

## **MINUTES OF THE THIRD MEETING OF THE STATUTE LAW COMMITTEE**

June 7, 2006

The Statute Law Committee held its third meeting of the 2005-2007 biennium at 1:30 p.m. in the House Rules Room in the Legislative Building in Olympia.

The meeting opened with Vice Chair Tom Hoemann presiding.

Members present: Alexander, Conte, Hoemann, Nafziger, Panesko, Priest, Rockefeller, and Rodger.

Members absent: Brown, Johnson, and Williams.

Also in attendance were Kyle Thiessen, Code Reviser, who also served as the committee's secretary; Lew Lewis, Deputy Code Reviser; Kathy Buchli, Senior Assistant Code Reviser, Kerry Radcliff, Editor of the Washington State Register, and Debbie Deibert, Administrative Secretary.

Vice Chair Hoemann began the meeting issuing a statement for Heritage Bank concerning Kyle Thiessen's appointment as Code Reviser, replacing Dennis W. Cooper who retired at the end of September in 2005. With Mr. Thiessen's appointment, the committee grants Kyle Thiessen the authority to sign and issue petty cash checks and to have the authority to designate staff who may issue petty cash checks with Heritage Bank.

The committee welcomed Richard Rodger as its newest member. Mr. Rodger replaces Stan Pynch as Senate Committee Services director. Mr. Rodger has worked for the Senate for seventeen and one half years and he expressed his delight in having been chosen as SCS director.

A motion was made and seconded to approve the minutes of the prior meeting of December 7, 2005. The motion carried. (Tab 1).

Mr. Thiessen made introductions of staff participating in today's meeting. He reported that the office was very busy during the 2006 legislative session. He noted that 5,355 files were established during the 2006 59-day session in comparison with the 2004 session which had 4,594 new files established. The office was complimented on its service for the session.

Mr. Thiessen provided a brief summary on services being provided by the Attorney General's office. First, the Attorney General's office is writing an official opinion as to which ethics board covers the Office of the Code Reviser. Second, the Attorney General's office is writing a letter allowing the office to decodify a Washington Administrative Code title for which the entity no longer exists.

Mr. Thiessen reported that the bill drafting staff will be automating the tracking log for the up coming session.

The office is busy codifying those laws which passed this session. The RCW will be on the Internet in mid-July. The hard bound set of the RCW will be available in September.

The Code Reviser introduced Kerry Radcliff, editor of the Washington State Register. Kerry reported on the progress of the office in accepting electronic filings for the Washington State Register. Kerry described the pilot program, the time lines and target dates set and met for steps in setting up electronic filing. She stated that agencies of all sizes participated and offered valuable input in sculpting the requirements. Dates and topics reported by Kerry included: On 3/30/06 the first task force meeting was held. A registration letter and possible scenario and e-filing closing dates were discussed in this meeting. The second task force meeting was held on 5/4/06 in which the task force finalized the registration letter and agreement was reached that closing dates would remain the same as hand-delivered filings. Also the group agreed on the e-filing scenario. A pilot group of volunteer agencies tested document transmission.

Future accomplishments include:

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| June       | Get forms and registration letter on web site.                    |
| June 22    | 3rd task force meeting.   |
| July 1     | Pilot group will start e-filing CR-101s.                          |
| September  | All agencies will be able to e-file CR-101s.                      |
| October    | All agencies will be able to e-file miscellaneous type documents. |
| October 18 | File CR-102 to make any necessary changes to chapter 1-21 WAC.    |

November 21	(tentative) Hearing to discuss changes to chapter 1-21 WAC.
December 1	(tentative) Adopt changes to chapter 1-21 WAC to be effective 1/1/07.
January 2007	Agencies will be able to e-file all types of documents.

Kerry also explained about filing a preproposal after June 16th clarifying copying fees charged by our office.

The housekeeping expedited rule making (CR-105) that was previously filed, will be able to finalized after July 3rd. (Tab 2).

