

SENATE BILL REPORT

SB 5643

As Reported by Senate Committee On:
Energy, Environment & Telecommunications, February 16, 2017
Ways & Means, February 24, 2017

Title: An act relating to lead-based paint certification fees.

Brief Description: Concerning lead-based paint certification fees.

Sponsors: Senators Wellman, Hobbs and Saldaña; by request of Department of Commerce.

Brief History:

Committee Activity: Energy, Environment & Telecommunications: 2/07/17, 2/16/17 [DP-WM, DNP].

Ways & Means: 2/21/17, 2/24/17 [DPS, DNP, w/oRec].

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">Increases the lead-based paint certification fee from a \$25 flat fee to \$16 per year.
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SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Hobbs, Ranker and Wellman.

Minority Report: Do not pass.

Signed by Senators Brown, Honeyford and Short.

Staff: Kelsey Morfitt (786-7407)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5643 be substituted therefor, and the substitute bill do pass.

Signed by Senators Braun, Chair; Ranker, Ranking Minority Member; Rolfes, Assistant Ranking Minority Member, Operating Budget; Frockt, Assistant Ranking Minority Member,

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.

Capital Budget; Billig, Conway, Darneille, Fain, Hasegawa, Keiser, Miloscia, Pedersen, Rivers, Warnick and Zeiger.

Minority Report: Do not pass.

Signed by Senators Becker and Schoesler.

Minority Report: That it be referred without recommendation.

Signed by Senators Brown, Vice Chair; Honeyford, Vice Chair, Capital Budget ; Bailey.

Staff: Daniel Masterson (786-7454)

Background: Lead was commonly used in paint until it was banned for residential use in 1978. Exposure to lead can be highly toxic, especially to children. Ingesting or breathing dust from lead-based paint is the most common form of lead exposure. Dust is released by the deterioration of paint and can occur during remodeling activities.

In 1992, Congress passed the Residential Lead-Based Paint Hazard Reduction Act. Under this law, the U.S. Environmental Protection Agency (EPA) and other federal agencies developed a national program to prevent and reduce lead-based paint exposure and hazards. This law allows states and tribal governments to operate programs with authorization from the EPA and receive federal funding.

In 2004, the state implemented a lead-based paint program (Program). The Department of Commerce (Commerce) administers and enforces the Program, and the Program receives federal funding.

The Program provides work practice standards for lead-based paint activities; requires certification and training of paint professionals and firms working with lead-based paint; and provides accreditation of trainers who offer training courses that lead to certification. Lead-based paint activities include inspections to identify lead-based paint, risk assessments to find lead-based paint hazards, and abatement activity designed to permanently remove lead-based paint hazards.

Commerce collects a flat fee of \$25 for a five-year renovation, and a three-year abatement, certification, and recertification. Commerce certifies lead paint firms, inspectors, project developers, risk assessors, supervisors, abatement workers, renovators, and dust sampling technicians. Commerce also collects a \$200 fee for the accreditation of lead-based paint training programs.

Summary of Bill (First Substitute): The lead-based paint certification and recertification fee is increased from a \$25 flat fee to \$16 for each year.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (First Substitute):

- Changes the fee that can be charged for certification and recertification from \$30 per year to \$16 per year.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill (Energy, Environment & Telecommunications): PRO: Lead paint is in about 500,000 homes in the state, and it is particularly hazardous to children during renovations. Commerce only has enough funds to staff one enforcement officer. This bill helps Commerce enforce compliance of lead paint regulations.

Persons Testifying (Energy, Environment & Telecommunications): PRO: Senator Lisa Wellman, Prime Sponsor; Tony Hanson, Department of Commerce; Cynthia Sanderson, Department of Commerce.

Persons Signed In To Testify But Not Testifying (Energy, Environment & Telecommunications): No one.

Staff Summary of Public Testimony on Original Bill (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: Washington has the lowest lead-based paint certification fee in the country. This bill would raise the fee significantly, but Washington would still have the lowest fee in the country. The program currently only has one person to inspect abatement across the state.

Persons Testifying (Ways & Means): PRO: Alexandre Chateaubriand, Washington State Department of Commerce / Legislative Director.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.