



**WASHINGTON  
FARM BUREAU**  
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# LegislLetter

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**April 9, 2009**

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## **Workers Comp: While Bills to Fix the System Die, Bad Bills Fly Through**

Business leaders are hoping that the Legislature will run out of bad ideas and actually fix things, like our broken workers' comp system. But not this session.

While good ideas don't even get hearings, bad bills are flying through. Here is an example from the Workers' Comp arena:

### **HB 1896: Good Bill Dead**

[HB 1896](#), a bill sponsored by [Rep. Cary Condotta \(R-Wenatchee\)](#) that merely ends the misappropriation of \$50 million per year of workers' comp taxes, could not even get a hearing. Rep. Condotta is considering a procedural move to pull it to the floor, where it would likely be defeated on a party line vote. Several other business proposals to reform the workers' comp system also went unheard. Farm Bureau strongly supports HB 1896.

### **SB 5613 – L&I Stop Work Orders: Bad Bill Moving**

[SB 5613](#), sponsored by [Sen. Jeanne Kohl-Welles \(D-Seattle\)](#), would enable L&I to come onto a construction job site and stop work if L&I suspects that the business did not pay workers' comp premiums.

Rep. Cary Condotta worked with Farm Bureau to introduce amendments to fix this bill.

According to Condotta, "This bill would allow L&I to shutter a business if they suspected the business did not pay workers' comp premiums. But what if L&I is wrong? The bill currently contains no provisions to compensate the business owner."

Condotta's amendments would allow a business to immediately appeal the stop work order, and if successful, the business would be paid for its attorney fees and damages. The bill is on the calendar for consideration in the House and is expected to be voted on soon.

### **HB 1402 Ex Parte Contact: Runner up for Worst Bill of the Session (so far)**

[HB 1402](#), sponsored by [Representative Brendan Williams \(D-Olympia\)](#), passed the house 55-42, with all Republicans and a handful of Democrats voting in opposition. This bill would prohibit an employer from contacting a treatment provider once a worker had engaged an attorney and filed a workers' comp appeal. Employers need to speak to treatment providers in order to find out the status of the injured worker. This bill is poor public policy. When asked why a bad bill like HB 1402 was allowed to proceed, House leadership couldn't give a good reason.

## **Transportation: Senate Proposal Would Renege on Promise to Use Washington Biodiesel**

[SB 6109](#), "An Act Relating to Ferries," was a "title only" bill when introduced on March 3 by [Sen. Mary Margaret Haugen, \(D-Camano Island\)](#) but when it left the Transportation Committee on April 1, it was no April Fool's joke for farmers who are feeling rather cheated.

The bill exempts the Washington State Ferry Service from a requirement that 5 percent of its fuel be from biodiesel produced in Washington, from Washington crops.

According to Haugen, biodiesel is too costly, and the ferries simply cannot afford to use it right now.

Where does this leave the hard-working folks who signed contracts to provide this much-needed fuel, at the behest of the government? What will the plant that was built in Odessa do with its "surplus" product? And what about the farms that are growing canola specifically for this effort, instead of other crops that might have yielded them a profit? Were they consulted about their ability to hold up their end of the contract?

Apparently some legislators are recommending that these folks should try to sell their biodiesel to someone else. And, some legislators are willing to simply give up on efforts to increase consumption of biodiesel due to cost.

The Governor's office claims that they are not happy with the Senate's approach, but have not been able to assure us of a veto of the provision.

Farm Bureau is working with Senators from both sides of the aisle to restore the provision.

This bill demonstrates that when government inserts itself into the private sector, poor public policy emerges. The actions by the Senate indicate that apparently there is a price to save our environment and when it gets too high the effort stops.

Instead of embarking on a new mission to save the world from global warming, the Governor and legislators should concentrate on living up to the commitments they made just two years ago.

## Health Care Bills Advance

WFB-supported [SSB 6019](#), by Sens. [Karen Keiser](#) (D-Des Moines) and [Linda Evans Parlette](#) (R-Wenatchee), is now eligible for action on the House floor.

The bill would allow health insurance carriers to work with small employers to develop and implement programs that directly improve employee wellness. Participating employers would need to document program activities and could request a reduction in health insurance premiums based on three years of experience. Carriers could then allow a premium discount of up to 20 percent for successful wellness program results.

SSB 6019 passed the Senate 45-0. The House must take action on the bill by the April 17 cut-off deadline. Farm Bureau strongly supports SSB 6019.

[Second SSB 5945](#), also by Sen. Keiser, passed the House Health & Human Services Appropriations Committee on Friday and awaits action by the House Rules Committee.

