

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

Final Report for 2005

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House of Representatives
State of Washington

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2005 SESSION REPORT
House Commerce & Labor Committee

Summary of Major Legislation

BUILDING AND CONSTRUCTION

The Legislature enacted **HB 1557**, which increased the Electrical Board from 14 to 15 members by adding one outside line worker to the Board. (Outside line workers are those who construct and maintain electric transmission and distribution facilities.)

The Legislature also considered two consumer protection measures. **HB 1309**, which would have modified construction lien laws with respect to certain residential construction projects, was not reported out of the Committee. **E2SSB 5773**, which would have made residential contractors personally liable for violating fiduciary duties owed to homeowners, died in the House Rules Committee. The bill also would have modified construction lien laws and contractor registration laws with respect to certain residential construction projects.

BUSINESS LICENSING & REGULATION

Appropriation authority for the General Fund lapses at the end of each fiscal year, while dedicated funds are typically appropriated for an entire biennium. For some businesses and professions regulated by the Department of Licensing, licensing fees have been deposited into the General Fund. **HB 1394** created a dedicated account into which these licensing fees will be deposited.

The Uniform Regulation of Business and Professions Act, which was passed in 2002, consolidated disciplinary procedures for certain businesses and professions regulated by the Department of Licensing. **HB 1395** sought to clarify and make technical changes to statutes governing some of these professions. The bill died in the House Rules Committee.

HB 2131 establishes a performance-based grant program funded by the Master License Service Account to assist public agencies that issue business licenses and wish to join the Department of Licensing's Master License Service. The bill limits the overall amount that may be granted by the Department to \$750,000 per fiscal year.

EMPLOYMENT

The Legislature enacted a bill, **SSB 5850**, modifying the state Family Care Law. This bill modified the definition of "sick leave or other paid time off" to include time allowed for illness, vacation, and personal holiday under state law, and, in specified circumstances, time allowed for disability. It also modifies the definition of "parent" to include an adoptive parent.

Two bills establishing a family leave insurance program, **SHB 1173** and **E2SSB 5069**, died in the House Appropriations Committee. These bills would have provided for payment of benefits of \$250 per week for up to five weeks to eligible employees of covered employers while they are on family leave, and provided for assessment of premiums of 2 cents per hour worked per employee.

The Legislature also enacted a bill, **EHB 5720**, dealing with employee noncompetition agreements in the broadcasting industry. This bill makes these agreements void and unenforceable if employers terminate without just cause or lay off employees subject to such agreements.

GAMBLING, HORSE RACING, AND LOTTERY

Compulsive Gambling

The Problem Gambling Treatment Program that was established in 2002 was funded in 2003, but that funding lapsed. **SHB 1031** expands the Problem Gambling Treatment Program in the Department of Social and Health Services and provides for long-term funding for the Program by transfers from the State Lottery and by a new B&O tax on gambling businesses that have gross gambling income over \$50,000. As enacted, the Program will provide both prevention and treatment services for problem gamblers, and their family members, who are unable to pay for services and are found amenable to treatment. The Program will be monitored by an advisory committee.

Moratoria/Zoning

For several years, the Committee has dealt with bills to address a local government's authority to zone for gambling establishments. This year, a bill taking a different approach would have prohibited establishment of new house-banked card rooms. The bill, **SSB 5994**, was reported from the Committee, but was not brought to the House floor. The bill as amended by the Committee would have prohibited the Washington State Gambling Commission from issuing or renewing licenses for house-banked card rooms except in those locations specified in a license existing or pending on March 10, 2005. A second bill that passed the Senate, **SSB 5278**, would have established a similar moratorium, but was not acted on by the House.

Other

A 2002 advisory opinion of the Executive Ethics Board found that any use of state resources to conduct gambling violates the State Ethics Act. As a result, state employees were advised that state agency charitable fund-raising raffles were not permitted. In **HB 1944**, charitable fund-raising raffles by state employees would have permitted under gambling regulations when conducted in-house and raising no more than \$5,000 in a year. The bill would have amended the State Ethics Act to allow state employees to solicit donations for such raffles. The bill died in the Senate in dispute.

LIQUOR

SHB 1379 repeals the prohibition on Sunday sales of hard liquor, and directs the Liquor Control Board (Board) to open twenty state-owned and operated stores on Sundays for at least five hours. The pilot begins on September 1, 2005, with the Board reporting back to appropriate policy and fiscal legislative committees on January 31, 2007. Churches and schools must be notified regarding a proposed Sunday opening in the same manner as they are required to be notified under current law regarding a nearby liquor license application. Liquor store employees are not required to work on their Sabbath if doing so violates their religious beliefs. The bill also directs the Liquor Control Board to do in-store merchandising.

The Board's authorizing statute requires it to conduct a statewide alcohol awareness program. **HB 1410** would have authorized the Board to retain \$150,000 in liquor license fees for its alcohol education program rather than disburse up to \$150,000 in fees to the General Fund for programs administered by the Office of the Superintendent of Public Instruction. The bill died in the House Appropriations Committee.

OFFSHORE OUTSOURCING

In 2005, outsourcing was the subject of half a dozen proposals. Two resolutions -- one of which was adopted -- called for studies of state contracts performed outside the United States. Four other bills also addressed offshore outsourcing under state contracts.

Studies

ESCR 8407 creates a joint task force to conduct a study of state contracts performed outside the United States, and requires the joint task force to report its findings and recommendations to the Legislature by January 1, 2006. A similar resolution, **EHCR 4405**, died in the Senate Labor, Commerce, Research, & Development Committee.

State Procurement

EHB 2257 would have required the Office of Financial Management to develop and implement procurement policies and procedures necessary to determine whether certain state contracts and subcontracts are in the state's best interests, and to study the benefits of adopting procurement policies giving Washington businesses a price preference when determining the lowest responsible bidder on state contracts. It died in the Senate Labor, Commerce, Research, and Development Committee. A similar bill, **HB 2144**, was not reported out of the Committee.

HB 1724, which would have required certain state contracts to include provisions requiring disclosure of offshore outsourcing information, died in the House Rules Committee. **HB 1725**, which would have prohibited work under certain state contracts from being performed at locations outside the United States, was not reported out of the Committee.

