

Association of Washington Business

AWB

How members of the Washington State Legislature voted on important

VOTING

issues concerning business during the 1991 and 1992 sessions of the

RECORD

52nd Washington State Legislature



Statewide
business advocate

AWB Voting Record

The "AWB VOTING RECORD" is published by the Association of Washington Business (AWB) upon the conclusion of each two year session of the Washington State Legislature. In this publication AWB evaluates the support or opposition from each state senator and representative on selected issues of general interest to AWB members.

No voting record can tell the entire story of a legislator's attitude and action on issues important to business. However, fourteen key Senate votes and seventeen key House votes were chosen from over two thousand floor votes cast by members of the 52nd Legislature. We believe these votes are a fair representation of a legislator's tendency to support or oppose AWB on general business issues. We urge a careful review of your legislator on a vote by vote basis - not just the composite figures.

In selecting votes for inclusion in this voting record, AWB considered the following basic guidelines:

- The vote must have been recorded on either the Senate or House floor as an amendment to a bill or as a vote on final passage of a bill.
- AWB's Board of Directors must have established clear policy guidelines on the selected issue through the adoption of a formal Legislative Objective.
- AWB must have communicated its position on the issue to the Legislature.

Senate Vote Descriptions

Fiscal Policy

SSB 5592

Contracting Out State Services - *final passage*

The Senate rejected 22-27 legislation that would have provided for state agencies and institutions of higher education to contract with private sector businesses on a trial basis for the following services: printing, janitorial, window washing, laundry, building and maintenance, telecommunications, security, groundskeeping, microfilming, computing and food services. The legislation would have also directed the Department of General Administration to study the legislation's impact and submit to the legislature a comparison of the use of contracting with the private sector versus the traditional practice of using state employees to provide public services.

A "Y" reflects agreement with the AWB position that this legislation would allow greater flexibility in purchasing and contracting for state services, significantly reducing the costs of state government, increasing efficiency, and improving the quality of services through free-market enterprise competition. The legislation was opposed by the Washington Federation of State Employees and other labor organizations.

ESSB 5849

Four Year Property Tax Averaging - *final passage*

The Senate rejected 22-27 legislation that would have averaged large property tax valuation increases over a period of four years. According to the legislation, appraised value would have been compared to the assessed value for the previous year to determine a total value difference. This difference, if large enough (over 6%), would have triggered a new, non-market valuation formula for the calculation of property taxes.

An "N" reflects agreement with the AWB position that this legislation would have significantly undermined the current property tax system's value assessment procedure. In addition, this legislation would have violated each of the Property Tax Principles adopted by the AWB Board of Directors that provided, in part, that "any property tax proposal must... preserve the 'market value' concept in property tax valuation... preserve uniformity and equity in valuation of all property... and be understandable to all taxpayers."

Continued...

Senate Vote Descriptions Continued...

EHB 1376

Computer Software Taxation - final passage

The Senate approved 33-12 legislation that exempts the following from property taxation: (1) custom software, except "embedded software;" (2) master and golden copies of computer software; (3) modifications to canned software; and (4) retained rights in computer software. The legislation also requires that embedded software be valued as part of the computer system or other machinery or equipment in which it is housed. Canned software is subject to personal property tax at 100% of its value in the first year of taxation, 50% the second year and 0% thereafter.

A "Y" reflects agreement with the AWB position to support legislation that would endorse the recommendations of the Computer Software Study Group. The legislation's exemption of custom software and the accelerated depreciation of canned computer software would also reflect the consensus that custom software is extremely difficult to assess for property taxes and that canned computer software quickly becomes obsolete.

Human Resources

SSB 5184A

Workforce Training and Education Act of 1991 - Amendment

The Senate rejected 18-31 an amendment by Sen. Sylvia Skratek, D-Kent, that would have removed a significant section of the Workforce Training and Education Act. That section shifts the state's vocational technical institutes from the K-12 elementary school system to a unified community and technical college system. The section was also critical to the establishment of a new work force training coordinating structure which would provide business and labor a greater voice in determining the future of vocational education.

An "N" reflects agreement with the AWB position that, since a majority of students trained in vocational technical institutes are adults, the five vocational technical schools should be transferred from the K-12 elementary school system to a reorganized community and technical college system.

ESSB 6442

Child Labor Restrictions - final passage

The Senate approved 35-14 legislation that would have created a joint select legislative committee to review the law governing nonagricultural employment of minors. This committee would have recommended statutory changes to child labor law that it believed were necessary to provide for the safe and reasonable participation of minors in the workplace.

A "Y" reflects agreement with the AWB position that an issue of this importance to employers should be addressed by elected legislators and not agency bureaucrats. The Department of Labor and Industries, the Washington State Labor Council and other labor groups opposed this legislation and it did not receive a vote in the House Commerce and Labor Committee.

Liability Reform

SSB 5386

Certificate of Merit - final passage

The Senate approved 27-22 legislation that would have required the claimant's attorney in any lawsuit alleging professional negligence to obtain a certificate relating to the merits of the case. The certificate would have declared among other items that the claimant's attorney had consulted with at least one qualified expert from the same trade, occupation, or profession as that of the defendant(s) to determine "reasonable and meritorious cause" for the filing and that the expert would be willing to testify that professional negligence occurred to cause the claimant's injuries.

