

SENATE BILL REPORT

SB 5043

As Reported By Senate Committee On:
Government Operations & Elections, February 24, 2005

Title: An act relating to noise control.

Brief Description: Clarifying the responsibility for enforcement noise control rules.

Sponsors: Senator Mulliken.

Brief History:

Committee Activity: Government Operations & Elections: 2/7/05, 2/24/05 [DPS-WM, DNP, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5043 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Fairley, Kline, Mulliken and Pridemore.

Minority Report: Do not pass.
Signed by Senator Haugen.

Minority Report: That it be referred without recommendation.
Signed by Senator Benton.

Staff: Mac Nicholson (786-7445)

Background: The Noise Control Act of 1974 directed the Department of Ecology (DOE) to establish maximum noise levels and adopt noise control rules. Local governments can adopt and enforce their own noise ordinances, or if no local ordinances have been adopted, local governments can enforce DOE's rules. The Department of Health was formed in 1989 as the state's agency responsible for preserving public health; monitoring health care costs; maintaining minimal standards for quality health care delivery; and planning activities related to the health of its citizens. The Secretary of Health is appointed by the Governor.

The Board of Health, established under Article XX of the State Constitution, is mandated to provide a citizen forum for the development of public health policy in Washington State. The 10-member citizen Board exercises regulatory authority in a variety of public health areas, including drinking water, immunizations, school safety, and food handling.

Summary of Substitute Bill: The Department of Health, with guidance from the Board of Health, is instructed to provide an assessment of the health effects of bass sound harmonics and recommendations for reducing the effects. The study must include a review of bass sound harmonics literature, an assessment of the principal sources of bass sound harmonics, a review of current bass sound harmonics programs at the state and local level, a review of federal noise

control laws and programs, and recommendations for improving state and local noise control programs.

In conducting the study, DOH must form an advisory committee that includes representation of community organizations, manufacturers, transportation facilities, and scientific research interests. DOH must also provide for public participation in development of the report. DOH can contract with another entity to complete portions of the study, but any such contract may not allow greater than 25 percent of the contract amount for indirect costs.

Substitute Bill Compared to Original Bill: The original bill was not considered.

Appropriation: \$60,000 for fiscal year ending June 30, 2006 from the general fund.

Fiscal Note: Requested on February 17, 2005.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill will help figure out the effects of bass harmonics on health. There is not a lot of information on bass harmonics, so the bill asks DOH to look into other states and research the health consequences of bass harmonics. DOH has limited experience in examining bass harmonics.

Testimony Against: None.

Who Testified: PRO: Senator Mulliken, prime sponsor; E.B. Stubington; Jennifer Tebaldi, Department of Health.