PUBLIC SECTOR COLLECTIVE BARGAINING

Since 1999, collective bargaining for Washington State Patrol troopers has included wage-related matters, but not rates of pay or employee benefits. If bargaining for these employees should reach impasse, the parties are subject to interest arbitration. Under **2SHB 1188**, bargaining over wages is made a mandatory subject of bargaining. For purposes of bargaining, the state will be represented by the Governor or the Governor's designee. The Governor or designee must periodically consult with a special legislative committee that includes the leadership of the two houses' Transportation committees. The Governor must request the funds necessary to implement the wage and wage-related matters if the request has been submitted by October 1 to the Office of Financial Management and has been certified as being feasible for the state, or if it reflects the decision of an arbitration panel. The decision of an arbitration panel is not binding on the Legislature and, if funding is not approved by the Legislature, is not binding on the state or the Washington State Patrol.

The 2004 amendments to Initiative 775, which revised collective bargaining for individual home care workers, were at issue again in 2005. The 2004 amendments had specified that wages, hours, and working conditions were mandatory subjects of bargaining, but that the Department of Social and Health Services retained its authority to establish consumer plans of care. The substitute version of **HB 1349** that was reported out of Committee would have clarified the mandatory nature of bargaining over hours of work. The substitute bill would have required bargaining over rules that may have resulted in a significant change in the number of hours worked by a significant number of individual providers, but would not have required bargaining over an individual consumer's plan of care. The bill died in the House Appropriations Committee.

Under **HB 1432**, existing appropriate bargaining units of classified school district employees may not be divided unless the parties agree, and the Public Employment Relations Commission must avoid excessive fragmentation in determining bargaining units for these employees.

UNEMPLOYMENT COMPENSATION

In 2003 the Legislature made significant changes to both the benefit and tax structure of the unemployment insurance system. Among the revisions, the benefit calculation was changed from 4 percent of the average of the two high quarters of wages in the claimant's base year to 1 percent of total wages in the base year. Under **EHB 2255**: (1) for new claims effective before July 1, 2007, the calculation will revert to using two high quarters of wages, but using 3.85 percent of the wages to calculate the weekly benefit amount; (2) the requirement for liberal construction of the unemployment insurance law, repealed in 2003, is restored until June 30, 2007; (3) employers in the agriculture, food processing, and fishing industries have their social cost factor tax reduced to zero during fiscal years 2006 and 2007, and, for 2007, all employers will pay the lower of the social cost factor tax that is calculated under these new provisions and the prior law; (4) the benefits paid that exceed what would have been paid under the prior law are not charged to employers'

experience rating accounts; and (5) benefits are paid in 2006 and 2007 from Reed Act funds in the amount of the benefits that are not effectively charged because of these changes or in the amount of benefits that exceed the benefits that would have been paid under the prior law. The bill also establishes the Joint Legislative Task Force on Benefit Equity to review various benefit and tax issues within the unemployment system and report to the Legislature by January 1, 2006.

The 2003 legislation also addressed unemployment tax avoidance, sometimes known as "SUTA dumping" because of the intent to evade state unemployment tax acts. Several changes were included in that legislation to limit tax advantages for certain successor employers with substantial continuity of ownership and to impose new penalties for attempting to evade these provisions. In 2004, the U.S. Congress enacted legislation further addressing SUTA dumping. The Committee reported out **SHB 2246** to respond to the federal legislation, but the bill died in House Rules Committee.

WAGE & HOUR

Although a number of bills dealing with the state's wage and hour laws were introduced, none were enacted.

HB 1311, which would have established civil penalties for violations of minimum wage and wage payment laws, died on the House Second Reading Calendar. Bills which would have modified the state minimum wage rate (**HB 1788**, **HB 1789**, **HB 1790**, and **HB 1795**) were not reported out of the Committee.

A bill which would have made additional funds available for the prevailing wage program, **HB 1308**, died in the House Appropriations Committee. The bill would have increased available funds by discontinuing a transfer of funds from the Public Works Administration Account to the General Fund.

HB 1371 would have added various public facilities, including state hospitals, veterans' homes, residential habilitation centers, and correctional facilities, to the health care facilities prohibited from requiring overtime from their nursing staff. The bill also would have limited exceptions to the prohibition on mandatory overtime circumstances relating to prescheduled on-call time and patient care in progress. The Committee heard the bill, but did not take further action on it.

WORK FORCE DEVELOPMENT

SSB 5097 was the first bill enacted by the Legislature in 2005. This bill codifies the requirements for apprentice utilization in public works projects and reasons for adjusting the requirements set forth in Executive Order 00-01. It requires that apprentices perform no less than 15 percent of total labor hours on state public works projects that are estimated to cost \$1 million or more. It also permits awarding agencies to adjust the requirements because of a demonstrated lack of availability of apprentices in specific geographic areas, a disproportionately high ratio of material costs to labor hours, a

demonstrated good faith effort by participating contractors to comply with the requirements, or other criteria the agency director deems appropriate, subject to prior review by the Office of the Governor.

The Legislature also adopted **EHCR 4404**, which adopts the goals set forth in the state's comprehensive plan for work force training and education.

WORKERS' COMPENSATION

Administration

Under **SHB 1856**, the Department of Labor and Industries (Department) is required to prepare certain financial statements and financial information on various industrial insurance funds. Beginning in 2006, the State Auditor will conduct annual audits of the State Fund, which will include opinions on the financial statements, assessments of the proposed rates, and certain actuarial opinions. The Director of the Department must respond to the report within 90 days. After the State Auditor reports are issued, **EHB 1917** requires the reports to be reviewed by the Workers' Compensation Advisory Committee (WCAC). The WCAC may then make recommendations regarding the contingency reserve and the disposition of surplus funds. The bill also requires the Department to set premium rates that attempt to limit premium rate fluctuations.

In 1998 the Joint Legislative Audit and Review Committee conducted an audit of the state fund. Its recommendations included having the Department adopt an alternative system for the reporting of injuries, including having employees report to the employer. Although legislation was introduced on this topic in the years since the report was issued, none of the bills had been enacted. Under **SHB 1918**, the Department must develop an educational initiative to encourage prompt reporting of industrial injuries by the worker to the employer and by the employer to the Department, and, by December 1, 2006, to develop statutory recommendations for an alternative system of reporting. The bill also permits a health services provider to fax a worker's industrial insurance claim application to the Department, and requires the Department to notify the employer when it receives a claim application and to instruct a state fund employer to submit a report of accident.

