

HOUSE BILL REPORT

SHB 1929

As Passed Legislature

Title: An act relating to jail industries.

Brief Description: Concerning the employment of inmates.

Sponsors: By House Committee on Corrections (originally sponsored by Representatives Brumsickle and Morris).

Brief History:

Committee Activity:

Corrections: 2/28/95, 3/1/95 [DPS].

Floor Activity:

Passed House: 3/8/95, 98-0.

Passed Legislature.

HOUSE COMMITTEE ON CORRECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Ballasiotes, Chairman; Blanton, Vice Chairman; Sherstad, Vice Chairman; Quall, Ranking Minority Member; Tokuda, Assistant Ranking Minority Member; Cole; Dickerson; Koster; Radcliff; K. Schmidt and Schoesler.

Staff: Antonio Sanchez (786-7383).

Background: In 1993, the Legislature authorized the establishment of a jail industries board. The jail industries board is required to provide uniform assistance to local jails statewide in the development and implementation of safe and productive jail work programs. In addition to providing advice and guidelines, the board is also mandated to ensure that local businesses or labor are not negatively impacted by jail industries. The original legislation established two models of jail industry programs, one is the free venture employer model and the other is the free venture customer model. Inmates working in free venture work programs are eligible for industrial insurance benefits.

Summary of Bill: A new classification of jail industry is added called tax reduction industry. Tax reduction industries are defined as those industries owned and operated by local jurisdictions to provide work training and employment in order to reduce

public support costs. The goods and services of these industries are allowed to be sold to public agencies, nonprofit organizations, and private organizations when the goods purchased will ultimately be used by a public agency or nonprofit organization. Surplus goods may be donated to government and nonprofit organizations.

Clarification is provided as to who is responsible for providing industrial insurance under each of the three jail inmate employment models. In the free venture employer model industries, the private sector business or industry, or nonprofit organization is responsible. In free venture customer model industries, any organization that is party to the agreement is responsible, pursuant to that agreement. In tax reduction industries, local jurisdictions may elect to provide insurance through the state fund or through self-insurance.

City or county responsibilities are defined in the event of a failure of the private sector or nonprofit entity in any free venture industries agreement. Any free venture jail industries agreements are required to be filed under a separate and individual master business application and a separate account with the Department of Labor and Industries.

Clarification is also provided as to the role and responsibility of the advisory board. The board is required to provide training assistance to local jurisdictions upon request from that jurisdiction. Members serving on the board, and their employer(s) are protected from civil action based upon an act performed in good faith.

Other technical and housekeeping changes are made.

Appropriation: None.

Fiscal Note: Requested on February 21, 1995.

Effective Date of Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This measure is needed to keep local jails involved and interested in jail industries. The technical assistance provided to jails through this measure will lower local government costs and enhance inmate employment.

Testimony Against: None.

Testified: Jane Johnson, Jail Industries Board (pro); Donna Karvia, State Association of County Clerks (pro); and Ken Bensimon, KMB Design-Development (pro).