

**MINUTES OF THE THIRD MEETING OF THE STATUTE LAW COMMITTEE
2011-2013 Biennium**

December 4, 2012

The Statute Law Committee held its third meeting of the 2011-2013 biennium at 10:30 a.m. in the Senate Rules Room located in the Legislative Building in Olympia.

The meeting opened with Vice Chair Tom Hoemann presiding.

Members present: Baker, Carrell, Conte, Goodman, Owens, Panesko, Pierce, and Rodger.

Members absent: Kline and Rodne.

Also in attendance were Kyle Thiessen, Code Reviser, who serves as the committee's secretary; Lew Lewis, Deputy Code Reviser; and Debbie Deibert, Administrative Secretary.

Tom Hoemann introduced and welcomed Narda Pierce as the governor's new appointment to the committee.

Tom voiced his concern of electing a new chair and vice chair and it was agreed that another meeting of the committee would be held on January 10, 2013, for those elections along with any other committee business.

The minutes of the previous Statute Law Committee meeting on May 30, 2012 were approved. (Tab 1)

Kyle gave an overview on the all staff meeting held on October 23. During this meeting the heads of the different work groups present reports on responsibilities, achievements, workloads and areas of concern. This helps other employees and new employees become aware of the activities that they may not be familiar with. (Tab 2)

Kyle informed the committee that on January 3, 2013, there will be a pre-session staff meeting for the Code Reviser's Office along with a presentation of staff longevity awards.

Lew began the publication report listed as agenda item IV with a comment that our website for all of our publications is getting good reviews and that the search system seems helpful. It appears that the office is no longer losing money on the publication of the Washington Administrative Code since we have instituted pre-sales to better estimate how many to publish. Kyle agreed that the Publication Account seems stable.

Lew reported that the Washington State Register, whose publication costs has been draining the publication account before making the on-line version the official publication, has had steady success with clients who view it on-line and which is in a searchable format. Further, enabling agencies to file their rules electronically has eased some of the burden of filing for client agencies. The percent of electronic filings by agencies is most often in the 90s.

Previous to 2005, the number of sets of the Revised Code of Washington printed was around 5200. Orders for the sets have steadily declined with the RCW being on the web and available on CD-ROM. Lew noted that it was difficult to get publishing companies to bid on publishing it, however, by removing certain deadline requirements, the office saved \$100,000 in publishing costs.

Lew reported that the Bill Drafting Guide is being printed on demand in house by our printer, thereby saving a few thousand dollars. The quality is equal to or better than the State Printer who usually farms the job out.

Joe Panesko noted that for our on-line publications, including the bill drafting guide, that it would be very helpful to have hyperlinks. He also noted that the search system now seems to be lacking a certain function in searching by title and then chapter. This will be looked into since the search system has been reworked.

Kyle informed the committee that archival versions of the RCW back to the 1970's will be available on the office's website soon. Currently the website has the RCW back to 2002. In January of 2011, the William S. Hein Company provided the office with a CD-ROM of session laws dating back to 1854, which we then loaded onto our website. This same company is providing us with scanned

copy of earlier RCWs.

Kyle reported that one-third of the office's general fund allotment has been spent, the balance of which is adequate to fund the rest of FY13 expenditures. He also reported on the expenditures from the publication account which included costs for the register, WAC, session laws, and RCW. He noted that the office, along with the Criminal Justice Training Commission would no longer be publishing a paper edition of Selected Titles. The Selected Titles publication has been widely used by law enforcement, students, and insurance companies. The Code Reviser's Office is providing Selected Titles on CD-ROM and on its internet website.

A report was provided on the revenue generated by the sales of all of the office's publications. A brief explanation was provided by Kyle for each of the publications on cost to produce, revenue received, and the current balance in the account.

The recommendation summary for the Code Reviser's Office 2013-2015 operating budget was provided to the committee. Kyle touched briefly on the eight maintenance level items included in the proposal. These included retirement buyout costs, merit system increments for staff, and a request for continued funding for three additional employees who currently are on staff. Kyle explained that the bill drafting clerical staff has capped out at cross-training and with four pregnancies, hiring for the legislative session was necessary in order to ensure accurate and timely bill drafts and good service to the legislature. He noted that hiring a full-time proofreader, a session attorney and a session office secretary for the 2013 legislative session would be in the best interest of the office.

The committee discussed the travel and dues for the Uniform Legislation Commission for the 2013-2015 biennium. Kyle noted that there was a request for his travel to a national conference in Boston which will also provide a training ground for the state of Washington hosting the annual conference in 2014. Discussion was also held on travel by the Washington State Register's editor who will become the president of the National Association of Secretaries of State, Register Division, for which she will preside over the conference in Alaska. It was noted that the general tone of the proposed 2013-2015 budget conformed to what other legislative agencies were submitting. A motion was made and seconded that the proposed budget be submitted to the Office of Financial Management.

Kyle gave details on the progress of the gender neutral bills offered by the

committee the past eight years involving approximately 3,500 sections of code. It has also been an expensive project requiring many pages in bill form and when passed, as a chapter in the session laws. The 2013 legislative session could be the last year in which a gender neutral bill will need to be offered to the legislature. A discussion was held on three bills drafts. The discussion included: (1) a code clean-up bill which updates dates in forms from 19__ to (date); (2) a gender neutral language bill draft with agreement on its content; and (3) another gender neutral bill which needs further discussion on term usage.

It was suggested that the committee could recommend ending or dropping further gender neutral changes if it were felt that the Code Reviser's Office has fulfilled to the best of our ability what we were ordered to do. It was pointed out that the Washington state Constitution has gender references; in order to clean it up; half of the Constitution would need to be put on a ballot measure.

A motion was made by Senator Carrell to introduce the first two bills which are agreed upon. Representative Goodman seconded the motion. The motion passed.

The committee decided to meet Thursday, January 10, 2013, to vote in a new Chair and Vice Chair and to discuss the last gender neutral bill.

Thereupon, the meeting adjourned at 11:55 a.m., the next meeting to be held on January 10, 2013, at noon in the House Rules Room.

K. KYLE THIESSEN, Secretary

TOM HOEMAN, Vice Chair Date

(Tab references are to the meeting binder.)