

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

Final Report for 2009

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House of Representatives
State of Washington

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2009 FINAL REPORT
House Commerce & Labor Committee

Summary of Major Legislation*

APPRENTICESHIP

ESSB 5873 extends apprenticeship utilization requirements to public works contracts awarded by four-year institutions of higher education. The bill also limits opportunities to bid on public works projects for contractors who been found out of compliance by the Washington State Apprenticeship and Training Council for working apprentices out of ratio, without appropriate supervision, or outside their approved work processes.

BUILDING AND CONSTRUCTION

Underground Economy

The recommendations of the Joint Legislative Task Force on the Underground Economy in the Construction Industry led to the passage of **SHB 1555**. The bill gives the Department of Labor and Industries (L&I) and the Employment Security Department (ESD) a lien on retainage on public works projects, directs the L&I to conduct education and outreach to employers on workers' compensation, and makes other changes recommended by the Task Force. SHB 1555 also recreates the Task Force, with modified membership and an expanded scope to cover issues beyond the construction industry. In addition, a related Finance Committee bill (**SSB 6173**) directs the Task Force to specifically study a new seller's permit exempting businesses making wholesale purchases from the sales tax.

Two other bills were enacted that resulted from Task Force work. **SSB 5613** allows the L&I to issue a stop work order against a contractor or electrician employer who fails to secure industrial insurance. **SSB 5904** creates a test for determining when a person is an independent contractor not entitled to the prevailing wage, similar to the test adopted in 2008 for purposes of workers' compensation and unemployment insurance in construction.

Building and Construction Trades

SHB 1055 requires persons performing electrical, plumbing, and conveyance work to have relevant licenses, certificates, permits, and endorsements, as well as photo identification, in their possession. Similar proposals were considered by the Legislature for the past three years.

HVAC/R Contractors and Mechanics

The Joint Legislative Task Force on the HVAC/R Industry met throughout the 2008 interim. No findings and recommendations were issued, and no bills on HVAC/R contractor registration or mechanic certification resulted from Task Force work during the 2009 session.

Public Works

The Committee again dealt with the issue of out-of-state fabricators on public works projects. **EHB 1836**, which failed on Third Reading in the Senate, would have required out-of-state contractors on certain public works contracts to submit information to the L&I related to certain prefabricated items.

Residential Construction

For the past few sessions, the Judiciary Committee has dealt with bills concerning statutory warranties in residential construction. **E2SHB 1393**, considered by the Judiciary Committee, would have required written express warranties and modified the common law implied warranty of habitability, but also addressed issues related to consumer complaints and contractor registration. The bill would have established a consumer protection office within the Office of the Attorney General to take consumer complaints and perform consumer education functions. A board within that office would have also investigated and mediated construction defect claims. Applicants for contractor registration would have been required to provide additional information and the authority of the L&I to deny or suspend contractor registrations would have been expanded. The bill died on the Senate Second Reading calendar.

BUSINESS LICENSING & REGULATION

Two bills dealt with the franchise relationship between vehicle manufacturers and dealers. Under current law a manufacturer is only required to pay the dealer for unsold inventory if the manufacturer terminates, cancels, or fails to renew the agreement with the dealer. Under **ESHB 1664** (motorsports vehicle franchises) and **ESSB 5595** (motor vehicle franchises), manufacturers are required to pay the dealer for unsold inventory regardless of who initiated the termination, cancellation, or nonrenewal of the agreement.

Legislation requested by the Office of the Attorney General makes extensive modifications to the provisions governing motor vehicle warranties or the "lemon laws." Among many other changes, **SHB 1215** extends the application of and the bases for claims under the Motor Vehicle Warranty Act.

SSB 5273 establishes licensing requirements for the practice of landscape architecture in place

of the registration requirements for using the title of landscape architect. It also creates exemptions to the licensing requirements. Companion bills were also considered to modify the provisions governing architects. Both **ESSB 5529** and **SHB 1634** died in the House Rules Committee.

COLLECTIVE BARGAINING

SB 5492, which extends interest arbitration rights under the Public Employees' Collective Bargaining Act to certain nuclear power plant employees, was enacted. Similar bills were considered by the Legislature in 2003, 2006, and 2008.

For the second year in a row, the House passed a bill (**SHB 1329**) extending collective bargaining rights to child care center directors and workers. After adopting incompatible amendments, the Senate also passed the bill. One Senate amendment (Amendment 357) provided for limited collective bargaining and included a sunset provision. The other Senate amendment (Amendment 358) provided for a study and a task force. The House refused to concur in the Senate amendments, and asked the Senate for a conference. When the Legislature adjourned sine die, the bill was in dispute.

Another bill, **SHB 1276**, addressed collective bargaining between certain private employers and their employees. The bill would have applied to symphony orchestras that do not meet the National Labor Relations Board's jurisdictional standards, and operas and performing arts theaters with gross annual revenue of more than \$150,000 that do not meet the jurisdictional standards. The bill died in the House Rules Committee.

EMPLOYMENT

The Legislature enacted **E2SSB 5850** relating to protecting workers from human trafficking violations. The bill requires that disclosure statements be provided by employers of foreign workers and international labor recruitment agencies to foreign workers referred to or hired by a Washington employer. Foreign workers are persons who are not U.S. citizens and who come to the state based on an offer of employment, but not persons who hold H-1B visas. The Governor vetoed a section classifying a violation of the disclosure statement requirement as a violation of the Consumer Protection Act. (The full text of the veto message is available online at <http://www.governor.wa.gov/billaction/2009/veto/5850.pdf>.) The bill also requires that information about human trafficking be disseminated to certain health care professionals.

The Committee passed **SHB 1528** that would have prohibited an employer from requiring an employee to attend a meeting, or listen to, respond to, or participate in any communication relating to political or religious matters. The bill died in the House Rules Committee.

GAMBLING

An issue the Committee has addressed for several years, underage gambling, resulted this session in the enactment of **SSB 5040**. The bill makes underage gambling a civil infraction, which subjects the minor to a fine of up to \$125 and possible community restitution.

The Committee continued its work on the authority of local governments to limit house-banked card rooms. **SHB 2162** would have allowed local jurisdictions to limit the number of card rooms to those locations licensed as of the effective date of the act. The bill died in the House Rules Committee.

Under **ESSB 6108**, the Lottery Commission may participate with other states in "Powerball." (This bill was referred directly to the Ways & Means Committee.)

Several bills that did not pass would have restructured or otherwise affected agencies that typically come before the Committee. However, a proviso in the operating budget requires the Office of Financial Management to study consolidating or transferring activities and responsibilities of the Lottery Commission, Horse Racing Commission, Gambling Commission, and Liquor Control Board. (**ESHB 1244**, Sec. 130(2)).

