



# Legislative UPDATE

A weekly report from the Washington State Labor Council, AFL-CIO



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## Many bills await floor action

Since our last update, another cutoff date has passed and a number of bills have died. But remember, when it comes to legislation in Olympia, "dead" is relative -- right up until the final gavel falls. Bills that miss cutoff deadlines can become budget provisos, they can be amended into other related bills and they can be resurrected by extraordinary procedural means.

**The next deadline is at 5 p.m. on Wednesday, March 14.** Bills must have received floor votes and been approved in their houses of origin by then. So please call the Legislative Hotline at 1-800-562-6000, or contact your legislators via email or direct calls, urging floor votes for the bills that need them.

Here is a quick status report on some of the bills—listed in order by bill numbers, not "priority"—that are supported by the Washington State Labor Council: those that have passed their house of origin, those that need votes before Wednesday's cutoff, and those that already missed a deadline. (For up-to-the-moment-we-get-to-it updates on these and other labor-backed bills, visit the WSLC Legislative Tracker™ at [www.wslc.org](http://www.wslc.org).)

### Bills that have PASSED their house of origin

**SB 5920** (sponsor: Sen. Kohl-Welles) and **HB 2073** (Rep. Conway) — Establishing a pilot program for **vocational rehabilitation reform** in our workers' compensation system.

*SB 1827 passed the Senate 42-4; HB 2073 passed the House 85-13.*

**HB 1244** (Rep. Conway) — The **Workers' Compensation Hour Bank** bill. Some building trades and other workers divert a portion of their wages into an hour bank that ensures continuity of health coverage between jobs. But the state is paying these workers lower benefits if they are injured. HB 1244 restores the value of these health benefits in calculating workers' compensation benefits.

*HB 1827 passed the House 64-32.*

### Bills that NEED VOTES before Wednesday

**SB 5373** (Sen. Kohl-Welles) and **HB 1406** (Rep. Conway) — These bills address employer **Unemployment Insur-**

**ance fraud and excess socialized costs.** They would also close the Professional Employee Organization loophole by requiring their clients to maintain their own UI experience ratings.

*These companion bills are in Rules and need floor votes.*

**SB 5659** (Sen. Keiser) — **Family and Medical Leave Insurance** granting up to five weeks of paid leave of \$250 a week so workers can deal with their or a family member's serious illness, or the birth or adoption of a child. The insurance program would be financed by a 2-cents-an-hour payroll tax on workers, or \$40 a year.

*SB 5659 is in Senate Rules and needs a floor vote.*

**SB 5772** (Sen. Kohl-Welles) and **HB 1913** (Rep. Conway) — The **Majority Rule** bills for state employee union certification would eliminate the cost and time associated with the regulatory practice of certifying unions. If a majority of the employees of a state agency sign cards indicating they want union representation, the union would be certified by the Public Employee Relations Commission.

*These companion bills are in Rules and need floor votes.*

**SB 5856** (Sen. Rockefeller) and **HB 2010** (Rep. Haigh) — These bills implement **responsible bidder criteria** for public works contracts. This will improve public works and provide consistency by ensuring bidders are licensed, certified and registered with the state, are providing workers' compensation coverage for their employees, and making contractors responsible for ensuring the same of subcontractors.

*These companion bills are in Rules and need floor votes.*

**SB 5926** (Sen. Kohl-Welles) — A measure to create a task force to **study the impact of the underground economy** in the construction industry in Washington state. The task force will investigate the impact of this illegal part of the economy on workers' health and safety and employment standards as well as tax evasion from state obligations.

*SB 5926 is in Senate Rules and needs a floor vote.*

**SB 6082** (Sen. Kohl-Welles) — The **voluntary separation** bill for Unemployment Insurance eliminating some onerous

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restrictions imposed in 2003 regarding what can be considered "good cause" for quitting a job. Employees who must leave jobs due to illness or disability or the disability or death of a family member, employees who quit to protect themselves or an immediate family member from domestic violence, and some others would still be allowed to receive unemployment benefits.

*SB 6082 is in Senate Rules and needs a floor vote.*

**HB 1503** (Rep. Conway) — The **Injured Workers Medical Rights** bill restructuring the Independent Medical Examination system to allow attending physicians to make referrals before sending an injured worker to an IME, stipulating qualifications for doctors serving on IMEs, and providing adequate response time for physicians to comment on IME results.

