

NEW SECTION. Sec. 4. (1) The department of personnel shall determine the eligibility of a claimant to receive reparations authorized by this chapter. The department shall then notify the claimant by mail of its determination regarding the claimant's eligibility.

(2) The department may adopt rules that will assist in the fair determination of eligibility and the processing of claims. The department, however, has no obligation to directly notify any person of possible eligibility for reparation of salary losses under this chapter.

NEW SECTION. Sec. 5. A claimant under this chapter who is determined eligible by the department of personnel shall receive two thousand five hundred dollars each year for two years. All claims which the department determines are eligible for reparation shall be immediately forwarded to the state treasurer, who shall issue warrants in the appropriate amounts upon demand and verification of identity. If a claimant dies after filing a claim but before receiving full payment, payments shall be made to the claimant's estate upon demand and verification of identity.

NEW SECTION. Sec. 6. Sections 2 through 5 of this act shall constitute a new chapter in Title 41 RCW.

NEW SECTION. Sec. 7. There is appropriated to the department of personnel from the general fund for the biennium ending June 30, 1985, the sum of one hundred sixty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Passed the Senate April 28, 1983.

Passed the House May 6, 1983.

Approved by the Governor May 13, 1983.

Filed in Office of Secretary of State May 13, 1983.

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## CHAPTER 16

[Engrossed Second Substitute Senate Bill No. 3272]

### DEATH INVESTIGATIONS COUNCIL—STATE TOXICOLOGY LABORATORY—MEDICAL EXAMINERS—COUNTY CORONERS—DENTAL IDENTIFICATION SYSTEM

AN ACT Relating to death investigations; amending section 13, chapter 188, Laws of 1953 as last amended by section 1, chapter 84, Laws of 1975-'76 2nd ex. sess. and RCW 63.08-.107; amending section 43.20.090, chapter 8, Laws of 1965 as last amended by section 1, chapter 52, Laws of 1979 ex. sess. and RCW 43.20A.630; amending section 9, chapter 94, Laws of 1974 ex. sess. as amended by section 4, chapter 132, Laws of 1981 and RCW 43.101.090; amending section 10, chapter 94, Laws of 1974 ex. sess. as amended by section 5, chapter 132, Laws of 1981 and RCW 43.101.100; amending section 1, chapter 90, Laws of 1917 and RCW 68.12.010; amending section 7, chapter 188, Laws of 1953 as amended by section 3, chapter 178, Laws of 1963 and RCW 68.08.104; adding a new section to chapter 43.79 RCW; adding new sections to chapter 68.08 RCW; adding a new chapter to Title 43 RCW; making appropriations; providing an effective date; and declaring an emergency.

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

NEW SECTION. Sec. 1. The purposes of this act are declared by the legislature to be as follows:

(1) To fund the death investigation system and to make related state and local institutions more efficient;

(2) To preserve and enhance the state toxicology laboratory which is an essential part of the criminal justice and death investigation systems in the state of Washington;

(3) To provide resources necessary for the performance, by qualified pathologists, of autopsies which are also essential to the criminal justice and death investigation systems of this state and its counties;

(4) To improve the performance of death investigations and the criminal justice system through the formal training of county coroners and county medical examiners;

(5) To establish and maintain a dental identification system; and

(6) To provide flexibility so that any county may establish a county morgue when it serves the public interest.

NEW SECTION. Sec. 2. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Council" means the Washington state death investigations council.

(2) "Toxicology laboratory" means the Washington state toxicology laboratory.

NEW SECTION. Sec. 3. There is created the Washington state death investigations council. The council shall oversee the state toxicology laboratory and, together with the president of the University of Washington, control the laboratory's operation. The council may also study and recommend cost-efficient improvements to the death investigation system in Washington and report its findings to the legislature.

NEW SECTION. Sec. 4. The council shall consist of nine members who shall be selected as follows: One county coroner; one county prosecutor; one county prosecutor who also serves as ex officio county coroner; one county medical examiner; one county sheriff; one chief of police; one representative of the state patrol; one member of a county legislative authority; and one pathologist who is currently in private practice.

All members shall be appointed to the council by the governor.

NEW SECTION. Sec. 5. All members of the council are appointed for terms of four years, commencing on July 1 and expiring on June 30. However, of the members appointed to the initial council, five shall be appointed for two-year terms and four shall be appointed for four-year terms. A person chosen to fill a vacancy created other than by the natural expiration of a member's term shall be nominated and appointed as provided in section 4 of this act for the unexpired term of the member he or she is to succeed. Any member may be reappointed for additional terms.

NEW SECTION. Sec. 6. Any member of the council shall immediately cease to be a member if he or she ceases to hold the particular office or employment which was the basis of his or her appointment under section 4 of this act.