A "Y" indicates agreement with the AWB position that this legislation would have reduced the cost of health care by discouraging frivolous lawsuits. The legislation was opposed by the Washington State Trial Attorneys Association.

SB 5584

Joint and Several Liability - final passage

The Senate approved 27-18 legislation that would have altered the allowable "economic damages" which could be awarded by a jury. The legislation would have required that economic damages be objective, monetary losses incurred by a plaintiff such as medical expenses, loss of earnings, costs of replacement or repair, and loss of business or employment. The legislation would have specifically disallowed the awarding of subjective, non-economic damages such as pain and suffering, mental anguish, emotional distress, inconvenience, injury to reputation and loss of consortium as "economic damages." In doing so, the legislation would have also limited joint and several liability of defendants strictly to "economic damages."

A "Y" reflects agreement with the AWB position that this legislation would have significantly reduced

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Senate Vote Descriptions Continued...

expensive litigation and the high cost of liability insurance caused by potential unlimited damages allowed under present law. The legislation was opposed by the Washington State Trial Lawyers Association.

ESB 6089A

Health Care Reform Act of 1992 - Amendment

The Senate rejected 24-24 an amendment by Sen. Adam Smith, D-Seattle, that would have prohibited courts from issuing protective orders in circumstances where they may have the effect of concealing "public hazards." The broad definition of "public hazards" contained in the amendment included any device, instrument, product or procedure that has caused injury to another, that presents a real and substantial potential for repetition, or that involved a single incident which affected or was likely to affect many people.

An "N" reflects agreement with the AWB position to oppose any legislation that would prohibit the use of protective orders during litigation. This amendment's prohibition of protective orders would have significantly increased litigation further crowding court dockets, discouraged settlements, and removed safeguards for litigants to protect trade secrets, confidential information, and a party's settlement strategy. The Washington State Trial Lawyers Association supported passage of this amendment.

ESSB 6035A

Health Care

Basic Health Plan - Amendment

The Senate rejected 23-23 an amendment to ESSB 6035 by Sen. Mike Kreidler, D-Olympia, that would have allowed individuals, regardless of income, to purchase health care insurance through the Basic Health Plan (BHP).

An "N" reflects agreement with the AWB position to oppose any expansion of the BHP that would have included enrollment of individuals who did not meet income eligibility standards. The Kreidler amendment would have placed private insurers at a competitive disadvantage since the BHP is exempt from the costs incurred by private insurance companies such as assessments to run the Insurance Commissioner's Office, premium taxes, B&O taxes, assessments to subsidize the Washington Health Insurance Pool and costs of regulatory compliance.

ESB 6089

Health Care Reform Act of 1992 - final passage

The Senate approved 27-22 legislation which was originally introduced as Governor request legislation, but was substantially amended in committee. The legislation, as passed, would have (1) extended the life of the Basic Health Plan (BHP); (2) increased the income eligibility to allow expanded participation in the BHP at no additional cost to the state; (3) promoted small business group insurance reform to make insurance more accessible; (4) addressed four different liability reform measures; and, (5) established uniform claims forms and the means to collect much needed health care data.

A "Y" reflects agreement with the AWB position that this legislation would have accomplished both increased access and cost-containment without additional government regulatory intrusion or cost. ESB 6089 moved to the House where it was given immediate floor action to strike the Senate version and insert the text of the Governor's health care reform bill (2ESHB 2590).

Environment

SB 6254

Wetlands Designation - final passage

The Senate approved 35-14 legislation that would have recognized the Federal government's policy directive to the United States Army Corps of Engineers that requires the use of the 1987 Federal manual for identifying and delineating wetlands. The legislation would have eliminated more restrictive 1989 state wetlands designation criteria by requiring local governments to delineate, designate, identify, and regulate by ordinance any wetlands within their jurisdiction using only the criteria contained in the 1987 federal policy manual.

A "Y" reflects agreement with the AWB position to support legislation requiring local governments to use the same wetlands delineation methodology utilized by the United States Army Corp of Engineers, significantly reducing the confusion, lack of consistency and costly administrative process for landowners.

SB 6255

Wetlands Mapping - final passage

The Senate approved 36-13 legislation that would have required local governments to (1) develop an inventory/map of land that would be subject to wetland regulation prior to adopting development regulations to protect wetlands; (2) inform potentially affected landowners prior to adoption of wetlands ordinances; and (3) send this inventory/map and any regulations adopted to protect wetlands to the county assessor. The county assessor would have then been required to revalue properties affected by