LEAVE

Pursuant to **ESB 6158**, implementation of the family leave insurance program was deferred for three years. Benefit payments were originally scheduled to begin October 1, 2009. Benefit payments are now scheduled to begin October 1, 2012.

LIQUOR

The interim work of the Joint Select Committee on Beer and Wine Regulation led to the passage of **EHB 2040**. This bill repeals the tied house prohibition against financial interests between liquor industry members (manufacturers and distributors) and retailers and allows financial interests under certain conditions. Also, the bill allows industry members to provide branded promotional items to retailers. Additional issues addressed by the Joint Select Committee are included in EHB 2040 and also in **SSB 5834**, an "omnibus" liquor bill. The omnibus bill expands the authority of licensees to conduct various activities, including allowing wineries to maintain one warehouse and allowing licensees to transfer wine to another licensee under common ownership in certain circumstances.

Some businesses with spirits, beer, and wine restaurant licenses will now obtain a new nightclub license under **SSB 5367**. This legislation also raises the density cap for the combined total of restaurant and nightclub licenses.

ESHB 1441 deals with the relationship between producers and distributors of beer and requires a successor distributor to compensate distributors whose rights to distribute a brand have been terminated.

The Committee considered a bill to restructure the Liquor Control Board as an agency administered by a Director appointed by the Governor and with oversight of part-time Board members. The House bill, **HB 2205**, died in Committee, and the Senate companion, **SB 6065**, was not referred to a House committee and died on the House Second Reading calendar. However, in vetoing a budget proviso that would have increased funding to the Board if neither restructuring bill passed, the Governor indicated her commitment to reorganizing the Board. (**ESHB 1244**, Sec. 148(5)). (Also see ESHB 1244 discussion under "Gambling.")

WAGE & HOUR

Since the prohibition on mandatory overtime for certain nurses was enacted in 2002, the Committee has considered several bills dealing with the hours of labor for health care employees. The exceptions to the prohibition on mandatory overtime would have been limited in **SHB 1680**. The bill would have also extended application of the prohibition on mandatory overtime to surgical technologists, radiologic technologists, diagnostic medical sonographers, and cardiovascular technologists and technicians. **HB 1642** would have required health care facilities to schedule meal and rest periods for certain registered and licensed practical nurses. Both bills were heard by the Ways & Means Committee.

UNEMPLOYMENT COMPENSATION

Two notable bills relating to unemployment compensation were enacted.

Economic Security Act: Benefit Amounts, Shared Work, and Training Benefits

The first bill signed by the Governor in 2009 was **ESHB 1906**, which temporarily increased unemployment benefits. The bill also relaxed the criteria for approval of a shared work plan, and, as described below under "Workforce Training," modified the training benefits program.

An additional \$45 is added to an individual's weekly benefit amount. (Pursuant to the federal American Recovery and Reinvestment Act of 2009, an additional \$25 is also added.) The minimum amount payable weekly is increased to \$155. These increases apply to certain weeks of benefits for claims with an effective date before January 3, 2010, and are not charged to the experience rating accounts of employers.

Conformity: Noncharging, Voluntary Quits, and Extended Benefits

SSB 5963 resolved an outstanding conformity issue regarding the "pay at two, charge at four" provision. The bill also addressed "good cause" reasons to leave work. And, consistent with a special rule in the federal American Recovery and Reinvestment Act of 2009, the bill modified the eligibility period for the federal-state extended benefit program.

The Legislature temporarily put in place a "pay at two, charge at four" provision in 2005, and permanently put in place the provision in 2006. Benefits were paid based on the individual's wages in the two quarters of the base year in which wages were highest. The difference between benefits paid to an individual and benefits that would have been paid based on the individual's wages in all four quarters of the base year was noncharged.

Shortly thereafter, the federal Department of Labor informed the state ESD that the "pay at two, charge at four" provision was out of conformity with the federal law that requires tax rates to reflect benefit payments. Without certification from the federal Secretary of Labor that state law conforms to federal law, employers could be denied certain federal unemployment tax credits.

With passage of **SSB 5963**, the Legislature brought state law into conformity with federal law. For rate year 2010 and thereafter, benefits are paid to claimants and charged to employers using two-quarter averaging. The bill also reduces contribution rates paid by most qualified employers.

The Legislature narrowed the reasons that an individual was not disqualified for voluntarily leaving work in 2003. In a pair of cases in 2008, however, the Washington Supreme Court concluded that the Commissioner of the ESD still had discretion to find that reasons not listed in state law were good cause for leaving work.¹

In **SSB 5963**, the Legislature limited "good cause" reasons to leave work to reasons listed in state law. The bill also modifies the reason commonly referred to as "quit-to-follow." A claimant is not disqualified from receiving benefits if he or she left work to relocate for the employment of a spouse or domestic partner that is outside the existing labor market area if the claimant remained employed as long as was reasonable prior to the move.

¹ See Spain v. Employment Security Department (consolidated with Batey v. Employment Security Department), 164 Wn.2d 252 (2008).

WORKERS' COMPENSATION

Under **SHB 1402**, employers, workers, and the L&I are restricted from contacting medical providers at specified stages after an appeal has been received.

ESSB 6035 would have required the L&I to conduct annual audits for five years of the retrospective rating program (retro). In addition, sponsors of retro groups would have been required to provide certain information about refunds to employer members of the group and the L&I, and to obtain written authorization to use refunds for purposes other than administration, safety, claims assistance, or reserves. This bill died in the House Rules Committee.

WORKFORCE TRAINING

Two bills related to training for dislocated workers and others were considered by the Committee and enacted.

One of the bills, **ESHB 1906**, expands eligibility for the training benefits program. The original program allowed eligible unemployed dislocated workers to receive additional benefits while in retraining. The expanded program will serve dislocated workers, as well as certain low-wage workers, military personnel and National Guard members, and persons who are disabled. The bill also requires annual reports on the program's status and outcomes.

The other bill, **E2SSB 5809**, creates incentives for education and training for individuals enrolled in training for high-demand and certain other occupations. ESD is directed to match funds provided by workforce development councils to increase training capacity and provide student financial aid. If consistent with federal law, priority is given to education and training in occupations in the aerospace, energy efficiency, forest product, and health care industries. A proviso in the operating budget, **ESHB 1244**, provides \$7 million from the General Fund-State to the ESD for implementation of the bill. See Section 226 of ESHB 1244. The Governor vetoed a section requiring the Governor to direct other funds to create incentives for education and training. (The full text of the veto message is available online at <http://www.governor.wa.gov/billaction/2009/veto/1244.pdf>.)

* This summary includes selected major bills which address subject areas typically dealt with by the Committee but for reasons of timing or otherwise did not go through the Committee.