NEW SECTION. Sec. 7. The council shall elect a chairman and a vice chairman from among its members. Five members of the council shall constitute a quorum. The governor shall summon the council to its first meeting. Otherwise, meetings may be called by the chairman and shall be called by him upon the written request of five members of the council. Conference calls by telephone are a proper form of meeting.

NEW SECTION. Sec. 8. (1) Members of the council shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(2) Attendance at meetings of the council shall constitute performance by a council member of the duties of his or her employment or office.

NEW SECTION. Sec. 9. The council has the following powers:

(1) To meet at such times and places as may be designated by a majority vote of the council members or, if a majority cannot agree, by the chairman;

(2) To adopt rules governing the council and the conduct of its meetings;

(3) To require reports from the state toxicologist on matters pertaining to the toxicology laboratory;

(4) To review and, if necessary, require changes in the budget request of the toxicology laboratory; and

(5) To do anything, necessary or convenient, which enables the council to perform its duties and to exercise its powers.

Sec. 10. Section 13, chapter 188, Laws of 1953 as last amended by section 1, chapter 84, Laws of 1975-'76 2nd ex. sess. and RCW 68.08.107 are each amended to read as follows:

There shall be established at the University of Washington Medical School a state toxicological laboratory under the direction of the state toxicologist whose duty it will be to perform all necessary toxicologic procedures requested by all coroners, medical examiners, and prosecuting attorneys. Annually the president of the University of Washington, with the consent of the state death investigations council, shall appoint a competent toxicologist as state toxicologist who shall serve a one year term. The state toxicologist may be reappointed to as many additional one year terms as the president of the university (~~in his discretion~~) and the death investigations council deem((s)) proper. The facilities of the police school of the Washington State University and the services of its professional staff shall be made available to ~~((the))~~ coroners ~~((and the))~~, medical examiners, and prosecuting attorneys in their investigations under this chapter. This laboratory shall be deemed to be within the meaning of medical and biological

research as defined in RCW 66.08.180, and (~~funds for this purpose not to exceed~~) one hundred fifty thousand dollars per biennium shall be provided for partial funding of salaries and operations of (~~said~~) the laboratory(~~;~~ ~~and~~). The funds so provided shall take priority over disbursements of any other sums from (~~said~~) the medical and biological research fund.

Sec. 11. Section 43.20.090, chapter 8, Laws of 1965 as last amended by section 1, chapter 52, Laws of 1979 ex. sess. and RCW 43.20A.630 are each amended to read as follows:

The state registrar shall, upon request, furnish an applicant with a certified copy of the record of any birth, death, fetal death, marriage or decree of divorce, annulment or separate maintenance, registered under the provision of 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, for the making and certification of which he shall charge a fee of (~~three~~) six dollars to be paid by the applicant: PROVIDED, That no fee shall be demanded or required for furnishing a certified copy of a birth, death, fetal death, marriage, divorce, annulment, or separate maintenance record for use in connection with a claim for compensation or pension pending before the veterans administration.

For any search of the files and the records when no certified copy is made, the state registrar shall be entitled to a fee of three dollars for each hour or fractional part of an hour employed in such search, to be paid by the applicant.

The state department of social and health services shall keep a true and correct account of all fees received and turn the same over to the state treasurer on or before the first day of January, April, July, and October.

Health officers in cities of the first class may, upon request, furnish certified copies of the records of birth, death, and fetal death, and shall charge the same fee as hereinabove provided, and shall be entitled to charge for searching of records when no certified copy is made the same fee as hereinabove provided. All such fees collected, except for two dollars of each six dollar fee for the issuance of a certified copy, shall be paid to the jurisdictional health department: PROVIDED, That health officers of 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 a copy of the original certificate transmitted to the state registrar which was produced by a photographic or other exact reproduction method. Health officers of counties or districts may, upon request, furnish certified copies of the records of birth, death, and fetal death, and shall charge the same fee as hereinabove provided, during the period that the original certificates are in their possession prior to transmittal of the original certificates to the state registrar. All such fees collected, except for two dollars of each six dollar fee, shall be paid to the jurisdictional health department. Certified copy forms used by health officers furnishing certified copies while the original

records are temporarily in their possession shall be supplied or approved by the state registrar and no other forms shall be used.

All health officers 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 two dollars of the fee over to the state treasurer on or before the first day of January, April, July, and October.

Two 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 section 18 of this 1983 act.

Sec. 12. Section 9, chapter 94, Laws of 1974 ex. sess. as amended by section 4, chapter 132, Laws of 1981 and RCW 43.101.090 are each amended to read as follows:

(1) There are hereby created and established training standards and education boards to be known and designated as (a) the board on law enforcement training standards and education, (b) the board on prosecutor training standards and education, and (c) the board on correctional training standards and education.