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SENATE VOTES

SEN.	DISTRICT	PARTY	SSB 5592	ESSB 5849	ESB 1376	SSB 5184A	ESSB 6442	SB 5386	ESB 5584	ESSB 6089A	ESB 6035A	SB 6089	SB 6254	SB 6255	SB 6273	ESHB 1028	PERCENT
Amondson, Neil	20	R	Y	y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	n	86%
Anderson, Ann	42	R	Y	y	Y	y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	86%
Bailey, Cliff	39	R	Y	y	n	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	86%
Barr, Scott	7	R	Y	N	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	n	93%
Bauer, Albert	49	D	n	N	Y	N	Y	n	n	y	y	n	Y	Y	Y	Y	57%
Bluechel, Alan	45	R	Y	y	Y	y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	86%
Cantu, Emilio	41	R	Y	y	Y	y	Y	Y	Y	N	N	Y	Y	Y	Y	n	79%
Conner, Paul	24	D	n	N	e	N	n	n	n	y	y	n	Y	n	Y	Y	38%
Craswell, Ellen	23	R	Y	y	Y	y	Y	Y	Y	N	N	Y	Y	Y	Y	n	79%
Erwin, Tim	44	R	Y	y	n	y	Y	Y	Y	N	N	Y	n	Y	Y	Y	71%
Gaspard, Marcus	25	D	n	N	Y	y	n	n	n	y	y	n	Y	n	n	Y	29%
Hansen, Tub*	13	D	n	N	Y	y	x	x	e	x	x	x	x	x	x	n	40%
Hansen, Wanda**	13	D	x	x	x	x	Y	n	x	y	y	n	Y	Y	Y	x	50%
Hayner, Jeannette	16	R	Y	y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	93%
Jesernig, Jim	8	D	n	y	Y	N	n	n	n	y	y	n	Y	Y	Y	Y	43%
Johnson, Stanley***	28	R	n	y	Y	y	x	x	Y	x	x	x	x	x	x	Y	50%
Kreidler, Mike****	22	D	x	x	x	x	n	n	x	y	y	n	n	n	n	x	0%
Kreidler, Lela*****	22	D	n	N	Y	N	x	x	n	x	x	x	x	x	x	Y	67%
Madsen, Ken	2	D	n	N	Y	y	n	n	n	y	e	n	Y	Y	Y	Y	46%
Matson, Jim	14	R	Y	N	Y	N	Y	Y	Y	N	e	Y	Y	Y	Y	n	92%
McCaslin, Bob	4	R	Y	N	Y	N	Y	Y	Y	e	N	Y	Y	Y	Y	n	92%
McDonald, Dan	48	R	Y	y	Y	y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	86%
McMullen, Patrick	40	D	n	y	Y	N	Y	n	n	y	y	n	n	n	n	Y	29%
Metcalf, Jack	10	R	Y	y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	93%
Moore, Ray	36	D	n	N	n	N	n	n	e	y	y	n	n	n	n	Y	23%
Murray, Patty	1	D	n	N	Y	N	n	n	n	y	y	n	n	n	n	Y	29%
Nelson, Gary	21	R	Y	y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	93%
Newhouse, Irv	15	R	Y	N	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	n	93%
Niemi, Janice	43	D	n	N	n	y	Y	n	n	y	y	n	n	n	n	Y	21%
Oke, Bob	26	R	Y	y	n	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	86%
Owen, Brad	35	D	Y	y	Y	y	Y	Y	e	y	y	n	Y	Y	Y	e	58%
Patterson, Pat	9	R	Y	N	Y	y	Y	Y	Y	N	N	Y	Y	Y	Y	n	86%
Pelz, Dwight	37	D	n	N	n	N	n	n	n	y	y	n	n	n	n	Y	21%
Rasmussen, Slim	29	D	n	N	Y	y	n	n	n	y	y	Y	Y	Y	Y	e	46%
Rinehart, Nita	46	D	n	y	Y	N	n	n	n	y	y	n	n	n	n	Y	21%
Roach, Pam	31	R	n	N	n	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	86%
Saling, Gerald	5	R	Y	N	e	N	Y	Y	Y	N	N	Y	Y	Y	Y	n	92%
Sellar, George	12	R	Y	y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	e	100%
Skratek, Sylvia	47	D	n	N	n	y	Y	n	n	y	y	n	n	n	Y	Y	29%
Smith, Adam	33	D	n	N	n	N	n	n	n	y	y	n	n	n	n	Y	21%
Smith, Linda	18	R	Y	y	Y	y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	86%
Snyder, Sid	19	D	n	N	Y	N	Y	n	Y	y	y	n	Y	Y	Y	n	57%
Stratton, Lois	3	D	n	N	e	N	Y	Y	Y	N	y	Y	Y	Y	Y	n	77%

LEGEND

- Y
Voted yes, in support of AWB position
- y
Voted yes, in opposition to AWB position
- N
Voted no, in support of AWB position
- n
Voted no, in opposition to AWB position
- a
Absent and not voting
- e
Excused and not voting
- x
Out of office (see notes)
- PERCENT column represents percent of votes cast in support of AWB positions

Notes to Voting Record (Senate)

Senate Votes Continued

* Senator Frank Tub Hansen passed away prior to the completion of his term of office

** Senator Wanda Hansen, Tub's wife, was appointed during the 1992 Legislative Session to complete the remainder of her husband's term of office.

*** Senator Stan Johnson resigned his seat during the 1992 Legislative Session

**** Senator Mike Kreidler was called to active duty during Operation Desert Storm and was placed on leave during the 1991 Legislative Session. He returned to his seat in the 1992 Legislative Session.

***** Senator Lela Kreidler, Mike's wife, was appointed during the 1991 Legislative Session to serve in her husband's seat until his return.

***** Senator Susan Sumner was appointed during the 1992 Legislative Session to serve the remainder of Senator Stan Johnson's term of office.

