. Increases the criminal penalties for knowingly giving false information in an industrial insurance claim from a gross misdemeanor to a class B felony (if excess benefits are at least \$1000) or a class C felony (if excess benefits are less than \$1000). Requires restitution in the amount of the excess benefits, penalties, and interest.
HB 1834	Chandler	Calculation of benefits. Changes the calculation of wages for determining industrial insurance benefits by, among other things, applying a 12-month averaging formula and excluding fringe benefits. Changes the amount of benefits by using an across-the-board 65.5 percent of wages. Adjusts benefits using the implicit price deflator. Increases the annual cap on vocational rehabilitation benefits from \$4,000 to \$5,000.
HB 2095	Romero	Survivor benefits. Allows industrial insurance survivor benefits paid after the bill's effective date to be made according to the current compensation schedule if the worker died between July 1, 1971, and January 1, 1988, with dependent children, and the surviving spouse is not receiving social security benefits.

BILL NO.	SPONSOR	SUMMARY
HB 2154	Wood	Spinal cord stimulators and drug infusion pumps. Makes spinal cord stimulators and drug infusion pumps part of the necessary and proper health services available to injured workers.
HB 2284	Chandler	Calculation of benefits and hearing loss. Changes the calculation of wages for determining industrial insurance benefits by, among other things, applying a 12-month averaging formula and excluding fringe benefits. Changes the amount of benefits by using an across-the-board 65.5 percent of wages. Adjusts benefits using the implicit price deflator. Increases the annual cap on vocational rehabilitation benefits from \$4,000 to \$5,000. Requires that claims for hearing loss be filed within two years of the workers' last injurious exposure to occupational noise or one year of the act's effective date, whichever is later. Provides that, for untimely claims, only medical aid benefits are allowed.
HB 2293	Chandler	Calculation of benefits and hearing loss. Changes the calculation of wages for determining industrial insurance benefits by, among other things, applying a 12-month averaging formula and excluding fringe benefits. Changes the amount of benefits by using an across-the-board 65.5 percent of wages. Adjusts benefits using the implicit price deflator. Increases the annual cap on vocational rehabilitation benefits from \$4,000 to \$5,000. Requires that claims for hearing loss be filed within two years of the workers' last injurious exposure to occupational noise or one year of the act's effective date, whichever is later. Provides that, for untimely claims, only medical aid benefits are allowed.
ESSB 5017	Hewitt	Family businesses – minors excluded. Excludes from mandatory industrial insurance coverage a minor child, other than a foster child, employed by his or her parents, upon providing written evidence to the Department of Labor and Industries that the child is covered by health insurance. (Current law excludes only those children employed in agricultural activities on the family farm).
SSB 5360	West	False industrial insurance claims. Increases the criminal penalties for knowingly giving false information in an industrial insurance claim from a gross misdemeanor to a class B felony (if excess benefits are at least \$1,000) or a class C felony (if excess benefits are less than \$1,000). Requires restitution in the amount of the excess benefits, penalties, and interest.
ESSB 5378	Honeyford	Calculation of benefits. Changes the calculation of wages for determining industrial insurance benefits by, among other things, applying a four quarter averaging formula and excluding fringe benefits. Changes the amount of benefits by using an across-the-board 65.5 percent of wages. Adjusts benefits using the implicit price deflator. Increases the annual cap on vocational rehabilitation benefits from \$4,000 to \$5,000.
WORKPLACE SAFETY		
HB 1474	Chandler	Ergonomics. Repeals ergonomics rules. Prohibits the director of the Department of Labor and Industries from adopting rules that are substantially the same unless required by Congress or OSHA.
ESB 5161	Hewitt	Ergonomics. Provides that ergonomics rules shall have no force and effect and shall be used only as voluntary guidelines. Establishes ergonomic education and assistance programs within the Department of Labor and Industries.
SB 5696	Honeyford	Sheepherder housing. Prohibits the Department of Labor and Industries from enforcing standards for range sheepherder mobile housing that exceed applicable federal standards.

BILL NO.	SPONSOR	SUMMARY
<i>WORKERS' COMPENSATION</i>		
HB 2283	Conway	<p><i>Hearing loss.</i> Requires industrial insurance claims for hearing loss due to occupational noise exposure to be filed either within two years of a specified notice from a physician or two years after the worker has retired, whichever is earlier. Establishes the permanent partial disability (PPD) award for hearing loss due to occupational noise exposure at 75 percent of the monetary value in the PPD schedule for hearing loss disability. Requires the Department of Labor and Industries to assess new hearing device technologies and make the new technology available as deemed appropriate.</p>

Bills Referred to Committee

BUILDING & CONSTRUCTION

HB 2165

Conway

Electrical code – title only. Appliance repair specialty.

BUSINESS LICENSING & REGULATION

HB 1443

Wood

Geologists. Extends the "grandfather" period for geologists to become licensed without taking an examination, and establishes hydrogeology as a specialty within the practice of geology.

HB 1966

Kirby

Soil scientists. Creates an exception to the Geologist Licensing Act for soil scientists practicing soil science.

EMPLOYMENT

HB 1221

Dickerson

Paid time off. Provides that employees must accrue at least 40 hours of paid time off for each six months of full-time work, and that employees may take paid time off only after six months of work.

GAMBLING & HORSE RACING

HB 2263

Bush

House-banked cardrooms. Prohibits the Gambling Commission from accepting new application for licenses to operate house-banked cardrooms after the effective date of the act.

HB 2282

Grant

Electronic scratch ticket games. Allows electronic scratch ticket games for gambling and horse racing licensees.

WAGE AND HOUR

HB 2292

Chandler

Minimum wage rate – inflation rate. (Insert description of HB 1750.)

WORKERS' COMPENSATION

HB 1587

Hudgins

Independent medical examiners. Establishes requirements for the treatment of injured workers and procedures for the Department of Labor and Industries (Department) and self-insured employers to use when conducting a medical examination of an injured worker. Specifies criteria for Department rules governing the qualifications of examiners and their eligibility for the approved list of examiners.

HB 2284

Chandler

Calculation of benefits and hearing loss. (Insert descriptions of HB 1798 and SB 5271.)

HB 2293

Chandler

Calculation of benefits and hearing loss. (Insert descriptions of HB 1798 and SB 5271.)

WORKPLACE SAFETY

HB 1474

Chandler

Ergonomics. Repeals ergonomics rules. Prohibits the director of the Department of Labor and Industries from adopting rules that are substantially the same unless required by Congress or OSHA.

SB 5696

Honeyford

Shepherd housing. Prohibits the Department of Labor and Industries from enforcing standards for range shepherd mobile housing that exceed applicable federal standards.

Bills Referred to Committee

WORKERS' COMPENSATION

HB 2283

Conway

Hearing loss. Requires industrial insurance claims for hearing loss due to occupational noise exposure to be filed either within two years of a specified notice from a physician or two years after the worker has retired, whichever is earlier. Establishes the permanent partial disability (PPD) award for hearing loss due to occupational noise exposure at 75 percent of the monetary value in the PPD schedule for hearing loss disability. Requires the Department of Labor and Industries to assess new hearing device technologies and make the new technology available as deemed appropriate.