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Passed Legislature

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>ACCOUNTANCY</i>			
SSB 5434	Marr	Prohibited Practices - Aligns the prohibited practices for an accounting firm with an office in this state to perform without a license with the licensing requirement.	C 116 L 09
<i>APPRENTICESHIP</i>			
ESSB 5873	Kline	Apprenticeship Utilization Requirements for Institutions of Higher Education - Extends apprenticeship utilization requirements to public works contracts awarded by institutions of higher education. Disqualifies contractors from public works projects if found out of compliance.	C 197 L 09
<i>BUILDING AND CONSTRUCTION</i>			
SHB 1055	Moeller	Electrical, Plumbing, and Elevator Work - Requires persons doing electrical, plumbing, and conveyance work to have relevant licenses, certificates, permits, and endorsements, as well as photo identification, in their possession.	C 36 L 09
HB 1366	Wood	Boilers and Unfired Pressure Vessels - Modifies exemptions from regulation, standards for frequency of inspections, and bonding requirements for inspectors.	C 90 L 09
SSB 5793	Schoesler	Farm Conveyances - Exempts certain single-occupancy farm conveyances from inspection, permitting, and other requirements for elevators and conveyances.	C 128 L 09
<i>BUSINESS REGULATION</i>			
SHB 1420	Conway	Real Estate Seller Disclosure - Modifies several questions on the seller's disclosure statements for transfers of unimproved residential real property and improved residential real property.	C 505 L 09
ESHB 1664	Wood	Motorsports Vehicle Franchises - Requires a motorsports manufacturer to pay specified sums to a motorsports dealer upon the termination, cancellation, or nonrenewal of a franchise.	C 232 L 09
ESHB 2126	Orwall	Funeral and Cemetery Board - Creates a new Funeral and Cemetery Board by consolidating the Board of Funeral Directors and Embalmers and the Cemetery Board.	C 102 L 09

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SHB 2208	Hope	Motorsports Vehicle Dealer Cancellation Fees - Prohibits motorsports manufacturers from requiring dealers to pay a fee for canceling orders.	C 517 L 09
ESSB 5595	Keiser	Motor Vehicle Franchises - Requires a motor vehicle manufacturer to pay specified sums to a motor vehicle dealer upon the termination, cancellation, or nonrenewal of a franchise.	C 12 L 09
<i>COLLECTIVE BARGAINING</i>			
SB 5492	Marr	Nuclear Power Plant Employees - Adds the operating and maintenance employees at a commercial nuclear power plant to the employees covered by interest arbitration under the Public Employees' Collective Bargaining Act. Specifies factors to be considered by an interest arbitration panel.	C 126 L 09
<i>CONSUMER PROTECTION</i>			
SHB 1215	Wood	Motor Vehicle Warranties - Extends the application of the Motor Vehicle Warranty Act (Act) and bases for claims under the Act. Modifies provisions related to the arbitration process, required disclosures by vehicle dealers, and the titles of vehicles reacquired by manufacturers.	C 351 L 09
ESSB 5011	Kauffman	Novelty Lighters - Prohibits the sale and distribution of novelty lighters. Authorizes jurisdictions that enforce the State Fire Code to enforce the prohibition and impose civil penalties.	C 273 L 09
SB 5284	Keiser	Truth in Music Advertising - Prohibits a person from advertising or conducting a live musical performance through the use of a false, deceptive, or misleading affiliation between the performing group and a recording group, except in certain circumstances.	C 109 L 09
SSB 5388	Parlette	Disclosure of Damage and Repair to a New Motor Vehicle - Requires dealers and manufacturers to disclose any known damage and repair to a new motor vehicle if the damage exceeds 5 percent of the manufacturer's suggested retail price or \$1,000, whichever is greater.	C 49 L 09
ESSB 5978	Haugen	Consumer Rebate Requirements - Requires at least 14 days be allowed for the submission of a request for redemption of a consumer rebate. Requires that rebate funds be transmitted to a consumer within 90 days of the submission of a request for redemption of a consumer rebate.	C 374 L 09

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>EMPLOYMENT</i>			
E2SSB 5850	Kohl-Welles	<p>Human Trafficking - Requires the Office of Crime Victims Advocacy to supply certain health profession boards and commissions with information about human trafficking, and requires these boards and commissions to disseminate this information to certain health care professionals. Requires employers and international labor recruitment agencies to provide disclosure statements to foreign workers, specifies the content of these statements, and makes this requirement subject to the Consumer Protection Act.</p> <p><i>Partial Veto:</i> The Governor vetoed the provision making violations of the disclosure statement requirement subject to the Consumer Protection Act.</p>	C 492 L 09 (Partial Veto)
<i>GAMBLING, HORSE RACING, AND LOTTERY</i>			
EHB 1053	Moeller	Raffle Ticket Prices - Raises the maximum price of a raffle ticket from \$25 to \$100.	C 133 L 09
HB 1217	Simpson	Amusement Game Locations - Provides the Washington State Gambling Commission authority to issue amusement game licenses for locations that are in addition to those expressly authorized by the Gambling Act.	C 78 L 09
HB 1273	Condotta	Raffles by Citites, Counties, and Towns - Allows a county, city, or town to conduct raffles as long as the net proceeds are used for community or tourism promotion activities.	C 137 L 09
SSB 5040	Delvin	Penalty for Underage Gambling - Makes underage gambling a civil infraction and provides that winnings must be forfeited. Allows minors to play bingo, amusement games, and raffles, as authorized by rule.	C 357 L 09
SB 5125	Hewitt	Washington-bred Breeder Awards - Provides that amounts retained by racing associations for Washington-bred breeder awards must be deposited by the Washington Horse Racing Commission (Commission) into an account and specifies that the Commission must use the amounts for the breeder awards.	C 87 L 09
<i>LICENSING</i>			
SSB 5273	Murray	Landscape Architecture - Establishes licensing requirements for the practice of landscape architecture in place of the registration requirements for using the title of landscape architect. Establishes exemptions to the licensing requirements for the practice of landscape architecture.	C 370 L 09