Benefits

Since the 1980's, Washington has taken advantage of a federal law permitting the states to take an offset against social security disability benefits paid to workers also receiving workers' compensation benefits. Initially, the state law permitted offsets for workers up to age 62. A later amendment to the state law permitted offsets up to age 65. The Social Security Administration (SSA) has determined that federal law does not permit Washington to take an offset for workers between age 62 and age 65, and that the offset should be taken by the SSA. As a result, some workers are receiving overpayment notices from the SSA. **SHB 1732** addresses this issue by requiring, for requests submitted before July 1, 2007, an adjustment to the state benefits when the claimant has

had a retroactive reduction in federal social security benefits for a period during which both state and federal benefits were received.

Under **EHB 2185**, the Department must adopt rules establishing guidelines and processes for residence modifications for catastrophically injured workers. The rules must include a process for injured workers to access the benefits and for the Department to address the needs and preferences of the individual worker. When adopting the rules, the Department must consult with interested parties and experts and must consider nationally accepted guidelines and publications.

Retrospective Rating

Two bills dealing with the retrospective rating program were introduced in 2005. One of these bills, **HB 1070**, would have capped at 10 percent the amount that retrospective rating group sponsors may retain from workers' compensation premium refunds. This bill was not reported out of the Committee. The other, **HB 1875**, would have required that retrospective rating group sponsors distribute the full amount of any refunds to employers, and that retrospective rating groups be made up of employers that report more than half of their hours in the group's business or industry category. This bill died in the House Rules Committee.

Self-Insurance

In some cases, industrial insurance benefits are paid from the Second Injury Fund. For example, a previously injured worker may become eligible for a pension because of a subsequent injury. In that case, a portion of the pension may be paid from the Second Injury Fund. Under **SSB 5992**, the self-insurer's assessments for the Second Injury Fund will be 50 percent experience rated beginning July 1, 2009. However, if a study conducted by the Department of Labor and Industries shows a 15 percent or greater negative impact on injured workers, the experience rating requirement will expire July 1, 2013.

The Committee reported out **SSB 5789** which would have expanded the authority of self-insurers to adjudicate most aspects of the industrial injury claims of their injured workers. The bill died in House Rules Committee.

WORKPLACE SAFETY

Two bills dealing with agricultural safety and health were heard by, but not reported out of, the Committee. **HB 1553** would have prohibited the Department of Labor and Industries, when making initial visits to agricultural employers with ten or fewer full-time employees, from issuing notices or citations or assessing civil penalties. **HB 1836** would have prohibited agricultural employers from dispersing highly toxic pesticides in labor-intensive crops.

The Committee heard **HB 1672** which would have required hospitals, including state hospitals, to establish a written patient care activities program to address patient handling. The program would have included a "no manual lift" policy, employee training, and performance evaluations to determine the program's effectiveness in preventing musculoskeletal disorder claims. The bill was not acted on by the Committee.

The Legislature enacted a bill, **SHB 1756**, dealing with the performance objectives of substantially career fire departments. This bill requires cities and towns, fire protection districts and regional fire protection service authorities, and port districts to maintain written policies, make annual evaluations, and issue annual reports on their fire department services and performance objectives.

2005 SESSION REPORT
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Enacted Bills

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>BUILDING & CONSTRUCTION</i>			
HB 1312	Wood, Condotta	<i>Boilers.</i> Exempts additional types of boilers and unfired pressure vessels from regulation and/or inspection; establishes new procedures for appealing Board of Boiler Rules decisions; and modifies other provisions dealing with inspection reports and inspector examinations.	C 22 L 05
HB 1557	Conway, Ericks	<i>Electrical code - Electrical Board members.</i> Adds one outside line worker to the Electrical Board, increasing the number of Board members from 14 to 15.	C 280 L 05
SHB 1945	Holmquist, Simpson	<i>Recalled fire sprinkler system parts.</i> Authorizes use of the Fire Protection Contractor License Fund to provide assistance in identifying fire sprinkler system components that are subject to a recall or a voluntary replacement program.	C 109 L 05
<i>BUSINESS LICENSING & REGULATION</i>			
HB 1141	Conway, Tom	<i>Real estate licensees.</i> Extends, for five additional years, the Department of Licensing's authority to collect a \$10 fee from real estate licensees to fund the Washington Center on Real Estate Research's activities.	C 185 L 05
SHB 1394	Conway, Wood	<i>Business and professions account.</i> Creates a dedicated account for fees used to pay for regulating certain professions.	C 25 L 05
HB 1396	Williams, Alexander	<i>Land surveyors.</i> Requires registered land surveyors to obtain at least fifteen hours of continuing professional development per year.	C 29 L 05
HB 2131	Conway, Springer	<i>Master licensing service.</i> Establishes a performance-based grant program funded by the Master License Service Account to assist public agencies that issue business licenses and wish to join the Department of Licensing's Master License Service; and sets a limit on the overall amount that can be granted at \$750,000 per fiscal year.	C 201 L 05
SB 5274	Keiser, Parlette	<i>Real estate appraisers.</i> Creates a registration program for real estate appraiser trainees; and provides for supervision of new entrants in the appraiser profession.	C 339 L 05
SSB 5752	Prentice, Honeyford	<i>Funeral services.</i> Makes technical, clarifying, and substantive changes to the funeral, cemetery, and vital records statutes, including creating an academic internship at funeral establishments, changing the makeup of the Cemetery Board, and reducing the number of days that someone in lawful possession of human remains must keep remains prior to disposal where there has been no direction for the disposition of the remains by relatives or interested persons.	C 365 L 05

