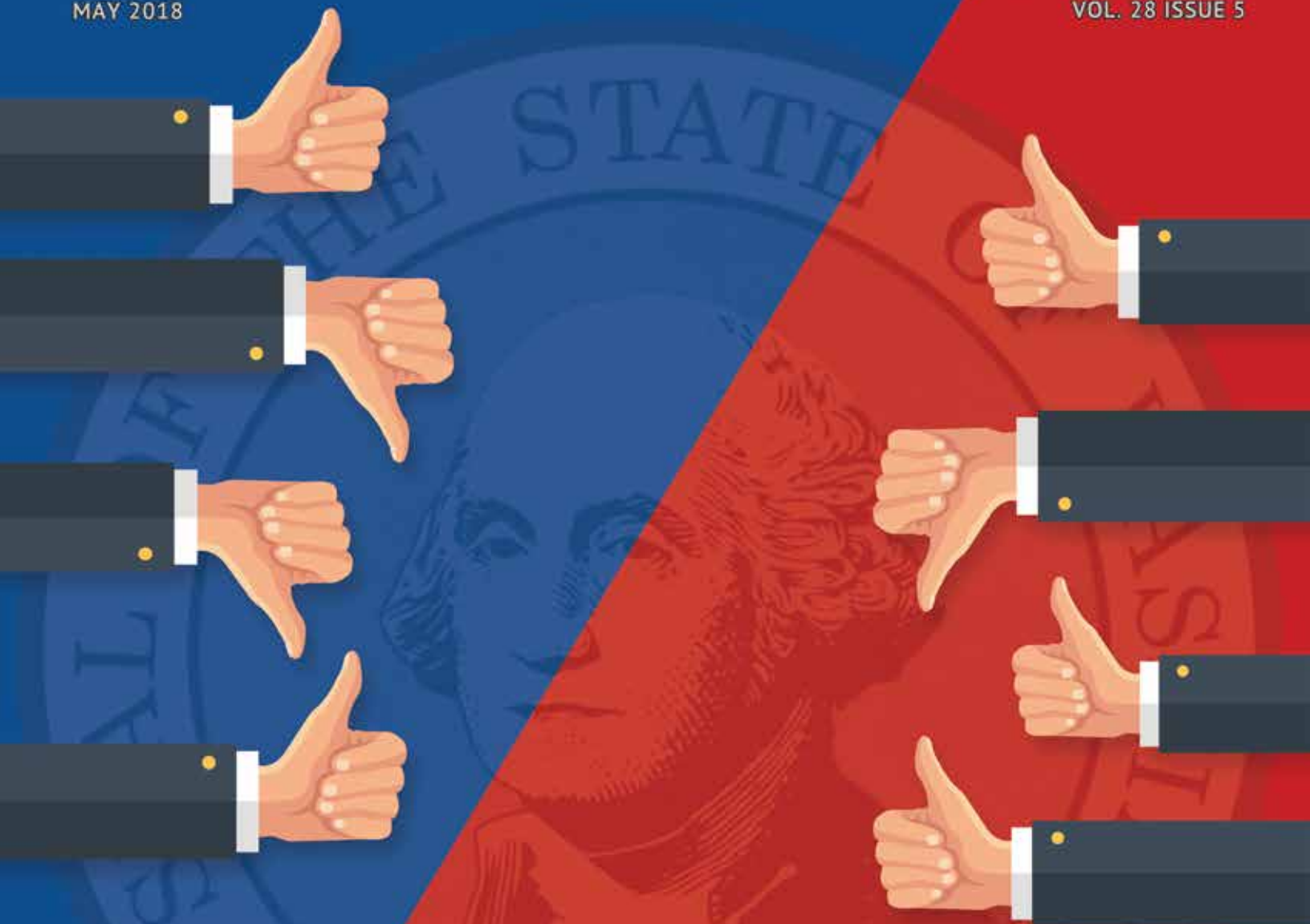


BUILDING INSIGHT

MAY 2018

VOL. 28 ISSUE 5



LAWMAKER SCORES: HOW THEY VOTED

P8

PLUS:

R.O.I.I.® SELECT EARNS A 38% REFUND

P20

GOVERNMENT OVERREACH

LONG ARM OF THE CITY

CITY OF PUYALLUP'S MISGUIDED ATTEMPT TO STALL DEVELOPMENT OUTSIDE ITS BORDERS

Last year, the City of Puyallup tried to seize control over the environmental review of an industrial development in Pierce County, completely outside the Puyallup city limits. Bruce Dammeier, Pierce County Executive and former state legislator, rebuffed Puyallup's attempt, informing the city that, in his view, Puyallup lacked jurisdiction over the project and thus could not supplant the county and require more environmental reviews of the project.



// ADAM FRANK
GENERAL COUNSEL

Doubling down, Puyallup sued Pierce County in Thurston County Superior Court, claiming that the State Environmental Policy Act (SEPA) and its related regulations allowed the city to "assume lead agency status" and require the developer to prepare a complete Environmental Impact Statement (EIS). Fortunately for the developer, Puyallup skipped over one major detail of the SEPA

regulation in question.

A mechanism exists in the Washington Administrative Code (WAC) for an "agency with jurisdiction" to assume "lead agency status" from another, and "expeditiously prepare an EIS."

WAC 197-11-948(1) (emphasis added) states:

(1) An agency with jurisdiction over a proposal, upon *review of a Determination of Nonsignificance (DNS)* (WAC 197-11-340) may transmit to the initial lead agency a completed "Notice of assumption of lead agency status." ... Assumption of lead agency status shall occur only within the fourteen-day comment period *on a DNS* issued under WAC 197-11-340(2)(a), or during the period on a notice of application when the optional *DNS* process in WAC 197-11-355 is used.

However, what Puyallup objected to on review of Pierce County's actions was a Mitigated Determination of NonSignificance (MDNS). As the developer and property owner explain in their motion for summary judgment, courts and SEPA experts have indicated that an MDNS "may provide more effective environmental protection than promulgation of an EIS." The facts indeed lean in that direction.

Over the course of more than a year, Pierce County reviewed the potential environmental impacts of the proposed project and required the developer to respond to all critical comments and amend the design of the project to avoid environmental impacts. At the end of that process, Pierce County issued an MDNS, not a DNS, which is obviously important in the context of the text of the regulation at issue.

Puyallup is on shaky ground claiming it is an "agency with jurisdiction" over any part of this project that lies completely outside its borders, and it certainly

has no leg to stand on when it comes to the MDNS/DNS distinction. The WAC authorizes the assumption of

“ Puyallup is on shaky ground claiming it is an 'agency with jurisdiction' over any part of this project that lies completely outside its borders, and it certainly has no leg to stand on when it comes to the MDNS/DNS distinction.

lead agency status, but, very plainly, only "upon review of a DNS."

In this instance, there is no DNS, and therefore Puyallup cannot push Pierce County out of the picture. A Thurston County judge agreed, granting the owner's, developer's and county's motion for summary judgment on these grounds.

The City of Puyallup filed a notice of appeal in the Court of Appeals last November, but a date for oral arguments has not been set. BIAW agreed with the Washington Realtors to file an amicus (friend of the court) brief in support of Pierce County for standing up to Puyallup's attempt to usurp its authority to approve a development outside city limits.

BIAW will watch this case closely, and update members on its progress as more details become available.

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PRESIDENT'S PERSPECTIVE

ALL FOR ONE

Unified membership forges ahead

4 //

EVP VIEWPOINT

LID PARTNERSHIP FORGED

Grant will allow BIAW to deliver LID education to builders, developers

6 //

Who We Are

The Building Industry Association of Washington is the state's largest trade association and represents nearly 8,000 member companies in the home building industry. Known as the "Champions of Affordable Housing," BIAW is dedicated to ensuring and enhancing the vitality of the building industry for the benefit of its members and the housing needs of citizens.

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CONTACT THE EDITORIAL STAFF

Want to submit an article for publication?
Have a story tip or suggestion? For consideration, please email jenniferh@biaw.com.



On the Cover: BIAW's annual "How They Voted" compiles lawmakers' votes on BIAW-priority issues for the 2017-2018 legislative sessions. Plus: R.O.I.I.® Select earns a 38 percent first adjustment refund for the 2016-2017 plan year.

