HOUSE COMMERCE & LABOR COMMITTEE

PRELIMINARY REPORT

Summary and Status of Bills Reported from Committee

1999 LEGISLATIVE SESSION

1999 REGULAR SESSION

SUMMARY AND STATUS OF BILLS REPORTED FROM COMMITTEE

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COMMERCE & LABOR COMMITTEE

Summary and Status of Bills Reported from Committee 1999 Legislative Session

(As of May 4, 1999)

Shaded rows indicate bills that passed the Legislature.

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
НВ 1050	Conway, Clements, and Department of Labor and Industries	Coal Mine Inspections - Repeals outdated sections relating to coal mine inspections.	C 140 L 99
HB 1051 (See SB 5122)	Conway, Clements, and Department of Labor and Industries	Fraudulent Industrial Insurance Benefits - Increases, from one year to three years from the discovery of fraud, the time period for ordering repayment of fraudulently obtained industrial insurance benefits.	Senate Labor and Workforce Development Committee
SHB 1052	Conway, Clements, and Department of Labor and Industries	Creating Accounts for Certain Programs - Deposits revenues collected through the regulation of contractors, elevator operations, and manufacture of factory assembled structures into three newly created dedicated accounts rather than in the general fund. Interest on these revenues is deposited back into the new dedicated accounts.	House Appropriations Committee
HB 1106	Van Luven, Conway	Prize Promotions - Requires that any prize offered as a business promotion, the receipt of which is contingent on the participant attending a sales presentation, must be disclosed in bold type on the same page as the offer. Allows details about restrictions to be listed other than on the same page as the prize promotion offer if a substitute statement is used to disclose any restrictions and the statement is located on the same page as the offer. Changes the required statement for disclosure of restrictions that may apply to qualification for or receipt of a prize offered in a business promotion.	C 31 L 99
2SHB 1184 (See ESB 5720)	Kenney, Carlson	Cooperative Real Estate Research - Establishes a \$10 assessment on real estate licensees to support a research center for real estate research beginning October 1, 1999. Establishes the Washington Real Estate Research Account as an appropriated account with the interest on the account going to the state general fund. Directs the Department of Licensing to provide funding through the newly created account to an institution of higher education for the purpose of real estate research. Terminates the fee assessment and account on September 30, 2005.	Senate 2nd Reading

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
HB 1188 (See SB 5253)	Hurst, Clements, Department of Licensing	Registered Sex Offender's Real Estate Licenses - Permits the department to suspend, deny, or revoke the license of a real estate broker or salesperson who is a sex offender for as long as the offender is required to be registered as a sex offender.	Senate Commerce, Trade, Housing, and Financial Institutions
SHB 1224	Hurst, Conway	Permanent Anchors for Worker Fall Protection - Requires a study by the Washington State Building Code Council on the need for requiring installation of permanent roof anchors on new structures or when a roof is replaced on existing structures. The study is due to the Legislature by October 1, 1999.	Delivered to Governor
НВ 1238	Conway, Clements	Temporary Members of the BIIA - Allows the Governor to appoint an acting member to the Board of Industrial Insurance Appeals to serve <i>pro tem</i> if a board member is incapacitated for more than 30 days.	C 149 L 99
SHB 1260	Wood, McMorris	Recreational Gambling Events - Allows charitable and nonprofit organizations to engage in recreational gaming activity with participation limited to members and guests. Allows the sponsoring organization to raise money through donations of up to \$500 for participation in the event and allows an additional donation of up to \$200 for scrip or chips to use for gambling. Allows the sponsoring organization to contract with a person licensed by the Gambling Commission to organize and conduct the recreational gambling event. Authorizes the Gambling Commission to adopt rules regulating the recreational gaming activities.	House Rules C
HB 1261	Romero, Conway	Injured Workers' Motor Vehicles - Authorizes the Department of Labor and Industries to increase, by up to \$4,000, the amount paid toward modifying the motor vehicles of injured workers who are amputees or are paralyzed.	Delivered to Governor
SHB 1289	Conway, Clements, Employment Security Department	Reed Act Funds - Prohibits the use of federal Reed Act funds distributed to Washington in 1999, 2000, or 2001 for any purpose except administration of the unemployment insurance program.	C 36 L 99
HB 1369 (See SB 5614)	Clements, Conway	Washington Industrial Safety and Health Act Citations - Directs the Department of Labor and Industries not to cite employers for non-serious Washington Industrial Safety and Health Act (WISHA) violations that are the result of unpreventable employee misconduct.	Senate Rules 2 G
SHB 1471	Conway, Crouse	Deceptive Telephone Directory Listings - Prohibits misrepresentation of a florist's location in telephone directories, making it an unfair trade practice under the Consumer Protection Act.	C 156 L 99
HB 1510	Conway, Scott	Membership of the Electrical Board - Expands the membership of the electrical board from ten to 11 members with the addition of an outside line worker.	House Rules C

