

HOUSE BILL REPORT

HB 1269

As Reported By House Committee On:

Law & Justice
Finance

Title: An act relating to death investigations.

Brief Description: Providing moneys for the death investigations account.

Sponsors: Representatives Robertson, Costa, Scott, Tokuda, Delvin and L. Thomas.

Brief History:

Committee Activity:

Law & Justice: 2/11/97, 2/19/97 [DP];

Finance: 3/6/97, 3/7/97 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 12 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

Minority Report: Do not pass. Signed by 1 member: Representative Carrell.

Staff: David Bowman (786-7291); Edie Adams (786-7180).

Background: In 1983, the Legislature established the death investigations' account to fund various activities associated with death investigations. Specifically, the account funds the state toxicology laboratory, the state forensic investigations council, and other activities such as reimbursing counties for the cost of autopsies.

The account receives its funding from part of the fees received for copies of death certificates. The Department of Health (DOH) charges \$11 for the first certified copy of birth, death, marriage, divorce, annulment, or legal separation records, and \$6 for additional copies ordered at the same time as the first copy.

Of the fee received for copies of death certificates, local registrars pay all but \$3 to the jurisdictional health department and turn \$3 over to the state treasurer to be held in the death investigations' account.

Summary of Bill: The fee for copies of vital records and the amount turned over to the death investigations' account from death certificate fees are changed. The Department of Health charges \$13 for the first certified copy of birth, death, marriage, annulment, or legal separation records, and \$8 for additional copies ordered at the same time as the first copy.

Of the fee received for copies of death certificates, local registrars pay all but \$5 to the jurisdictional health department and turn \$5 over to the state treasurer to be held in the death investigations' account.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Increasing the fees for copies of vital records and the amount turned over to the death investigations' account from death certificates, are critical to Washington law enforcement and forensic investigations efforts. The death investigations' account funds statewide forensic activities that enable law enforcement officials to identify the nature of deaths. For example, the account funds investigations into whether a death resulted from sexual assault. Investigations such as these are essential not only to identify persons responsible for criminal deaths, but also to exonerate the innocent. The death investigations' account faces a shortfall for the current biennium. Passing HB 1269 is critical to overcome this shortfall and provide adequate funding for death investigations.

Testimony Against: None.

Testified: Representative Robertson, prime sponsor; Dr. Donald Reay, King County Medical Examiner and Washington Forensic Investigations Council (pro); and Dr. Barry Logan, Washington State Toxicologist (pro).

HOUSE COMMITTEE ON FINANCE

Majority Report: Do pass. Signed by 10 members: Representatives B. Thomas, Chairman; Mulliken, Vice Chairman; Dunshee, Ranking Minority Member; Dickerson, Assistant Ranking Minority Member; Butler; Conway; Kastama; Mason; Morris and Schoesler.

Minority Report: Without recommendation. Signed by 4 members: Representatives Carrell, Vice Chairman; Boldt; Pennington and Van Luvan.

Staff: Rick Peterson (786-7150).

Summary of Recommendation of Committee on Finance Compared to Recommendation of Committee on Law & Justice: No new changes are recommended.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The death investigations account funds activities that are very important to the people of Washington. It is appropriate to fund these activities by user fees. These fees have not been increased since 1987. Quality forensics services and death investigations are provided throughout the state by these funds. The fund provides training for coroners and medical examiners. This allows the officials from smaller counties to get the same education as officials in larger counties. The money funds the state toxicology lab which provides drug testing services. The money provides a state pathologist to do professional forensic autopsies in the smaller counties. In the past the Legislature provided the means to develop an excellent death investigation program. We need to maintain the program.

Testimony Against: None.

Testified: (Pro) Representative Robertson, prime sponsor; Dr. Barry Logan, Washington State Toxicologist and Washington Forensic Investigations Council; Martha Reed, Washington Association of Coroners and Medical Examiners; and Debbie Wilke, Washington Association of County Officials and Washington Forensic Investigations Council.