The bill has undergone significant changes since it was introduced in the Senate. In its present form, 2SSB 5945 aims to expand the state Medicaid program in order to access \$1.8 billion in temporary federal stimulus dollars. Unfortunately, the state would be committed to future appropriations even after these federal funds disappear.

Second SSB 5945 would also establish a panel to advise the governor on how best to position the state to take advantage of federal health care reform efforts. Farm Bureau and its coalition partners were successful in having language added that ensures small employers a seat on the advisory panel should the bill become law.

While we appreciate [Rep. Eileen Cody](#)'s (D-Seattle) work to improve the bill over the Senate-passed version, Farm Bureau remains opposed since the expansion of these programs -- funded with temporary federal dollars -- are likely to put Washington taxpayers on the hook for some \$2 billion or more in new spending once the stimulus money disappears.

## Tax Rallies Planned for April 15

In Olympia and Spokane, two rallies are scheduled on the most notable tax date -- April 15 -- to send a message that now is not the time to increase taxes.

The rally begins at noon in Olympia and at 4:30 p.m. in Spokane. Members of the Washington Farm Bureau will be speaking at the Olympia rally and WFB encourages participation in these events. More information is available at <http://pushbacknotax.com/>.

### April 15 RALLY!

**Who:** Taxpayers across the nation

**What:** Rally at the Capitol and in Spokane to remind lawmakers that most Washington families don't have the option to raise additional revenue to balance their budgets.

**When:** 12 noon on April 15 (Olympia) and 4:30 p.m. on April 15 (Spokane)

**Where:** Olympia: State Capitol, 416 Sid Snyder Avenue SW, Olympia, WA 98504 Spokane: Spokane Convention Center 334 W Spokane Falls Blvd Spokane, WA 99201

## April 22 Evening PIRT Meeting in Granger

A public meeting on pesticide-related issues has been scheduled. Details are as follows:

[Pesticide Incident Reporting and Tracking \(PIRT\) Review Panel](#)

When: April 22, 2009, from 6 – 9 p.m.

Where: [Radio KDNA](#)

Northwest Communities Education Center

121 Sunnyside Ave PO Box 800

Granger, WA 98932

Spanish language translation will be available. There will be time for public comment after each topic and at meeting end.

### Agenda Topics:

- Welcome, Review Agenda and March Minutes, other PIRT Business, Dr. Cynthia Lopez, Department of Health
- The Work to Home Exposure Pathway -- Strategies to Protect Pregnant Women and Children, Helen Murphy, PNASH
- Science Corner -- Synergistic Toxicity of Pesticide Mixtures on Endangered Salmon Species, Vince Hebert, WSU
- Worker Protection Standard Rule Revision, Ann Wick, WSDA and Pam Edwards, L&I
- Comparison of WA Fees and Penalties for Pesticide Violations to Other States, Liesl Zappler, PIRT Public Member
- Washington State University Air Monitoring for MITC, Vince Hebert, WSU
- University of Washington Air Monitoring for Organophosphates, Michael Yost, UW
- 2009 - 2011 Washington Budget Update
- Public Comment
- Adjourn

For more information, or if an accommodation is needed for a disability, contact PIRT Review Panel Coordinator, [Fran McBride](#) at (360) 236-3367.

## **End of 2009 Legislative Session is Near**

The fiscal committee cutoff this week signals movement to the final stages of the 2009 legislative session. From here on out it will be all floor action and budget negotiations.

At this point, the budget is being discussed informally. Neither the House nor the Senate has taken their respective versions to a vote on the floor. While rumors abound as to how the budget bills will be handled and what they will ultimately contain, WFB is engaged in the process to protect industry priorities.

The next major cutoff is April 17, the last day to consider opposite house bills. At that point, the focus will be exclusively on the budget and bills in dispute between the two houses.

## **Bills of Interest**

Please note that since some bills have "died" there are two versions of bill tracking posted on our website. Please check the file name and date to distinguish between the two. Since there is always a chance a bill may be "revived" we judiciously keep a copy of bill tracking as it was before cutoff, in addition to the active bill tracking list. Both are available at:

<http://www.wsfb.com/issues/legisletter>.

## **Information Resources**

Washington Farm Bureau: [www.wsfb.com](http://www.wsfb.com)  
Legislative Information: [www.leg.wa.gov](http://www.leg.wa.gov)

Governor's Bill Actions: [www.governor.wa.gov](http://www.governor.wa.gov)  
Legislative Hotline: (800) 562-6000