ALL FOR ONE

UNIFIED MEMBERSHIP FORGES AHEAD



// KEVIN RUSSELL

PRESIDENT

As we march towards summer, I am pleased to recognize the hard work of BIAW members in the continual effort to grow and strengthen our association! BIAW Second Vice President Debbi Boyd, Secretary Chris Lockhart, our great BIAW staff, and all of you, are doing a fantastic job of increasing our ranks. BIAW is closing in on 8,000 members and I ask, "Can we do it by next year's winter board meeting"? Yes, I think we can!

INTEREST IN BIAW

Recently, I was contacted by BIAW Administrative Services Director Jan Rohila in regards to a non-member who read last month's issue of *Building Insight* and had questions about the benefits of joining BIAW. I look forward to talking to the young man and share what being a member of a local association, BIAW as well as NAHB, can do for him and his business. Many of us already know the value, and it's a good sign that younger builders are once again interested in joining. The stronger we are, the bigger our voice in Olympia, Washington and the *other* Washington.

WORKING UNITED

And speaking of doing for one another, as I enjoy a very busy and project-filled schedule, I had the need for help on my team. I mentioned this to longtime BIAW friend and colleague, Gary Wray of the Skagit/Island Counties Building Association, and *viola*, he joined my team and is now helping to make us even more successful! My crew thinks his work is exceptional and even more so, my clients are very happy. This demonstrates BIAW members are a great resource to tap into. When we have a question or need help, we can rely on one another, not only within our communities and locals, but across county lines.

I am very pleased the days of continual "hard discussions" (that were non-productive) are gone, and today's attitude of joining together for the good of our entire membership are here. At times it is hard to accept some decisions. However, if you are able to see the entire picture and evaluate all the inner workings, I believe we can benefit more from continuity and strength as one cohesive unit.

As we reach mid-year, BIAW continues to look for ways to better improve the climate of the home building industry. Although the legislative session is over, BIAW's hard-working government affairs team and lobbyists are looking forward to the November elections and next year's session. Let's be vigilant and strong in candidate selection and not settle for anything less than supporters of BIAW and our industry.

On another front, BIAW staff and several members visited Washington D.C. to advocate for our association health plans. There is a move to change things that we do not

subscribe to and we are very fortunate to have the best minds in the business representing us—stay tuned.



As we reach mid-year, BIAW continues to look for ways to better improve the climate of the home building industry.

THE SEARCH PROCESS CONTINUES

Finally, as you read this, our "Put Art Out To Pasture" (*also known as Search Committee*) or as Art calls it, "I'll Have A Perpetual Tee Time At My Home Course," is narrowing its search for his replacement. The committee continues the search for an EVP candidate. All members attending the board meeting in Pasco will have an opportunity to meet and introduce themselves to the candidate.

BIAW is your association, and I hope to see you there.

ORAL ARGUMENTS HEARD

CULVERTS CASE UPDATE

Oral arguments in the U.S. Supreme Court on April 18 provided few hints about how the court will rule in *Washington v. United States*, better known as the culverts case.

The Ninth Circuit Court of Appeals upheld a federal district court's injunction, which requires the state to remove or replace its barrier culverts. The Ninth Circuit held that treaties

made in 1854-55 between the U.S. government and Indian tribes entitle the tribes to a minimum number of fish in order to earn a "moderate living"

from the harvest, despite the treaty only saying that tribes will be guaranteed to take fish "at all usual and accustomed grounds and stations ... in common with all citizens."

Such a broad interpretation potentially implicates other activities, including residential construction. The state appealed the ruling to the U.S. Supreme Court. BIAW joined the National Association of Home Builders, Washington Realtors®, and building associations and farm bureaus from neighboring states to fund an amicus (friend of the court) brief in support of the state's petition to the Supreme Court.

Curiously, the federal government's position in the oral argument was that the "moderate living" standard was in no way a basis for the district court's or the Ninth Circuit's decisions. Unfortunately, neither the lawyers representing the parties nor the justices asking the questions, seemed to be able to nail down any clarity on what standard to use to judge whether the tribes' treaty rights to taking fish have been violated.

Read more on the culverts case in the February issue of *Building Insight*. For an update on the case, visit the Supreme Court of the United States blog at www.scotus-blog.com/2018/04/argument-analysis-court-debates-standard-for-violating-tribal-fishing-rights.



BIAW VISITS WASHINGTON, D.C.



(l to r) BIAW Executive Vice President Art Castle, Master Builders Association of King and Snohomish Counties Executive Director Kat Sims and President Jonathan Henley of Capital Benefit Services (BIAW and MBA health insurance programs' administrator) made a quick visit in April to Washington, D.C. to meet with lawmakers and congressional aides to discuss bona fide Association Health Plans (AHPs).

BIAW

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LID PARTNERSHIP FORGED

GRANT WILL ALLOW BIAW TO DELIVER LID EDUCATION DIRECTLY TO BUILDERS, DEVELOPERS



// ART CASTLE

**EXECUTIVE
VICE PRESIDENT**

Last year, BIAW joined as a supporting partner in a Department of Ecology grant with Kitsap County (the lead agency), Herrera Environmental Consulting, and the Washington State University Stormwater Center to provide Low Impact Development (LID) education and certification to builders and developers to help understand and apply best practices to development projects.

The focus of the grant, known as Stormwater Grants of Regional or Statewide Significance Program or GROSS, is to improve knowledge and implementation of LID best management practices (BMP) across the construction industry. LID can be a cost-effective stormwater management system for construction projects, and management practices include such techniques as bioretention, permeable pavement, rainwater harvesting, green roofs, and tree preservation. One of the grant goals was also to provide a certification program for the home building industry.

LID is now a requirement (where feasible) under National Pollutant Discharge Elimination System (NPDES) permits for Phase I and Phase II jurisdictions in Western Washington and allowed in certain Eastern Washington cities and counties. The grant funding will provide education for our members to better understand new guidelines, proper techniques and their application on development sites.

BIAW TO LAUNCH LID CLASSES

With Kitsap County, Herrera and the WSU Stormwater Center, our role on the grant will be to coordinate, deliver and serve as the primary contact for LID courses and offer support for certification through our BIAW Education program. Our members will have access to the best information on LID through our association's education program.

Planning is already underway to launch the first set of LID education courses in October/November of this year and the second set of courses in February/March 2019. Builders and developers will also be eligible to earn LID certification once they complete classes, enabling them to be recognized as knowledgeable on low impact development practices and design implementation in their local communities. BIAW will be coordinating with the grant's partners on the LID certification.

One of the established benefits of the grant is that it will cover the primary costs for LID classes and certification, so our members and others in the construction industry will pay minimal fees to participate and take advantage of this valuable training.

Our industry has been involved for many years in the research, development and education of LID standards and implementation, and have formed strong relationships with many partners engaged in low impact development. A number of years ago, I worked with Kitsap County, Herrera and the WSU Stormwater Center when I was executive officer of the Home Builders Association of Kitsap County (now the Kitsap Building Association), where the HBA helped develop the LID standards for all Kitsap local government adoption, and also created a LID showcase project at the HBA office site. The Kitsap leadership in low impact development, along with BIAW's continued involvement in LID training, has been a central reason we agreed to participate in the grant to help builders and developers realize success with these stormwater management tools and techniques.

BIAW's continued commitment is to provide benefits to members. I encourage BIAW members to attend these LID classes to advance your knowledge as well as to obtain certification.

In the meantime, watch for more to come on LID class schedules and registration over the next few months in issues of *Building Insight*, emails and other communications.



Our industry has been involved for many years in the research, development and education of LID standards and implementation...

AGGRESSIVE MEASURES ON RISE

SAFETY STEPS TO KNOW

AVOID INCREASED FINES AND SEVERE PUNISHMENT BY BEING PRO ACTIVE

In 1990, the Washington state Supreme Court held in *Stute v. PBMC* a general contractor could be held li-



// AL AUDETTE

CODES AND REGULATIONS MANAGER

able for an injury to a subcontractor's employee that occurred as a result of a WISHA (Washington Industrial Safety and Health Act of 1973) violation. Washington courts have explained that general contractors have a non-delegable, specific duty to ensure compliance with all applicable WISHA regulations for "every employee on the jobsite," not just its own employees.

LIABILITY INCREASING

This decision clarified construction law regarding the liability of a general or prime contractor, which created a dramatic change in the construction industry. The state's Court of Appeals has extended the rule to include an upper-tier subcontractor and later held that the owner/developer retained a position so comparable to the general contractor that the owner/developer was also responsible to all employees on the work site.

