

**SENATE BILL REPORT**

**SB 6300**

**AS OF FEBRUARY 5, 1992**

**Brief Description:** Requiring the licensing of paint or coating applicators.

**SPONSORS:** Senators Oke, McMullen, Metcalf, Sutherland and Owen

**SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES**

**Staff:** Gary Wilburn (786-7453)

**Hearing Dates:**

**BACKGROUND:**

There are presently no state requirements that those applying paint for compensation obtain a license or successfully complete a training program. Many paints contain a variety of hazardous materials, which if not properly handled may adversely affect public health and the environment.

**SUMMARY:**

Paint or coating applicators must obtain a license from the Department of Labor and Industries after completing an education and testing program. Such applicators are defined as persons who for compensation apply paint or coating, or remove or treat painted or coated surfaces for compensation, including their direct supervisors. Elements of the course of education are specified, including an understanding of paint materials and their effects on workers, the public and the environment; methods of preparation, application, and knowledge of equipment; and understanding of pertinent laws and rules.

The education and licensing program is to be developed with the assistance of a nine-member commission appointed by the department director. Specified numbers of representatives are to be appointed, from organizations representing applicator employers, organizations representing applicators themselves, the painting industry at large, and a consumer representative. The appointments should reflect the state's demographics and the painting industry make-up. The commission is to guide the department in developing a license application form, licensing standards, rules for license revocation, and a definition of the relationship between the license and training programs.

Fees are to be assessed, pursuant to rules, to cover the costs of administering the program, including training, examinations, and license issuance and renewal. They are to be deposited to the paint and coating applicators account, which is created in the treasury. The account is subject to

allotment procedures but no appropriation is required for expenditure.

The department is granted investigatory and worksite inspection authority. Working without a license or employing an applicator who is not licensed is a civil infraction. Monetary penalties are to be set for employee infractions and for employer infractions. Minimum penalty levels are specified for each successive violation.

The Supreme Court is to prescribe the form of the notice of an infraction to be issued to alleged violators. The department with the assistance of the commission is to establish rules setting procedures for handling infractions similar to those for infractions of the plumbing licensing laws.

**Appropriation:** none

**Revenue:** yes

**Fiscal Note:** requested January 31, 1992