

CHAPTER 243.

[Senate Bill No. 49.]

OCEANOGRAPHIC COMMISSION—OCEANOGRAPHIC INSTITUTE OF WASHINGTON.

AN ACT establishing the oceanographic commission of Washington; authorizing the formation of the Oceanographic Institute of Washington; prescribing powers, duties and functions; and providing an effective date.

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

Oceanographic
commission—
Purpose.

Section 1. The state of Washington is geographically endowed with a seacoast centered adjacent to a vast continental shelf area and an inland sea known as Puget Sound which constitutes the largest salt water harbor in the world. Situated in a temperate climate, this virtually unspoiled area with its developments in industrial and educational fields presents a natural base for expanding efforts to uncover and utilize the potentially rich food, oil and mineral natural resources of the western Pacific Ocean continental shelf, to locate and harvest abundant fish and marine life, to develop fish farms and aquatic agriculture through the utilization of the estuaries and bays of Puget Sound, to conduct studies of marine and aquatic life, to research and develop seafood uses and seafood processing plants, to locate a temperate zone marine laboratory, to collect and distribute living marine organisms for marine and biological research, and to conduct research into weather forecasting and modification. A permanent organization is vitally needed to fully exploit the strategic position of this state as a natural base for these activities with due regard to the ancillary needs of providing planned waterfront development, public recreation, conservation, and prevention of water pollution and to assist the University of Washington and other participating institutions in the development and operation of local and regional

programs under the National Sea Grant College and Program Act of 1966.

Sec. 2. There is created the oceanographic commission of Washington to consist of twelve members to be selected as follows: Five to be appointed by the governor from the public at large, at least one of whom shall be representative of higher education, one representative of private industry, and one representative of labor; three members of the state senate, no more than two of whom shall be members of the same political party, to be appointed by the president of the senate; and three members of the house of representatives, no more than two of whom shall be members of the same political party, to be appointed by the speaker of the house. The chairman of the state marine resources and development committee shall be an ex officio member without a vote. Members shall serve for terms of five years expiring on January 15th: *Provided*, That of the members first appointed by the governor, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years. The position of any legislative member shall be deemed vacated whenever such member ceases to be a member of the house or senate from which he was appointed. Any vacancies occurring in the membership of the commission shall be filled for the remainder of the unexpired term by the appointive power of the position vacated. Members shall serve without compensation but shall be reimbursed for necessary travel and other expenses incurred in the performance of their duties as commission members on the same basis as provided *by law for state officials and employees* under RCW 44.04.120, as now or hereafter amended.

Creation—
Composition—
Terms—Va-
cancies—Ex-
penses.

Sec. 3. The commission shall by majority vote

Oceanographic
commission—
Officers—Em-
ployees—Vot-
ing.

select a chairman. The commission shall employ an executive secretary and may employ and fix the compensation of such other persons as may be necessary to carry out its powers and duties. All matters relating to payment of compensation and other expenses of the commission shall be subject to the state budget and accounting system.

The commission shall meet at least four times each year and at such other times as determined by the chairman. A majority of the members shall constitute a quorum. No member shall vote on any matter from which he would derive any direct economic benefit.

Powers and
duties.

Sec. 4. The commission shall have the following powers, duties and functions:

(1) Encourage, assist, develop and maintain a coordinated program in oceanography for the benefit of the citizens of the state and the nation;

(2) Encourage private industrial enterprise to utilize the Puget Sound area as a base for oceanographic work;

(3) Promote national interest in Puget Sound as a base for national oceanographic programs;

(4) Assist in developing educational programs to provide the professional and technical graduates required by oceanographic expansion in the area;

(5) Undertake projects designed to inform the citizenry of the importance of oceanography to the development of the area;

(6) Assist in the study of problems of waterfront development, pollution, and parks and recreation areas for public use;

(7) Accept funds, gifts, bequests, and devisees from any lawful source given or made available for the purposes of this act, including but not limited to grants of funds made with or without a matching requirement by the federal government;

(8) Encourage, supplement and assist the devel-

opment of programs under the National Sea Grant College and Program Act of 1966 by the University of Washington and other participating educational institutions of the state and region. The programs and mission of the commission and its institute are not to be in duplication of the existing program of the University of Washington or other educational institutions of the state in oceanographic research, training or public service, or of the program developed under the National Sea Grant College and Program Act of 1966.