In *Doss v. ITT Rayonier, Inc.*, the Court of Appeals extended the rule to impose potential liability to a landowner whose independent contractor

failed to comply with safety and health regulations. Basically, because the general contractor has authority to direct all working conditions on a construction site, the general contractor has ultimate responsibility under WISHA for safety and health at the job site.

Why does this decision matter to home builders? Because, for the first time in Washington state history, an employer is facing felony charges and possible prison time for a workplace fatality. The King County Prosecuting Attorney's Office filed second-degree manslaughter charges against Phillip Numrich, owner of Alki Construction, in connection with the death of Harold Felton. Felton was killed when the dirt walls of the trench he was working in collapsed and buried him on a job site in West Seattle in 2016. There are several reasons the case has reached the level it has. In any event, the potential now exists on every one of your jobsites.

SCHEDULE A CONSULTATION

Never fear, there are steps you can take to help lower the risk. First, give the Washington state Department of Labor and Industries (L&I) Safety & Health Consultation department a phone call or request an appointment via online at www.lni.wa.gov/Safety/Consultation/About.asp.

Consultation staff will come out to your office or jobsite and do a complete review of your safety and

health conditions or specific items you request. *You cannot be fined by a consultant as a result of the consultation* (providing a worker doesn't put themselves in imminent danger right in front of them). You will be required to correct serious hazards, but you will not receive financial penalties. The visit is two-fold: it will educate you and your employees and put your mind at ease since your business will be taken off L&I's random inspection schedule for at least a year. At that time, you can schedule L&I to return to your jobsite to update you on any new rules that were added or changed within the last year.

MAINTAIN WRITTEN RECORDS

Another step employers can take is to document everything to do with your safety procedures/program. Employers should maintain written records of safety training meetings and agendas, dated sign-in sheets, and where the meeting was held. Keep a record of your random site safety inspections, and any written discipline (even document it when you issue a verbal warning).

Documentation is the key to all these elements. These are just a few examples of proving the affirmative defense of "unpreventable employee misconduct," also known as employee malfeasance.

If there is unpreventable employee misconduct that leads to a violation,

See **SAFETY STEPS** on page 23//

Hirst Fix: 2E2SSB 5239 and ESSB 6091

2E2SSB 5239 [2017]

BIAW Supported
//Passed Senate
Four Times

Allowed a local jurisdiction to rely on Ecology's water resources rules when approving a subdivision, dedication, or short subdivision to determine if there is available potable water. Sought to fix the "Hirst decision."

ESSB 6091 [2018]

BIAW Supported //Passed //Signed

Fixed the *Hirst* decision and addressed the availability of water to support development. Allowed counties and cities to rely on Ecology rules and created water resource committees across the state to address water supply and impacts. Also addressed the *Foster* decision that impacted access to urban water supply by creating five pilot projects and a legislative recommendation task force.



Warnick

Taylor

Buys

Van De Wege



Governor Jay Inslee signs the *Hirst* fix bill.

A shout out to Senators Warnick and Van De Wege and Representatives Taylor and Buys for their tireless efforts to fix *Hirst* and help home builders across the state.

HOW THEY VOTED ^{biennial} LEGISLATIVE SCORECARD

AN IN-DEPTH LOOK AT BILLS OF THE 2017-18 LEGISLATIVE SESSIONS AND THEIR IMPACT ON THE HOME BUILDING INDUSTRY

2017 BILLS

ESB 5212 Land Use Control Ordinances

//BIAW Supported
//Passed Senate

Clarified that environmental and development regulations vest, correcting a 2016 State Supreme Court decision about stormwater vesting.

SSB 5228 Hydraulic Project Approvals

//BIAW Supported
//Passed Senate

Created a hydraulic project approval task force to evaluate Fish and Wildlife's jurisdiction.

ESSB 5048 Operating Budget

//BIAW Supported and Opposed //Passed Both Chambers
//Final Passage Significantly Different

Senate version, supported: Fully funded McCleary decision with a balanced budget with all the necessary votes for any assumed broad based taxes.

House version, opposed: Assumed significant new and increased taxes, including capital gains income tax and REET increases.

E2SSB 5254 Buildable Lands and Zoning

//BIAW Supported //Passed //Signed

Reformed the buildable lands report process to more accurately reflect reality to assist with planning more effectively for growth.

ESHB 2023 GMA Action Effective Date

//BIAW Oppose // Passed House

Removed vested rights for development in areas with recently expanded urban growth areas until all appeals and a final order was decided.

SSB 5500 State Building Code Council

//BIAW Supported
//Passed Senate

Changed the composition of the state building code cycle and adopted a six year code cycle.

SHB 1017 School Siting

//BIAW Supported //Passed //Vetoed

Allowed schools meeting certain criteria to site outside UGAs. Also allowed property owners along the extended utility lines to hook up and disallowed the collection of impact fees for schools sited outside of the UGA. The Governor vetoed the bulk of this bill.

HB 2243 Siting of Schools

BIAW Supported //Passed //Signed

Nearly identical language as the vetoed, ESHB 1017, the only difference was additional language adding a review of the new law.

2018 BILLS

E3SBH 1144 **Greenhouse Gas Emissions**

//BIAW Opposed
//Passed House
Tied Washington's greenhouse gas emission goals to the Paris Climate Agreement.

ESHB 2938 Campaign Finance Enforcement and Reporting

//BIAW Supported //Passed //Signed
Reformed enforcement and penalties at the Public Disclosure Commission. Also clarified the use and process for citizen action complaints and limited the Attorney General's ability to pile on campaign violation lawsuits.

2SHB 1506 Gender Pay Equity in the Workplace

//BIAW Opposed //Passed //Signed
Updated the existing state equal pay act to address income disparities, employer discrimination, and retaliation practices. Created broad cause of actions and substantially increased liability for employers.

664 Muri Amendment [House] **837 Baumgartner Amendment [Senate]**

//BIAW Supported //Failed
Limited the look back period for the calculation of wages and interest from four years to three.

666 Maycumber Amendment [House] **838 Baumgartner Amendment [Senate]**

//BIAW Supported //Failed
Addressed state preemption by prohibiting local governments from adopting additional equal pay regulations.



Representative
Maycumber

669 Smith Amendment [House]

//BIAW Supported //Failed
Provided that if an employee that has filed a complaint terminates the complaint, L&I must discontinue and vacate its enforcement action.

846 Rivers Amendment [Senate]

//BIAW Supported //Failed
Provided that an employee with a claim must choose either administrative or civil action, but cannot pursue both remedies.

ESSB 6614 **Property Taxes**

//BIAW Opposed
//Passed //Signed
Siphoned funds from the budget stabilization account (known as the rainy day fund) to provide a temporary property tax reduction.

SHB 2685 **High School Pre-apprenticeships**

//BIAW Supported
//Passed //Signed
Required the state to find opportunities to promote registered pre-apprenticeships and registered youth apprenticeships for high school students.

2SSB 6015 **Wrongful Injury or Death**

//BIAW Opposed //Passed Senate
Increased drastically costs of medical and local government liability, thus increasing costs to everyone. Dramatically expanded the ability to sue and claim enormous damages for "wrongful" death.

503 O'Ban Striker Amendment [Senate]

//BIAW Supported //Failed
Limited the noneconomic damages in a special survival action to pain and suffering, anxiety, emotional distress, or humiliation suffered by the decedent; and prohibited double recovery for the same damages to a person under wrongful death and survival actions.



Senator O'Ban

SSB 5991 **Campaign Finance Disclosures**

//BIAW Opposed //Passed //Signed
So called "dark money" bill that limited the ability for organizations to engage in political speech.

ESSB 6032 **Supplemental Operating Budget House Vote**

//BIAW Opposed
//Passed House
Amended by the House so budget relied on a capital gains income tax.

ESHB 2327 **Appliance Efficiency**

//BIAW Opposed
//Passed House
Increased efficiency standards for appliances.

ESSB 5108 PAC to PAC Contributions

//BIAW Opposed //Passed Senate
Language rejected by voter initiative in 2016, the language made political speech by way of independent expenditures practically difficult and cumbersome with increased reporting requirements. Limited the ability to transfer funds from one PAC to another PAC. Increased liability for campaign finance violations.