(2) The purpose of the board on law enforcement training standards and education shall be to provide programs and standards for the training and education of law enforcement personnel.

(3) The purpose of the board on prosecutor training standards and education shall be to provide programs and standards for the training and education of county prosecuting attorneys, municipal attorneys, and attorneys who are engaged primarily in the defense of persons charged with offenses and for the training and education of county coroners and county medical examiners who are engaged in death investigations.

(4) The purpose of the board on correctional training standards and education shall be to provide programs and standards for the training and education of correctional personnel.

Sec. 13. Section 10, chapter 94, Laws of 1974 ex. sess. as amended by section 5, chapter 132, Laws of 1981 and RCW 43.101.100 are each amended to read as follows:

(1) The board on law enforcement training standards and education shall consist of eleven members, who shall be appointed by the governor from incumbent law enforcement personnel. Two members shall be from police departments of cities having a population in excess of one hundred thousand and of whom one shall be a police chief, two members shall be from police departments of cities having a population of less than one hundred thousand and of whom one shall be a police chief, two members shall be from sheriffs' departments of class AA or A counties and of whom one shall be a sheriff, two members shall be from sheriffs' departments of counties less than class A and of whom one shall be a sheriff, one member shall represent the community colleges of the state, one member shall represent

the four-year colleges and universities, and the final member shall be the chief of the state patrol.

(2) The board on prosecutor training standards and education shall consist of ~~((eleven))~~ thirteen members, who shall be appointed by the governor from incumbent county prosecuting attorneys, municipal attorneys, and attorneys who are engaged primarily in the defense of persons charged with offenses. Three members shall be from county prosecuting attorneys' offices, three members shall be from municipal attorneys' offices, three members shall be attorneys who are primarily engaged in the defense of persons charged with offenses, ~~((and))~~ two members shall be professors of law~~((, and))~~ not from the same college or university, one member shall be a county coroner from a county of the fourth class or above, and one member shall be a county medical examiner.

(3) The board on correctional training standards and education shall consist of eleven members, who shall be appointed by the governor from incumbent correctional personnel. Three members shall be employed in the state correctional system, three members shall be employed in county correctional systems, three members shall be employed in the juvenile correctional system, one member shall represent the community colleges of the state, and one member shall represent the four-year colleges and universities.

Sec. 14. Section 7, chapter 188, Laws of 1953 as amended by section 3, chapter 178, Laws of 1963 and RCW 68.08.104 are each amended to read as follows:

The cost of autopsy shall be borne by the county in which the autopsy is performed, except when requested by the department of labor and industries, in which case, the ~~((said))~~ department shall bear the cost of such autopsy; and except when performed on a body of an infant under the age of three years by the University of Washington medical school, in which case the medical school shall bear the cost of such autopsy.

When the county bears the cost of an autopsy, it shall be reimbursed from the death investigations' account, established by section 18 of this 1983 act, as follows:

(1) up to forty percent of the cost of contracting for the services of a pathologist to perform an autopsy; and

(2) up to twenty-five percent of the salary of pathologists who are primarily engaged in performing autopsies and are (a) county coroners or county medical examiners, or (b) employees of a county coroner or county medical examiner.

Payments from the account shall be made pursuant to biennial appropriation: PROVIDED, That no county may reduce funds appropriated for this purpose below 1983 budgeted levels.

NEW SECTION. Sec. 15. There is added to chapter 68.08 RCW a new section to read as follows:

A dental identification system is established in the identification section of the Washington state patrol. The dental identification system shall act as a repository or computer center or both for dental examination records and it shall be responsible for comparing such records with dental records filed under section 17 of this act. It shall also determine which scoring probabilities are the highest for purposes of identification and shall submit such information to the coroner or medical examiner who prepared and forwarded the dental examination records. Once the dental identification system is established, operating funds shall come from the state general fund.

NEW SECTION. Sec. 16. There is added to chapter 68.08 RCW a new section to read as follows:

When a person reported missing has not been found within thirty days of the report, the sheriff, chief of police, county coroner or county medical examiner, or other law enforcement authority initiating and conducting the investigation for the missing person shall ask the missing person's family or next of kin to give written consent to contact the dentist or dentists of the missing person and request the person's dental records.

When a person reported missing has not been found within thirty days, the sheriff, chief of police, or other law enforcement authority initiating and conducting the investigation for the missing person shall confer with the county coroner or medical examiner prior to the preparation of a missing person's report. After conferring with the coroner or medical examiner, the sheriff, chief of police, or other law enforcement authority shall submit a missing person's report and the dental records received under this section to the dental identification system of the state patrol identification section on forms supplied by the state patrol for such purpose.