SEN.	DISTRICT	PARTY	SSB 5592	ESSB 5849	ESB 1376	SSB 5184A	ESSB 6442	SSB 5386	SB 5594	ESB 6089A	ESSB 6035A	ESB 6089	SB 6254	SB 6255	SB 6273	ESHB 1028	PERCENT
Sumner, Susan****	28	R	x	x	x	x	Y	Y	x	N	N	Y	Y	Y	Y	x	100%
Sutherland, Dean	17	D	n	N	Y	N	n	n	n	y	y	n	n	Y	Y	Y	43%
Talmadge, Phil	34	D	n	N	n	N	n	n	e	y	y	n	n	n	n	Y	23%
Thorsness, Leo	11	R	Y	y	Y	N	Y	Y	Y	N	e	Y	Y	Y	Y	Y	92%
Vognild, Larry	38	D	n	N	n	N	Y	n	Y	y	N	n	Y	Y	n	Y	57%
von Reichbauer, Peter	30	R	n	y	Y	N	Y	Y	n	y	y	Y	Y	Y	Y	Y	64%
West, Jim	6	R	n	y	Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	n	79%
Williams, Al	32	D	n	N	e	N	Y	n	n	y	y	n	n	Y	n	n	31%
Wojahn, Lorraine	27	D	n	N	n	y	n	n	n	y	y	n	n	n	n	n	7%

HOUSE VOTES

REP.

REP.	DISTRICT	PARTY	ESHB 1250	ESHB 1300	ESHB 1376	ESHB 1569	SHB 1039A	SHB 1471A	SHB 1471	HB 2220A	SHB 2441	ESHB 1320	ESHB 1646	ESHB 2590	ESB 6089SA	ESHB 1025A	ESHB 1028	ESHB 1330A	SB 6273	PERCENT
Anderson, Cal	43	D	y	N	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	n	24%
Appelwick, Marlin	46	D	y	y	Y	y	N	n	y	n	y	y	y	y	Y	Y	Y	n	n	29%
Ballard, Clyde	12	R	N	y	e	N	y	Y	N	Y	N	N	N	N	Y	n	Y	Y	Y	81%
Basich, Bob	19B	D	y	N	Y	y	N	Y	y	n	e	y	y	e	Y	n	Y	Y	Y	47%
Beck, John	21	R	N	y	Y	N	N	Y	N	e	N	N	N	N	Y	Y	Y	Y	Y	94%
Belcher, Jennifer	22	D	y	y	Y	y	N	n	y	n	y	y	y	y	n	n	n	n	n	12%
Betrozoff, John	45	R	e	y	Y	N	y	Y	N	Y	N	N	N	N	Y	Y	e	Y	Y	87%
Bowman, Rose	20	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	Y	n	Y	n	n	76%
Braddock, Dennis	42	D	y	N	n	y	y	n	y	n	y	y	y	y	n	Y	e	n	n	13%
Bray, Lane	8	D	y	N	Y	N	N	n	N	n	y	y	y	N	y	Y	Y	Y	Y	59%
Brekke, Joanne	32	D	y	y	Y	y	N	n	y	Y	e	y	y	y	n	Y	n	n	n	25%
Broback, Art	28	R	y	y	Y	N	y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	Y	82%
Brough, Jean Marie	30	R	N	y	Y	N	N	Y	N	e	N	N	N	N	n	Y	Y	Y	Y	88%
Brumsickle, Bill	20	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	Y	n	Y	Y	Y	82%
Cantwell, Maria	44	D	y	y	Y	y	y	n	y	n	y	y	N	y	y	n	Y	n	Y	24%
Carlson, Ron*	47	R	x	x	x	x	x	x	x	N	x	x	N	N	x	x	x	n	n	75%
Casada, Sarah	25	R	N	y	Y	y	y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	Y	82%
Chandler, Gary	13	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	Y	n	Y	Y	Y	94%
Cole, Grace	1	D	y	y	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	n	18%
Cooper, David	18	D	N	N	Y	N	N	n	y	n	y	y	y	y	Y	Y	Y	Y	Y	53%
Day, Bill	3	D	y	N	Y	y	N	n	y	e	y	N	N	y	y	Y	Y	Y	Y	56%
Dellwo, Dennis	3	D	y	N	Y	y	N	n	y	n	y	y	y	y	Y	Y	Y	Y	Y	41%
Dorn, Randy	2	D	y	N	Y	y	N	n	y	n	y	y	y	y	Y	Y	n	Y	Y	35%
Ebersole, Brian	29	D	y	y	Y	y	N	n	y	n	y	y	y	N	y	n	Y	n	n	24%
Edmondson, Betty	14	R	N	N	Y	N	y	Y	N	Y	N	N	N	N	Y	n	Y	Y	Y	88%
Ferguson, Roy	48	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	Y	88%
Fisher, Greg	33	D	y	y	Y	N	N	n	y	n	y	y	y	N	y	n	Y	Y	n	35%