SUPPORTED
BIAW's position

Y YES vote
N NO vote

OPPOSED
BIAW's Position

Y YES vote
N NO vote

		2017 BILLS ▼▼▼													2018 BILLS ▼▼▼		
		School Siting	School Siting	GMA Vesting	Buildable Lands Reform	6-Year Building Code Cycle	Vesting	HPA Task Force	Hirst Fix	Hirst Fix	Hirst Fix	Hirst Fix	Senate Budget	House Budget	Greenhouse Gas Emissions	Equal Pay	Amendment Equal Pay Look Back
BILL#		ESHB 1017	HB 2243	ESHB 2023	E2SSB 5254	SSB 5500	ESB 5212	SSB 5228	2E2SSB 5239				ESSB 5048	ESSB 5048	E3SHB 1144	2SHB 1506	AMD 664/837
HOUSE EX/AB		81-15 2E	78-15 5E	50-47 1E	85-9 4E									50-48	50-48	69-28 1E	47-50 1E
SENATE EX/AB		31-17 1E	30-19		47-2	25-24	25-24	28-21	28-21	28-18 3E	28-20 1E	28-21	25-24			37-12	24-25
DIST.	BIAW POSITION	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y
1	Sen. Guy Palumbo (D) Rep. Derek Stanford (D) Rep. Shelley Kloba (D)	E N N	N N N	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y Y	N N N
2	Sen. Randi Becker (R) Rep. Andrew Barkis (R) Rep. J.T. Wilcox (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N N	N N N	Y Y Y
3	Sen. Andy Billig (D) Rep. Marcus Riccelli (D) Rep. Timm Ormsby (D)	N Y Y	N Y Y	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y Y	N N N
4	Sen. Mike Padden (R) Rep. Bob McCaslin (R) Rep. Matt Shea (R)	Y Y Y	Y Y E	N N N	Y N N	Y	Y	Y	Y	Y	Y	Y	Y	N N N	N N N	N N N	Y Y Y
5	Sen. Mark Mullet (D) Rep. Jay Rodne (R) Rep. Paul Graves (R)	Y Y Y	Y Y Y	N N N	Y Y Y	N	N	Y	Y	Y	Y	Y	N	N N N	N N	Y Y Y	N Y Y
6	Sen. Michael Baumgartner (R) Rep. Jeff Holy (R) Rep. Mike Volz (R)	Y Y Y	Y E Y	N N N	Y E Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N N	Y N N	Y Y Y
7	Sen. Shelly Short (R) Rep. Jacquelin Maycumber (R) Rep. Joel Kretz (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N N	N N N	Y Y Y
8	Sen. Sharon Brown (R) Rep. Brad Klippert (R) Rep. Larry Haler (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N N	Y N Y	Y Y Y
9	Sen. Mark Schoesler (R) Rep. Joe Schmick (R) Rep. Mary Dye (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N N	Y N N	Y Y Y
10	Sen. Barbara Bailey (R) Rep. Dave Hayes (R) Rep. Norma Smith (R)	Y Y Y	Y E Y	N N E	Y E Y	Y	Y	Y	Y	Y	Y	Y	Y	N N N	N N	Y Y Y	Y Y Y
11	Sen. Bob Hasegawa (D) Rep. Steve Bergquist (D) Rep. Zack Hudgins (D)	N N Y	N N Y	Y Y Y	N Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y Y	N N N

	Amendment Equal Pay Preemption	Amendment Equal Pay Complaint Termination	Amendment Equal Pay Administrative or Civil Action	Appliance Efficiency	High School Pre-apprenticeships	Campaign Finance	PAC to PAC	DISCLOSE Act	DISCLOSE Act	Wrongful Death	Amendment Wrongful Death Limiting Damages	Supplemental Operating Budget	Hirst Fix: Water Availability	Budget Stabilization Raid	2017-2018 Voting Score (Votes for BIAW bills are weighted in percentage total)	2015-2016 Voting Score (weighted)	4-Year Cumulative
	AMD 666/838	AMD 669	AMD 846	ESHB 2327	SHB 2685	ESHB 2938	ESSB 5108	SSB 5991	SSB 5991	2SSB 6015	AMD 503	ESSB 6032	ESSB 6091	ESSB 6614			
	46-51 1E	47-50	24-25	53-45	98-0	92-4 2E			53-45			50-46 2E	66-30 2E	59-39			
	24-25				48-0 1A	48-0 1E	29-18 2E	33-16	32-17	26-21 2E	22-25 2E		35-14	25-23 1E			
	Y	Y	Y	N	Y	Y	N	N	N	N	Y	N	Y	N			
	N N N	N N	N	Y Y	A Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	Y N	Y Y	19% 13% 13%	-- 56% --	-- 35% --
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N E	Y N	N N	96% 100% 77%	100% 100% 100%	98% 100% 89%
	N N N	N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	Y Y Y	Y Y	20% 43% 43%	24% 56% 56%	22% 50% 50%
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	N	N N	Y Y Y	N N	94% 96% 95%	100% 78% 78%	97% 87% 87%
	N Y Y	Y Y	N	N N	Y Y Y	Y Y Y	Y	Y	N N N	Y	Y	N N	Y N	Y Y	69% 73% 70%	45% 100% --	57% 86% --
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	E	Y	Y N N	E	E	N N	N Y Y	N N	82% 100% 96%	93% 78% 78%	88% 89% 87%
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N N	Y Y Y	N N	96% 100% 100%	100% -- 100%	98% -- 100%
	Y Y N	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N N	Y Y N	N N	94% 100% 91%	100% 100% 100%	97% 100% 96%
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N N	Y Y N	N N	94% 100% 100%	100% 78% 100%	97% 89% 100%
	Y Y Y	Y Y	Y	Y N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N N	Y Y N	N N	86% 95% 90%	100% 100% 100%	93% 98% 95%
	N N N	N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	N N Y	Y Y	8% 13% 22%	18% 56% 56%	13% 34% 39%

SUPPORTED
BIAW's position

Y YES vote
N NO vote

OPPOSED
BIAW's Position

Y YES vote
N NO vote

		2017 BILLS ▼▼▼												2018 BILLS ▼▼▼			
		School Siting	School Siting	GMA Vesting	Buildable Lands Reform	6-Year Building Code Cycle	Vesting	HPA Task Force	Hirst Fix	Hirst Fix	Hirst Fix	Hirst Fix	Senate Budget	House Budget	Greenhouse Gas Emissions	Equal Pay	Amendment Equal Pay Look Back
BILL#		ESHB 1017	HB 2243	ESHB 2023	E2SSB 5254	SSB 5500	ESB 5212	SSB 5228	2E2SSB 5239				ESSB 5048	ESSB 5048	E3SHB 1144	2SHB 1506	AMD 664/837
HOUSE EX/AB		81-15 2E	78-15 5E	50-47 1E	85-9 4E									50-48	50-48	69-28 1E	47-50 1E
SENATE EX/AB		31-17 1E	30-19		47-2	25-24	25-24	28-21	28-21	28-18 3E	28-20 1E	28-21	25-24			37-12	24-25
DIST.	BIAW POSITION																
12	Sen. Brad Hawkins (R) Rep. Cary Condotta (R) Rep. Mike Steele (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N N N		N N Y	N N Y	Y Y Y
13	Sen. Judy Warnick (R) Rep. Matt Manweller (R) Rep. Tom Dent (R)	Y Y Y	Y E Y	N N N	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N N N		N N N	N N Y	Y Y Y
14	Sen. Curtis King (R) Rep. Gina McCabe (R) Rep. Norm Johnson (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N N N		N Y Y	Y Y Y	Y Y Y
15	Sen. Jim Honeyford (R) Rep. Bruce Chandler (R) Rep. David Taylor (R)	Y Y Y	Y Y Y	N N N	Y Y N	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N N N		N N N	N N Y	Y Y Y
16	Sen. Maureen Walsh (R) Rep. Bill Jenkin (R) Rep. Terry Nealey (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N N N		N N E	Y N E	Y Y E
17	Sen. Lynda Wilson (R) Rep. Paul Harris (R) Rep. Vicki Kraft (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N N N		N Y Y	N Y Y	Y Y Y
18	Sen. Ann Rivers (R) Rep. Brandon Vick (R) Rep. Liz Pike (R)	Y Y Y	Y Y Y	N N N	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N N N		N N N	N N Y	Y Y Y
19	Sen. Dean Takko (D) Rep. Brian Blake (D) Rep. Jim Walsh (R)	Y Y Y	Y Y Y	Y N N	Y Y Y	N N Y	N N Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y N	Y N N		Y Y N	N Y Y	N N Y
20	Sen. John Braun (R) Rep. Ed Orcutt (R) Rep. Richard DeBolt (R)	Y Y E	Y Y Y	N N N	Y N N	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N N N		N N N	Y N Y	Y Y Y
21	Sen. Marko Lias (D) Rep. Lillian Ortiz-Self (D) Rep. Strom Peterson (D)	N Y Y	N Y Y	Y Y Y	Y Y Y	N N Y	N N Y	N N Y	N N Y	N N Y	N N Y	N N Y	Y Y Y		Y Y Y	Y Y Y	N N N
22	Sen. Sam Hunt (D) Rep. Beth Doglio (D) Rep. Laurie Dolan (D)	N N Y	N N Y	Y Y Y	Y Y Y	N N Y	N N Y	N N Y	N N Y	N N Y	N N Y	N N Y	Y Y Y		Y Y Y	Y Y Y	N N N

