

SENATE BILL REPORT

SB 5286

As Reported by Senate Committee On:
Environment, Water & Energy, February 4, 2011

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

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

Sponsors: Senator Nelson.

Brief History:

Committee Activity: Environment, Water & Energy: 1/28/11, 2/04/11 [DPS].

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: That Substitute Senate Bill No. 5286 be substituted therefor, and the substitute bill do pass.

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

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;
- have 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, the holder must pay a fee and satisfy continuing education requirements.

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.

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

Summary of Bill (Recommended Substitute): 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, individuals also acting on behalf of the Board are immune from liability for acts performed in the course of their duties.

Designer licensing applicants may satisfy experience and education requirements by completing satisfactory college course work or by successfully participating in Board-approved internship or mentoring programs.

The Board 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.

EFFECT OF CHANGES MADE BY ENVIRONMENT, WATER & ENERGY COMMITTEE (Recommended Substitute): A one-word technical change corrects a drafting error.

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 on Original Bill: PRO: This legislation updates strong consumer protection legislation that ensures that on-site wastewater treatment system designers are professionally qualified.

Persons Testifying: PRO: Senator Nelson, prime sponsor.