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
CONSUMER PROTECTION			
ESSB 5002	Regala, Swecker	Camping resorts. Creates a requirement that camping resort contracts may only be marketed, as well as offered or sold, in this state or to a resident of this state if the contract is registered with the Department of Licensing; and exempts private party sales of up to three contracts from registration requirements.	C 112 L 05
SSB 5182	Franklin, Sheldon	Cemeteries. Creates a written disclosure requirement for all purchases of property, merchandise, and services from a cemetery, as well as a disclosure requirements for multiple interment burial spaces, where applicable; and defines "multiple interment".	C 359 L 05
EMPLOYMENT			
ESSB 5720	Keiser, Franklin	Noncompetition agreements - broadcasting industry. Makes employee noncompetition agreements void and unenforceable if broadcasting industry employers terminate without just cause or lay off employees subject to such agreements.	C 176 L 05
SSB 5850	Spanel, Keiser	Family care. Provides that, if paid time is not allowed for illness, an employee may use certain time allowed for disability to care for family members who have certain health conditions; specifies that an employee may use time allowed for illness, vacation, and personal holiday under state law for such purposes; and modifies the definition of "parent" to include an adoptive parent.	C 499 L 05
GAMBLING, HORSE RACING & LOTTERY			
ESHB 1031	Conway, Cody	Problem gambling. Expands the Problem Gambling Treatment Program in the Department of Social and Health Services; and funds the Program by transfers from the State Lottery and by a new B&O tax on gambling businesses that have annual gross gambling income over \$50,000.	C 369 L 05
SSB 5953	Jacobsen, Deccio	Horse racing handicapping contests. Exempts from the Washington Gambling Commission rules, handicapping contests authorized by the Washington State Horse Racing Commission and involving the outcome of multiple horse races.	C 351 L 05
LIQUOR			
SHB 1379	Grant, Armstrong	Sunday sales. Directs the Liquor Control Board (Board) to implement Sunday sales for a minimum of five hours on Sundays in selected state owned and operated liquor stores; or to be open a minimum of five hours; requires the Board, in determining which state liquor stores will be open on Sundays, to give due consideration to the location of liquor stores with respect to the proximity of places of worship, schools, and public institutions, and to motor vehicle accident data in the proximity of the liquor store; and directs the Board to implement in-store liquor merchandizing.	C 231 L 05
HB 1409	Condotta, Wood	Contract liquor stores. Changes references in state liquor laws from "agencies" and "vendors" to "contract liquor stores" and "contract liquor store managers."	C 151 L 05

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SHB 1431	Wood, Condotta	Courses of instruction. Permits the holders of certain restaurant liquor licenses, or their managers, to conduct courses of instruction regarding beer, wine, and spirits, as applicable, for their employees, and provide samples of beer, wine, and spirits, as applicable, as part of the course of instruction.	C 152 L 05
HB 1621	McDonald	Identification for liquor purchases. Modifies identification requirements for liquor purchases by removing references to obsolete liquor control authority identification cards.	C 102 L 05
PUBLIC EMPLOYMENT			
2SHB 1188	Murray, Woods	Collective bargaining - state patrol wage bargaining. Makes wage issues, other than certain employee benefits, a subject of bargaining for Washington State Patrol officers; requires the Governor to submit a request to the Legislature for funding if the Office of Financial Management has certified the request as financially feasible or it represents an arbitration award; and makes an arbitration award not binding on the state or the Legislature if the Legislature does not approve funding.	C 438 L 05
HB 1432	Fromhold, Conway	Collective bargaining - bargaining unit determination. Requires the Public Employment Relations Commission, when determining bargaining units of classified school employees, to consider the avoidance of excessive fragmentation; and prohibits the PERC from dividing an existing bargaining unit without the agreement of the bargaining representative and the school district.	C 232 L 05
SB 5501	Hargrove, Stevens	Lie detector tests. Allows county juvenile court services agencies to require employment applicants to take lie detector and similar tests as a condition of employment.	C 265 L 05
ESCR 8407	Shin, Berkey	Task force on state contracts performed outside the United States. Creates a joint task force to study state contracts performed outside the U.S.; creates an advisory committee to advise and monitor the joint task force; and requires the joint task force to report its findings and recommendations to the Legislature by January 1, 2006.	Filed Sec/State
UNEMPLOYMENT COMPENSATION			
EHB 2255	Conway, Simpson	Benefit equity. For new unemployment claims, until July 1, 2007, bases benefits on 3.85 percent of the claimant's wages in the two highest quarters of the base year (instead of 1 percent of total wages), with the benefits not charged in the amount of the difference between the two calculations; until July 1, 2007, reduces to zero the social cost tax for certain industries, including agriculture and fishing; and establishes the Joint Legislative Task Force on Unemployment Benefit Equity to review specified aspects of the unemployment insurance system.	C 133 L 05
WORKERS' COMPENSATION			
HB 1310	Hudgins, Conway	Self-insurers' - electronic reporting. Requires the Department of Labor and Industries to establish a self-insurance electronic reporting system, which self-insurers will be required to use beginning July 1, 2008, when submitting specified self-insurance claims data to the Department.	C 145 L 05

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SHB 1732	Conway, McCoy	Social Security offsets. Requires, for requests submitted before July 1, 2007, an industrial insurance benefit adjustment when the claimant has had a retroactive reduction in federal social security benefits for a period during which industrial insurance benefits were also reduced.	C 198 L 05
SHB 1856	Conway, Condotta	State fund audits. Requires the Department of Labor and Industries to prepare certain financial statements and financial information on various workers' compensation funds; beginning in 2006, requires the State Auditor to conduct annual audits of the state fund; and requires the Director of the Department to respond to the State Auditor report within 90 days.	C 387 L 05
EHB 1917	Conway, Wood	Rate setting. Requires the Department of Labor and Industries to set premium rates that attempt to limit premium rate fluctuations; and, after the first report of the State Auditor on the industrial insurance trust funds, authorizes the Workers' Compensation Advisory Committee to make recommendations on the level of the contingency reserve and, when surplus funds exist, circumstances under which premium dividends or temporary rate reductions may be implemented.	C 410 L 05
SHB 1918	Conway, Wood	Accident reports. Requires the Department of Labor and Industries to develop an educational initiative to encourage prompt reporting of industrial injuries by the worker to the employer and by the employer to the Department, and to develop statutory recommendations for an alternative system of reporting by December 1, 2006; permits a health services provider to fax a worker's industrial insurance claim application to the Department; and requires the Department to notify the employer when it receives a claim application and to instruct a state fund employer to submit a report of accident.	C 108 L 05
EHB 2185	Newhouse, Conway	Residence modification. Requires the Department of Labor and Industries to adopt rules establishing guidelines for residence modification based on nationally accepted guidelines, and rules regarding the process for addressing residence modification cases.	C 411 L 05
SSB 5992	Kohl-Welles, Parlette	Self-insurers' - second injury fund. Requires, starting on July 1, 2009, experience rating of industrial insurance second injury fund assessments for self-insurers, which expires June 30, 2013, if a study conducted by the Department of Labor and Industries shows a 15 percent or greater negative impact on workers.	C 475 L 05
SSB 6014	Kline, Parlette	Disaster response-related claims. Specifies that industrial insurance benefits paid to non-government workers injured while assisting in the life and rescue phase of emergencies are reimbursed to the appropriate state workers' compensation fund or self-insured employer, and not charged to state fund employers' experience records.	C 422 L 05
WORKFORCE DEVELOPMENT			
SSB 5097	Kohl-Welles, Kline	Apprenticeship utilization. Requires that no less than 15 percent of total labor hours on state public works projects that are estimated to cost \$1 million or more be performed by apprentices.	C 3 L 05
EHCR 4404	Kenney, Cox	Comprehensive plan. Approves the 2004 update to the state comprehensive plan for workforce training by the Workforce Training and Education Coordinating Board.	Filed Sec/State