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>LIQUOR/TOBACCO</i>			
SHB 1415	Hasegawa	Sale of Wine at the Legislative Gift Center - Allows the Legislative Gift Center to sell wine produced in Washington to persons 21 years of age or older for off-premises consumption.	C 228 L 09
SHB 1435	Condotta	Licensing Provisions for Cigarettes and Tobacco Products - Provides the Liquor Control Board with administrative authority over retail, wholesale, and distributor cigarette and tobacco products licenses. Requires applicants for a tobacco retailer license to undergo a criminal background check.	C 154 L 09
ESHB 1441	Conway	Contractual Relationships Between Distributors and Producers of Malt Beverages - Requires successor distributors of malt beverages to compensate distributors whose rights to distribute a brand have been terminated, cancelled, or not renewed. Makes other changes in the law regulating malt beverage suppliers and distributors.	C 155 L 09
SHB 1812	Newhouse	Wine Labels - Establishes standards for the use of "Washington" on wine labels.	C 404 L 09
EHB 2040	Conway	Joint Select Committee on Beer and Wine Regulation - Permits financial interests between liquor manufacturers, distributors, and retailers under certain conditions. Allows liquor manufacturers and distributors to provide branded promotional items to retailers. Eliminates the mandatory 10 percent minimum mark-up for sales to distributors and retailers and eliminates price filing.	C 506 L 09
SB 5060	Jacobsen	Homemade Beer and Wine - Raises the amount of home-made beer and wine which may be removed from the home from one to 20 gallons. Expands the purposes for which home-made beer and wine may be removed from the home.	C 360 L 09
ESSB 5110	Honeyford	Service by Wedding Boutiques and Art Galleries - Allows wedding boutiques and art galleries to offer one complimentary glass of wine or beer to customers who are 21 years of age or older.	C 361 L 09
SSB 5367	Kohl-Welles	Spirits, Beer, and Wine Nightclub License/Density Cap - Creates a nightclub liquor license. Provides that the density cap on the number of spirits, beer, and wine restaurant licenses in the state applies to the combined total of restaurant and nightclub licenses and raises the cap.	C 271 L 09

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SSB 5834	Kohl-Welles	Omnibus - Permits liquor licensees to conduct various activities, including: (1) wineries to maintain a warehouse for distribution of its wine in certain circumstances; (2) distillers to donate spirits to certain organizations; (3) a licensee to transfer up to 20 cases of wine annually to another licensee under common ownership; and (4) wineries to perform pouring services for special occasion and private club licensees.	C 373 L 09
<i>PREVAILING WAGE</i>			
SB 5903	Keiser	Public Works Contracts for Residential Construction - Requires an awarding agency to specify in a public works contract whether the work is residential construction. Requires an awarding agency to pay the difference between the residential and the commercial rates, if it is later determined that the work is commercial.	C 62 L 09
<i>UNDERGROUND ECONOMY</i>			
SHB 1555	Conway	Joint Legislative Task Force Recommendations - Gives the Department of Labor and Industries (L&I) and the Employment Security Department a priority lien on retainage on public works. Directs the L&I to conduct education and outreach to employers on workers' compensation. Extends the Joint Legislative Task Force on the Underground Economy (Task Force) and expands the scope of the Task Force beyond construction. Makes other changes addressing the recommendations of the Task Force.	C 432 L 09
SSB 5613	Kohl-Welles	Stop Work Orders - Authorizes the Director of the Department of Labor and Industries to issue a stop-work order against a contractor or electrician employer if the employer has failed to secure industrial insurance.	C 196 L 09
SSB 5904	Kohl-Welles	Defining Independent Contractor for Purposes of Prevailing Wage - Creates a test for determining when a person is an independent contractor not entitled to the prevailing wage, which is substantially similar to the test used in construction for workers' compensation and unemployment purposes.	C 63 L 09
<i>UNEMPLOYMENT COMPENSATION</i>			
HB 1338	Conway	Delinquency Tax Rates - Provides that the Employment Security Department must disregard certain delinquent payments and may disregard others when determining whether an employer is qualified to have its unemployment insurance tax rates based on layoff experience.	C 83 L 09
HB 1339	Conway	Technical Corrections - Makes corrections to two statutory references in the Employment Security Act.	C 225 L 09

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
ESHB 1906	Conway	Benefit Amounts, Shared Work, and Training Benefits - Temporarily adds \$45 to the weekly benefit and makes \$155 the minimum amount. Expands eligibility for training benefits to low-wage workers, military personnel and National Guard members, and persons who are disabled. Eliminates certain restrictions in the shared work program. Provides for non-charging of the additional \$45 and training benefits.	C 3 L 09
SSB 5009	Marr	Noncharging Related to Military Service - Provides that employers may request non-charging of unemployment benefits paid to former employees who were hired to replace employees called to federal active military service.	C 50 L 09
SB 5804	Keiser	Eligibility After Voluntarily Leaving Part-Time Work - Sets forth the circumstances in which a quit of part-time employment does not disqualify an individual from receiving unemployment benefits for a subsequent loss of full-time employment.	C 247 L 09
SSB 5963	Kohl-Welles	Noncharging, Voluntary Quits, and Extended Benefits - Specifies that the "pay at two, charge at four" provision does not apply for 2010 and thereafter. Reduces most contribution rates paid by qualified employers. Limits reasons for voluntary quits to those listed in state law, and modifies the "quit to follow" provision. Also modifies the eligibility period for the extended benefits program.	C 493 L 09
WORKERS' COMPENSATION			
SHB 1402	Williams	Contact with Medical Providers - Restricts contact by employers, workers, and the Department of Labor and Industries with medical providers at specified stages after an appeal has been received in industrial insurance cases.	C 391 L 09
WORKFORCE TRAINING			
E2SSB 5809	Hargrove	Capacity and Financial Aid - Provides that certain funds be used to create incentives for education and training for certain individuals who are enrolled in training for high-demand occupations. Requires that the Employment Security Department (ESD) distribute certain funds as a match for other funds provided by workforce development councils to increase training capacity and provide student financial aid. Requires the ESD to also encourage an increase in education and training through grants and local plan modifications with workforce development councils. Related budget proviso (section 226(2) of ESHB 1244) enacted. Partial Veto: The Governor vetoed the section directing the Governor to use 10 percent of statewide funds made available for activities under the Workforce Investment Act in Title VIII of the American Recovery and Reinvestment Act of 2009 as incentive funds.	C 566 L 09 (Partial Veto)

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>WORKPLACE SAFETY</i>			
SHB 1280	Condotta	Explosives Licenses - Provides that the background check for an explosives license occurs every third year upon renewal rather than annually.	C 39 L 09

2009 FINAL REPORT
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Other Bills Passed Out of Committee

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>ACCOUNTANCY</i>			
SHB 1518	Conway	Prohibited Practices - Aligns the prohibited practices for an accounting firm with an office in this state to perform without a license with the licensing requirement. Identical bill (SSB 5434) enacted.	Gov Vetoed
<i>COLLECTIVE BARGAINING</i>			
SHB 1276	Conway	Performing Arts Employees - Establishes procedures for collective bargaining between certain private symphony orchestras, operas, and performing arts theaters and their employees. Authorizes the Public Employment Relations Commission to administer and enforce these procedures.	H Rules C
SHB 1329	Pettigrew	Child Care Center Directors and Workers - Provides for collective bargaining between the Governor and child care center directors and workers under the Public Employees' Collective Bargaining Act. Requires the Director of the Department of Early Learning to engage in negotiated rule making with child care center directors and workers. Requires the Department of Social and Health Services to adjust subsidy rates paid to child care centers to reflect subsidy rates in bargaining agreements.	H Conferees appointed
HB 1340	Conway	Community and Technical College Employees - Authorizes the boards of community and technical colleges to provide additional compensation to academic employees.	H Ways & Means
HB 1389	Blake	Nuclear Power Plant Employees - Adds the operating and maintenance employees at a commercial nuclear power plant to the employees covered by interest arbitration under the Public Employees' Collective Bargaining Act. Specifies factors to be considered by an interest arbitration panel. Identical bill (SB 5492) enacted.	S Rules 2G
2SHB 1560	Conway	Higher Education Employees - Permits employees of four-year institutions of higher education to engage in multi-employer bargaining. Requires representatives of units at certain four-year higher education institutions to negotiate one master agreement for all units. Provides a process for the Legislature to act on initial agreements involving new units.	H Rules C