	Amendment Equal Pay Preemption	Amendment Equal Pay Complaint Termination	Amendment Equal Pay Administrative or Civil Action	Appliance Efficiency	High School Pre-apprenticeships	Campaign Finance	PAC to PAC	DISCLOSE Act	DISCLOSE Act	Wrongful Death	Amendment Wrongful Death Limiting Damages	Supplemental Operating Budget	Hirst Fix: Water Availability	Budget Stabilization Raid	2017-2018 Voting Score (Votes for BIAW bills are weighted in percentage total)	2015-2016 Voting Score (weighted)	4-Year Cumulative
	AMD 666/838	AMD 669	AMD 846	ESHB 2327	SHB 2685	ESHB 2938	ESSB 5108	SSB 5991	SSB 5991	2SSB 6015	AMD 503	ESSB 6032	ESSB 6091	ESSB 6614			
	46-51 1E	47-50	24-25	53-45	98-0	92-4 2E			53-45			50-46 2E	66-30 2E	59-39			
	24-25				48-0 1A	48-0 1E	29-18 2E	33-16	32-17 2E	26-21 2E	22-25		35-14	25-23 1E			
	Y	Y	Y	N	Y	Y	N	N	N	N	Y	N	Y	N			
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	Y	Y N N	N	Y	N N N	Y Y Y	N N N	92% 96% 96%	78% 78% --	85% 87% --
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	Y N N	N	Y	N N N	Y Y Y	Y Y N	94% 95% 100%	100% 100% 100%	97% 98% 100%
	Y Y Y	Y Y	Y	Y N N	Y Y Y	Y Y Y	N	N	N Y N	N	Y	N N N	Y Y Y	Y Y N	94% 87% 96%	100% 100% 100%	97% 93% 98%
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N N N	Y Y Y	N N N	96% 100% 96%	94% 72% 78%	95% 86% 87%
	Y Y E	Y E	Y	N N	Y Y Y	E Y Y	E	Y	Y N N	E	E	N N	Y Y Y	E N N	93% 100% 100%	89% -- 94%	91% -- 97%
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N N N	Y Y Y	N N N	100% 96% 97%	100% 100% --	100% 98% --
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	Y	Y	N N N	N	Y	N N N	Y Y Y	N N N	98% 100% 100%	94% 100% 100%	96% 100% 100%
	N Y Y	N Y	N	Y N	Y Y Y	Y Y Y	Y	Y	Y Y N	Y	Y	Y N	Y Y Y	Y Y N	69% 43% 96%	94% 56% --	67% 99% --
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	Y	N N N	N	Y	N E	Y Y Y	N N N	92% 96% 95%	100% 100% 100%	96% 98% 98%
	N N N	N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	N Y	Y Y	20% 22% 43%	44% 56% 56%	32% 39% 50%
	N N N	N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	N Y	Y Y	11% 13% 43%	59% -- --	35% -- --

SUPPORTED
BIAW's position

Y YES vote
N NO vote

OPPOSED
BIAW's Position

Y YES vote
N NO vote

		2017 BILLS ▼▼▼													2018 BILLS ▼▼▼		
		School Siting	School Siting	GMA Vesting	Buildable Lands Reform	6-Year Building Code Cycle	Vesting	HPA Task Force	Hirst Fix	Hirst Fix	Hirst Fix	Hirst Fix	Senate Budget	House Budget	Greenhouse Gas Emissions	Equal Pay	Amendment Equal Pay Look Back
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HOUSE EX/AB		81-15 2E	78-15 5E	50-47 1E	85-9 4E									50-48	50-48	69-28 1E	47-50 1E
SENATE EX/AB		31-17 1E	30-19		47-2	25-24	25-24	28-21	28-21	28-18 3E	28-20 1E	28-21	25-24			37-12	24-25
DIST.	BIAW POSITION	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y
23	Sen. Christine Rolfes (D) Rep. Drew Hansen (D) Rep. Sherry Appleton (D)	N Y N	N Y N	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
24	Sen. Kevin Van De Wege (D) Rep. Mike Chapman (D) Rep. Steve Tharinger (D)	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
25	Sen. Hans Zeiger (R) Rep. Joyce McDonald (R) Rep. Melanie Stambaugh (R)	Y Y Y	Y Y Y	N Y N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N N	Y Y Y	Y Y Y
26	Sen. Jan Angel (R) Rep. Jesse Young (R) Rep. Michelle Caldier (R)	Y Y Y	Y Y Y	N Y N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N N	N N	Y Y Y	Y Y Y
27	Sen. Jeannie Darneille (D) Rep. Jake Fey (D) Rep. Laurie Jinkins (D)	Y N N	N N N	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
28	Sen. Steve O'Ban (R) Rep. Christine Kilduff (D) Rep. Dick Muri (R)	Y Y Y	Y Y Y	Y Y N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	Y N	Y N	Y Y	Y N Y
29	Sen. Steve Conway (D) Rep. David Sawyer (D) Rep. Steve Kirby (D)	Y Y Y	Y Y Y	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
30	Sen. Mark Miloscia (R) Rep. Kristine Reeves (D) Rep. Mike Pellicciotti (D)	Y Y Y	Y Y Y	Y Y Y	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	Y Y	Y Y	Y Y	Y N N
31	Sen. Phil Fortunato (R) Rep. Drew Stokesbary (R) Rep. Morgan Irwin (R)	Y Y Y	Y Y Y	N Y N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N N	N N	Y Y Y
32	Sen. Maralyn Chase (D) Rep. Cindy Ryu (D) Rep. Ruth Kagi (D)	N N N	N N N	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
33	Sen. Karen Keiser (D) Rep. Mia Gregerson (D) Rep. Tina Orwall (D)	Y Y Y	N Y Y	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	N Y Y	N N N

Amendment Equal Pay Preemption	Amendment Equal Pay Complaint Termination	Amendment Equal Pay Administrative or Civil Action	Appliance Efficiency	High School Pre-apprenticeships	Campaign Finance	PAC to PAC	DISCLOSE Act	DISCLOSE Act	Wrongful Death	Amendment Wrongful Death Limiting Damages	Supplemental Operating Budget	Hirst Fix: Water Availability	Budget Stabilization Raid	2017-2018 Voting Score (Votes for BIAW bills are weighted in percentage total)	2015-2016 Voting Score (weighted)	4-Year Cumulative
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46-51 1E	47-50	24-25	53-45	98-0	92-4 2E			53-45			50-46 2E	66-30 2E	59-39			
24-25				48-0 1A	48-0 1E	29-18 2E	33-16	32-17 2E	26-21 2E	22-25		35-14	25-23 1E			
Y	Y	Y	N	Y	Y	N	N	N	N	Y	N	Y	N			
N N N	N N N	N	Y Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y Y	Y N Y	Y Y Y	20% 21% 13%	48% 44% 56%	34% 33% 35%
N N N	N N N	N	Y Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y Y	Y Y Y	Y Y Y	24% 43% 43%	56% -- 56%	40% -- 50%
Y Y Y	Y Y Y	Y	N Y	Y Y Y	Y Y N	Y	Y	Y N N	N	Y	N N	Y Y Y	N Y Y	94% 91% 83%	94% -- 94%	94% -- 88%
Y Y Y	Y Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N Y Y	N	Y	N N	Y N Y	N Y Y	96% 69% 87%	100% 100% 94%	98% 85% 90%
N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	Y Y	Y Y Y	22% 17% 35%	24% 56% 56%	23% 36% 45%
Y N Y	N Y	Y	Y N	Y Y Y	Y Y Y	N	N	N Y N	N	Y	Y N	Y Y Y	N Y N	94% 43% 96%	100% 56% 100%	97% 50% 98%
N N N	N N N	N	Y Y	Y Y Y	Y N Y	Y	Y	Y Y Y	Y	N	Y Y	Y Y Y	Y Y Y	24% 17% 43%	18% 22% 56%	21% 20% 50%
Y N N	N N	Y	Y Y	Y Y Y	Y N Y	Y	Y	Y Y Y	Y	Y	Y Y	Y Y Y	N Y Y	90% 39% 39%	91% -- --	90% -- --
Y Y Y	Y Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N N	Y N N	N Y Y	96% 74% 74%	-- 100% --	-- 87% --
N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	N Y	Y Y Y	8% 13% 35%	33% 56% 56%	21% 35% 45%
N N N	N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	Y N	Y Y Y	22% 22% 22%	24% 56% 56%	23% 39% 39%