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>WORKPLACE SAFETY</i>			
HB 1160	Conway, Wood	<i>State hospitals.</i> Restores a requirement that the Department of Social and Health Services report annually to the Legislature on The Department's efforts to reduce violence in state mental hospitals.	C 187 L 05
SHB 1756	Sullivan, P., Sullivan, B.	<i>Fire protection services.</i> Requires specified governmental entities to maintain written policies on fire department services and make annual evaluations of and issue annual reports on these services; and specifies that these requirements apply to certain cities and towns, fire protection districts and regional fire protection service authorities, and port districts.	C 376 L 05

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Other Bills Passed Out of Committee

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>BUILDING & CONSTRUCTION</i>			
HB 1331	Conway, Alexander	<i>Electrical code - advertising.</i> Prohibits advertising for electrical work without having an electrical contractor license.	S Rules 2
SHB 1841	Wood, Kenney	<i>Electrical code - trainees -</i> Requires continuing education courses for renewal of electrical trainee certificates.	S 2nd Reading
SB 5307	Keiser, Eide, Kohl-Welles	<i>Amusement rides.</i> Makes go carts and bumper cars subject to laws regulating amusement apparatus; authorizes the Department of Labor and Industries (Department) to increase fees for operating decals for bungee jumping devices and amusement apparatus; specifies that fees for operating decals and penalties be deposited in the Electrical License Fund, and that they must be used only to regulate amusement apparatus; and requires the Department to adopt rules on citations and penalties, not to exceed \$10,000, for violations of laws regulating amusement apparatus.	H Rules R
E2SSB 5773	Fraser, Fairley	<i>Contractor registration and construction lien laws.</i> Requires residential contractors to act in the best interests of homeowners as to funds paid by homeowners for labor or materials; makes residential contractors personally liable if they violate fiduciary duties owed to homeowners, and fail to show that funds were paid to suppliers and/or subcontractors; requires courts to find that lien claimants made reasonable efforts to recover funds not paid from residential contractors before ordering foreclosure; requires permitting agencies to require homeowners to acknowledge receipt of certain information about liens before issuing building permits; and establishes a joint legislative task force to review construction lien and contractor registration laws.	H Rules R
<i>BUSINESS LICENSING & REGULATION</i>			
SHB 1375	Kenney, Condotta	<i>Real estate appraisers.</i> Creates a registration program for real estate appraiser trainees; and provides for supervision of new entrants in the appraiser profession. Identical Senate bill (SB 5274) enacted.	H Approp
SHB 1395	Wood, Conway	<i>Uniform regulation of business and professions.</i> Making technical changes and other language clarifications to the regulation of business and professions programs administered by the Department of Licensing (Department), and to the uniform disciplinary procedures for business and professions regulated by the Department.	H Rules R
SHB 1765	Chase, Newhouse	<i>Auctions of vessels.</i> Allowing auctioneers to auction vessels without registering as a vessel dealer.	S 2nd Reading
HB 1827	Wood, Condotta	<i>Auto dealers.</i> Modifies the prohibition on "bushing" by among other things, applying it to auto dealers only when a contract has been signed.	H Rules C
HB 1849	Lovick, Campbell	<i>Security guards.</i> Modifies requirements for security guard training, and establishes record keeping requirements for private security companies and department certified trainers; and establishes penalties for certain record keeping violations.	H Rules C

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SHB 1878	Conway, Wood	Interior designers. Establishes a system of registration for interior designers, and sets criteria for becoming registered; and allows only those who are registered to use the title "registered interior designer"; however, others may practice interior design.	H Rules C
ESHB 2056	Conway, Wood	Recreational vehicle shows. Adds a definition of recreational vehicle which does not include vehicles that are used as primary residences and are permanently fixed or immobilized in a mobile home lot; reduces the number of temporary subagency licenses that can be issued to dealers in a 12-month period for events with a certain number of dealer participants; establishes advertising requirements, and geographical limitations on the Department of Licensing's issuance of temporary subagency licenses for the sales of new or used recreational vehicles; and applies the Consumer Protection Act for violations of the requirements for recreational vehicle sales.	S Trans
SSB 5672	Jacobsen, Esser	Commercial parking businesses. Prohibits a parking charge unless there is a conspicuously posted sign on the parking lot indicating the times and circumstances in which a parking charge will be charged and provides for fees and penalties in the event of any violations; defines what constitutes a conspicuous sign for commercial parking lots, and incorporates by reference the posting requirements of the Department of Licensing for impounding vehicles; and creates a separate burden of proof for a person who is not the registered owner of the vehicle but is contesting unauthorized parking fees, and allows the award of statutory costs and attorney fees to the prevailing party in contested parking actions.	H Rules R
EMPLOYMENT			
SHB 1173	Dickerson, Conway	Family leave insurance. Establishes the family leave insurance program; provides for payment of benefits of \$250 per week for up to five weeks to employees on family leave; and provides for assessment of premiums of 2 cents per hour worked per employee, and authorizes employers to deduct the full amount of premiums from employee wages.	H Approp
E2SSB 5069	Keiser, Kohl-Welles	Family leave insurance. Establishes the family leave insurance program; provides for payment of benefits of \$250 per week for up to five weeks to eligible employees of covered employers while they are on family leave; and provides for assessment of premiums of 2 cents per hour worked per employee, to be deducted by employers from employee wages and submitted by employers to the Department of Labor and Industries.	H Approp
GAMBLING, HORSE RACING & LOTTERY			
HB 1944	Hunt, Williams	State employee raffles. Allows state employees to conduct, solicit donations for, and participate in "member only" raffles for charitable purposes.	S 3rd Reading (In Dispute)
SHB 2070	Cody, Condotta	Horse racing handicapping contests. Exempts from the law regulating horse race meets and from Washington Horse Racing Commission rules, Commission-authorized handicap contests involving the outcome of multiple horse races, and allows the handicap contests to be conducted by a licensed class 1 racing association for patrons at a live-race meet. Identical Senate bill (SSB 5953) enacted.	H Rules C

