

The violation of any provisions of this chapter and any rules adopted under this chapter shall be a misdemeanor punishable by a fine of not more than five hundred dollars.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 57, Laws of 1957, section 115, chapter 141, Laws of 1979 and RCW 70.90.010;

(2) Section 2, chapter 57, Laws of 1957, section 116, chapter 141, Laws of 1979 and RCW 70.90.020;

(3) Section 3, chapter 57, Laws of 1957, section 117, chapter 141, Laws of 1979 and RCW 70.90.030;

(4) Section 4, chapter 57, Laws of 1957, section 118, chapter 141, Laws of 1979 and RCW 70.90.040;

(5) Section 1, chapter 236, Laws of 1986 and RCW 70.90.100;

(6) Section 13, chapter 236, Laws of 1986 and RCW 70.90.220; and

(7) Section 5, chapter 57, Laws of 1957 and RCW 70.90.900.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House April 15, 1987.

Passed the Senate April 7, 1987.

Approved by the Governor April 29, 1987.

Filed in Office of Secretary of State April 29, 1987.

CHAPTER 223

[Engrossed Substitute House Bill No. 258]
PUBLIC HEALTH FEES REVISED

AN ACT Relating to public health fees; amending RCW 35A.70.070, 69.06.010, 69.06-.020, and 69.06.040; adding a new section to chapter 69.06 RCW; adding new sections to chapter 70.58 RCW; and repealing RCW 43.20A.630.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of social and health services.

(2) "Vital records" means records of birth, death, fetal death, marriage, dissolution, annulment, and legal separation, as maintained under the supervision of the state registrar of vital statistics.

NEW SECTION. Sec. 2. (1) The state registrar may prepare typewritten, photographic, electronic, or other reproductions of records of birth, death, fetal death, marriage, or decrees of divorce, annulment, or legal separation registered under law or that portion of the record of any birth which

shows the child's full name, sex, date of birth, and date of filing of the certificate. Such reproductions, when certified by the state registrar, shall be considered for all purposes the same as the original and shall be prima facie evidence of the facts stated therein.

(2) The department may authorize by regulation the disclosure of information contained in vital records for research purposes. All research proposals must be submitted to the department and must be reviewed and approved as to scientific merit and to ensure that confidentiality safeguards are provided in accordance with department policy.

(3) Local registrars may, upon request, furnish certified copies of the records of birth, death, and fetal death, subject to all provisions of state law applicable to the state registrar. Local registrars in health districts or departments that have within their jurisdiction cities of the first class may issue certified copies only if they have an original certificate in their possession at the time of issuance of a certified copy or have a copy of the original certificate transmitted to the state registrar which was produced by a photographic or other exact reproduction method. Local registrars of all counties or districts may, upon request, furnish certified copies of the records of birth, death, and fetal death during the period that the original certificates are in their possession prior to transmittal of the original certificates to the state registrar. Certified copy forms used by local registrars furnishing certified copies while the original records are in their possession shall be supplied or approved by the state registrar and no other forms shall be used.

NEW SECTION. Sec. 3. The department of social and health services shall charge a fee of eleven dollars for certified copies of records and for copies or information provided for research, statistical, or administrative purposes, and eight dollars for a search of the files or records when no copy is made. The department shall prescribe by regulation fees to be paid for preparing sealed files and for opening sealed files.

No fee may be demanded or required for furnishing certified copies of a birth, death, fetal death, marriage, divorce, annulment, or legal separation record for use in connection with a claim for compensation or pension pending before the veterans administration.

The state department of social and health services shall keep a true and correct account of all fees received and turn the fees over to the state treasurer on a weekly basis.

Local registrars shall charge the same fees as the state as hereinabove provided and as prescribed by department regulation, except that local registrars shall charge eleven dollars for the first copy of a death certificate and six dollars for each additional copy of the same death certificate when the additional copies are ordered at the same time as the first copy. All such fees collected, except for three dollars of each fee for the issuance of a certified copy, shall be paid to the jurisdictional health department.

All local registrars in cities and counties shall keep a true and correct account of all fees received under this section for the issuance of certified copies and shall turn three dollars of the fee over to the state treasurer on or before the first day of January, April, July, and October.

Three dollars of each fee imposed for the issuance of certified copies at both the state and local levels shall be held by the state treasurer in the death investigations account established by RCW 43.79.445.

Sec. 4. Section 35A.70.070, chapter 119, Laws of 1967 ex. sess. as last amended by section 12, chapter 213, Laws of 1985 and RCW 35A.70.070 are each amended to read as follows:

Every code city may exercise the powers authorized and shall perform the duties imposed upon cities of like population relating to the public health and safety as provided by Title 70 RCW and, without limiting the generality of the foregoing, shall: (1) Organize boards of health and appoint a health officer with the authority, duties and functions as provided in chapter 70.05 RCW, or provide for combined city-county health departments as provided and in accordance with the provisions of chapter 70.08 RCW; (2) contribute and participate in public health pooling funds as authorized by chapter 70.12 RCW; (3) control and provide for treatment of venereal diseases as authorized by chapter 70.24 RCW; (4) provide for the care and control of tuberculosis as provided in chapters 70.28, 70.30, 70.32, and 70.54 RCW; (5) participate in health districts as authorized by chapter 70.46 RCW; (6) exercise control over water pollution as provided in chapter 35.88 RCW; (7) for all code cities having a population of more than twenty thousand serve as a primary district for registration of vital statistics in accordance with the provisions of chapter 70.58 RCW ~~((and RCW 43.20A-630))~~; (8) observe and enforce the provisions relating to fireworks as provided in chapter 70.77 RCW; (9) enforce the provisions relating to swimming pools provided in chapter 70.90 RCW; (10) enforce the provisions of chapter 18.20 RCW when applicable; (11) perform the functions relating to mentally ill prescribed in chapters 72.06 and 71.12 RCW; (12) cooperate with the state department of social and health services in mosquito control as authorized by RCW 70.22.060; and (13) inspect nursing homes as authorized by RCW 18.51.145.