Mr. Thiessen updated the committee on office plans that were drawn up during the months of December through February by Bud Schorr. The top drawing behind the third tab is the lower mezzanine, which would house the WAC, Register and Order Typing Service personnel. The bottom drawing shows the plans for the bill drafting/RCW personnel. A capital budget estimate was presented (Tab 3). Mr. Hoemann and Mr. Nafziger informed the committee of meetings they have attended with General Administration which outlines possible capitol campus projects, long-term uses of north campus buildings, and office locations. A discussion ensued concerning the timing of the Code Reviser's Office move.

Kyle reported on the passage of SB 6208 which simplifies session law publication. The specific number of copies which must be published is removed. Kyle noted that passage of this bill has been a good cost-saving measure. Also, the committee is not required to publish a temporary set of session laws. The idea was put forth to publish only one type of bound session law set similar to the RCW and WAC.

Kathy Buchli gave the committee a publications overview. Kathy's duties include drawing up publishing contracts and supervising time lines. She reported that this year's temporary and permanent session law volumes have been completed and that distribution is continuing. This year the RCW will be reprinted and 3,000 sets will be produced. She explained that the review of different stages of RCW codification involves a majority of our personnel. The WAC is also on schedule to be reprinted. This project will start in January 2007. An order for 1,100 sets will be made. WAC is updated on the internet every two weeks, so the incentive to purchase the paper version of the WAC has been greatly reduced. Depending on the number of permanent rules, the set may need to be increased to a thirteenth volume. This could cause a problem in that it may be too heavy to send.

A report was given by Kyle Thiessen on the status of the general fund expenditures. It appears the office has sufficient money to see it to the end of fiscal year 2006 (Tab 4). Mr. Thiessen reported on the expenditures from the publication account (Tab 5). This nonappropriated, special revenue account supports the publication process. The revenue generated from sales of publications over the past five years has decreased significantly. Mr. Thiessen distributed a graph portraying the number of hits on internet for the RCW and WAC noting that over the course of two years, use of the web site has increased four fold. He discussed possible cost-saving ideas. He hoped a subcommittee would be appointed for development of the 2007-2009 budget. A motion was made and seconded that selection of a budget subcommittee would be deferred until Chair Brown could address the issue. The motion carried.

Kyle Thiessen introduced Lew Lewis, the Deputy Code Reviser, who reported on the office's preliminary salary survey completed by the Department of Personnel. He noted that what was provided by the department was very raw material and did not reflect very well the scope of duties of Code Reviser personnel. Following Mr. Lewis's report, a discussion was held concerning salary surveys. A survey for the House, Senate, and other legislative agencies, including the Code Reviser's Office, by the NCSL has just begun (Tab 6).

Mr. Thiessen commented on the agency's strategic plan which was submitted to OFM by the June 1, 2006 deadline. The committee expressed approval of the strategic plan (Tab 7).

A list of sections amended more than once in the 2006 legislative session had been previously e-mailed to members of the committee and was again presented to the committee by Mr. Thiessen. Pursuant to RCW 1.12.025, the Code Reviser must consult with the Statute Law Committee before finalizing the publication of these sections in the RCW. The sections can be merged into one section if no conflict is created. After discussion, the following motion was offered:

**RESOLVED**, That the double amended code sections be approved for publication and notation in the 2006 RCW reprint as recommended by the Code Reviser behind Tab 8, subject to any modification requested by any Committee member and approved by the Code Reviser prior to July 1, 2006.

A motion was made and seconded to adopt the above resolution. The motion carried.

Committee member Joe Panesko gave a historical overview of how the Revised Code of Washington came to be what it is today and how previous to 1950, the published code was in disarray. He included a PowerPoint presentation crediting previous attempts to publish the law as passed by the legislature accurately. Mr. Panesko hoped to be able to e-mail the PowerPoint file to members of the committee.

Thereupon, the meeting adjourned at 3:30 p.m., the next meeting to be held at the call of the Chair.

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KYLE K. THIESSEN, Secretary

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TOM HOEMANN, Vice Chair                      Date

(Tab references are to the meeting binder.)