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SHB 2175	Wood, Conway	Charities. Prohibits participation in the management, operation or ownership of any commercial gambling activity by a charitable or nonprofit organization or its employees.	H Rules R
SSB 5994	Prentice, Rasmussen	House-banked card rooms. Prohibits the Washington State Gambling Commission from issuing or renewing a license to engage in house-banked card games except in locations specified in licenses approved as of March 10, 2005, or pending by that date; allows a licensee authorized to engage in house-banked card games to continue only with the activities authorized under a license approved as of March 10, 2005, or pending on that date, unless on the license renewal date the applicable local jurisdiction has absolutely prohibited that gambling activity; and specifies that local ordinances prohibiting all house-banked card games as of a specified date are in compliance with the requirement to prohibit "absolutely," and that local ordinances allowing any house-banked card games to continue for an indefinite period are not in compliance with the requirement to prohibit "absolutely," and are null and void.	H Rules R
LIQUOR			
HB 1410	Conway, Condotta	Alcohol education program funding. Allows the Liquor Control Board to retain money from liquor license fees for alcohol education and awareness programs.	H Approp
SHB 1430	Wood, Condotta	Keg sales. Allows restaurants holding a spirits, beer, and wine license to sell kegs of malt liquor.	S Rules 2
PUBLIC EMPLOYMENT			
SHB 1349	Conway, DeBolt	Collective bargaining - hours of work for individual providers. Requires, as a mandatory subject of bargaining, negotiations over any Department of Social and Health Services rule or policy that applies generally to a significant group of individual providers or consumers and, by its application, may result in a significant change in the number of hours worked by a significant number of individual providers; and excludes any requirement to bargain over an individual consumer's plan of care.	H Approp
SHB 1724	Conway, Hudgins	Offshore outsourcing - disclosure. Requires certain state contracts to include provisions requiring disclosure of offshore outsourcing information; makes this requirement applicable to state personal services, purchased services, and civil service contracts; makes this requirement inapplicable if the Director of the Office of Financial Management determines that the only practicable location where the services may be performed is clearly and justifiably outside the United States; and also makes this requirement inapplicable to goods procured under certain state contracts, and to certain state contracts entered into prior to July 1, 2005.	H Rules C
EHB 2257	Williams, Conway	Offshore outsourcing - state contracts. Requires that certain state contracts, and subcontracts awarded under those contracts, be in the state's best interests, based on economic, privacy, and risk management considerations; and requires that Washington businesses be given a price preference of five percent when bidding on certain state contracts.	S 2nd Reading

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
EHCR 4405	Hudgins, Conway	Offshore outsourcing - task force. Creates a joint task force to study offshore outsourcing; creates an advisory committee to advise and monitor the joint task force; and requires the joint task force to report its findings and recommendations to certain legislative committees by December 1, 2005. Similar resolution (ESCR 8407) adopted.	S LCRD
SB 5705	Rockefeller, Schoesler	Collective bargaining - classified school employee bargaining units. Requires the Public Employment Relations Commission, when determining bargaining units of classified school employees, to consider the avoidance of excessive fragmentation and prohibits the PERC from dividing an existing bargaining unit without the agreement of the bargaining representative and the school district. Identical House bill (HB 1432) enacted.	H Rules C
UNEMPLOYMENT COMPENSATION			
SHB 2246	Conway, Wood	Successor employer contribution rates. Adds new definitions and clarifies language in the unemployment insurance law concerning temporary services agencies, staffing companies, professional employer organizations, employee leasing agencies, and other similar entities; modifies the requirements for determining successor employer unemployment contribution rates by, among other things, prohibiting transfers of experience from the predecessor employer if the business acquisition was solely or primarily for the purpose of obtaining a lower contribution rate; and modifies the penalties applicable to employers that file untimely or incomplete unemployment tax reports and to employers and other persons who intend to evade the successorship provisions.	H Rules C
HJM 4011	Hudgins, Clibborn	Labor information - women workers. Requests that Congress and the President direct the United States Department of Labor to reconsider the decision to discontinue collecting women worker data in the Current Employment Statistics survey.	H Rules R
WAGE AND HOUR			
HB 1308	Conway, Hudgins	Prevailing wage - program funding. Discontinues the quarterly transfer of 30 percent of the Public Works Administration Account to the General Fund.	H Approp
SHB 1311	McCoy, Conway	Civil penalties. Requires employers that violate wage payment laws to pay workers unpaid wages and interest on such wages; and establishes civil penalties for violations of minimum wage and wage payment laws.	H Rules C
SSB 5551	Hargrove, Hewitt	Minimum wage - study. Requires the Washington State Institute of Public Policy to study issues impacted by the minimum wage and its annual increases, and to report its findings to the Legislature by December 1, 2005.	H Rules R

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
WORKERS' COMPENSATION			
SHB 1875	Fromhold, Conway	Retrospective rating program. Requires sponsors of retrospective rating groups to distribute the full amount of any refunds to employers; authorizes the Department of Labor and Industries to consider retrospective rating groups as single entities for the purpose of refunds; requires that sponsors of retrospective rating groups be exempt from federal income tax; and also requires that groups be made up of employers that report more than half of their hours in the group's business or industry category.	H Rules R
HB 2055	Conway, Chase	Coverage - construction work. Makes construction work performed by any natural person included under mandatory industrial insurance coverage, and establishes the liability for premiums for that work.	H Rules R
SHB 2109	Conway, Chase	Self-insurers - second injury fund. Requires experience rating of industrial insurance Second Injury Fund assessments for self-insurers. Similar Senate bill (SSB 5992) enacted.	H Rules C
SSB 5237	Keiser, Kohl-Welles	Self-insurers - electronic reporting. Requires L&I to establish a self-insurance electronic reporting system, which self-insurers will be required to use beginning 7/1/08, when submitting specified self-insurance claims data to L&I. Identical House bill (SHB 1310) enacted.	H Rules R
SSB 5789	Prentice, Parlette	Self-insurers - expanded authority. Expands the authority of self-insured employers to cover the powers and duties necessary to adjudicate most aspects of the industrial injury claims of their injured workers.	H Rules R
WORKFORCE DEVELOPMENT			
SHB 1028	Conway, Hankins	Apprenticeship utilization. Requires that no less than 15 percent of total labor hours on state public works projects that are estimated to cost \$1 million or more be performed by apprentices. Identical bill (SSB 5097) enacted.	H Rules R
WORKPLACE SAFETY			
SHB 1968	Linville, Wood	Workplace bullying. Defines workplace bullying; encourages employers to develop and implement educational programs and codes of conduct to address workplace bullying; and appropriates money to study workplace bullying.	H Approp