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
НВ 1516	Conway, Clements, Liquor Control Board	Spirits, Beer, and Wine Restaurant Licenses - Establishes a new category under the spirits, beer and wine license. Sets the license fee for the new license category at \$2,500. Relaxes the food service requirement for spirits, beer and wine licensees.	House Rules R
HB 1524	Doumit, Pennington	Workers' Compensation Obligation of Out-of-State Employers - Expands authority under industrial insurance reciprocal agreements to require all out-of-state employers working in Washington to secure workers' compensation coverage in Washington if the employer's state law requires Washington employers to purchase coverage in the other state for that kind of work.	Delivered to Governor
HB 1625	Wood, Clements	Compulsive Gambling Education - Directs the Gambling Commission to implement a program to increase awareness and education about compulsive gambling. Authorizes an appropriation of \$300,000 from the lottery account to the Gambling Commission to implement the program.	House Appropriations Committee
HB 1698 (See ESSB 5712)	Conway, Clements	Motel Liquor Licenses - Allows a motel liquor licensee to hold other liquor licenses. Allows all guest rooms in a motel to have honor bars containing individual containers of spirits, beer and wine. Allows a motel liquor licensee to serve complimentary beer and wine to guests at a set time and place. Establishes the motel liquor license fee at \$500 annually.	House Rules R
ЕНВ 1845	Chandler B., Clements	Industrial Insurance Vocational Rehabilitation Benefit Cap - Increases from \$3,000 to \$4,000 the maximum amount that may be paid in a year for vocational rehabilitation benefits for workers with vocational rehabilitation plans approved on or after July 1, 1999. Excludes an injured worker's transportation costs from being subject to the new limit. Requires a cost-benefit analysis of the new limit.	C 110 L 99
2SHB 1855	Cody, Clements	Breastfeeding - Excludes the act of breastfeeding or expressing breast milk from the indecent exposure law. Allows employers with approved workplace breastfeeding policies to use "baby-friendly" designations in promotional materials. House Appropriations Committee amendment: 2SHB 1855 deleted the requirement in SHB 1855 for employers to make reasonable efforts to provide a private location for an employee to express her milk.	House Rules R
ЕНВ 1894	Conway	Industrial Insurance Benefit Corrections - Allows an injured worker to request adjustment of benefits within one year of an incorrect payment if the Department of Labor and Industries or a self-insured employer fails to pay benefits because of clerical error, mistake of identity, or innocent misrepresentation.	Delivered to Governor

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 1955	McIntire, Clements	Data Sharing - Clarifies the ability of the Employment Security Department (ESD) to share confidential employment data with the Department of Social and Health Services and other agencies involved in the WorkFirst program. Allows the ESD to share confidential employment data with partners implementing One-Stop career centers. Allows the ESD to share confidential employment data with state agencies to facilitate operations and evaluation of programs. Exempts confidential data provided by the ESD to other agencies and individuals from inspection and copying under the Public Disclosure Act. Provides for a civil fine if anyone receiving confidential information from the ESD misuses or improperly releases this information.	Senate Labor and Workforce Development Committee
HB 1958	Conway, Clements	Public Works Administration Account - Discontinues the quarterly transfer to the general fund of 30 percent of the funds in the public works administration account, which funds administration and enforcement of prevailing wage laws.	House Appropriations
SHB 2071	Chandler B., Conway	Workers' Compensation Coverage for Members of Limited Liability Companies - Excludes members or member-managers of limited liability companies from mandatory industrial insurance coverage under circumstances similar to the circumstances that exclude certain corporate officers, partners, or sole proprietors.	C 68 L 99
HB 2080	McIntire, Lisk	Problem Gambling Disclosure - Requires that a warning statement be placed in all advertising and promotion of gambling activity conducted by gambling licensees and the state Lottery Commission.	House Appropriations Committee
ESHB 2090	Clements, Lisk	Sellers of Travel - Relaxes certain record-keeping and disclosure requirements imposed on sellers of travel under the registration program. Clarifies that a separate registration fee must be paid for each office or business location having two or more employees operated by a business with multiple business locations. Provides an option to the requirement to keep a trust account.	Delivered to Governor
SHB 2163	Wood, Conway	Joint Select Committee on Compulsive Gambling - Creates the Joint Select Committee on Problem Gambling with eight members, four from the House Commerce and Labor Committee and four from the Senate Commerce, Trade, Housing and Financial Institutions Committee. Requires a report to the Legislature by December 1, 1999.	House Rules R
SHB 2177	Conway, Clements	Local Involvement in Licensing Mini-Casinos - Requires a public involvement and notification process to be completed before the Gambling Commission approves participation in the card room pilot program or grants any subsequent house-banked card room license. Allows a city or county legislative authority to request that the Gambling Commission postpone consideration of an application and all further applications for participation in the card room pilot program or subsequent license until April 1, 2000.	Senate Commerce, Trade, Housing, and Financial Institutions Committee