*HB 1503 is in House Rules and needs a floor vote.*

**HB 1825** (Rep. Schual-Berke) — This bill would **replace dedicated funding for public health services** that was lost when the Motor Vehicle Excise Tax was repealed in 1999.

*HB 1825 is in House Rules and needs a floor vote.*

**HB 1827** (Rep. Santos) — This would require that the governor submit, along with the biennial budget proposal, a **tax expenditure report** listing all tax expenditures (exemptions) given out by the state and a recommendation on whether to continue those exemptions that are scheduled to sunset. This information is essential for legislators—and taxpayers—to make informed decisions about what our state's budget priorities should be.

*HB 1827 is in House Rules and needs a floor vote.*

**HB 2019** (Rep. McDermott) — Requiring public initiative petitions to have **signature declarations** to be signed by petitioners in order for those petitions to be valid. This clarifies legislation previously enacted to enable state officials to identify and potentially prosecute people who commit fraud by deliberately falsifying petitions.

*HB 2019 is in House Rules and needs a floor vote.*

**HB 2106** (Rep. Kenney) — A bill to strengthen the ability of the Department of Labor and Industries to **deny licenses to contractors with a record of serious legal violations**, prohibit exorbitant recruitment fees, and require sufficient bonding so that workers are not stranded in Washington state. This bill is needed to protect both farm workers and honest growers from the activities of unscrupulous farm labor contractors.

*HB 2106 is in House Rules and needs a floor vote.*

**HB 2111** (Rep. Williams) — A bill granting **collective bargaining rights for adult family home providers**. These are small-business owners providing residential assisted living so elderly and disabled adults can live with dignity in a family-like atmosphere with as much independence as possible. Providers depend on state reimbursements that leave them underpaid.

*HB 2111 is in House Rules and needs a floor vote.*

**HB 2351** (Rep. Sells) — The former **Aerospace Incentive Accountability Act** has been amended in committee to conduct a feasibility study of implementing a state tax policy that disallows ALL state tax incentives for employers that require their employees to attend "captive audience" meetings to coerce them into rejecting unionization. The original bill was inspired by evidence that family-wage Boeing jobs are being outsourced to low-wage low-benefit contractors that receive part of the \$3.2 billion in tax incentives approved in 2003 and are also actively interfering with their employees' legal right to form a union.

*HB 2351 is in House Rules and needs a floor vote.*

## Bills that MISSED CUTOFF and are dead(ish)

**SB 5495** (Sen. Kohl-Welles) and **HB 1384** (Rep. Kenney) — These bills provide for **academic employee salary increments** for community and technical colleges. This is an important effort to attract and retain high-quality faculty, and to address the low salaries that have been a serious problem for many years at our community and technical colleges.

*These companion bills both "died" in their respective budget committees, but because the money necessary for salary increments can be provided in the budget, the issue remains very much alive. The WSLC will strongly urge budget negotiators to provide this funding.*

**SB 6147** (Sen. Brown) — A bill **discouraging employer health care cost-shifting** onto taxpayers, would establish a Business and Occupation tax surcharge on all retail employers, but provide a tax credit to those employers that spend a certain percentage of their payrolls on employee health benefits.

*This bill died in Senate Ways and Means, but because it is related to the budget it could still be addressed.*

**HB 1810** (Rep. Hudgins) — This bill creates a pilot project to **measure pesticide drift data** for use in assessing the potential human health impacts from such exposure to children and adults in schools and communities in agricultural areas. Data obtained would help in the creation of effective policy and programs for the safer application of pesticides, and to inform the public in agricultural areas of the health risks associated with the air that they breath.

*This bill died in House Appropriations, but can still be addressed through a budget proviso.*

**HB 2094** (Rep. Conway) — The **Taxpayer Health Care Fairness Act** would discourage employer cost-shifting onto taxpayers. It would require large employers—those with more than 1,000 employees—to reimburse the state for the costs of their workers who receive taxpayer-funded health benefits. Some workers, including those with disabilities who receive Social Security assistance are excluded from this requirement.

*HB 2094 died in House Appropriations, but because it is related to the budget it could still be addressed.*