

**2009 Washington Legislative Wrap-Up**  
***Submitted by Randy Loomans, Local 302 Government Affairs Director***

Building trades issues fared well this session. We worked on bills that will help our members, and we worked against bills that would hurt our members:

**SHB 1555 – Underground Economy**

This bill was part of the recommendations of the Underground Economy Task Force. Provisions were adopted that tighten up contractor registration, workers' compensation, education and outreach, liens on public works retentions and unemployment record keeping. It also extended the Task Force for an additional year and the scope of the Task Force duties is now extended to areas beyond construction. This bill **PASSED**.

**SSB 5612 – Stop Work Order**

This bill also came from the Underground Economy Task Force. The business members of this task force did not want to move forward with a Stop Work Order bill. The labor members did, and we worked to an agreement. It is simple but powerful. It authorizes the Department of Labor and Industry to issue stop work orders against a contractor or electrician employer if the employer has failed to secure Workers' Compensation Insurance. Good employers pay into the Workers' Compensation Insurance pool. Many contractors are not carrying this insurance on their workers and can therefore underbid those who do. This bill is intended to level the playing field for those contractors who abide by the rules governing business in Washington. This bill **PASSED**.

**ESSB 5904 – Defining Independent Contractor for purposes of Prevailing Wage**

Also from the Underground Economy Task Force, this bill creates a test for determining when a person is an independent contractor not entitled to the prevailing wage, and brings uniformity with the same test used in construction for workers' compensation and unemployment insurance purposes. This bill **PASSED**.

**ESHB 1906 – Unemployment Compensation**

This is one of the major bills passed that will provide economic stimulus to the State and laid off worker. It provides for a temporary increase in unemployment benefits by adding \$45 to the weekly benefit amount and raising the minimum weekly benefit to \$155. This, coupled with the \$25 per week Federal increase, will account for a \$70 per week raise in unemployment benefits until the end of 2009. If an unemployment claim is filed anytime before the end of this year, workers will receive the extended benefits until their total unemployment benefits are exhausted. This bill **PASSED**.

**ESSB 5768 – Alaskan Way Viaduct**

This bill declared that the State will replace the Alaskan Way Viaduct with a deep-bore tunnel, which must include four general purpose lanes in a stacked formation. It established that State funding costs are not to exceed \$2.4 billion, and if costs are more than this that Seattle property owners will pay for the excess costs. This was a real sticking point in negotiation the bill. The Speaker would not pass it without this provision. State funding is not authorized for costs related to utility relocation, central seawall work or waterfront promenade improvements. The bill requires the State, City and County departments of transportation to establish a single source of accountability for all elements of the tunnel. DOT must provide updated cost estimates and any contract entered into by WSDOT for construction of the tunnel must include incentives and penalties to encourage on-time completion and minimize cost overruns. Construction of the tunnel is expected to begin in 2011 with completion set for 2015. This bill **PASSED**.

**EHB 2211 – State Route 520 Floating Bridge**

The replacement of the 520 floating bridge was not fully funded by the 2005 Transportation Partnership Act. This current bill imposes tolls which, together with other available funds, will make it possible to replace the floating bridge. This includes construction of the pontoon site in Grays Harbor County as well as pontoon construction in Tacoma. This bill **PASSED**.

**ESSB 5352 – Transportation Funding 2009-2011**

This is the big bill for creating jobs for Operating Engineers. The result is more than \$4.4 billion in transportation project investments during this budget cycle. Over 400 projects are funded and scheduled to move forward. This biennium will see the largest transportation budget in the State's history and it couldn't have come at a better time. This bill **PASSED**.

**SSB 2214 – Airport Rental Car Facilities**

We worked with the Port of Seattle for passage of this bill. It would allow the Port to loan \$100 million in Airport Development Funds to restart this project. This bill **PASSED**.

**HB 2283 – Data Center Tax Exemptions**

We were involved and supported this bill after we were able to amend it to include prevailing wage and apprenticeship utilization. It did not pass because the legislature was not willing to give Yahoo.com a tax break to build a data center in eastern Washington. This bill **DIED**.

**SB 5836 – Pit-to-Pier**

This bill would transfer the SEPA review process from Jefferson County to the Department of Natural Resources (DNR). DNR was against the transfer because they did not want the responsibility and they did not want to usurp local authority. This bill **DIED**.

**HB 1111 – Exempting Telecommunications Trucks from Crane Safety Requirements**

I worked hard to kill this bill as it would have opened up the door for other industries to ask for exemptions to the Crane Safety bill. These particular trucks are not exempt in the proposed Federal OSHA Crane and Derrick Rules and we followed that document in drafting Washington's 2007 crane legislation. This bill **DIED**.

**HB 1391 – Professional Land Surveyors**

This bill was a huge land grab by the professional surveyors. It would have amended the definition of the practice of land surveying to include activities and professional services not listed in the current definition. It would have expanded their scope of work to include everything that is done on a construction site. It would have also required anyone surveying to work under a professional land surveyor. The general consensus was that the land surveyors would be overreaching their scope of work. This bill **DIED**.