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
HB 1801	Green	Juvenile Court Employees - Adds certain juvenile detention employees to the employees covered by binding interest arbitration under the Public Employees' Collective Bargaining Act.	H Rules R
HB 1822	Conway	Airport Peace Officers - Adds general authority peace officers employed by joint operating authority airports to the employees covered by binding interest arbitration under the Public Employees' Collective Bargaining Act.	S LCCP
SB 5986	Kauffman	University of Washington Extension Lecturers - Makes the Public Employees' Collective Bargaining Act applicable to certain University of Washington extension lecturers.	H Ways & Means
CONSUMER PROTECTION			
SHB 1015	Simpson	Novelty Lighters - Prohibits the sale and distribution of novelty lighters. Authorizes the Director of Fire Protection and local agencies to enforce these provisions. Creates the Novelty Lighter Fire Safety Account. Similar bill (ESSB 5011) enacted.	H Rules C
EMPLOYMENT			
SHB 1528	Sells	Employer Communications - Prohibits an employer from requiring an employee to attend a meeting, or listen to, respond to, or participate in any communication relating to political or religious matters.	H Rules R
FRANCHISE LAWS			
SHB 1704	Conway	Motor Vehicle Franchises - Requires a motor vehicle manufacturer to pay specified sums to a motor vehicle dealer upon the termination, cancellation, or nonrenewal of a franchise. Similar bill (ESSB 5595) enacted.	H Rules C
GAMBLING, HORSE RACING, AND LOTTERY			
SHB 1040	Wood	Penalty for Underage Gambling - Makes underage gambling a civil infraction and provides that winnings must be forfeited. Allows minors to play bingo, amusement games, and raffles, as authorized by rule. Similar bill (SSB 5040) enacted.	H Rules C
SHB 1070	Moeller	Veteran Lottery Games - Transfers any revenues remaining in the Shared Game Lottery Account, after required transfers to the Education Construction Account, to the Veterans Innovations Program Account, up to \$2 million annually, before any transfers are made to the General Fund.	H Ways & Means

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
HB 1315	Quall	Washington-bred Breeder Awards - Provides that amounts retained by racing associations for Washington-bred breeder awards must be deposited by the Washington Horse Racing Commission (Commission) into an account and specifies that the Commission must use the amounts for the breeder awards. Identical bill (SB 5125) enacted.	H Rules R
SHB 2162	Conway	House-Banked Card Rooms - Permits local jurisdictions to limit the number of house-banked social card games to those locations licensed as of the effective date of the act.	H Rules R
LICENSING			
SHB 1348	Green	Professional Athletics - Grants authority for breathalyzer tests and requires emergency units with transport and resuscitation capabilities. Makes appointed officials immune from liability for official acts. Changes the "tax" on events to an "event fee" and eliminates the tax on complimentary tickets. Makes other changes regarding regulation of professional athletic events. Related bill (SB 6126) enacted.	H Judiciary
SHB 1359	Williams	Landscape Architecture - Establishes licensing requirements for the practice of landscape architecture in place of the registration requirements for using the title of landscape architect. Establishes exemptions to the licensing requirements for the practice of landscape architecture. Similar bill (SSB 5273) enacted.	H Rules R
SHB 1634	White	Architects - Modifies the seal and sign provisions, corporate practice and registration requirements, definitions, exemptions to registration as an architect, the application requirements, and the examination procedures. Adds a continuing education requirement.	H Rules R
ESSB 5529	Jarrett	Architects - Modifies the seal and sign provisions, corporate practice and registration requirements, definitions, exemptions to registration as an architect, the application requirements, and the examination procedures. Adds a continuing education requirement.	H Rules R
ESSB 6037	Fairley	Department of Licensing Oversight - Removes regulatory authority over employment agencies, whitewater river outfitters, sellers of travel, commercial telephone solicitors, camping resorts, and auctioneers from the Department of Licensing.	H Gen Gov Apps
LIQUOR/TOBACCO			
SHB 1434	Conway	Spirits, Beer & Wine License/Density Cap - Creates a nightclub liquor license. Provides that the density cap on the number of spirits, beer, and wine restaurant licenses in the state applies to the combined total of restaurant and nightclub licenses and raises the cap. Similar bill (SSB 5367) enacted.	H Gen Gov Apps

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
HB 1462	Williams	Malt Liquor - Allows beer and/or wine specialty shop licensees to sell malt liquor in kegs or other containers, holding four or more gallons of liquid, so long as they comply with current keg registration requirements. Related bill (SSB 5834) enacted.	S Rules 2
ESSB 5403	Keiser	Contractual Relationships Between Distributors and Producers of Malt Beverages - Requires successor distributors of malt beverages to compensate distributors whose rights to distribute a brand have been terminated, cancelled, or not renewed. Makes other changes in the law regulating malt beverage suppliers and distributors. Identical bill (ESHB 1441) enacted.	H Rules R
<i>PREVAILING WAGE</i>			
EHB 1836	Ormsby	Public Works/Off-Site Prefabrication – Requires out-of-state contractors on certain public works contracts to submit information to the Department of Labor and Industries related to certain prefabricated items.	S Failed 3rd
<i>UNDERGROUND ECONOMY</i>			
SHB 1554	Conway	Stop Work Orders - Authorizes the Director of the Department of Labor and Industries to issue a stop-work order against a contractor or electrician employer if the employer has failed to secure industrial insurance. Identical bill (SSB 5613) enacted.	S Rules 2
<i>WAGE AND HOUR</i>			
HB 1642	Conway	Healthcare Facility Employees - Requires health care facilities to schedule meal and rest periods for certain registered and licensed practical nurses. Provides penalties for health care facilities that violate these and related requirements.	H Ways & Means
SHB 1680	Green	Health Care Facilities Employees - Limits exceptions to the prohibition on mandatory overtime. Extends application of the prohibition on mandatory overtime to surgical technologists, radiologic technologists, diagnostic medical sonographers, and cardiovascular technologists and technicians.	H Ways & Means
HB 1716	Miloscia	Living Wages on Public Contracts - Requires state contractors and subcontractors to pay employees performing work under contracts a living wage rate (\$9.70 per hour if health benefits are provided, or \$11.55 per hour if not annual adjustments). Requires for inflation. Makes the requirement applicable only to contracts with the Department of Community, Trade and Economic Development or the Department of Ecology on or after January 1, 2010.	H Ways & Means

