

**MINUTES OF THE SECOND MEETING OF THE STATUTE LAW COMMITTEE
2015-2017 Biennium**

January 7, 2016

The Statute Law Committee held its second meeting of the 2015-2017 biennium in the Senate Rules Room, located on the second floor, southeast corner of the Legislative Building.

Chair Roger Goodman called the meeting to order at 12:05 p.m.

Members present: Barbara Baker, Nicolas Brown, Hunter Goodman, Susan Howson, Hillary Madsen, Rick Neidhardt, Jamie Pedersen, and Jill Reinmuth.

Members absent: Jay Rodne and Mike Padden.

Also in attendance were Kyle Thiessen, Code Reviser, who serves as the committee's secretary; Lew Lewis, Deputy Code Reviser; Kerry Radcliff, Washington State Register Editor; Debbie Deibert, Administrative Secretary; Kevin Shotwell, Code Reviser Attorney, and Aldo Melchiori by request of Mike Padden.

Committee members and others in attendance introduced themselves.

Minutes to the prior meeting were presented. A motion was made by Barbara Baker and seconded by Hunter Goodman that the minutes of the previous Statute Law Committee meeting held on September 9, 2015, be approved. The motion carried. (Tab 1)

Kyle reported to the committee that administration has reorganized some staff positions. First, one position at the front desk is now session only; and second, a fourth position was filled for an RCW/Codification typist which will add to the speed of production. The typing position was filled by a proofreader, so a new employee was hired into the proofreading position.

Kyle informed the committee that Ariele Landstrom, an attorney who has

been with our office for seven years, is working at Office of Program Research. She is getting experience and insights into what our clients from committee services go through and what they need from us. OPR had a vacancy in a subject area which she is knowledgeable in. An exchange of this sort will bring about better drafting on our part.

Kyle posed a question to the committee asking if it would be beneficial to have a SLC meeting at or around the airport for the May meeting. The members welcomed that location and it was noted that a meeting may be held in the office space for the judicial meetings. Another suggestion was reserving a room at the 13 Coins for a working lunch meeting. A survey will be distributed the end of March to secure a meeting date and location for May.

Kyle sent an email to Bloomberg concerning the copyright held by the State of Washington for use the WAC, RCW, or WSR. He pointed out that about one-half of the states claim a copyright according to research done by NCSL. With the guidance of the Attorney General's Office and using similar language as was used another state (Oregon) we asserted that our state does have a copyright and that we would enforce that copyright if necessary. This communication was sent out around the first of this year. The state of Oregon did receive a check from Bloomberg in response to the email.

PDF copies of documents were difficult to alter in the past. Our office did not believe that PDF documents produced by Order Typing Services, emailed to an agency, and then filed by that agency in the WSR would need to be verified. Then, we began to receive PDF copies that had been altered. We were forced to electronically compare the documents to determine if alterations were present. Our IT staff listened to the problem and came up with a solution which cost approximately \$300 which created a blue bar on the top of the document with the text: "Certified by Office of the Code Reviser...Certificate issued by Entrust CA for Adobe." If the PDF text had been altered, the message: "Certification by Office of the Code Reviser is invalid" would be produced in the blue bar line, and our office would know that the filing had been altered, saving significant staff time.

Senator Pedersen asked if the blue bar can be eliminated. The answer given was that it would not be an easy thing to do. There have been some inquiries from agencies alarmed that they are no longer able to make changes to the copy for filing purposes. It has been suggested to those agencies to redo their changes through Order Typing Service so the certification can be applied.

It was discussed whether this would qualify as authentication. A discussion was held concerning this topic. Points made included that this may be a way to authenticate without it being bothersome to the users. Also, getting the software which certifies the pdf document at the top in a blue bar was at a reasonable cost. We can add this certification to the RCW and Session Laws when needed. Also, if this qualifies as authentication, then perhaps our objections to UELMA would be removed.

Further discussion involved the scope of who is affected by UELMA and if it would be a burden to the Courts, Secretary of State or other agencies. Senator Pedersen suggested that a draft be put together to craft the UELMA to the needs of our state. Also discussed was the definitions of authentication and certification and who decides or defines those terms. Rick Johnson of LSC will be contacting other states concerning these questions and discussion points.

It was mentioned that court documents, the RCW and the WAC are still printed. The official copy of the WSR is on-line. At this point, Lew presented the RCW Supplement which was delivered to us on December 10. The office will be rejecting the order for many reasons. These reasons include that the cover has no UV protection, the color is off, and the binding is not durable. LSS is helping to coordinate fixing the mistakes. Some unacceptable books will be distributed here on campus. After we receive good copies, an exchange will be made, then the unacceptable copies will be returned to the bindery and redone. The supplement run was 860 books. (Tab 2)

Expenditures from the state general fund for five months was presented to the committee. The report covered salaries, benefits, goods and services, travel and equipment. Everything seemed to be in order. Expenditures from the publication account was presented to the committee. The expenses included payments for supplies, postage, utilities, rental of a warehouse which stores the RCW, WAC, and Session Laws, and costs of printing various publications. All was in balance in that account. The revenue report displayed sales for publications from July 1, 2015 to December 28, 2015 as \$87,361. The balance in the account is \$847,645. (Tab 3)

Kyle gave details concerning the content of Z-0730.2 which is obsolete provisions bill updating date references. He spoke to the three parts of the bill which included: 1) Correcting Form Year Designation where 19... is replaced with (year) and AD is left alone; 2) Removing Expired Provisions which updates three

RCW sections that have internal expiration dates; and 3) Making Technical Corrections to four RCW sections. Kyle included a memo describing further the corrections which the bill fixes.

Next under discussion was SB 5046 which corrects a codification error concerning the governor's designee to the traffic safety commission. The committee would like to see this bill progress quickly through the process. It was suggested by Barbara Baker that a house companion be drafted if that was agreeable with all. A motion was made and approved to draft a companion bill.

Thereupon, the meeting adjourned at 1:10 p.m., the next meeting to be held at the call of the Chair.

K. KYLE THIESSEN, Secretary

ROGER GOODMAN, Chair

Date