

**MINUTES OF THE SECOND MEETING OF THE STATUTE LAW COMMITTEE
2007-2009 Biennium**

April 30, 2008

The Statute Law Committee held its second meeting of the 2007-2009 biennium at 1:30 p.m. in the Code Reviser's library in the Pritchard building in Olympia.

The meeting opened with Chair Marty Brown presiding.

Members present: Alexander, Baker, Conte, Hoemann, Panesko, and Rodger.

Members absent: Goodman, Rockefeller, and Rodne.

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

Members were advised to contact Debbie if there are changes to addresses or telephone numbers on the membership list. The Chair noted that minutes to the December 14, 2007, meeting had been distributed (Tab 1). A motion was made to adopt the minutes to the previous meeting. The motion was seconded and adopted.

Kyle Thiessen presented a brief overview which included a review of the busy legislative session. The Code Reviser's office drafted more bills than ever before and he remarked that the office had no problems meeting the deadlines. The office added a tenth attorney in order to reorganize the index and digest duties involved with publishing the Legislative Digest and History of Bills and the Bill Status pamphlet. Mr. Thiessen informed the committee that the office is going through more personnel changes because of retirements. Mr. Thiessen touched on the changes that were implemented in the production and sales of various

publications in an attempt to preserve a healthy balance in the publication account.

Mr. Thiessen reported on the completion of Phase 1 of the construction and remodeling project on the first floor of the Pritchard building. The office was able to save money by using the original HVAC system instead of investing in a new system. He explained that Phase 2 of the Pritchard remodel would not be as costly as anticipated. Chapter 328, Laws of 2008 reduced our total Capital Budget allocation to \$800,000 which will meet the Phase 2 remodel needs. (Tab 2). Mr. Thiessen explained that Phase 2 of the project involves creating office space on the upper mezzanine for those employees who currently are on the lower mezzanine, which has no windows. The office also intends to install vertical blinds in the large north-windowed offices which will help with climate control and with privacy. Mr. Thiessen reported that the Tobey mural was returned to this office and hung in its original location.

Mr. Lew Lewis reported that the 2008 Session Law material is at the printer. He informed the committee that there has been a shortage of paper. This shortage impacted the delivery date of the Washington Administrative Code supplement, which was April 14. He noted that most likely, the perfect bound 2008 Session Law two-volume set will be a bit later than usual because of the shortage. A plan is in place to guarantee a firm delivery date of the 2008 Revised Code of Washington when it goes to press in late summer.

Mr. Lewis reported that there have been no complaints concerning the subscribers who receive the Washington State Register in disk form, or from the archival libraries which receive an unbound paper copy of each Register volume. There are approximately 50 clients who receive the unbound paper copy. Between 55%-60% of agencies who file in the Washington State Register do so by e-filing. Kerry Radcliff and Kyle Thiessen plan to hold seminars for Rules Coordinators to encourage more agencies to file electronically.

A review of expenses and of revenue from the sales of various publications was presented to the committee. Currently, the balance in the Publication account is \$776,081. (Tab 3)

Mr. Lewis informed the committee about his progress in contacting vendors who sell commercially the Revised Code of Washington and the Washington Administrative Code. It is the goal of the office to provide a uniform contract and

price to other commercial publishing companies for their republishing of the RCW and WAC, which has not been updated since 1992. The office has updated its prices and has decided to bill these companies uniformly in September.

A report on the expenditures from the State General Fund was provided to the members. The Code Reviser's Office is well within its monthly allotment for the support of salaries, benefits, goods and services. (Tab 4)

Mr. Thiessen reported to the Committee that the Reviser's office had been working with House and Senate staff to correct gender-specific terms throughout the RCW. The Code Reviser's Office has a legislative directive to correct gender-specific terms where suitable. It was hoped that during a span of eight years, all appropriate gender references could be dealt with and that those large bills could easily be incorporated into the session laws and the RCW without too much impact on page count. However, the gender neutral bill which was introduced this year did not pass. The Code Reviser is hopeful that future bills which correct references to gender could be passed so that session law publications could begin to absorb the page count generated by their passage. It was suggested that a line item could be put into the budget in case there is extra expense in publishing larger session law volumes or RCW volumes.

Mr. Thiessen reported on the office's second report that is being prepared for the Sunshine Committee concerning public records exemptions contained in the Revised Code of Washington and in laws that passed during the 2008 legislative session. The office will submit this report by August 1, 2008.

House Bill 2719 authorizes the Code Reviser's Office to improve the organization of chapter 9.94A RCW by renumbering existing sections and adding subchapter headings. (Tab 5) A discussion was held concerning the editorial authority of the office. Mr. Thiessen hopes to propose a bill that would update the authority of the office. An example given by Mr. Thiessen described suppressing certain notes, such as severability notes which are of a certain age. Mr. Thiessen believes this would save publication costs by using less paper. Users could always look on the Internet for the full text of notes. A question was raised whether the staff looks for outdated statutes. The office does not go looking for antiquated statutes but is happy to do a search for anyone interested in updating the code.

Mr. Thiessen presented the committee with a list of the 2008 multiple amendments. (Tab 6) The list contains information on attorney assignment, RCW

number affected, what chapter law was amended, comment by the assigned attorney, and the recommendation on how to display the section(s). A motion was made and seconded that the committee be given two weeks to review the recommendations before Code Reviser staff proceeds with displaying or merging the conflicting language.

Mr. Panesko congratulated the Code Reviser's Office and the Legislative Service Center on the display of our laws and rules. He noted that our site was easy to navigate. The Chair commented that he appreciated the way our office codifies statutes and rules, and that the web site is very user friendly.

Thereupon, the meeting adjourned at 2:45 p.m., the next meeting to be held at the call of the Chair.

KYLE K. THIESSEN, Secretary

MARTY BROWN, Chair

Date

(Tab references are to the meeting binder.)