

# SENATE BILL REPORT

## SHB 2049

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As Reported By Senate Committee On:  
State & Local Government, March 26, 2001

**Title:** An act relating to technical assistance programs.

**Brief Description:** Establishing technical assistance programs.

**Sponsors:** By House Committee on State Government (originally sponsored by Representatives Pearson, Crouse, Cox, Schindler, DeBolt, Mitchell, Ericksen, Cairnes, Clements and Talcott).

**Brief History:**

**Committee Activity:** State & Local Government: 3/22/01, 3/26/01 [DPA].

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### SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

**Majority Report:** Do pass as amended.

Signed by Senators Patterson, Chair; Gardner, Hale, Horn, McCaslin, T. Sheldon and Swecker.

**Staff:** Diane Smith (786-7410)

**Background:** All regulatory agencies with the authority to issue civil penalties must develop technical assistance programs to encourage voluntary compliance with statutory requirements. The programs must include printed information, information and assistance by telephone, training meetings, technical assistance visits, and other methods to provide technical assistance.

An owner/operator may request a technical assistance visit, and in all cases, technical assistance visits must be voluntary. During a technical assistance visit, a regulatory agency must inform the owner/operator of any violations of law or agency rules the agency observes.

Unless it is a repeat violation, involves sales tax or is a dangerous condition, an agency may not impose a civil penalty during a technical assistance program.

After a technical assistance visit where violations have been identified, the regulatory agency must give the owner/operator a reasonable amount of time to correct the violations. A regulatory agency may conduct a follow-up visit after this amount of time has expired and issue civil penalties for uncorrected violations.

**Summary of Amended Bill:** During a follow-up visit to a technical assistance visit, a regulatory agency may not issue a civil penalty for violations not previously identified in a technical assistance visit, except for violations the Department of Labor and Industries must penalize in compliance with the federal Occupational Safety and Health Act (OSHA) and the state Industrial Safety and Health Act (WISHA).

**Amended Bill Compared to Substitute Bill:** The striking amendment conforms the underlying bill to OSHA and WISHA requirements.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** Both the bill and the amendment are expressions of good government and cooperation between business and regulatory agencies.

**Testimony Against:** None.

**Testified:** Selwyn Walters, L&I (pro w/amend.); Carolyn Logue, NFIB (pro); Amber Balch, AWB (pro); Gary Smith, IBA (pro).