SUPPORTED
BIAW's position

Y YES vote
N NO vote

OPPOSED
BIAW's Position

Y YES vote
N NO vote

		2017 BILLS ▼▼▼													2018 BILLS ▼▼▼		
		School Siting	School Siting	GMA Vesting	Buildable Lands Reform	6-Year Building Code Cycle	Vesting	HPA Task Force	Hirst Fix	Hirst Fix	Hirst Fix	Hirst Fix	Senate Budget	House Budget	Greenhouse Gas Emissions	Equal Pay	Amendment Equal Pay Look Back
BILL#		ESHB 1017	HB 2243	ESHB 2023	E2SSB 5254	SSB 5500	ESB 5212	SSB 5228	2E2SSB 5239				ESSB 5048	ESSB 5048	E3SHB 1144	2SHB 1506	AMD 664/837
HOUSE EX/AB		81-15 2E	78-15 5E	50-47 1E	85-9 4E									50-48	50-48	69-28 1E	47-50 1E
SENATE EX/AB		31-17 1E	30-19		47-2	25-24	25-24	28-21	28-21	28-18 3E	28-20 1E	28-21	25-24			37-12	24-25
DIST.	BIAW POSITION																
34	Sen. Sharon Nelson (D) Rep. Eileen Cody (D) Rep. Joe Fitzgibbon (D)	N Y Y	N Y Y	N Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
35	Sen. Tim Sheldon (D) Rep. Dan Griffey (R) Rep. Drew MacEwen (R)	Y Y Y	Y Y Y	N N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N	Y Y Y	Y Y Y
36	Sen. Reuven Carlyle (D) Rep. Gael Tarleton (D) Rep. Noel Frame (D)	N Y Y	N Y Y	N Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
37	Sen. Rebecca Saldaña (D) Rep. Eric Pettigrew (D) Rep. Sharon Tomiko Santos (D)	N Y Y	N Y Y	N Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
38	Sen. John McCoy (D) Rep. June Robinson (D) Rep. Mike Sells (D)	N Y Y	N Y Y	N Y Y	Y Y Y	N	N	N	N	E	E	N	N	Y Y	Y Y	Y Y	N N N
39	Sen. Kirk Pearson (R)* Sen. Keith Wagoner (R)* Rep. Dan Kristiansen (R) Rep. John Koster (R)** Rep. Carolyn Eslick (R)**	Y E Y	Y Y Y	N N	Y Y N	Y	Y	Y	Y	Y	Y	Y	Y	N N	N	N Y	Y Y Y
40	Sen. Kevin Ranker (D) Rep. Jeff Morris (D) Rep. Kristine Lytton (D)	N Y Y	N E Y	N Y Y	Y E Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
41	Sen. Lisa Wellman (D) Rep. Judy Clibborn (D) Rep. Tana Senn (D)	N Y N	N Y N	N Y Y	Y Y Y	N	N	N	N	E	N	N	N	Y Y	Y Y	Y Y	N N N
42	Sen. Doug Ericksen (R) Rep. Luanne Van Werven (R) Rep. Vincent Buys (R)	Y Y Y	Y Y Y	N N	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	N N	N	Y N N	Y Y Y
43	Sen. Jamie Pedersen (D) Rep. Frank Chopp (D) Rep. Nicole Macri (D)	N Y N	N Y N	N Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N

* Sen. Pearson's resignation triggered the appointment of Sen. Wagoner
** Rep. Koster's resignation triggered the appointment of Rep. Eslick

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	46-51 1E	47-50	24-25	53-45	98-0	92-4 2E			53-45			50-46 2E	66-30 2E	59-39			
	24-25				48-0 1A	48-0 1E	29-18 2E	33-16	32-17 E	26-21 2E	22-25		35-14	25-23 1E			
	Y	Y	Y	N	Y	Y	N	N	N	N	Y	N	Y	N			
	N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	Y Y	Y Y	20% 43% 43%	28% 56% 56%	25% 50% 50%
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N N	Y Y Y	N N	84% 96% 96%	100% 100% 100%	92% 98% 98%
	N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	N	N	Y Y	Y Y	Y Y	20% 17% 22%	60% 0% 33%	40% 9% 27%
	N N N	N N N	Y	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	N	Y	Y Y	Y Y	Y Y	10% 43% 22%	-- 56% 56%	-- 50% 39%
	N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	Y Y	Y Y	13% 43% 22%	24% 56% 56%	18% 50% 39%
	Y Y Y	N Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N Y	Y N	N N	100% 61% 100% 86% 63%	-- -- 100% -- --	-- -- 100% -- --
	N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	N E Y	Y Y	10% 14% 28%	30% 56% 56%	20% 35% 42%
	N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	Y Y	Y Y	11% 43% 35%	-- 56% 56%	-- 50% 45%
	Y Y Y	Y Y	Y	N N	Y Y Y	Y Y Y	N	N	N N N	N	Y	N Y	Y N	N N	92% 100% 100%	94% 100% 100%	93% 100% 100%
	N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	N Y Y	Y Y	10% 43% 13%	30% 56% --	20% 50% --

SUPPORTED
BIAW's position

Y YES vote
N NO vote

OPPOSED
BIAW's Position

Y YES vote
N NO vote

		2017 BILLS ▼▼▼													2018 BILLS ▼▼▼		
		School Siting	School Siting	GMA Vesting	Buildable Lands Reform	6-Year Building Code Cycle	Vesting	HPA Task Force	Hirst Fix	Hirst Fix	Hirst Fix	Hirst Fix	Senate Budget	House Budget	Greenhouse Gas Emissions	Equal Pay	Amendment Equal Pay Look Back
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HOUSE EX/AB		81-15 2E	78-15 5E	50-47 1E	85-9 4E									50-48	50-48	69-28 1E	47-50 1E
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DIST.	BIAW POSITION																
44	Sen. Steve Hobbs (D) Rep. John Lovick (D) Rep. Mark Harmsworth (R)	N Y Y	N Y Y	N Y N	Y Y Y	N	N	N	N	N	N	N	N	Y N	Y N	Y Y N	N N Y
45	Sen. Dino Rossi (R)† Sen. Manka Dhingra (D)† Rep. Larry Springer (D) Rep. Roger Goodman (D)	Y Y N	Y Y N	N Y Y	Y Y Y	Y	Y	Y	Y	Y	Y	Y	Y	Y Y	Y Y	Y Y Y	N N N
46	Sen. David Frockt (D) Rep. Gerry Pollet (D) Rep. Jessyn Farrell (D)†† Rep. Javier Valdez (D)††	N Y N	N N N	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y	N N N
47	Sen. Joe Fain (R) Rep. Mark Hargrove (R) Rep. Pat Sullivan (D)	Y Y Y	Y Y Y	N Y Y	Y E Y	Y	Y	Y	Y	Y	Y	Y	Y	N Y	N Y	Y N Y	Y Y N
48	Sen. Patty Kuderer (D) Rep. Joan McBride (D) Rep. Vandana Slatter (D)	N N Y	N N Y	Y Y Y	Y Y Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y Y	N N N
49	Sen. Annette Cleveland (D) Rep. Monica Jurado Stonier (D) Rep. Sharon Wylie (D)	N Y Y	N Y Y	Y Y Y	Y N Y	N	N	N	N	N	N	N	N	Y Y	Y Y	Y Y Y	N N N

† Sen. Dhingra was elected in 2017 to fill the remainder of the late Sen. Hill's term, which Sen. Rossi had been appointed to fill until an election could take place
 †† Rep. Farrell's resignation triggered the appointment of Rep. Valdez

