

1 1206 AAS 4/11/91

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5 **HB 1206** - S AMD

6 By Senators McMullen and Anderson

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8 Adopted 4/11/91 - Voice Vote

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10 On page 5, line 13, after "shall" strike the remainder of the  
11 sentence and insert "only apply to orders assessing an overpayment  
12 which are issued on or after the effective date of this act: PROVIDED,  
13 That this subsection shall apply retroactively to all orders assessing  
14 an overpayment resulting from fraud, civil, or criminal."

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16 **HB 1206** - S COMM AMD

17 By Committee on Commerce & Labor

18  
19 Adopted 4/11/91 - Voice vote

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21 On page 5, after line 15, insert the following subsection:

22 "(6) Order assessing an overpayment which are issued on or after  
23 the effective date of this act shall include a conspicuous notice of  
24 the collection methods available to the department or self-insurer."

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26 **HB 1206** - S COMM AMD

27 By Committee on Commerce & Labor

28  
29 Adopted 4/11/91 - Voice Vote

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31 On page 10, after line 20, insert the following:

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33 "**Sec. 3.** RCW 51.12.100 and 1988 c 271 s 2 are each amended to read  
34 as follows:

35 (1) The provisions of this title shall not apply to a master or  
36 member of a crew of any vessel, or to employers and workers for whom a  
37 right or obligation exists under the maritime laws or federal  
38 employees' compensation act for personal injuries or death of such  
39 workers.

1 (2) If an accurate segregation of payrolls of workers for whom such  
2 a right or obligation exists under the maritime laws cannot be made by  
3 the employer, the director is hereby authorized and directed to fix  
4 from time to time a basis for the approximate segregation of the  
5 payrolls of employees to cover the part of their work for which no  
6 right or obligation exists under the maritime laws for injuries or  
7 death occurring in such work, and the employer, if not a self-insurer,  
8 shall pay premiums on that basis for the time such workers are engaged  
9 in their work.

10 (3) Where two or more employers are simultaneously engaged in a  
11 common enterprise at one and the same site or place in maritime  
12 occupations under circumstances in which no right or obligation exists  
13 under the maritime laws for personal injuries or death of such workers,  
14 such site or place shall be deemed for the purposes of this title to be  
15 the common plant of such employers.

16 (4) In the event payments are made under this title prior to the  
17 final determination under the maritime laws or federal employees'  
18 compensation act, such benefits shall be repaid by the worker or  
19 beneficiary if recovery is subsequently made under the maritime laws or  
20 federal employees' compensation act."

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24 **HB 1206 - S COMM AMD**

25 By Committee on Commerce & Labor

26  
27 Adopted 4/11/91 - Voice Vote

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29 On page 1, line 2 of the title, strike "and 51.32.050" and insert  
30 ", 51.32.050, and 51.12.100"

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34 **HB 1206 - S COMM AMD**

35 By Committee on Commerce & Labor

36  
37 Adopted 4/11/91 - Voice Vote

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39 On page 10, after line 20, insert the following:

1           **"Sec. 3.** RCW 51.16.110 and 1977 ex.s. c 323 s 12 are each amended  
2 to read as follows:

3           Every employer who shall enter into any business, or who shall  
4 resume operations in any work or plant after the final adjustment of  
5 his or her payroll in connection therewith, or who was formerly a self-  
6 insurer and wishes to continue his or her operations subject to this  
7 title, shall, before so commencing or resuming or continuing  
8 operations, as the case may be, notify the department of such fact(~~(7~~  
9 ~~accompanying such notification with a cash deposit in a sum equal to~~  
10 ~~the estimated premiums for the first three full calendar months of his~~  
11 ~~or her proposed operations which shall remain on deposit subject to the~~  
12 ~~other provisions of this section.~~

13           ~~The department may, in its discretion and in lieu of such deposit,~~  
14 ~~accept a bond, in an amount which it deems sufficient, to secure~~  
15 ~~payment of premiums due or to become due to the accident fund and~~  
16 ~~medical aid fund. The deposit or posting of a bond shall not relieve~~  
17 ~~the employer from paying premiums subsequently due.~~

18           ~~Should the employer acquire sufficient assets to assure the payment~~  
19 ~~of premiums due to the accident fund and the medical aid fund the~~  
20 ~~department may, in its discretion, refund the deposit or cancel the~~  
21 ~~bond.~~

22           ~~If the employer ceases to be an employer under this title, the~~  
23 ~~department shall, upon receipt of all payments due the accident fund~~  
24 ~~and medical aid fund, or any other fund under this title, refund to the~~  
25 ~~employer all deposits remaining to the employer's credit and shall~~  
26 ~~cancel any bond given under this section.))"~~

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28           "NEW SECTION.   **Sec. 4.**       RCW 51.16.115 and 1986 c 9 s 7 are each  
29 repealed."

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2 By Committee on Commerce & Labor

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4 Adopted 4/11/91 - Voice Vote

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6 On page 1, line 1 of the title, after "payments;" strike "and"

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8 On page 1, line 2 of the title, after "51.32.240" strike "and  
9 51.32.050" and insert ", 51.32.050, and 51.16.110; and repealing RCW  
10 51.16.115"