2005 SESSION REPORT
House Commerce & Labor Committee
Bills Referred to Committee

BILL NO.	SPONSOR	SUMMARY
<i>BUILDING & CONSTRUCTION</i>		
HB 1309	Conway, Hudgins	<i>Construction liens.</i> Changes the date after which notice of the right to claim a lien on certain residential construction projects protects that right; and limits the amounts from which subcontractors and suppliers on certain residential construction projects may satisfy liens, and the amounts that they may recover.
HB 2167	Newhouse, Hasegawa	<i>Manufactured homes.</i> Directs the Department of Labor and Industries to adopt a rule requiring a seller of a new or used, but not installed, manufactured home to deliver to the purchaser, before completion of the sale, a written notice that alteration of the home may require a permit from the Department.
<i>BUSINESS LICENSING & REGULATION</i>		
HB 1464	O'Brien, Lovick	<i>Commercial parking businesses.</i> Prohibits a parking charge unless the commercial parking business conspicuously posts a sign on the parking lot indicating the times and circumstances in which a parking charge will be charged, and Provides for fees and penalties for unauthorized parking.
HB 1811	Wood, Condotta	<i>Soil scientists.</i> Establishes licensing requirements for soil scientists, with an advisory committee and with fees that are deposited in the dedicated Geologists' Account.
SB 5117	Parlette, Roach	<i>Land surveyors.</i> Requires registered land surveyors to obtain at least 15 hours of continuing professional development per year and makes technical language changes throughout the existing law.
<i>CONSUMER PROTECTION</i>		
HB 1142	Chase, Conway	<i>Pyramid promotional schemes.</i> Prohibits establishment, promotion, operation or knowing participation in pyramid promotional schemes; and makes a violation of the prohibition a violation of the Consumer Protection Act.
<i>EMPLOYMENT</i>		
HB 1264	Kenney, Wood	<i>Noncompetition agreements - broadcasting industry.</i> Prohibits broadcasting industry employers from requiring certain employees to enter into employment contracts containing noncompetition clauses. Similar Senate bill (ESSB 5270) enacted.
HB 1626	Dickerson, Conway	<i>Family care.</i> Reenacts and amends legislative intent to refer to minor childhood illnesses; extends coverage to employees caring for domestic partners or parents of domestic partners; specifies that employees are entitled to choose the amount and the type of leave taken; provides that employees taking leave for family care are not required to comply with attendance requirements, amounts of leave that may be used, or waiting periods.
<i>GAMBLING, HORSE RACING & LOTTERY</i>		
HB 2243	Williams, Quall	Requires all advertisements on behalf of the state lottery to include a statement in the advertisement that lottery proceeds fund education at a level less than .01% of the total state budget.
<i>LIQUOR</i>		
HB 1632	Grant, Condotta	<i>Grocery store sampling.</i> Allows grocery stores to provide samples of beer or wine to promote sales; and allows breweries, wineries, and certificate of approval holders, to bear certain sampling costs.

BILL NO.	SPONSOR	SUMMARY
SSB 5682	Keiser, Deccio	Grocery store sampling. Allows grocery stores to provide samples of beer or wine to promote sales; and authorizes the Liquor Control Board to adopt rules relating to sampling activities in grocery stores.
PUBLIC EMPLOYMENT		
HB 1371	Morell, Conway	Mandatory overtime - public facilities. Adds various public facilities, including state hospitals, veterans' homes, residential habilitation centers, and correctional facilities, to the health care facilities prohibited from requiring overtime from their nursing staff; and limits exceptions to the prohibition on mandatory overtime for circumstances relating to prescheduled on-call time and patient care in progress.
HB 1558	Blake, Conway	Collective bargaining -- nuclear power plants. Provides for interest arbitration for determining collective bargaining agreements for operating and maintenance employees of certain commercial nuclear power plants.
HB 1720	Linville, Hunt	Collective bargaining - definition of "supervisor." Includes as a "supervisor," under the state employee collective bargaining law, a person who supervises student workers at an institution of higher education (for the purpose of determining which employees can be excluded from a nonsupervisory bargaining unit).
HB 1725	Conway, Green	Offshore outsourcing - state contracts. Prohibits work under certain state contracts from being performed at locations outside the United States; makes this prohibition applicable to state personal services, purchased services, and civil service; makes this prohibition inapplicable if the Director of the Office of Financial Management determines that the only practicable location where the services may be performed is clearly and justifiably outside the United States; and makes this prohibition inapplicable to goods procured under certain state contracts, and to certain state contracts entered into prior to July 1, 2006.
HB 2076	Dunshee	Teachers - negotiating impasses. Establishes procedures and timelines for negotiating teacher collective bargaining contracts, with requirements for settling negotiation impasses through binding interest arbitration.
HB 2144	Williams, Conway	Offshore outsourcing - state contracts. Requires that state personal services, purchased services, and civil service contracts be in the state's best interests, based on economic, privacy, and risk management considerations.
HB 2256	Condotta	Public sector unions. Requires unions representing public sector employees to provide certain information regarding the union's financial information and the employees' rights regarding payment of representation fees.
ESB 5510	Spanel, Kohl-Welles	Collective bargaining - definition of "supervisor." Allows the Public Employment Relations Commission to combine members of supervisory classes in the same bargaining unit at institutions of higher education, whether individual members are actually serving as supervisors at any given time.
UNEMPLOYMENT COMPENSATION		
HB 1392	Simpson, Chase	Continuing eligibility - disaster assistance employees. Exempts disaster assistance employees of the Federal Emergency Management Agency from certain work search requirements.
HB 2198	Clements, Conway	Employer reporting - penalties. Waives penalties for an employer's omission of a social security number in a quarterly wage report to the Employment Security Division when the employee failed to provide a social security number to the employer.
HB 2250	Priest, Condotta	Continuing eligibility - apprentices. Clarifying unemployment eligibility for apprentices.

