

March 13, 2008

Record of edit changes to HB 3198 (and 3316)

1. Please note that HB-3316 was the same text as HB-3198, except that all references to “fees” had been stripped from HB-3198 to avoid problems associated with unintended consequences of Tim Eyman’s Initiative 960. At the suggestion of DOL, we used the language from HB-3198 for this editing job, in hopes that those problems will be resolved by the 2009 session.
2. We have removed all references to the Geology Board (“board”) and the geology RCW (18.220), and replaced with “director”, meaning that we will no longer be administered under the Geology Board, and instead will report directly to the Director of the Dept. of Licensing.
3. We removed the word “practice” from section 1; and made other small edits where we found words or letters inadvertently missing.
4. We added definitions for “soil” and “wetlands”, but please note that the wetland definition is in state law (as referenced). We thought that to avoid confusion, and to provide more complete information to reviewers and other public users of this bill, we should include the actual definition as well as provide a reference to the state law. Because this definition is based in federal as well as state law, we do not expect that definition to change.
5. We added “soil classifier”, and wetland biologist” to the list of explicit titles; we removed the titles “certified soil scientist” and “certified wetland scientist” simply because they appear redundant since they contain the words “soil scientist” and “wetland scientist”, which are already reserved. We considered whether to add other titles, but these are the most common titles for the respective professions, and should serve in most cases.
6. We made changes to Section 3 that clarified the intent of that section, which is to keep a person from implying that they are state-certified when they are not – rather than to keep a person from practicing soil or wetland science. There was confusion with the original wording as to whether it implied a control of “practice” versus “title”.
7. We deleted the words ~~by agencies of the federal or state governments, nonprofit research institutions, or for profit organizations~~ from Section 3(2)(b) since several people commented that it appeared to exempt for profit companies entirely, so was confusing, despite being worded adequately for its intended purpose. We believe that it serves the same purpose without those extra words.

8. We added a public member to the Advisory Committee, and changed the following section to read that two members rather than one member will have an initial committee term of one year to adjust for that addition of one member.
9. To adjust for no longer being under the geology board, we moved the old Section 19 language (and then deleted old Section 19), describing the “board’s authority” to Section 6, describing the director’s authority.
10. **We note that both Section 6 and Section 10 describe examination administration, so perhaps need to be merged or edited more effectively.**
11. We changed all 2010 dates to 2011 dates; we renumbered all Sections.
12. Section 15 is edited to reflect that instead of using the geologists’ account, we will be added as members to the business and professions acct (RCW 43.24.150).
13. We added (x) Soil scientists and wetland scientists under this chapter (chapter 18. __RCW). to new Section 19(a).
14. ~~7 We deleted including with respect to chapter 18. __RCW (sections 1 through 18 of this act)~~ from new Section 19(b).