

CERTIFICATION OF ENROLLMENT  
**SECOND SUBSTITUTE SENATE BILL 6599**

Chapter 272, Laws of 2004  
(partial veto)

58th Legislature  
2004 Regular Session

CHOLINESTERASE MONITORING

EFFECTIVE DATE: 4/1/04

Passed by the Senate March 10, 2004  
YEAS 49 NAYS 0

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House March 5, 2004  
YEAS 95 NAYS 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Approved April 1, 2004, with the  
exception of section 3, which is vetoed.

GARY F. LOCKE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Milton H. Doumit, Jr.,  
Secretary of the Senate of the  
State of Washington, do hereby  
certify that the attached is  
**SECOND SUBSTITUTE SENATE BILL 6599**  
as passed by the Senate and the  
House of Representatives on the  
dates hereon set forth.

MILTON H. DOUMIT JR.

\_\_\_\_\_  
**Secretary**

FILED

April 1, 2004 - 12:28 p.m.

**Secretary of State  
State of Washington**

---

SECOND SUBSTITUTE SENATE BILL 6599

---

AS AMENDED BY THE HOUSE

Passed Legislature - 2004 Regular Session

State of Washington                      58th Legislature                      2004 Regular Session

By Senate Committee on Ways & Means (originally sponsored by  
Senators Honeyford, Swecker, Parlette, Haugen, Sheahan and Rasmussen)

READ FIRST TIME 02/10/04.

1            AN ACT Relating to required elements of cholinesterase monitoring  
2 programs for certain pesticide handlers; adding new sections to chapter  
3 49.17 RCW; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 49.17 RCW  
6 to read as follows:

7            Employers whose employees receive medical monitoring under chapter  
8 296-307 WAC, Part J-1, shall submit records to the department of labor  
9 and industries each month indicating the name of each worker tested,  
10 the number of hours that each worker handled covered pesticides during  
11 the thirty days prior to testing, and the number of hours that each  
12 worker handled covered pesticides during the current calendar year.  
13 The department of labor and industries shall work with the department  
14 of health to correlate this data with each employee's test results. No  
15 later than January 1, 2005, the department of labor and industries  
16 shall require employers to report this data to the physician or other  
17 licensed health care professional and department of health public  
18 health laboratory or other approved laboratory when each employee's  
19 cholinesterase test is taken. The department shall also require

1 employers to provide each employee who receives medical monitoring  
2 with: (1) A copy of the data that the employer reports for that  
3 employee upon that employee's request; and (2) access to the records on  
4 which the employer's report is based.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW  
6 to read as follows:

7 By January 1, 2005, January 1, 2006, and January 1, 2007, the  
8 department of labor and industries shall report the results of its data  
9 collection, correlation, and analysis related to cholinesterase  
10 monitoring to the house of representatives committees on agriculture  
11 and natural resources and commerce and labor, or their successor  
12 committees, and the senate committees on agriculture and commerce and  
13 trade, or their successor committees. These reports shall also  
14 identify any technical issues regarding the testing of cholinesterase  
15 levels or the administration of cholinesterase monitoring.

16 **\*NEW SECTION. Sec. 3. A new section is added to chapter 49.17 RCW**  
17 **to read as follows:**

18 **As specified in any proviso relating to cholinesterase monitoring**  
19 **in the 2003-2005 omnibus operating appropriations act, the department**  
20 **shall make reasonable reimbursements on a quarterly basis.**

*\*Sec. 3 was vetoed. See message at end of chapter.*

21 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of the  
23 state government and its existing public institutions, and takes effect  
24 immediately.

Passed by the Senate March 10, 2004.

Passed by the House March 5, 2004.

Approved by the Governor April 1, 2004, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State April 1, 2004.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 3, Second  
Substitute Senate Bill No. 6599 entitled:

"AN ACT Relating to required elements of cholinesterase  
monitoring programs for certain pesticide handlers;"

Second Substitute Senate Bill No. 6599 requires the Department of  
Labor and Industries to collect, correlate, and analyze certain data  
related to cholinesterase tests.

Section 3 would have required the department to make reasonable  
reimbursements on a quarterly basis as specified in the operating  
budget. This section refers to an appropriation in the operating

budget that is to be used to reimburse agricultural employers for training, travel, and record-keeping costs related to complying with the cholinesterase monitoring rule.

In order to directly reimburse employers, the department will have to create a new payment system. Section 3 dictates how the department should reimburse employers, thus limiting the agency's flexibility on the design of the new system. The agency may decide that it is more practical to reimburse monthly, biannually or annually. In any case, the department should have the flexibility to make this decision.

For these reasons, I have vetoed section 3 of Second Substitute Senate Bill No. 6599.

With the exception of section 3, Second Substitute Senate Bill No. 6599 is approved."