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SHB 2224	Clements, Conway	Early Intervention Benefits for Injured Workers - Authorizes payment under the industrial insurance system of early intervention benefits (prior to a determination of eligibility for vocational rehabilitation services) on request of an employer or prospective employer, to assist in returning injured workers to a modified or new job, with certain conditions and limitations.	House Rules C
НВ 2232	Conway, Clements	Occupational Safety and Health Impact Grants - Creates a program to award grants for innovative workplace safety programs, the development of technical solutions to workplace dangers, the application of hazard controls, and safety education and training.	C 115 L 99
HB 2233 (see SB 6048)	Conway, Clements, Department of Labor and Industries	Industrial Insurance Retrospective Rating Plan - Establishes the industrial insurance retrospective rating plan in statute (previously authorized in administrative rules). Modifies the entrance requirements for sponsors of new group retrospective rating plans and deletes the requirement for members of a sponsoring organization to be engaged in substantially similar occupations.	House Rules R
ESHB 2238	Clements, Conway	Recommendations for Industrial Insurance - Requires the Department of Labor and Industries to develop a plan for implementing the recommendations of the Joint Legislative Audit Review Committee Workers' Compensation Performance Audit by September 15, 1999, and to report this plan, and a plan for improving vocational services, to the Legislature by December 1, 1999. Requires a report on implementing Recommendation 2 of the audit (employer reporting) by September 15, 1999. Authorizes injured workers to file applications for industrial insurance benefits with their employers beginning January 1, 2001.	Senate Rules 2
2SHB 2256	Conway, Clements	Workforce Development System - Changes the name of the Workforce Training and Education Coordinating Board to the Workforce Development Board, changes the makeup and increases the number of members from nine voting members to 18 voting members. Defines the workforce development system to include a broader array of programs than the current workforce training system. Refocuses the board's activity emphasizing increased accountability and performance measurement throughout the workforce development system. Establishes local workforce development councils and facilitates access to services through a One-Stop delivery system and allows for data-sharing arrangements among partner agencies. Provides for a performance audit of the workforce development system by the Joint Legislative Audit and Review Committee by December 1, 2004.	House Rules
SB 5040	Fairley, Horn	Operation and Inspection of Boilers and Other Pressure Vessels - Updates the membership of the Board of Boiler Rules. Updates the exemptions and requirements of the rules regulating boilers and unfired pressure vessels. Exempts small unfired low pressure vessels, and hot water heaters not containing steam, lethal substances or low flash point liquids, from regulation. Permits the Department of Labor and Industries to authorize companies operating boilers or pressure vessels to inspect both devices rather than just unfired pressure vessels.	Delivered to Governor