House Votes Continued

REP.	DISTRICT	PARTY	EH9B 1250	ESH9B 1300	EHB 1376	ESH9B 1569	SHB 1099A	SHB 1471A	SHB 1471	HB 220A	SHB 2441	ESH9B 1320	HB 1646	ESH9B 2590	ESB 6089SA	ESH9B 1025A	ESH9B 1028	SB 6273	PERCENT
Fisher, Ruth	27	D	y	N	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	24%
Fornier, Elmira	47	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	Y	Y	Y	n	82%
Franklin, Rosa	29	D	a	N	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	25%
Fraser, Karen	22	D	y	y	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	18%
Fuhrman, Steve	7	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	e	n	Y	Y	94%
Grant, William	16	D	y	N	Y	N	N	n	y	n	y	y	y	N	y	Y	n	Y	47%
Hargrove, James	24	D	y	N	Y	y	N	n	y	n	y	y	N	N	y	Y	n	Y	47%
Haugen, Mary Marg.	10	D	y	N	e	y	N	Y	N	n	N	N	N	N	y	n	Y	n	56%
Heavey, Mike	34	D	N	y	Y	y	N	n	y	n	y	N	y	y	y	Y	n	n	29%
Hine, Lorraine	33	D	y	y	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	18%
Hochstatter, Harold	13	R	N	N	Y	N	y	Y	N	Y	N	N	N	N	Y	n	Y	Y	88%
Holland, Bruce**	47	R	N	y	Y	N	y	Y	N	Y	x	N	N	x	x	Y	Y	Y	85%
Horn, Jim	41	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	88%
Inslee, Jay	14	D	y	N	Y	y	N	n	y	n	y	y	y	y	n	Y	Y	Y	35%
Jacobsen, Ken	46	D	y	y	Y	y	N	n	y	n	y	y	y	y	Y	Y	n	n	24%
Johnson, Peggy	35	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	Y	n	Y	Y	94%
Johnson, Rob	40	D	y	N	Y	y	y	n	y	n	y	y	y	N	y	Y	Y	Y	41%
Jones, Evan	24	D	N	N	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	29%
King, Dick	38	D	y	N	Y	y	N	n	y	n	y	y	y	y	Y	Y	n	n	29%
King, Joe	49	D	y	y	Y	y	e	n	y	n	y	y	y	y	n	Y	n	Y	19%
Kohl, Jeanne***	36	D	x	x	x	x	x	x	x	y	x	x	y	y	x	x	x	n	0%
Kremen, Pete	42	D	N	N	Y	y	y	Y	y	n	y	N	N	N	y	Y	Y	Y	59%
Leonard, June	11	D	y	y	e	y	y	n	y	n	y	y	y	y	n	Y	n	n	6%
Lisk, Barbara	15	R	N	N	Y	N	y	Y	N	Y	N	N	N	N	Y	n	Y	Y	88%
Locke, Gary	37	D	y	y	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	18%
Ludwig, Curtis	8	D	y	N	Y	N	N	n	N	n	e	y	y	N	y	n	Y	n	50%
May, Fred	41	R	N	y	Y	N	N	Y	N	Y	N	N	N	N	Y	Y	Y	Y	94%
McLean, Alex	12	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	Y	n	Y	Y	94%
Meyers, Ron	26	D	y	N	Y	y	N	Y	y	n	e	y	y	e	y	Y	Y	n	47%
Mielke, Todd	5	R	N	N	Y	N	y	Y	N	Y	N	N	N	N	Y	n	Y	Y	88%
Miller, Louise	45	R	e	y	Y	N	y	Y	N	Y	N	y	N	N	Y	Y	Y	Y	81%
Mitchell, Maryann	30	R	N	y	Y	y	y	Y	N	Y	N	y	N	N	Y	Y	Y	Y	76%
Morris, Betty Sue	18	D	N	N	e	y	N	n	y	n	N	y	y	y	Y	Y	Y	Y	50%
Morton, Bob	7	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	Y	n	Y	Y	94%
Moyer, John	6	R	y	N	e	N	N	Y	N	Y	N	N	N	N	Y	Y	Y	Y	94%
Myers, Holly	17	D	y	N	Y	y	N	n	y	n	y	y	y	y	Y	Y	Y	Y	41%
Nealey, Darwin	9	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	Y	e	Y	Y	100%
Neher, Richard	16	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	Y	n	Y	Y	94%
Nelson, Dick	32	D	y	y	Y	y	N	n	y	Y	y	y	y	y	n	Y	n	n	24%
O'Brien, John	37	D	y	y	Y	y	N	n	y	n	y	N	y	y	n	Y	n	n	24%

