
SENATE BILL 5192

State of Washington 60th Legislature 2007 Regular Session

By Senators Hatfield, Brandland, Sheldon and Delvin

Read first time 01/12/2007. Referred to Committee on Judiciary.

1 AN ACT Relating to the powers and funding of the forensic
2 investigations council; and reenacting and amending RCW 43.103.090 and
3 70.58.107.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.103.090 and 1999 c 142 s 1 and 1999 c 40 s 5 are
6 each reenacted and amended to read as follows:

7 (1) The council may:

8 (a) Meet at such times and places as may be designated by a
9 majority vote of the council members or, if a majority cannot agree, by
10 the chair;

11 (b) Adopt rules governing the council and the conduct of its
12 meetings;

13 (c) Require reports from the chief of the Washington state patrol
14 on matters pertaining to the bureau of forensic laboratory services;

15 (d) Authorize the expenditure of up to two hundred fifty thousand
16 dollars per biennium from the council's death investigations account
17 appropriation for the purpose of assisting local jurisdictions in the
18 investigation of multiple deaths involving unanticipated,

1 extraordinary, and catastrophic events, or involving multiple
2 jurisdictions. The council shall adopt rules consistent with this
3 subsection for the purposes of authorizing expenditure of the funds;

4 (e) Authorize the expenditure of up to twenty-five thousand dollars
5 per biennium from the council's death investigations account
6 appropriation for the purpose of assisting local jurisdictions to
7 secure forensic anthropology services or other testing, to determine
8 the identity of human remains upon a showing of financial need. The
9 council shall adopt rules consistent with this subsection for the
10 purposes of authorizing expenditure of the funds;

11 (f) Do anything, necessary or convenient, which enables the council
12 to perform its duties and to exercise its powers; and

13 ~~((+f))~~ (g) Be actively involved in the preparation of the bureau
14 of forensic laboratory services budget and approve the bureau of
15 forensic laboratory services budget prior to formal submission to the
16 office of financial management pursuant to RCW 43.88.030.

17 (2) The council shall:

18 (a) Prescribe qualifications for the position of director of the
19 bureau of forensic laboratory services, after consulting with the chief
20 of the Washington state patrol. The council shall submit to the chief
21 of the Washington state patrol a list containing the names of up to
22 three persons who the council believes meet its qualifications to serve
23 as director of the bureau of forensic laboratory services. Minimum
24 qualifications for the director of the bureau of forensic laboratory
25 services must include successful completion of a background
26 investigation and polygraph examination. If requested by the chief of
27 the Washington state patrol, the forensic investigations council shall
28 submit one additional list of up to three persons who the forensic
29 investigations council believes meet its qualifications. The
30 appointment must be from one of the lists of persons submitted by the
31 forensic investigations council, and the director of the bureau of
32 forensic laboratory services shall report to the office of the chief of
33 the Washington state patrol;

34 (b) After consulting with the chief of the Washington state patrol
35 and the director of the bureau of forensic laboratory services, the
36 council shall appoint a toxicologist as state toxicologist, who shall
37 report to the director of the bureau of forensic laboratory services.

1 The appointee shall meet the minimum standards for employment with the
2 Washington state patrol including successful completion of a background
3 investigation and polygraph examination;

4 (c) Establish, after consulting with the chief of the Washington
5 state patrol, the policies, objectives, and priorities of the bureau of
6 forensic laboratory services, to be implemented and administered within
7 constraints established by budgeted resources by the director of the
8 bureau of forensic laboratory services;

9 (d) Set the salary for the director of the bureau of forensic
10 laboratory services; and

11 (e) Set the salary for the state toxicologist.

12 **Sec. 2.** RCW 70.58.107 and 2003 c 272 s 1 and 2003 c 241 s 1 are
13 each reenacted and amended to read as follows:

14 The department of health shall charge a fee of (~~seventeen~~) twenty
15 dollars for certified copies of records and for copies or information
16 provided for research, statistical, or administrative purposes, and
17 eight dollars for a search of the files or records when no copy is
18 made. The department shall prescribe by regulation fees to be paid for
19 preparing sealed files and for opening sealed files.

20 No fee may be demanded or required for furnishing certified copies
21 of a birth, death, fetal death, marriage, divorce, annulment, or legal
22 separation record for use in connection with a claim for compensation
23 or pension pending before the veterans administration. No fee may be
24 demanded or required for furnishing certified copies of a death
25 certificate of a sex offender for use by a law enforcement agency in
26 maintaining a registered sex offender data base.

27 The department shall keep a true and correct account of all fees
28 received and transmit the fees to the state treasurer on a weekly
29 basis.

30 Local registrars shall charge the same fees as the state as
31 hereinabove provided and as prescribed by department regulation except
32 in cases where payment is made by credit card, charge card, debit card,
33 smart card, stored value card, federal wire, automatic clearinghouse
34 system, or other electronic communication. Payment by these electronic
35 methods may be subject to an additional fee consistent with the
36 requirements established by RCW 36.29.190. All such fees collected,
37 except for seven dollars of each fee collected for the issuance of

1 birth certificates and first copies of death certificates and fourteen
2 dollars of each fee collected for additional copies of the same death
3 certificate ordered at the same time as the first copy, shall be paid
4 to the jurisdictional health department.

5 All local registrars in cities and counties shall keep a true and
6 correct account of all fees received under this section for the
7 issuance of certified copies and shall transmit seven dollars of the
8 fees collected for birth certificates and first copies of death
9 certificates and fourteen dollars of the fee collected for additional
10 copies of death certificates to the state treasurer on or before the
11 first day of January, April, July, and October. All but five dollars
12 of the fees turned over to the state treasurer by local registrars
13 shall be paid to the department of health for the purpose of developing
14 and maintaining the state vital records systems, including a web-based
15 electronic death registration system.

16 ((~~Five~~)) Eight dollars of each fee imposed for the issuance of
17 certified copies, except for copies suitable for display issued under
18 RCW 70.58.085, at both the state and local levels shall be held by the
19 state treasurer in the death investigations' account established by RCW
20 43.79.445.

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