	Amendment Equal Pay Preemption	Amendment Equal Pay Complaint Termination	Amendment Equal Pay Administrative or Civil Action	Appliance Efficiency	High School Pre-apprenticeships	Campaign Finance	PAC to PAC	DISCLOSE Act	DISCLOSE Act	Wrongful Death	Amendment Wrongful Death Limiting Damages	Supplemental Operating Budget	Hirst Fix: Water Availability	Budget Stabilization Raid	2017-2018 Voting Score (Votes for BIAW bills are weighted in percentage total)	2015-2016 Voting Score (weighted)	4-Year Cumulative
	AMD 666/838	AMD 669	AMD 846	ESHB 2327	SHB 2685	ESHB 2938	ESSB 5108	SSB 5991	SSB 5991	2SSB 6015	AMD 503	ESSB 6032	ESSB 6091	ESSB 6614			
	46-51 1E	47-50	24-25	53-45	98-0	92-4 2E			53-45			50-46 2E	66-30 2E	59-39			
	24-25				48-0 1A	48-0 1E	29-18 2E	33-16	32-17 2E	26-21 2E	22-25		35-14	25-23 1E			
	Y	Y	Y	N	Y	Y	N	N	N	N	Y	N	Y	N			
	N N Y	N Y	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y N	Y	N	Y N	Y Y Y	Y Y Y	67% 43% 91%	79% -- 100%	73% -- 96%
	N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	N Y Y	Y Y Y	100% 22% 43% 13%	-- -- 56% 56%	-- -- 50% 35%
	N N N	N N	N	Y Y	Y Y	Y Y	Y	Y	Y Y Y	Y	N	Y Y	N Y	Y Y Y	20% 17% 0% 17%	22% 33% 56% --	22% 25% 28% --
	Y Y N	Y N	Y	N Y	Y Y Y	Y Y Y	Y	Y	Y N Y	N	Y	N Y	Y Y Y	N Y Y	94% 100% 43%	100% 100% 56%	67% 100% 50%
	N N N	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	Y Y Y	Y Y Y	20% 35% 43%	0% 33% --	10% 33% --
	N N Y	N N N	N	Y Y	Y Y Y	Y Y Y	Y	Y	Y Y Y	Y	N	Y Y	N Y Y	Y Y Y	10% 17% 22%	36% -- 56%	23% -- 39%

COMPARE THE REST. SELECT THE BEST.

JUST NO COMPARISON

SEE WHY R.O.I.I.® SELECT IS THE PREFERRED RETRO PROGRAM

THIS JUST IN!



BIAW is proud to announce that R.O.I.I.® SELECT earned a 38 percent first adjustment refund for the 2016-17 plan year! In addition, R.O.I.I.® Select finished the 2014-15 plan year with a 37 percent refund.

R.O.I.I.® SELECT is proud of the returns our member participants earn, but we offer more than just great refunds. If you're not familiar with the valuable services R.O.I.I.® SELECT offers, keep reading below to find out why nearly 2,000 companies have chosen R.O.I.I.® SELECT to help them take the hassle out of their workers' comp affairs.

SEE WHY R.O.I.I.® SELECT IS THE PREFERRED RETRO PROGRAM

Compare the rest. **SELECT** the best.



FEE TRANSPARENCY

Other retro programs bury additional fees to pad profits and aid their bottom line. Our program fee is 10% of the group's overall refund from L&I and an additional 10% divided between BIAW-affiliated local associations. These fees support continuing education, government affairs, and the building industry as a whole.



AFFORDABILITY

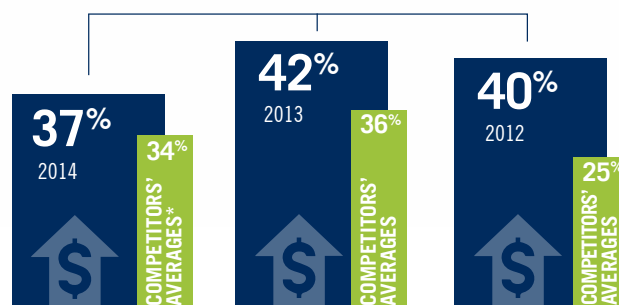
Your annual fee is 1.5% of total premiums paid to L&I, or \$150, whichever is greater. We do not charge a Group Administrative Fee.



PERFORMANCE

R.O.I.I.® SELECT's strict enrollment criteria and innovative approach to workers' comp ensures maximum group performance. In our 36-year history, not one R.O.I.I.® SELECT participant has ever paid a penny of additional premium (penalty).

R.O.I.I.® SELECT GROUP REFUND COMPLETED PLAN YEARS



*Current Projections

As the oldest and largest construction retro group in the state, BIAW's R.O.I.I.® SELECT program has returned over \$500 million in refunds to participating members since 1982.



WE TAKE THE HASSLE OUT OF WORKERS' COMP

THERE'S JUST NO COMPARISON

You won't find any other retro program that offers
all these services at **NO ADDITIONAL COST.**

SEND IN THIS
FORM
AND FIND OUT HOW!

GET STARTED WITH R.O.I.I.® SELECT TODAY!

L&I CLAIM EXPERTS | SAFER WORK ENVIRONMENT | REFUND

Yes! I'm interested in R.O.I.I.® SELECT.

Please review my premium and loss information to see if
R.O.I.I.® SELECT might be a good fit for my company.

Notify me by: Email USPS

Company Name _____

Contact _____

L&I Account # _____

Address _____

City _____ State _____ Zip _____

Phone _____

Email _____ MAY BI

This is not an application for enrollment.

Signing this release gives BIAW permission to contact anyone at the above listed company via mail, email, and phone for any BIAW-related matters.

TO DEPARTMENT OF LABOR & INDUSTRIES

You are hereby authorized to provide our company's premium, claims history, losses, statistics, experience modification factor and related industrial insurance data, including all sub accounts tied to the policy whether inactive or active, to the Building Industry Association of Washington along with access to the Department's online Claim & Account Center.

X _____

Signature required

R.O.I.I.® SELECT SERVICES

NO ADDITIONAL COST



OUTCOME BASED CLAIMS ASSISTANCE

Closing claims quickly and efficiently



SAFETY SERVICES

Accident prevention is key to lowering costs



RISK MANAGEMENT SERVICES

Reduce injuries and control losses



RETURN TO WORK

Unique return to work strategies set us apart



CLAIMS INVESTIGATIONS AND LITIGATION

Relentless pursuit of the best outcome for the group



L&I AUDIT ASSISTANCE

A plan of action for L&I audits

Get started with R.O.I.I.® SELECT



(360) 352-7800



Enroll@BIAW.com



BIAW.com

WHAT YOU NEED TO KNOW

SSB 6175 FALLOUT

SSB 6175, THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT, AND WHAT IT MEANS TO YOU

The Washington Uniform Common Interest Ownership Act (WUCIOA) or SSB 6175 was adopted in the 2018 legislative session and takes effect on July 1, 2018. Based on the Uniform Common Interest Ownership Act (UCIOA), the WUCIOA will govern all Common Interest Communities (CIC), including condominiums and plat communities, created after July 1, 2018.



// JAMES C. "PETE" MIDDLEBROOKS

GUEST COLUMNIST

The WUCIOA is quite long and complex and covers the following broad topics:

- Applicability and General

Provisions

- CIC Creation and Amendments
- HOA Management, HOA Meetings and Notices, HOA Voting, HOA Accounts, Assessments, Liens, and Records, HOA Budgets, HOA Reserve Studies
- CIC Unit Alteration
- Flags, Political Signs, Solar Panels
- Purchaser Disclosures
- Tenant Conversion Rights
- Express Warranties (condominiums only)
- Implied Warranties (condominiums only)
- Statute of Limitations for Warranties
- Termination and Miscellaneous

“ Home builders that want to avoid the WUCIOA requirements will have to have the condominium or plat community created prior to July 1, 2018.

A more detailed overview of WUCIOA provisions is available at BIAW.com as well as a complete copy of WUCIOA (SSB 6175).