House Votes Continued

REP.	DISTRICT	PARTY	EHSB 1250	ESHB 1300	EHB 1376	ESHB 1569	SHB 1039A	SHB 1471A	HB 1471	SHB 220A	ESHB 2441	HB 1320	ESHB 1646	ESHB 2590	ESB 6089SA	ESHB 1025A	ESHB 1028	SB 6273	PERCENT	
Ogden, Val	49	D	y	N	Y	y	N	n	y	n	y	y	y	y	Y	Y	n	Y	35%	
Orr, George	4	D	y	N	Y	N	N	n	N	n	y	y	y	N	y	Y	Y	Y	n	53%
Padden, Mike	4	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	Y	n	Y	Y	94%	
Paris, Marshall	44	R	N	y	Y	y	y	Y	y	Y	N	N	N	N	Y	Y	Y	Y	76%	
Peery, Kim	17	D	y	N	e	y	N	n	y	n	y	y	y	y	Y	Y	n	Y	31%	
Phillips, Larry****	36	D	y	y	Y	y	e	n	y	n	x	y	y	x	x	n	Y	n	x	17%
Prentice, Margarita	11	D	y	y	Y	y	y	n	y	n	y	y	y	y	n	Y	n	n	12%	
Prince, Eugene	9	R	y	y	Y	N	N	Y	N	Y	N	N	e	N	Y	n	Y	Y	81%	
Pruitt, Wes	26	D	y	y	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	18%	
Rasmussen, Marilyn	2	D	y	N	Y	y	N	n	y	Y	y	y	y	y	Y	n	n	Y	35%	
Rayburn, Margaret	15	D	N	N	Y	y	N	Y	y	n	N	N	N	N	y	Y	n	Y	71%	
Riley, Mike	19A	D	N	N	Y	y	N	n	y	n	y	y	y	y	Y	Y	Y	Y	47%	
Roland, Judi	31	D	N	y	Y	N	N	n	y	n	y	y	y	N	y	n	Y	n	41%	
Rust, Nancy	1	D	N	N	Y	y	N	n	y	e	y	y	y	y	n	Y	n	n	31%	
Schmidt, Karen	23	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	Y	n	Y	n	76%	
Scott, Pat	38	D	y	y	Y	y	N	n	y	n	y	y	y	N	y	n	Y	n	29%	
Sheldon, Timothy	35	D	N	N	Y	y	N	n	y	n	y	N	N	N	N	Y	Y	Y	71%	
Silver, Jean	5	R	N	N	Y	N	y	Y	N	Y	N	N	N	N	Y	n	Y	Y	88%	
Sommers, Duane	6	R	N	N	Y	N	N	Y	N	Y	N	N	N	N	e	Y	Y	Y	e	100%
Sommers, Helen	36	D	y	N	Y	y	N	n	y	n	y	y	y	y	y	n	e	n	n	19%
Spanel, Harriet	40	D	y	N	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	24%	
Sprenkle, Art	39B	D	y	y	Y	y	N	n	y	e	y	y	y	N	N	n	Y	n	n	31%
Tate, Randy	25	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	88%	
Valle, Georgette	34	D	N	y	Y	y	N	n	y	n	y	y	y	y	n	n	n	n	18%	
Van Luven, Steve	48	R	N	y	Y	y	y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	82%	
Vance, Christopher	31	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	e	Y	Y	Y	e	87%
Wang, Art	27	D	y	y	Y	y	N	n	y	n	y	y	y	y	n	Y	n	n	18%	
Wilson, Sim	10	R	y	y	Y	N	y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	82%	
Wineberry, Jesse	43	D	y	y	Y	y	N	n	y	n	e	y	y	e	y	n	Y	n	n	20%
Winsley, Shirley	28	R	y	N	Y	y	y	Y	N	Y	y	N	N	N	N	Y	Y	n	Y	71%
Wood, Jeannette	21	R	N	y	Y	N	N	Y	N	Y	N	N	N	N	Y	Y	Y	Y	94%	
Wynne, John	39A	R	N	y	Y	N	y	Y	N	Y	N	N	N	N	Y	Y	Y	Y	88%	
Zellinsky, Paul	23	D	N	y	Y	N	N	Y	y	n	y	N	N	N	Y	n	Y	n	65%	

Notes to Voting Record (House)

*Rep. Ron Carlson was appointed in January of 1992 to serve out the remainder of Representative Bruce Holland's term of office.

** Rep. Bruce Holland was elected as King County Assessor in November of 1991 and was unable to complete his term of office.

***Rep. Jeanne Kohl was appointed in January of 1992 to serve out the remainder of Representative Larry Phillip's term of office.

**** Rep. Larry Phillips was elected to the King County Council in November of 1991 and was unable to complete his term of office.

Senate Vote Descriptions Continued...

wetlands ordinances within 12 months.

A "Y" reflects agreement with the AWB position to support this legislation to give landowners a voice in the process of wetlands mapping and allow for the fair adjustment of property value as a result of wetlands designation.

SB 6273**Pesticide Regulation - final passage**

The Senate approved 36-13 legislation introduced by the Department of Agriculture to statutorily preempt local governments from banning application of pesticides.

A "Y" reflects agreement with the AWB position that the state Department of Agriculture should have the sole authority to enforce the federal rules governing the sale and application of pesticides. This legislation would save employers from having to comply with a multitude of regulations.

ESHB 1028**Clean Air Act of 1991 - final passage**

The Senate approved 31-15 legislation that provides comprehensive new regulations of air pollution sources including industry, woodstoves, automobiles and outdoor burning. The legislation implements recently enacted Federal legislation requiring operating permits for industrial sources of air pollution, and is consistent with Federal requirements addressing all sources of air pollution.

A "Y" reflects agreement with the AWB position to support measures to protect and maintain air quality in Washington state. This legislation also meets the AWB requirement that any comprehensive air quality measure (1) be uniform with Federal Clean Air Act amendments so as not to cause differential regulatory and financial burdens; (2) recognize the impact of non-industrial sources of pollution on air quality; (3) place the costs of air pollution programs equitably on those who contribute to the problem, and, (4) adopt fees that are sufficient to cover program costs only.