Sec. 5. Section 1, chapter 197, Laws of 1957 and RCW 69.06.010 are each amended to read as follows:

It shall be unlawful for any person to be employed in the handling of unwrapped or unpackaged food unless he or she shall furnish and place on file with the person in charge of such establishment, a food and beverage service worker's permit, as prescribed by the state board of health. Such permit shall be kept on file by the employer or kept by the employee on his or her person and open for inspection at all reasonable hours by authorized public health officials. Such permit shall be returned to the employee upon termination of employment. ~~((Permits shall be valid for two years from date~~

~~of issuance, and each employee shall furnish the person in charge of said food handling establishments such permit biennially.))~~ Initial permits shall be valid for two years from the date of issuance. Subsequent renewal permits shall be valid for five years from the date of issuance.

Sec. 6. Section 2, chapter 197, Laws of 1957 and RCW 69.06.020 are each amended to read as follows:

The permit provided in RCW 69.06.010 shall be valid in every city, town and county in the state, for the period for which it is issued, and no other health certificate shall be required of such employees by any municipal corporation or political subdivision of the state. The cost of the permit shall be uniform throughout the state and shall be in that amount set by the state board of health ~~((; not to exceed two dollars)).~~ The cost of the permit shall reflect actual costs of food worker training and education, administration of the program, and testing of applicants. The state board of health shall periodically review the costs associated with the permit program and adjust the fee accordingly. The board shall also ensure that the fee is not set at an amount that would prohibit low-income persons from obtaining permits.

Sec. 7. Section 4, chapter 197, Laws of 1957 and RCW 69.06.040 are each amended to read as follows:

This chapter shall apply ~~((only))~~ to any retail establishment ~~((s-regularly))~~ engaged in the business of food handling or food service.

NEW SECTION. Sec. 8. A new section is added to chapter 69.06 RCW to read as follows:

As used in this section, "temporary food service establishment" means a food service establishment operating at a fixed location for a period of time of not more than twenty-one consecutive days in conjunction with a single event or celebration. This chapter applies to temporary food service establishments with the following exceptions:

(1) Only the operator or person in charge of a temporary food service establishment shall be required to secure a food and beverage service workers' permit; and

(2) The operator or person in charge of a temporary food service establishment shall secure a valid food and beverage service workers' permit before commencing the food handling operation.

NEW SECTION. Sec. 9. Section 43.20.090, chapter 8, Laws of 1965, section 3, chapter 26, Laws of 1967, section 1, chapter 25, Laws of 1970 ex. sess., section 36, chapter 42, Laws of 1975-'76 2nd ex. sess., section 1, chapter 52, Laws of 1979 ex. sess., section 11, chapter 16, Laws of 1983 1st ex. sess. and RCW 43.20A.630 are each repealed.

NEW SECTION. Sec. 10. Sections 1 through 3 of this act are each added to chapter 70.58 RCW.

Passed the House April 15, 1987.

Passed the Senate April 7, 1987.

Approved by the Governor April 29, 1987.

Filed in Office of Secretary of State April 29, 1987.

CHAPTER 224

[House Bill No. 753]

CRIMINAL MISTREATMENT SENTENCING REVISED

AN ACT Relating to classification of the seriousness of crimes for sentencing purposes; amending RCW 9.94A.320; declaring an emergency; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 3, chapter 115, Laws of 1983 as last amended by section 23, chapter 257, Laws of 1986 and RCW 9.94A.320 are each amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XIV	Aggravated Murder 1 (RCW 10.95.020)
XIII	Murder 1 (RCW 9A.32.030)
XII	Murder 2 (RCW 9A.32.050)
XI	Assault 1 (RCW (9A.36.010) <u>9A.36.011</u>)
X	Kidnapping 1 (RCW 9A.40.020) Rape 1 (RCW 9A.44.040) Damaging building, etc., by explosion with threat to human being (RCW 70.74.280(1)) Over 18 and deliver heroin or narcotic from Schedule I or II to someone under 18 and 3 years junior (RCW 69.50.406) Leading Organized Crime (RCW 9A.82.060(1)(a))
IX	Robbery 1 (RCW 9A.56.200) Manslaughter 1 (RCW 9A.32.060) Statutory Rape 1 (RCW 9A.44.070) Explosive devices prohibited (RCW 70.74.180) Endangering life and property by explosives with threat to human being (RCW 70.74.270) Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic from Schedule I-V to someone under 18 and 3 years junior (RCW 69.50.406) Sexual Exploitation, Under 16 (RCW 9.68A.040(2)(a))