BUILDERS' CHALLENGES AHEAD

The challenge facing residential home builders is having only a few months to revise and re-write virtually all of the traditional documents involved with the creation, management, sales, marketing and financing of homes in new condominiums and plat communities. These traditional documents include:

- Declaration (CC&R)
- Survey/Plat Maps
- HOA Articles of Incorporation, HOA Bylaws, HOA Rules/Regulations, HOA Annual Budgets, HOA Reserve Studies
- Inspection Reports
- Public Offering Statement (POS)
- Resale Certificate
- Construction Warranties
- Purchase/Sale Agreement (NWMLS Forms 21 & 28)
- PSA Builder Addendum

For condominiums, WUCIOA requirements may in many instances appear to be similar to current legal requirements under the Washington Condominium Act (WCA, RCW 64.38), but WUCIOA requirements are nevertheless different in many important respects. Examples of provisions that are new or different include:

- Many definitions
- Applicability of local ordinances
- Adjustment of dollars amounts
- Electronic signatures
- Declaration provisions
- Survey map provisions
- Development rights provisions
- Unit boundary relocation provision
- Unit subdivide/combine provisions
- HOA powers provisions
- POS provisions
- Resale Certificate provisions

For plat communities, the home builder may face a greater document challenge. The Homeowner Association Act (HOAA,

See **SSB 6175** on page 23//

MARKET DATA

at-a-glance

BUILDING PERMITS FEBRUARY '18

	SINGLE FAMILY	MULTI FAMILY	FEB 2018	YTD 2018	FEB 2017	YTD 2017
Benton	76	24	100	183	76	136
Chelan	18	0	18	28	16	33
Clallam	11	0	11	23	11	23
Clark	211	32	243	437	483	747
Cowlitz	16	0	16	32	10	19
Douglas	13	0	13	19	5	5
Franklin	43	4	47	96	35	63
Grant	22	0	22	42	21	27
Grays Harbor	15	0	15	33	18	33
Island	28	0	28	63	18	43
Jefferson	13	2	15	28	16	26
King	357	730	1,087	1,801	1,005	2,074
Kitsap	86	107	193	268	103	167
Kittitas	29	0	29	57	10	34
Klickitat	5	0	5	7	2	6
Lewis	14	2	16	27	14	20
Lincoln	1	0	1	1	2	3
Mason	15	0	15	35	9	27
Okanogan	2	0	2	3	7	11
Pacific	5	0	5	10	4	7
Pierce	198	148	346	843	291	837
San Juan	9	0	9	22	5	11
Skagit	39	0	39	80	29	53
Skamania	2	0	2	3	2	4
Snohomish	164	43	207	433	340	707
Spokane	114	71	185	369	264	399
Stevens	8	0	8	13	0	5
Thurston	71	25	96	341	56	0
Walla Walla	18	0	18	29	11	17
Whatcom	57	108	165	283	64	129
Whitman	5	9	14	28	1	2
Yakima	31	9	40	71	15	31
TOTALS	1,699	1,314	3,013	5,714	2,946	5,705

*Only counties reporting are represented in state totals. For archived listings, click on Member Resources tab at BIAW.com. Source: U.S. Census Bureau

//SAFETY STEPS from page 7

the employer will not be cited. However, the employer must prove the existence of:

(i) A thorough safety program, including work rules, training and equipment designed to prevent the violation

(ii) Adequate communication of these rules to employees (*Division of Occupational Safety and Health Directive 5.10, page 2*)

(iii) Steps to discover and correct violations of its safety rules

(iv) Effective enforcement of its safety program as written in practice and not just in theory

These are just a few safety steps employers should be aware of. For more information, check out the L&I's health and safety webpage at <http://www.lni.wa.gov/Safety/TrainingPrevention/?F=SH>.

SILICA UPDATE

Now that we have safety at the forefront of our minds, let's talk about silica. Rules regarding silica exposure were adopted by L&I on March 20 and went into effect April 23. Essentially, if your tile or masonry person is standing in a cloud of dust, they are in violation. If they aren't wearing an approved mask for the job, they are in violation.

To stay up-to-date on silica rules and regulations, be sure to check out the *Building Insight*, Friday email news briefs or the L&I website for more specific information on silica and some of the requirements.

BIAW works hard on behalf our members. Make sure BIAW knows about important issues you are tracking so we may be able to assist. You can contact me at 360-352-7800 or ala@biaw.com.

Have a safe day!

//SSB 6175 from page 22

RCW 64.38) currently does not include detailed WUCIOA-like requirements for many of the project documents, including:

- Declaration
- Plat Map
- HOA Articles, HOA Bylaws, HOA Rules
- POS and Resale Certificate

Consequently, many subdivision home builders are going to be starting from scratch in creating WUCIOA compliant project documents.

Finally, the current NWMLS Form 21 (for plat communities), Form 28 (for condominiums) and Form 27 (Resale Certificate) will all have to be revised.

Home builders will have to retain experienced and competent legal counsel to make a line-for-line review of

all of the project documents to assure compliance with WUCIOA. Non-compliance with WUCIOA may result in litigation and home builder liabilities.

Home builders that want to avoid the WUCIOA requirements will have to have the condominium or plat community created prior to July 1, 2018.

If you have questions concerning WUCIOA and need assistance in preparing your project documents, please contact me at 423-252-2693 or email pete@jcmiddlebrooks.com or www.MiddlebrooksRealEstateLaw.com.

Editor's Note: Attorney James C. "Pete" Middlebrooks provides legal advice for real estate development (including subdivisions and condominiums), land use, acquisition, investment and financing. In 2017, Pete was inducted into BIAW's Hall of Fame.

SCHEDULE A CLASS

CAN YOU AFFORD NOT TO?

IT IS NEVER TOO LATE TO LEARN

With the busy summer months just ahead, now is the time to schedule a BIAW continuing education class (or two!) for you and your employees. It's never too late to improve and expand your knowledge – and increase your bottom line.

If you need more information on any BIAW class, please contact BIAW Education Program Coordinator Hillary Vanatta at (360) 352-7800, ext. 100 or hillaryv@biaw.com. To check out the entire 2018 education class schedule, visit BIAW.com.

MAY

- 7&8 Certified Erosion & Sediment Control Lead (CESCL), *initial*Tacoma
- 9 Competent Person:
Residential Fall Protection..... Burlington
- 9 CESCL, *recertification*..... Tacoma
- 10 Competent Person: Confined Space Training ...Longview
- 11 WA State Flagger Certification, *initial*..... Olympia
- 11 WA State Flagger Certification, *refresher*..... Olympia
- 15 Construction Contracts & Lien Law.....Tacoma
- 16 Estimating & Scheduling for Profitable Business OperationsSpokane
- 22 CESCL, *recertification*..... Vancouver
- 23 & 24 CESCL, *initial*..... Vancouver
- 23 Competent Person: Confined Space Training.. Bremerton
- 23 Construction Contracts & Lien Law..... Bellevue
- 24 WA State Flagger Certification, *initial*..... Bremerton
- 24 WA State Flagger Certification, *refresher*..... Bremerton
- 24 Project Management.....Tacoma
- 25 Qualified Rigging/Signal Person..... Bremerton

JUNE

- 6 EPA Lead-Safe RRP, *initial* Tacoma
- 6 EPA Lead-Safe RRP, *refresher*..... Tacoma
- 6 & 7 CESCL, *initial*..... Bellingham
- 8 CESCL, *recertification*..... Bellingham
- 15 EPA Lead-Safe RRP, *initial* Sequim
- 15 EPA Lead-Safe RRP, *refresher*..... Sequim
- 21 EPA Lead-Safe RRP, *initial* Bellingham
- 21 EPA Lead-Safe RRP, *refresher*..... Bellingham



Building Industry Association of Washington
111 21st Avenue SW | Olympia, WA 98501
(360) 352-7800 | BIAW.com | [f](#) [t](#) [in](#)

SAVE THE DATE

the BIAW SUMMER BOARD MEETING
is JUST AROUND the CORNER

Plan to attend BIAW's summer board meeting in Pasco. Join us for three jammed-packed days of meetings, workshops, and celebration events.

June 20, 21 & 22 | Red Lion Hotel | Pasco

EXCELLENCE IN REMODELING RECEPTION

Celebrate the best of the best remodeling projects from across the state.

Wednesday, June 20 | 6 pm | Open to all

GENERAL MEMBERSHIP LUNCHEON

Join our special guest speaker and fellow industry professionals for lunch.

Thursday, June 21 | 11:30 am

BELT SANDER RACES & SPIKE SPEEDWAY AFTER PARTY

Start your engines! Whether you're a driver, pit crew member or spectator, race on over to the speedway for some good ol' friendly competition.

Thursday, June 21 | 7 pm

Immediately following the belt sander races is the Spike Speedway After Party. Qualified Spikes and their guests will party in the fast lane and help honor our awesome membership recruiters.

MEET & GREET THE EVP CANDIDATE

Come meet BIAW's candidate for EVP (just prior to the BOD meeting).

Friday, June 22 | 8:30 am

BOARD OF DIRECTORS MEETING

Get the latest updates on your association's committees and councils.

Friday, June 22 | 9:30 am | Open to all