When a person reported missing has been found, the sheriff, chief of police, coroner or medical examiner, or other law enforcement authority shall report such information to the state patrol. The dental identification system shall then erase all records with respect to such person.

The dental identification system shall maintain a file of information regarding persons reported to it as missing and who have not been reported found. The file shall contain the information referred to in this section and such other information as the state patrol finds relevant to assist in the location of a missing person.

The files of the dental identification system shall, upon request, be made available to law enforcement agencies attempting to locate missing persons.

NEW SECTION. Sec. 17. There is added to chapter 68.08 RCW a new section to read as follows:

If the county coroner or county medical examiner investigating a death is unable to establish the identity of a body or human remains by visual means, fingerprints, or other identifying data, he or she shall have a qualified dentist, as determined by the county coroner or county medical examiner, carry out a dental examination of the body or human remains. If the

county coroner or county medical examiner with the aid of the dental examination and other identifying findings is still unable to establish the identity of the body or human remains, he or she shall prepare and forward such dental examination records to the dental identification system of the state patrol identification section on forms supplied by the state patrol for such purposes.

The dental identification system shall act as a repository or computer center or both with respect to such dental examination records. It shall compare such dental examination records with dental records filed with it and shall determine which scoring probabilities are the highest for the purposes of identification. It shall then submit such information to the county coroner or county medical examiner who prepared and forwarded the dental examination records.

NEW SECTION. Sec. 18. There is added to chapter 43.79 RCW a new section to read as follows:

There is established an account in the general fund under the jurisdiction of the state treasurer referred to as the "death investigations' account" which shall exist for the purpose of receiving, holding, investing, and disbursing funds appropriated or provided in section 20 of this act.

Moneys in the death investigations' account shall be disbursed by the state treasurer once every year on December 31 and at any other time determined by the treasurer. The above-mentioned entities and individuals may submit billings to the state treasurer prior to December 31.

Sec. 19. Section 1, chapter 90, Laws of 1917 and RCW 68.12.010 are each amended to read as follows:

~~((In counties of the first class of more than two hundred and fifty thousand population;))~~ The county ((commissioners, within three months after the taking effect of this act and in counties which shall hereafter attain a population of more than two hundred and fifty thousand, within one year after attaining such population;)) legislative authority of each county may at ((their)) its discretion provide and equip a public morgue together with suitable morgue wagon for the conveyance, receipt and proper disposition of the bodies of all deceased persons not claimed by relatives, and of all dead bodies which are by law subject to a post mortem or coroner's inquest: PROVIDED, HOWEVER, That only one public morgue may be established in any county: PROVIDED FURTHER, That counties may agree to establish joint morgue facilities pursuant to chapter 39.34 RCW.

NEW SECTION. Sec. 20. There is appropriated from the death investigations account of the state general fund for the biennium ending June 30, 1985, the following sums, or so much thereof as may be necessary, for the following purposes:

- (1) \$5,000 to the death investigation council for its operations.



(2) \$25,000 to the Washington state patrol for the purposes of section 15 of this act.

(3) \$30,000 to the board on prosecutor training standards and education for a coroner training program.

(4) \$372,000 to the state toxicology laboratory for its operations.

(5) \$600,000 to the state treasurer to be distributed on a pro rata basis to counties to be used by county coroners and medical examiners for autopsy costs, as provided in section 14 of this act.

NEW SECTION. Sec. 21. The Legislative Budget Committee shall conduct a study of the medical examiner system and the staffing programs and operations of the state toxicology laboratory and shall report its findings to the legislature no later than January 1, 1984.

NEW SECTION. Sec. 22. Sections 1 through 9 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 23. 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.

NEW SECTION. Sec. 24. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1983.

Passed the Senate May 5, 1983.

Passed the House May 4, 1983.

Approved by the Governor May 13, 1983.

Filed in Office of Secretary of State May 13, 1983.

## CHAPTER 17

[Substitute House Bill No. 470]

### UNIVERSITY OF WASHINGTON—COMMON SCHOOLS—FUND TRANSFERS—RESOURCE MANAGEMENT ACCOUNTS—BUILDING AND CONSTRUCTION ACCOUNTS

AN ACT Relating to state funds; creating new sections; and declaring an emergency.

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

NEW SECTION. Sec. 1. During the fiscal biennium ending June 30, 1983, the state treasurer shall transfer from the resource management cost account to the University of Washington building account three million three hundred thousand dollars or so much thereof as may be necessary to maintain a positive balance in the University of Washington building account.