(9) Make annual reports to the Washington State Legislature, or to the appropriate interim committee thereof, all activities undertaken in connection with the power, duties and functions assigned in this section together with any recommendations for new legislation designed to accomplish the purposes of this act.

(10) Delegate in its discretion and to the extent permitted by the state Constitution, any of the powers and duties set forth in subsections (1) through (8) to the Oceanographic Institute of Washington formed pursuant to section 5 of this act.

Sec. 5. To facilitate the exercise of its powers, duties and functions, the members of the commission are empowered to form a nonprofit corporation under the provisions of chapter 24.04 RCW. The members of the commission shall be members and trustees of any such corporation as long as they are members of the commission. The commission members of such corporation shall accept by majority vote additional members of the corporation so that the total membership thereof including commission members shall be comprised of not less than thirteen and not more than twenty members. Any nonprofit corporation so formed shall be known and designated as the Oceanographic Institute of Washington.

Oceanographic
institute—
Authority.

Oceanographic
commission—
Institute.

The Oceanographic Institute of Washington shall, subject to the advice and consent of the commission, coordinate, promote and carry out such policies for oceanographic programs and development as may be formulated by the commission. In the coordination, promotion and carrying out of commission policies, the institute shall have in addition to powers prescribed in chapter 24.04 RCW, the power to accept, use and expend such public funds as may be lawfully made available to it for such purposes by the federal or state governments, or any political subdivision or municipal corporation, and such other powers and duties as may be lawfully delegated to it by the commission.

The institute may employ, engage and retain such staff and consultants as it deems necessary in carrying out its duties.

Severability.

Sec. 6. If any provision of this act, or its application to any person, public or private organization, or circumstance is held invalid, the remainder of this act, or the application of the provision to other persons, public or private organizations, or circumstances is not affected.

Effective date.

Sec. 7. The effective date of this act is July 1, 1967.

Passed the Senate February 27, 1967.

Passed the House February 25, 1967.

Approved by the Governor March 8, 1967, with the exception of a certain item in Section 2 which was vetoed.

NOTE: Governor's explanation of partial veto is as follows:

"This bill establishes the Oceanographic Commission of Washington to encourage and promote maximum utilization of our oceanographic assets. In my State of the State Message, I stated 'to assure the proper public management of our new and exciting frontier in oceanography, I will enthusiastically support the establishment of the Washington State Oceanographic Commission.' I commend the legislature for its enactment of Senate Bill No. 49 and believe that the Commission which it has established will play a vital role in the future of the State of Washington.

"In Section 2, the bill provides that members of the Commission shall serve without compensation but shall be reimbursed for necessary travel and other expenses incurred in the performance of their duties as commission members 'on the same basis as provided by law for state officials and employees under RCW 44.04.120.' The statute cited in the bill does not refer to travel and other expenses incurred by state officials or employees, but rather, refers to expenses incurred by members of the legislature while serving on interim committees. State officials and employees are reimbursed for travel and other expenses under RCW 43.03.050 and .060 at the rate of \$.08 a mile and \$15.00 a day while inside the state and \$25.00 a day while outside the state. I believe the legislature intended that those who are serving on a temporary basis while permanently engaged in other employment be reimbursed at the higher rate provided by RCW 44.04.120 of \$25.00 a day and \$.10 a mile.

"To allow the language to remain as it exists in this bill would invite challenge by the Auditor of payment of proper expenses of members of the Commission. In order to avoid any question with regard to this matter, I have vetoed the words 'by law for state officials and employees' from Section 2. The remainder of the bill is approved."

DANIEL J. EVANS,
Governor.

NOTICE

This page concludes the printing of
the Laws of the 1967 Regular Session.

All Laws of the 1967 Extraordinary
Session together with Index and Tables
are contained in Volume 2.