House Vote Descriptions**Fiscal Policy****ESHB 1250****Outdoor Gear Tax - final passage**

The House approved 50-45 legislation that would have imposed an additional five-tenths percent sales tax upon the selling price of "outdoor recreation equipment products" to fund the Department of Wildlife. Outdoor recreation equipment products were defined broadly in the legislation to include items such as bicycles and bicycle accessories, binoculars, telescopes, tripods, camping equipment, climbing gear, human-powered boats and accessories, jet skis, water skis, cameras, video equipment, film, SCUBA gear and accessories, and car racks and accessories to transport outdoor recreation equipment. The Department of Revenue was provided broad rule-making authority to further define "outdoor recreation equipment."

An "N" reflects agreement with the AWB position to oppose legislation assessing any general tax, fee, or other revenue enhancement on business especially at a time when state revenues are increasing. This legislation would have also required businesses to significantly restructure their sales transactions in order to comply with the new tax.

ESHB 1300**Four Year Property Tax Averaging- final passage**

The House approved 50-48 legislation that would have averaged large property tax valuation increases over a period of four years.

Please refer to explanation of ESSB 5849; on page 2.

EHB 1376**Computer Software Taxation- final passage**

The House approved 91-1 legislation that clarifies the taxability of computer software.

Please refer to explanation of EHB 1376; on page 3

ESHB 1569**Long Term Care/Payroll Tax- final passage**

The House approved 55-43 legislation that would have established a new state entitlement program to subsidize long-term care of functionally disabled state residents. The new program would have

Continued...

House Vote Descriptions Continued...

resembled a state-run, social security system which would have allowed the state to fund in-home community health care services for individuals with recognized chronic physical or mental conditions or diseases. The secured benefit fund proposed in this legislation would have been funded by a phased-in payroll tax. The payroll tax would have begun in 1992 at .10 percent of every employee's wages and would have grown to .50 percent by the year 1996. The fiscal impact on employers would have been well over \$714 million.

An "N" reflects agreement with the AWB position to oppose the imposition of employer taxes to fund broad social health care entitlement programs.

Human Resources

ESHB 1039A

Workforce Training and Education Act of 1991 - Amendment

The House rejected 31-65 an amendment by Rep. Louise Miller, R-Woodinville, that would have removed a significant section of the Workforce Training and Education Act.

Please refer to explanation of SSB 5184 on page 3

ESHB 1471A

Foundations For Families Act of 1991 - Amendment

The House rejected 46-52 an amendment by Rep. Barbara Lisk, R-Zillah, that would have eliminated the prohibition on mandatory overtime from the Foundations for Families Act. The amendment would have deleted the sections which prohibited employers from requiring any employee to work beyond 40 hours in a week or 8 hours in a day except in complex situations.

A "Y" reflects agreement with the AWB position that employers must be able to rapidly respond to changing market trends if they are to stay competitive in the new international marketplace and have the flexibility to maintain critical operations until a safe, qualified replacement is available to replace a worker who is sick or has a family emergency. The amendment was opposed by the Washington State Labor Council and other labor groups.

SHB 1471

Foundations For Families Act of 1991- final passage

The House approved 55-43 legislation that would have (1) prohibited employers from requiring any employee to work beyond 40 hours in a week or 8 hours in a day with certain complex exemption provisions; (2) raised the state minimum wage from \$4.25 to \$5.25 per hour by January 1, 1992 with automatic annual increases thereafter; (3) expanded the family leave law to allow workers to use the unpaid leave to care for seriously ill family members; (4) reduced the employer threshold for family leave requirements to 50 or more employees; and, (5) created civil penalties and stronger criminal penalties for violations of employment standards.

An "N" reflects agreement with the AWB positions to strongly oppose any legislation that would (1) impose prohibitions on mandatory overtime which would restrict an employer's ability to maintain production; (2) increase the minimum wage above the federal level; (3) extend family leave laws to small businesses; or, (4) expand penalties for violations of employment standards until such time as existing inconsistencies between Federal and state law are addressed. This legislation was supported by the Washington State Labor Council and other labor groups.

HB 2220A

Employment Leave Provisions - Amendment

The House rejected 41-52 an amendment by Rep. Chris Vance, R-Kent, that would have prevented the expansion of the state family leave law to include businesses with 50 or more employees instead of the current limit of 100 or more employees. The amendment would have also limited the expansion of family leave benefits by placing into statute an additional leave provision only for "seriously ill children" rather than the broad category of "seriously ill family member."

A "Y" reflects agreement with the AWB position to oppose any expansion of the state's family leave law to smaller employers and to support a limited expansion of benefits to address the issue of seriously ill children. AWB believes that boilerplate mandates disproportionately impact smaller businesses where the sudden departure of a key employee for family leave can severely affect business operations. The amendment was opposed by the Washington State Labor Council and other labor groups.

SHB 2441

Plant Closure Process- final passage

The House approved 52-42 legislation that would have prohibited employers with fifty or more employees from ordering a business closure, sale, or layoff of one-third or more of their employees without providing written notice 60 days in advance. Any employer who violated the requirements would have been liable to each employee for back wages for each day of violation not to exceed sixty days.

Continued...

House Vote Descriptions Continued...

The legislation also allowed employee representatives or aggrieved employees the ability to file suit in superior court to recover damages, costs and, if prevailing party, attorneys fees.