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SSB 5115	Heavey, Prentice, Kline	Judicial Review of PERC Proceedings - Permits appealable decisions by the Public Employees Relations Commission to be appealed directly to the court of appeals, if the superior court approves.	House Rules R
SB 5122	Fairley, Oke	Fraudulent Industrial Insurance Benefits - Increases, from one year to three years from the discovery of fraud, the time period for ordering repayment of fraudulently obtained industrial insurance benefits.	C 119 L 99
SSB 5147	Patterson	Payment of Industrial Insurance Awards After Death - Requires certain industrial insurance benefits owing to an injured worker for a period before the worker's death to be distributed under the worker's estate if there are no surviving statutory beneficiaries.	Delivered to Governor
SB 5152	Kline, Fairley, Costa	Collective Bargaining by Public Employees - Exempts from the definition of public employee, and thus from the requirements of the public employee collective bargaining law, court commissioners and magistrates. Includes within the definition those appointed officials who are not appointed to a multimember board, commission or committee.	House Rules R
2SSB 5171	Goings, Prentice, Rasmussen	Washington State Patrol Collective Bargaining Agreements - Includes wage-related matters as mandatory subjects of bargaining between the Washington State Patrol and its appointed officers, but prohibits negotiations over rates of pay, wage levels, or matters relating to retirement benefits or health care and other employee insurance benefits. Requires wage-related provisions to be conditioned on subsequent approval of the funds, if the wage related provisions are entered into before the Legislature approves the necessary funding.	Delivered to Governor
SB 5253	Benton, Prentice, Winsley	Registered Sex Offenders' Real Estate Licenses - Permits the Department of Licensing to suspend, deny, or revoke the license of a real estate broker or salesperson who is required to register as a sex offender.	C 46 L 99
SSB 5304	Costa, Heavey, Fairley	Liquor Code Offenses - Changes the maximum punishment for a violation of requirements for selling and purchasing kegs of malt liquor. Decreases the maximum punishment for a violation of the prohibition against opening or consuming liquor in public places. Limits changes in punishment to violations committed on or after the effective date of this act.	Delivered to Governor
SSB 5312	Costa, Deccio, Winsley	Workplace Violence in Health Care Settings - Requires health care employers, including state and private hospitals, home care agencies, community mental health programs, and mental health evaluation and treatment facilities to develop and implement workplace violence protection programs.	Delivered to Governor

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SSB 5364	Prentice, Winsley, Shin	Liquor License Administration - Corrects references to the previous alphabet liquor license designations to reflect the new license designations based on the type of business. Clarifies that the calculation of an amount for distribution to state and local governments from liquor sales includes 10 percent of gross liquor sales by the board to certain retail licensees less a 15 percent discount allowed for these sales. Provides that the surety bond requirement for the payment of wine and beer taxes is permissive and not mandatory. <i>The Senate did not concur in House committee amendments and the House receded from its amendments</i> .	Delivered to Governor
SB 5365	Prentice, Winsley	Dietary Supplements Containing Alcohol - Exempts products defined as dietary supplements but that contain alcohol from regulation under the liquor laws regulating alcoholic beverages. Dietary supplements that contain more than one-half of 1 percent alcohol must be clearly labeled, including a list of ingredients.	C 88 L 99
SB 5442	Kline, Roach, Wojahn	Real Estate Brokers' Pooled Interest Bearing Accounts - Increases the pool of client accounts deposited with real estate brokers that have their interest directed to the Housing Trust Fund. The pool of client accounts is increased from those containing \$5,000 or less, to those containing \$10,000 or less.	C 48 L 99
ESSB 5533	Fairley, Kline, Franklin	Workforce investment board - Changes the name of the Workforce Training and Education Coordinating Board to the Workforce Development Board, changes the makeup and increases the number of members from nine voting members to 18 voting members. Defines the workforce development system to include a broader array of programs than the current workforce training system. Refocuses the board's activity emphasizing increased accountability and performance measurement throughout the workforce development system. Establishes local workforce development councils and facilitates access to services through a One-Stop delivery system and allows for data-sharing arrangements among the partner agencies. Provides for a performance audit of the workforce development system by the Joint Legislative Audit and Review Committee by December 1, 2004. House Committee amendment: Replaced the Senate version with SHB 2256 (Workforce Development) and SHB 1955 (Data sharing).	House Appropriations Committee
SSB 5553	Prentice, Winsley	Regulating Professional Athletics - Modifies the regulations for boxing, kickboxing, martial arts, and wrestling events. Requires drug testing for competitors. Requires professional referees, matchmakers, kickboxers and martial arts participants to obtain a license. Makes receiving a physical a prerequisite for obtaining a license. Increases the fine for a licensing violation. Adds kickboxers and martial arts competitors to those licensees that must be examined propr to a fight. Provides penalties for managers who contribute to a fraudulent event. Limits the type of tickets that are taxed.	Delivered to Governor

