

SENATE BILL REPORT

HB 1311

As of March 27, 2013

Title: An act relating to making coverage of certain maritime service elective for purposes of unemployment compensation.

Brief Description: Making coverage of certain maritime service elective for purposes of unemployment compensation.

Sponsors: Representatives Chandler, Sells and Moscoso.

Brief History: Passed House: 3/05/13, 96-0.

Committee Activity: Commerce & Labor: 3/25/13.

SENATE COMMITTEE ON COMMERCE & LABOR

Staff: Mac Nicholson (786-7445)

Background: Most employment is covered employment for purposes of unemployment insurance. With respect to maritime employment, an individual's service as an officer or crew member of an American vessel is covered, wherever the service is performed, if the employer maintains an in-state operating office at the start of the pay period from which the operations of the vessel are ordinarily managed and controlled.

Summary of Bill: Services performed by an individual on a fishing boat are not covered employment if the employer is not a reimbursable employer; the individual receives only a share of the boat's catch or the proceeds from the sale of the catch; the amount of the share depends on the amount of fish caught; and the operating crew of the boat is normally made up of fewer than ten individuals.

A maritime employer may elect to cover exempt employees.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff Summary of Public Testimony: PRO: This bill will make things more consistent for commercial fishing boats that operate in multiple jurisdictions. Washington-based owners operate in waters outside the state and the existing law for covered employment services is confusing. This confusion and ambiguity led to inconsistent determinations by different employment security offices. This bill is designed to simplify the law and make it consistent with the laws of other states. The bill would allow elective coverage for the whole crew.

Persons Testifying: PRO: Representative Chandler, prime sponsor; Tom Echols, Bob Kehoe, Purse Seine Vessel Owners Assn.