An "N" reflects agreement with the AWB position to oppose any legislation that would expand the federal layoff and business closure law to encompass smaller businesses and smaller layoffs. The notice requirements in this legislation could have led to (1) creditors refusing to extend additional financial assistance to businesses, (2) key customers and suppliers shifting their business to more stable businesses, (3) critical personnel with skills in demand moving to more secure positions, and (4) morale problems within the labor force. This bill was supported by the Washington State Labor Council and other labor groups.

Liability Reform

ESHB 1320

Protective Orders/Public Hazards Disclosure- *final passage*

The House approved 51-46 legislation that would have prohibited courts from issuing protective orders in circumstances where they may have the effect of concealing "public hazards." The broad definition of "public hazards" contained in the legislation included any device, instrument, product or procedure that has caused injury to another, that presents a real and substantial potential for repetition, or that involved a single incident which affected or was likely to affect many people.

An "N" reflects agreement with the AWB position to oppose any legislation that would prohibit the use of protective orders during litigation. This legislation's prohibition of protective orders would have significantly increased litigation further crowding court dockets, discouraged settlements, and removed safeguards for litigants to protect trade secrets, confidential information, or a party's settlement strategy. The Washington State Trial Lawyers Association supported passage of this Legislation.

Health Care

HB 1646

COBRA Aids Shift- *final passage*

The House approved 50-48 legislation that would have reauthorized the state's use of medical assistance funds to pay COBRA (Federal law which enables employees to continue purchasing health care benefits, at employee expense, through former employer) insurance premiums for individuals diagnosed with HIV/AIDS who are eligible for medicaid.

An "N" reflects agreement with the AWB position that this legislation would have clearly shifted costs from the Department of Social and Health Services (DSHS) to private employer benefit plans. This legislation would have also undermined the financial integrity of private health plans because DSHS would only cover very ill HIV/AIDS patients under medicaid leaving private plans assuming the risk of that employee's health experience until they become very ill. This HIV/AIDS "health experience" rating would ultimately lead to higher health care premiums for the employer carrying that employee's COBRA plan. The legislation was supported by the Office of Financial Management and DSHS.

ESHB 2590

Health Care Reform Act of 1992 - *final passage*

The House rejected 39-55 legislation that would have established a five member permanent state commission with unprecedented regulatory authority. The commission would have been given the responsibility of defining health care benefits for all employers, setting maximum premiums, certifying health insurers, adopting a health care rationing policy and anti-improper queuing strategy, and determining employer tax levels to support provision of benefits to all state residents.

An "N" reflects agreement with the AWB position to oppose any legislation that would (1) mandate additional health care benefit requirements upon employers; (2) regulate the health care marketplace both as to pricing and other features of the health care delivery system; (3) restrict the level of choice as to level of benefits; (4) restrict the free market environment which stimulates innovation and competition; or (5) diminish an individual's responsibility to make life choices and be aware of costs associated with such choices. This legislation was supported by the Governor's office and eventually received a favorable vote with the addition of a referendum clause. The legislation died later in the Senate Health and Long Term Care Committee.

ESB 6089SA

Health Care Reform Act of 1992 - *Striking Amendment*

The House approved 55-41 legislation that struck the full text of ESB 6089 as it came from the Senate and substituted the text of ESHB 2590. Please refer to explanation of ESHB 2590 above.

House Vote Descriptions Continued...

Environment**ESHB 1025A****Growth Management Act of 1991 - Amendment**

The House approved 63-34 an amendment by Rep. David Cooper, D-Battle Ground, that restored vesting right provisions to current law standards. This amendment deleted the provision contained in the legislation that would have permitted vesting rights only at the time the building permit was issued, thus allowing for vesting rights upon filing of a completed application for a building permit.

A "Y" reflects agreement with the AWB position to remain committed to an improvement of the Growth Management Act of 1990 that encourages public-private partnership in protecting our state's quality of life while providing essential employment opportunities for our state's citizens. This amendment was consistent with AWB's position that any growth management legislation protect private property rights. NOTE: AWB was not supportive of ESHB 1025 as it appeared on the House floor, but did not actively lobby against its passage because keeping a growth bill alive was paramount to achieving growth management legislation during the 1991 session.

ESHB 1028**Clean Air Act of 1991- final passage**

The House approved 70-26 legislation that provides comprehensive new regulations of air pollution sources including industry, woodstoves, automobiles and outdoor burning activities. Please refer to explanation of HB 1028; page 5.

ESHB 1330A**1991 - 1993 Operating Budget - Amendment**

The House approved 57-39 an amendment by Rep. Bill Grant, D-Walla Walla, that reduced the proposed appropriation for the Department of Ecology Water Quality Permit Program (\$18 million) to its current level plus inflation (\$14.5 million) for the 1991-1993 biennium. The amendment restricted these permit fees from increasing nearly 170%.

A "Y" reflects agreement with the AWB position to oppose any substantial permit fee increases in the Water Quality Permit Program until a solid demonstration shows that the present program can be made more efficient. This demonstration was to include cost accounting for permitting activities and implementation of key recommendations of the State Efficiency and Accountability Commission.

SB 6273**Pesticide Regulation- final passage**

The House approved 58-38 legislation introduced by the Department of Agriculture to statutorily preempt local governments from banning application of pesticides.

A "Y" reflects agreement with the AWB position that the state Department of Agriculture should have the sole authority to enforce the federal rules governing the sale and application of pesticides. This legislation would save employers from having to comply with a multitude of regulations.



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