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SB 5614	Hochstatter, Oke, Sheldon, T.	Washington Industrial Safety and Health Act Citations - Directs the Department of Labor and Industries not to cite employers for non-serious Washington Industrial Safety and Health Act (WISHA) violations that are the result of unpreventable employee misconduct.	C 93 L 99
SB 5628	Gardner, Heavey, Shin	License Renewal and Continuing Education Requirements for Accountants - Modifies the continuing education requirements for accountants from 80 hours of education every two years to 120 hours every three years. Increases the time-span accountancy licenses and certificates are valid from two years to three years.	Delivered to Governor
ESB 5631 (See EHB 1845)	Wojahn, Winsley, Fairley	Industrial Insurance Vocational Rehabilitation Benefits Cap - Increases from \$3,000 to \$4,000 the maximum amount that may be paid in a year for vocational rehabilitation benefits for workers with vocational rehabilitation plans approved on or after July 1, 1999. Excludes an injured worker's transportation costs from being subject to the new limit. Requires a cost-benefit analysis of the new limit.	House Rules R
SB 5648	Haugen	Lodging Regulations - Increases the scope of the statute regulating hotel lien, property liability, and record keeping duties for hotels with 15 or more rooms to hotels with three or more rooms.	C 95 L 99
SB 5667	West, Heavey	Complimentary Tickets for Boxing, Kickboxing, Martial Arts, and Wrestling Events - Increases the percentage of complimentary wrestling, boxing, and martial arts events tickets that are exempt from taxation from 5 percent to 10 percent, but not exceeding 1,000 tickets.	House Finance
SSB 5669	Snyder, Brown	Conversion Vending Units and Medical Units - Requires the Department of Labor and Industries to adopt specific rules for vehicles converted or built for vending at temporary locations or to provide mobile medical services.	C 22 L 99
ESSB 5712	Prentice, Hale, Bauer	Motel Liquor Licenses - Allows a motel liquor licensee to hold other liquor licenses. Allows a motel liquor licensee to serve complimentary beer and wine to guests at a set time and place. Establishes the motel liquor license fee at \$500 annually. Changes the definition of motel for purposes of this license.	C 129 L 99
ESB 5720	Shin, Sheahan, Kohl-Welles	Cooperative real estate research - Establishes a \$10 assessment on real estate licensees to support a research center for real estate research beginning October 1, 1999. Establishes the Washington Real Estate Research Account as an appropriated account with the interest on the account going to the state general fund. Directs the Department of Licensing to provide funding through the newly created account to an institution of higher education for the purpose of real estate research. Terminates the fee assessment and account on September 30, 2005.	Delivered to Governor
SSB 5745	Bauer, Honeyford, Wojahn	Tax on Bingo and Raffles - Reduces the maximum tax a local jurisdiction may impose on bingo and raffle receipts from 10 percent to 5 percent as of January 1, 2000.	Delivered to Governor

BILL NO.	PRIME SPONSORS	SUMMARY	SINE DIE STATUS
SSB 5762	Haugen, Goings	Cosmetology - Implements certain recommendations of the State Cosmetology, Barbering, Esthetics and Manicuring Board after review of industry practices and regulatory requirements. Changes educational requirements for the practice of manicuring, esthetics and shampooing, redefines the categories of practice and reduces overlapping functions. Changes licensing requirements.	House 3rd/ reconsidered
ESB 5779	Kline, Winsley, Fairley	Crime Prevention Training for Employees of Evening Retail Establishments - Expands the scope of the law requiring retail establishments to protect employees against workplace violence to cover businesses open between 8:00 p.m. and 7:00 a.m.	House Appropriations
2SSB 5821	Eide, Morton, Patterson	On-Site Wastewater Treatment System Designers - Requires persons who design on-site wastewater treatment systems to be licensed, or until July 2003, hold a practice permit. Practice permits are issued to designers currently licensed by a local jurisdiction. Requires inspectors of on-site wastewater treatment systems to be certified. Creates an advisory board. Requires designers to comply with standards of practice. Provides discipline, testing, continuing education and fee requirements for designers.	Delivered to Governor
ESB 5897	Costa, Winsley, Thibaudeau	Export Cigarettes - Prohibits, under certain circumstances, the application of cigarette stamps on packages and containers of cigarettes making them unlawful to sell, transport or possess under state law. Requires that forfeited cigarettes not meeting the requirements for proper stamps must be destroyed. Establishes a consumer protection violation for anyone applying stamps to cigarette packages or containers that do not qualify for application of cigarette stamps.	Delivered to Governor
ESSB 5909	Fairley	Job Skills program - Transfers the Job Skills program to the State Board for Community and Technical Colleges from the Workforce Training and Education Coordinating Board. Establishes statutory guidance for the worker retraining program funds appropriated to the State Board for Community and Technical Colleges. Establishes a workforce training customer advisory committee to assist the State Board for Community and Technical Colleges in implementing the Job Skills program and the worker retraining program.	C 121 L 99
SB 6048*	Haugen, Hochstatter, Loveland	Industrial Insurance Retrospective Rating Plan - Establishes the industrial insurance retrospective rating plan in statute (previously authorized in administrative rule). Modifies the entrance requirements for sponsors of new group retrospective rating plans and deletes the requirement for members of a sponsoring organization to be engaged in substantially similar occupations.	C7L99

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