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SHB 1786	Ormsby	Defining Independent Contractor for Purposes of Prevailing Wage - Creates a test for determining when a person is an independent contractor not entitled to the prevailing wage, which is substantially similar to the test used for workers' compensation and unemployment purposes. Identical bill (SSB 5904) enacted.	H Rules R
<i>WORKERS' COMPENSATION</i>			
HB 1212	Kirby	Death Benefits for Surviving Spouses - Provides that industrial insurance death benefits continue after remarriage for surviving spouses of members of the Law Enforcement and Fire Firefighters Plan 2 and the Washington State Patrol retirement systems.	H Conferees appointed
ESSB 6035	Kohl-Welles	Retrospective Rating Plans (Retro) - Requires the Department of Labor and Industries (Department) to conduct an annual actuarial review of the retro program for five years beginning January 1, 2010. Requires sponsors of retro groups (sponsors) to provide a distribution plan and a detailed list of costs for administration, safety, claims assistance, and reserves to the Department and employer members. Authorizes sponsors to retain a portion of a refund for other legal purposes if the employer member provides annual written authorization. Limits a sponsor's placement of conditions on employer members or applicants with respect to reenrollment, membership, and contributions.	H Rules R

2009 FINAL REPORT
House Commerce & Labor Committee

Bills Referred to Committee

BILL NO.	PRIME SPONSOR	SUMMARY
<i>BUILDING AND CONSTRUCTION</i>		
HB 1531	McCune	Locksmith Services - Requires applicants for contractor registration who perform locksmith services to obtain fingerprint-based background checks for all principals and employees. Requires denial or suspension of registrations if a background check reveals convictions of specified crimes.
HB 2017	Kretz	Contractor Registration for Property Owners - Removes the exemptions to contractor registration for property owners who perform activities of a contractor for the purpose of: (1) selling or leasing the property owned for less than 12 months; and (2) selling, demolishing, or leasing the property.
HB 2184	Schmick	Privately Operated Manlifts - Exempts certain privately operated manlifts on farms from annual inspection requirements.
HB 2298	Haler	Crane Inspectors - Prohibits crane inspectors from inspecting a crane modified by the employer of the inspector.
<i>COLLECTIVE BARGAINING</i>		
HB 1245	Ericks	Unilateral Implementation - Modifies the provision on unilateral implementation in the Public Employees' Collective Bargaining Act.
HB 2158	Green	Adult Family Home Providers - Specifies that, for adult family home providers, the scope of collective bargaining over health and welfare benefits includes eligibility and participation in the Public Employees' Benefits Board.
HJR 4211	Chandler	Voting by Secret Ballot - Proposes a constitutional amendment to guarantee the right to vote by secret ballot in elections for public office or ballot measures, or designations or authorizations for employee representation.
<i>CONSUMER PROTECTION</i>		
HB 1192	Morrell	Promotional Prize Advertising - Prohibits a seller from billing a person for unsolicited goods or services. Establishes requirements for offers of goods or services that include a negative option feature. Extends the regulation of promotional advertising of prizes to incentive programs and internet promotions.
HB 1539	Springer	Used Manufactured/Mobile Homes - Restricts the use of consignment contracts in the sale of manufactured/mobile homes.

BILL NO.	PRIME SPONSOR	SUMMARY
HB 1559	Haigh	Motor Home Warranty - Removes language that exempts the parts of a motor home used as a dwelling, office, or commercial space from the provisions of the lemon laws.
HB 1577	Driscoll	Seller's Disclosure Statement - Adds a question to the environmental section of the seller's disclosure statement asking about wood burning appliances and whether they are certified as clean-burning appliances. Related bill (SHB 1420) enacted.
HB 1772	Williams	Motor Vehicle Purchases - Requires used motor vehicle dealers to get vehicles inspected and disclose any significant defects to buyers. Requires translation of transaction documents if the sale is negotiated in a language other than English. Increases the bond amount from \$30,000 to \$100,000 for motor vehicle dealers.
HB 1927	Armstrong	Disclosure of Damage and Repair to a New Motor Vehicle - Requires dealers and manufacturers to disclose any known damage and repair to a new motor vehicle if the damage exceeds 5 percent of the manufacturer's suggested retail price or \$1,000, whichever is greater. Similar bill (SSB 5388) enacted.
EMPLOYMENT		
HB 1511	Ross	Peace Office Drug Testing - Allows local governments to institute drug testing for peace officers if approved by voters.
HB 1896	Chandler	Essential Worker Pilot Program - Requires the Employment Security Department to implement an essential worker pilot program. Defines an "essential worker" as an alien who is issued a nonimmigrant visa and admitted to the United States to perform seasonal, peak need, or project-related labor for one or more employers.
HB 2203	Wood	Vending Machines in Workplaces - Requires employers or vending machine operators to post statements indicating receipts paid to employers from the proceeds from certain vending machine sales.
HB 2241	Kenney	Agricultural Economy; Title Only - States legislative intent to develop strategies to help employers obtain a legal and stable workforce, and to ensure that farm workers have fair and safe housing and working conditions.
HJM 4017	Chandler	AgJOBS Legislation - Asks Congress to enact the AgJOBS legislation to address the need for immigration reform to protect the agricultural industry and farm workers.
FAMILY LEAVE		
HB 1160	Condotta	Eliminating the Family Leave Insurance Program - Repeals all of chapter 49.86 RCW and other laws amended by E2SSB 5659 (2007), which established the family leave insurance program. Related bill (ESB 6158) enacted.