BILL NO.	SPONSOR	SUMMARY
WAGE AND HOUR		
HB 1527	Miloscia, Dunshee	Living wage - state contracts. Requires certain contractors to pay employees an indexed living wage rate; sets the initial rate at \$10 per hour if health benefits are paid in full, or \$11.50 if health benefits or not provided; requirement applies to state contracts.
HB 1788	Condotta, Holmquist	Minimum wage - inflation rate. Changes the measure of inflation used to adjust the minimum wage from the CPI-W to the implicit price deflator.
HB 1789	Condotta, Armstrong	Minimum wage - inflation rate. Adjusts the minimum wage rate only when there is full employment (when the state unemployment rate is less than the national unemployment rate).
HB 1790	Condotta, Armstrong	Minimum wage - inflation rate. Adjusts the minimum wage rate only when there is full employment (when the state unemployment rate is less than the national unemployment rate).
HB 1795	Sullivan, B., Condotta	Minimum wage - tip credit. Allows employers in specified hospitality-related industries to elect to pay their tipped employees an adjusted minimum tipped wage rate; and requires employers who make this election to: (1) Pay their tipped employees the adjusted minimum wage rate if the employee's tips are less than the adjusted minimum wage rate; and (2) make certain contributions for employee benefits.
HB 2220	Miloscia, Conway	Living wage - legislative contracts. Establishes a living wage rate; requires that contractor and subcontractors pay employees performing work under contracts entered into by the House of Representatives or the Senate a living wage rate or the prevailing wage rate, whichever is higher.
WORKERS' COMPENSATION		
HB 1070	Fromhold, Conway	Retrospective rating program. Caps the amount retained at 10% of refunds or dividends, less any enrollment fees paid.
HB 1420	Erickson, Serben	Privatization. Requires the Insurance Commissioner, by December 1, 2005, to report to the Legislature on a plan that, by July 1, 2007, would sell the Industrial Insurance State Fund for the benefit of Washington state parks and convert the workers' compensation system to a private competitive system.
HB 1674	Condotta, Armstrong	Calculation of benefits. Makes various changes in calculating workers' compensation benefits, including using the implicit price deflator instead of the consumer price index for inflation adjustments, requiring monthly wages to be calculated based on the average over 4 successive quarters in 24 months and excluding fringe benefits, and basing the amount of monthly payments on 65.5% of monthly wages.
HB 1741	Grant, Condotta	Final settlement agreements. Allows the parties to an industrial insurance claim to enter into a final settlement that binds the parties as to the claims covered, unless the Board of Industrial Insurance Appeals finds that the parties have not entered into the agreement knowingly and willingly.
HB 1816	Conway, Wood	Medical aid fees. Requires the Department of Labor and Industries, when establishing unbundled fees for services related to providing and maintaining prosthetic devices for injured workers, to take into account the effect of the device's market price and costs of billing on the providers' reimbursement.
HB 1851	Condotta	Self-insurers - expanded authority. Expands the authority of self-insured employers to cover all the powers and duties necessary to adjudicate all aspects of the industrial injury claims of their injured workers.
HB 1853	Kessler, Condotta	Benefits - inflation rate. Requires benefit indexing using the Implicit Price Deflator rather than the Consumer Price Index or the state average annual wage.
HB 1905	Grant, Condotta	Benefits - "change of circumstances." Deletes authority to apply for an increase in certain industrial insurance benefits because of a "change of circumstances."

BILL NO.	SPONSOR	SUMMARY
HB 1911	Condotta, Grant	Accident reports. Establishes a \$50 fine for workers that fail to report industrial accidents to their employers; requires the treatment provider to inform the worker about the reporting requirement and make an attempt to contact the employer; and prohibits the Department of Labor and Industries from making a claim validity determination unless the worker, employer, and provider have an opportunity to submit a completed accident report. House bill on similar topic (SHB 1918) enacted.
HB 1912	Condotta, Grant	Wage definition. Prohibits, in determining a worker's wages for industrial insurance benefits, including overtime wages unless the worker has a pattern of overtime work for the same employer in the three months preceding the injury.
HB 2083	Conway, Chase	Self-insurers - expanded authority and ombuds program. Establishes an industrial insurance ombuds program; expands the claims management authority of self-insurers; and increases the penalties for noncompliance with self-insurer requirements.
HB 2203	Conway, Wood	Wage definition. Modifies the definition of wages used to calculate workers' compensation benefits to exclude health care benefits during periods in which employers continue to make contributions toward such benefits.
HB 2218	Conway, Haler	Wage definition. Defines "wages" to mean gross cash remuneration paid to the worker, including reported tips, bonuses, the cash value of board, housing, and fuel, and the cost of insurance for medical, vision, and dental treatment. "Wages" does not include overtime pay (except when calculating wages for seasonal or intermittent workers) or fringe benefits of any kind (other than the cost of insurance for medical, vision, and dental treatment).
SSB 5614	Keiser, Parlette	Industrial insurance fund audits. Requires L&I to prepare certain financial statements and financial information on the various workers' compensation funds, and beginning in 2006, the State Auditor to conduct certain annual audits of the state fund, to be coordinated with other audits performed by the State Auditor to avoid duplication. Identical House bill (SHB 1856) enacted.
WORKPLACE SAFETY		
HB 1553	Buri, Linville	Agricultural employers - citations and penalties. Prohibits the Department of Labor and Industries, when making initial visits to agricultural employers with ten or fewer full-time employees, from conducting safety and health inspections or investigations, issuing notices or citations, or assessing civil penalties.
HB 1672	Conway, Hudgins	Hospitals. Requires hospitals, including state hospitals to establish a Safe Patient Handling Committee and a written patient care activities program that addresses patient handling; and requires the patient care activities program to include a no manual lift policy, employee training, and performance evaluations to determine the program's effectiveness in preventing musculoskeletal disorder claims.
HB 1863	Conway, Kenney	Agricultural employers -- pesticide use and application. Prohibits employers from dispersing highly toxic pesticides in labor-intensive crops, prohibits agricultural employers from allowing employees to transfer, mix, or load highly toxic pesticides unless the employees use closed systems; and prohibits employers from allowing employees to perform hand labor on labor-intensive crops treated with highly toxic pesticides unless the employers provide the employees with gloves.
HB 2160	Condotta, Kristiansen	Appeals -- attorneys' fees and costs. Provides for awards of attorneys' fees and costs to employers that prevail in certain administrative appeals or judicial reviews of Washington Industrial Safety and Health Act citations.