

SENATE BILL REPORT

SHB 1061

As Reported by Senate Committee On:
Environment, Water & Energy, March 8, 2011

Title: An act relating to on-site wastewater treatment systems designer licensing.

Brief Description: Concerning on-site wastewater treatment systems designer licensing.

Sponsors: House Committee on General Government Appropriations & Oversight (originally sponsored by Representatives Green and Kelley).

Brief History: Passed House: 2/22/11, 89-4.

Committee Activity: Environment, Water & Energy: 3/08/11 [DP].

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: Do pass.

Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford, Ranking Minority Member; Chase, Delvin, Fraser and Morton.

Staff: Sam Thompson (786-7413)

Background: Legislation enacted in 1999 established licensing requirements for on-site wastewater treatment system designers (designers). The legislation allowed designers authorized to conduct work under local ordinances to obtain practice permits from the state Board of Registration for Professional Engineers and Land Surveyors (Board) to continue practicing, but these permits expired in 2003. Thereafter, designers were required to obtain licenses.

To obtain a designer license from the Board, a person must have a high school diploma or its equivalent, at least four years of experience or two years of relevant college course work and two years of experience, and pass a written examination.

Licenses are valid for one year. To renew a license, a license holder must pay a fee and satisfy continuing education requirements.

An employee of a local health jurisdiction who inspects, reviews, or approves design and construction of on-site wastewater treatment systems must obtain a certificate of competency (certificate) by passing the designer licensing examination. A certificate does not allow the

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holder to provide design services. To renew a certificate, a certificate holder must pay a fee and satisfy continuing education requirements.

Summary of Bill: Obsolete references to practice permits are deleted.

An applicant for designer licensure or certification may be disciplined if the applicant submits false, fraudulent, or misleading information in an application.

In addition to individuals acting on behalf of the Director of the Department of Licensing (Director), individuals acting on behalf of the Board are immune from liability for acts performed in the course of their duties.

Designer licensing applicants may satisfy an experience requirement by successfully participating in a Board-approved internship or mentoring program.

The Director is authorized to determine the validity period for designer licenses and certificates. For determining renewal fees, designer licensees and certificate holders are combined with engineer and land surveyor licensees.

The continuing education requirement for designer certificate holders is deleted.

The Board's authority to grant designer licenses to out-of-state licensees without an examination is revised to provide that persons licensed to perform design services in several disciplines may qualify.

A section largely containing obsolete references to practice permits is repealed, and operative language concerning the authority of local health jurisdictions and the state Department of Health regarding on-site wastewater treatment systems is recodified. Authority of the Department of Ecology regarding such systems is deleted. An obsolete section referring to a defunct workgroup and a defunct review committee is repealed.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This legislation updates provisions of the 1999 Act; establishes more flexible experience and education standards to qualify for licensure; and requires licensees and certificate holders to be combined with engineer and land surveyor licensees for determining renewal fees, which will lower renewal fees for designer licensees and certificate holders.

Persons Testifying: PRO: Representative Green, prime sponsor; John Thomas, Washington Onsite Sewage Association; Terry Hull, self and Washington Onsite Sewage Association.