BILL NO.	PRIME SPONSOR	SUMMARY
HB 1609	Dickerson	Implementing the Family and Medical Leave Insurance Program - Specifies that benefits be paid to individuals on leave for a family member's or the individual's own serious health condition (in addition to birth or placement). Specifies that premiums of 2 cents per hour worked be assessed. Directs the Employment Security Department to administer the program. Related bill (ESB 6158) enacted.
<i>GAMBLING, HORSE RACING, AND LOTTERY</i>		
HB 2141	Ericks	Second Chance Lottery Drawings - Allows persons to register lottery tickets for second chance drawings using the Internet.
HB 2305	Blake	Keno for State Wildlife Account – Authorizes the Lottery Commission to conduct online keno, subject to legislative approval, with net proceeds deposited into the State Wildlife Account.
HB 2355	Simpson	Definition of Gambling - Modifies the definition of "gambling" to refer to conditional as well as unconditional stakes or risks and conditional as well as unconditional agreements that something of value may or will be received. Declares that fines and forfeitures provide resources to law enforcement and the courts.
SB 6103	Prentice	Definition of Gambling - Modifies the definition of "gambling" to refer to conditional as well as unconditional stakes or risks and conditional as well as unconditional agreements that something of value may or will be received.
<i>LICENSING</i>		
HB 1391	Springer	Land Surveyors - Amends the definition of the practice of land surveying to include additional activities and professional services. Requires governmental entities to use registered land surveyors in specified circumstances.
HB 1608	Williams	Interior Design - Establishes a registration requirement for those who practice interior design. Establishes a Board of Registration to administer the provisions.
HB 1814	Kenney	Farm Labor Contracting - Modifies the state Farm Labor Contractor Act, including provisions on licensing, bonding, duties and prohibited acts, and nondiscrimination.
HB 1881	Williams	Soil and Wetland Scientists - Provides title protection for soil and wetland scientists. Provides that persons may become state-certified and may use specified titles upon receiving certification from a national certifying organization.
HB 1929	Williams	Polygraph Examiners - Requires those performing the duties and functions of a polygraph examiner to be licensed by the Department of Licensing.
SSB 5698	Murray	Soil and Wetland Scientists - Provides title protection for soil and wetland scientists. Provides that persons may become state-certified and may use specified titles upon receiving certification from a national certifying organization.

BILL NO.	PRIME SPONSOR	SUMMARY
<i>LIQUOR/TOBACCO</i>		
HB 1538	O'Brien	Small Domestic Wineries - Changes tax reporting for specified domestic wineries from monthly to annually.
HB 1988	Wood	Omnibus - Permits liquor licensees to conduct various activities, including: (1) wineries to maintain a warehouse for distribution of its wine in certain circumstances; (2) distillers to donate spirits to certain organizations; (3) a licensee to transfer up to 20 cases of wine annually to another licensee under common ownership; and (4) wineries to perform pouring services for special occasion and private club licensees. Similar bill (SSB 5834) enacted.
HB 2099	Conway	Online Wine Retailers - Creates a wine retailer shipper's permit allowing out-of-state online retailers to ship up to two cases of wine or cider per month to a Washington resident 21 years of age or older.
HB 2205	Conway	Part-time Liquor Control Board - Changes the Liquor Control Board (Board) from an agency administered by salaried Board members to an agency administered by a director with the oversight of part-time Board members.
HB 2232	Hinkle	Minimum Fine for Furnishing Liquor to a Minor - Creates a mandatory minimum fine of \$500 for supplying liquor to a minor.
<i>PREVAILING WAGE</i>		
HB 1992	Conway	Construction Projects - Extends application of the prevailing wage requirements to construction projects that involve tax incentives, loans provided by a public entity, or public land or property that is sold or leased.
<i>SAFETY & HEALTH</i>		
HB 2032	Chandler	Community Agricultural Worker Safety Grant Program - Provides for the Department of Agriculture to administer the agricultural worker safety grant program, to be implemented by the Opportunities Industrialization Center, subject to the availability of funds. Related budget proviso (section 218(2) of ESHB 1244) enacted.
<i>UNEMPLOYMENT COMPENSATION</i>		
HB 1274	Condotta	Corporate Officers - Deletes requirement that registrations include certain information for corporate officers and others. Deletes provisions making corporate officers and others personally liable for contributions. Specifies that corporate officers are ineligible for benefits. Deletes provision specifying when certain corporate officers are unemployed.

BILL NO.	PRIME SPONSOR	SUMMARY
HB 1305	Kretz	Absence from Work Due to Incarceration - Disqualifies an individual who is discharged due to absence from work resulting from a violation of law for which the individual was convicted and sentenced. Allows an employer to request relief of charges for benefits paid to an individual who was discharged due to absence from work resulting from incarceration.
HB 1628	Kretz	Leaving Work for Good Cause - Limits good cause for leaving work to the reasons listed in state law. Bill containing similar provision (SSB 5963) enacted.
HB 1711	Miloscia	Median and Average Wages - Requires the Employment Security Department to compute median annual wages, median weekly wages, average annual wages, and weekly wages for each decile.
HB 1990	Clibborn	Language Translators and Interpreters - Excludes services performed by language translators or interpreters through agents and brokers from employment for purposes of unemployment compensation and workers' compensation.
HB 2204	Conway	Conformity - Limits good cause for leaving work to the reasons listed in state law. Modifies the "quit to follow" provision. Specifies that the "pay at two, charge at four" provision does not apply for rate year 2010 and thereafter. Reduces most contribution rates paid by qualified employers. Similar legislation (SSB 5963) enacted.
HB 2236	Condotta	Taxes - Provides a tax holiday for certain employers in the second and third quarters of 2009.
HB 2269	Anderson	Benefits and Taxes - Makes numerous changes to benefits and taxes, as well as to rent subsidies and mortgage assistance.
HB 2332	Kretz	Noncharging Related to Military Service - Provides that employers may request non-charging of unemployment benefits paid to former employees who were hired to replace employees called to federal active military service.
HB 2385	Williams	Benefits - Specifies that an individual is not disqualified from receiving benefits if he or she leaves work because continuing in employment would work an unreasonable hardship on the individual. Specifies that a part-time worker may not be denied benefits for any week because the individual is available for, seeks, applies for, or accepts only part-time work. Changes the definition of part-time worker to an individual who earned wages in part-time employment in a majority of the weeks in the individual's base year. Specifies that: (1) the maximum amount payable is 30 times (instead of 26 times) the weekly benefit amount or one-third of base year wages; (2) the multiplier used to calculate an individual's weekly benefit amount is 4.0 percent (instead of 3.85 percent; and (3) the maximum amount payable weekly is 70 percent (instead of 63 percent) of the average weekly wage. Also provides for the payment of weekly dependent allowances (\$5 per child) in addition to other weekly unemployment benefits.

