
HOUSE BILL 3379

State of Washington

60th Legislature

2008 Regular Session

By Representatives Ericksen and Pearson

Read first time 02/29/08. Referred to Committee on Select Committee on Environmental Health.

1 AN ACT Relating to reducing the authority of the state board of
2 health with regard to small on-site sewage systems; and amending RCW
3 43.20.050.

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

5 **Sec. 1.** RCW 43.20.050 and 2007 c 343 s 11 are each amended to read
6 as follows:

7 (1) The state board of health shall provide a forum for the
8 development of public health policy in Washington state. It is
9 authorized to recommend to the secretary means for obtaining
10 appropriate citizen and professional involvement in all public health
11 policy formulation and other matters related to the powers and duties
12 of the department. It is further empowered to hold hearings and
13 explore ways to improve the health status of the citizenry.

14 (a) At least every five years, the state board shall convene
15 regional forums to gather citizen input on public health issues.

16 (b) Every two years, in coordination with the development of the
17 state biennial budget, the state board shall prepare the state public
18 health report that outlines the health priorities of the ensuing
19 biennium. The report shall:

1 (i) Consider the citizen input gathered at the forums;
2 (ii) Be developed with the assistance of local health departments;
3 (iii) Be based on the best available information collected and
4 reviewed according to RCW 43.70.050 (~~and recommendations from the~~
5 ~~council~~));
6 (iv) Be developed with the input of state health care agencies. At
7 least the following directors of state agencies shall provide timely
8 recommendations to the state board on suggested health priorities for
9 the ensuing biennium: The secretary of social and health services, the
10 health care authority administrator, the insurance commissioner, the
11 superintendent of public instruction, the director of labor and
12 industries, the director of ecology, and the director of agriculture;
13 (v) Be used by state health care agency administrators in preparing
14 proposed agency budgets and executive request legislation;
15 (vi) Be submitted by the state board to the governor by January 1st
16 of each even-numbered year for adoption by the governor. The governor,
17 no later than March 1st of that year, shall approve, modify, or
18 disapprove the state public health report.
19 (c) In fulfilling its responsibilities under this subsection, the
20 state board may create ad hoc committees or other such committees of
21 limited duration as necessary.
22 (2) In order to protect public health, the state board of health
23 shall:
24 (a) Adopt rules necessary to assure safe and reliable public
25 drinking water and to protect the public health. Such rules shall
26 establish requirements regarding:
27 (i) The design and construction of public water system facilities,
28 including proper sizing of pipes and storage for the number and type of
29 customers;
30 (ii) Drinking water quality standards, monitoring requirements, and
31 laboratory certification requirements;
32 (iii) Public water system management and reporting requirements;
33 (iv) Public water system planning and emergency response
34 requirements;
35 (v) Public water system operation and maintenance requirements;
36 (vi) Water quality, reliability, and management of existing but
37 inadequate public water systems; and

1 (vii) Quality standards for the source or supply, or both source
2 and supply, of water for bottled water plants.

3 (b) Adopt rules and standards for prevention, control, and
4 abatement of health hazards and nuisances related to the disposal of
5 wastes, solid and liquid, including but not limited to sewage, garbage,
6 refuse, and other environmental contaminants; adopt standards and
7 procedures governing the design, construction, and operation of sewage,
8 garbage, refuse and other solid waste collection, treatment, and
9 disposal facilities;

10 (c) Adopt rules controlling public health related to environmental
11 conditions including but not limited to heating, lighting, ventilation,
12 sanitary facilities, cleanliness and space in all types of public
13 facilities including but not limited to food service establishments,
14 schools, institutions, recreational facilities and transient
15 accommodations and in places of work;

16 (d) Adopt rules for the imposition and use of isolation and
17 quarantine;

18 (e) Adopt rules for the prevention and control of infectious and
19 noninfectious diseases, including food and vector borne illness, and
20 rules governing the receipt and conveyance of remains of deceased
21 persons, and such other sanitary matters as admit of and may best be
22 controlled by universal rule; and

23 (f) Adopt rules for accessing existing databases for the purposes
24 of performing health related research.

25 (3) The state board shall adopt rules for the design, construction,
26 and installation(~~(, operation, and maintenance)~~) of (~~those~~) on-site
27 sewage systems with design flows (~~(of)~~) equal to or less than three
28 thousand five hundred gallons per day. The state board may not adopt
29 rules or delegate rule-making authority for inspection intervals, or
30 operation and maintenance requirements, of on-site sewage systems with
31 design flows equal to or less than three thousand five hundred gallons
32 per day. Local health jurisdictions shall adopt rules for inspection
33 intervals, and operation and maintenance requirements, of on-site
34 sewage systems with design flows equal to or less than three thousand
35 five hundred gallons per day.

36 (4) The state board may delegate any of its rule-adopting authority
37 to the secretary and rescind such delegated authority.

1 (5) All local boards of health, health authorities and officials,
2 officers of state institutions, police officers, sheriffs, constables,
3 and all other officers and employees of the state, or any county, city,
4 or township thereof, shall enforce all rules adopted by the state board
5 of health. In the event of failure or refusal on the part of any
6 member of such boards or any other official or person mentioned in this
7 section to so act, he or she shall be subject to a fine of not less
8 than fifty dollars, upon first conviction, and not less than one
9 hundred dollars upon second conviction.

10 (6) The state board may advise the secretary on health policy
11 issues pertaining to the department of health and the state.

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