BILL NO.	PRIME SPONSOR	SUMMARY
WAGE AND HOUR		
HB 1603	Condotta	Minimum Hourly Wage - Establishes the minimum wage rate at \$8.55 per hour.
HB 1735	Miloscia	Economic Security/Basic Needs - Changes the inflation rate used to adjust the minimum wage (from the increase in the CPI-W only to the increase in the CPI-W plus 3 percent). Contains a referendum clause.
HB 1800	Green	Limiting Mandatory Overtime - Prohibits a city or county jail to require corrections officers or sergeants to work more than four hours of overtime per day.
HB 1850	Green	Health Care Facilities Employees - Expands the application of the prohibition on mandatory overtime to all hourly employees of covered health care facilities.
HB 1928	Armstrong	Setting the Minimum Wage Rate for Minors - Establishes a minimum wage rate of 85% of the federal minimum wage for minors under the age of 16. Establishes the federal minimum wage as the minimum wage rate for minors aged 16 or 17 years.
HB 2144	Condotta	Defining the Term Employ for Minimum Wage Purposes - Modifies the definition of "employ" to address use of an employer's vehicle for travel by employee.
HB 2176	Conway	Minimum Wage and Overtime Compensation - Limits the liability of employers for failing to pay minimum wages or overtime compensation when the employer acted in good faith and in conformity with a rule, policy, or practice of the Department of Labor and Industries.
WORKERS' COMPENSATION		
HB 1211	Kirby	Social Security Offset - Repeals the law allowing the Department of Labor and Industries to take an offset when a worker is receiving industrial insurance benefits and Social Security retirement benefits.
HB 1351	Wallace	Drywall Owners - Makes owners of drywall installation and finishing businesses subject to mandatory industrial insurance coverage.
HB 1386	Condotta	Use of Funds - Limits expenditures from the Accident and Medical Aid Funds to purposes related to the payment of benefits or administration of industrial insurance programs. Eliminates authorization to use supplemental pension funds for family leave insurance loans.
HB 1625	Green	"For Hire" Vehicle Operators - Requires 50 percent of the public utility tax on urban transportation businesses to be remitted to the Department of Labor and Industries for purposes of industrial insurance for "for hire" vehicle operators. Exempts "for hire" vehicle operators from the definition of "worker" and makes other changes.
HB 1932	Williams	Firefighter Diseases - Adds esophageal cancer and methicillin-resistant Staphylococcus aureus (MRSA) to the list of presumptive occupational diseases for certain firefighters.

BILL NO.	PRIME SPONSOR	SUMMARY
HB 2145	Condotta	Final Settlements - Authorizes final settlements after maximum medical improvements subject to approval by the Board of Industrial Insurance Appeals.
HB 2256	Conway	Medical Provider Information - Requires medical providers to provide a written report to workers of contacts by employers. Provides that workers have the right to participate in meetings with medical providers and employers.
<i>WORKPLACE SAFETY</i>		
HB 1111	Eddy	Telecommunications Trucks - Exempts telecommunications trucks from crane safety requirements to the extent the exemption is not in conflict with federal standards.

2009 FINAL REPORT
House Commerce & Labor Committee

Selected Bills of Interest to the Committee

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>BUILDING AND CONSTRUCTION</i>			
E2SHB 1393	Springer	Residential Construction - Establishes a consumer protection office. Creates a board to investigate and mediate construction defect claims. Modifies the common law implied warranty of habitability. Requires written express warranties. Modifies contractor registration requirements.	S 2 nd Reading
<i>FAMILY LEAVE</i>			
ESB 6158	Keiser	Delays implementation of the family leave insurance program for three years.	C 544 L 09
<i>GAMBLING, HORSE RACING, AND LOTTERY</i>			
HB 1497	Hunter	Boards and Commissions - Eliminates the Gambling Commission, Horse Racing Commission, and Lottery Commission.	H State Government & Tribal Affairs
SHB 2239	Wallace	Second Chance Lottery Drawings/Higher Education Loans - Establishes the Washington Higher Education Loan Program (HELP) funded by lottery proceeds and allows persons to register lottery tickets for second chance drawings using the Internet.	H Ways & Means
HB 2300	Ericks	Multistate Shared Games - Authorizes the state lottery to conduct "Powerball." Similar bill (ESSB 6108) enacted.	H Rules C
ESSB 5321	Prentice	Cardrooms/Annexation - Makes changes to local sales and use tax authority. Authorizes an annexing city with a card room prohibition to allow a house-banked card room in an annexed area to continue operating.	C 550 L 09
ESSB 6108	Prentice	Multistate Shared Games - Authorizes the state lottery to conduct "Powerball."	C 576 L 09
<i>LICENSING</i>			
SB 6126	Prentice	Professional Athletics - Changes the 5 percent gross receipts tax on professional athletic events to an event fee. Requires the professional athletics program administered by the Department of Licensing (Department) to be fully supported by fees and for the Department to set event and license fees by rule.	C 429 L 09

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i>LIQUOR/TOBACCO</i>			
EHB 2358	Conway	Liquor Fees - Raises specific retail liquor license fees by 10.5 percent for the 2009-11 biennium. Requires the increased revenue to be used only for the administration and enforcement of the affected licenses.	C 507 L 09
SB 6065	Fairley	Part-time Liquor Control Board - Changes the Liquor Control Board (Board) from an agency administered by salaried Board members to an agency administered by a director with the oversight of part-time Board members.	H 2 nd Reading

CHRISTINE O. GREGOIRE
Governor



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May 19, 2009

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have approved, except for Section 4, Engrossed Second Substitute Senate Bill 5809 entitled:

"AN ACT Relating to workforce employment and training."

I am vetoing Section 4 of this bill. The policy intent of the bill can be accomplished without the Legislature directing how the Governor's discretionary Workforce Investment Act 10% fund is used. Although federal law does not prohibit the state Legislature from directing the Workforce Investment Act 10% funds, the approach taken by this bill would set an undesirable precedent.

For these reasons, I have vetoed Section 4 of Engrossed Second Substitute Senate Bill 5809.

With the exception of Section 4, Engrossed Second Substitute Senate Bill 5809 is approved.

Respectfully submitted,

/s/
Christine O. Gregoire
Governor

CHRISTINE O. GREGOIRE
Governor



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May 14, 2009

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have approved, except for Section 4, Engrossed Second Substitute Senate Bill 5850 entitled:

"AN ACT Relating to protecting workers from human trafficking violations."

Section 4 applies the Consumer Protection Act, chapter 19.86 RCW, to violations of this law. The Consumer Protection Act is ill suited to responding to these types of issues. Employment activities are already well regulated by the Department of Labor and Industries. Violations of this law would be better directed to the statutes administered by that agency.

For these reasons, I have vetoed Section 4 of Engrossed Second Substitute Senate Bill 5850. With the exception of Section 4, Engrossed Second Substitute Senate Bill 5850 is approved.

Respectfully submitted,

/s/
Christine O. Gregoire
Governor

CHRISTINE O. GREGOIRE
Governor



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April 21, 2009

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill 1518 entitled:

"AN ACT Relating to prohibited practices in accountancy."

This bill is identical to Substitute Senate Bill 5434 which I signed on April 16, 2009. Because the provisions of that identical bill are already law, I am vetoing Substitute House Bill 1518 to avoid duplication and confusion.

For this reason I have vetoed Substitute House Bill 1518 in its entirety.

Respectfully submitted,

/s/
Christine O. Gregoire
Governor