

**MINUTES OF THE SECOND MEETING OF THE STATUTE LAW COMMITTEE
2013-2015 Biennium—Corrected Copy**

May 20, 2014

The Statute Law Committee held its second meeting of the 2013-2015 biennium in the Senate Rules Room, located on the second floor, southeast corner of the Legislative Building.

The working lunch meeting began at noon and the chair, Roger Goodman, called the meeting to order at 12:30 p.m.

Members present: Barbara Baker, Anna L. Endter (by teleconference call), Susan Owens, Mike Padden (by teleconference call) and Jill Reinmuth.

Members absent: Nicholas Brown, Hunter Goodman, Adam Kline, and Jay Rodne.

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, and Tip Wahnhof, Governor's Office.

A motion was made and seconded that the minutes of the previous Statute Law Committee meeting held on December 10, 2013 be approved with a correction by Anna Endter. The motion carried. (Tab 1)

Kyle informed the committee that he continues to have discussions with the Legislative Service Center (LSC) concerning authentication of our state's statutes. LSC has reviewed the Uniform Electronic Legal Materials Act and they are tracking what various legislatures who have adopted the uniform act are doing to comply with it. Only a few states are in production with certificated online versions of the administrative codes and session laws. LSC provided a table summarizing other states' activities.

Kyle noted this is an on-going project which LSC and staff at the Code Reviser's Office will be following. He announced to the committee that Kerry Radcliff, editor of the Washington State Register will be sworn in as the president of the national Association of Codes and Registers in July. A presentation concerning authentication of legal documents is on their agenda in July. NCSL also has authentication on their agenda for discussion in August. (Tab 2)

Lew reviewed the publication account's revenue report and the expenditure report with the committee. He reported that the WAC will be arriving at the warehouse soon and will be sent out to subscribers who pre-ordered prior to March 1, 2014. Prior to pre-sales, the office would estimate how many sets of the WAC would be sold. The number of WAC orders kept dropping and despite lowering the number of sets to be produced, there was the waste of money and resources by having to recycle unpurchased WAC sets. Knowing how many sets of WAC to order from a publisher has helped to reduce the surplus and has helped the publication account become more stable.

Because there was no special session, Lew announced that the office is many months ahead in its scheduled production of the Revised Code of Washington. The publication of the 2014 Session Laws will be taken over by Legislative Support Services (LSS). By using LSS, the office will not be obliged to pay a 5% markup fee and the job will be kept in-state. The 2014 Session Laws will be two volumes and approximately 700 sets will be produced. (Tab 3)

Kyle reported that the balance of our appropriation in the General Fund is fine. The number of workers employed by the office is thirty-nine. The office's printer retired and his replacement works full time only during legislative session. On evenings and weekends during session, print jobs go remotely to Legislative Support Services and the printed copies of the bill drafts are delivered to the office within an hour. During the interim, the printer comes in twice a month for two days to print the Washington State Register. (Tab 4)

The national Uniform Law Commission meeting will be held during the first part of July. Kyle will be attending this meeting and noted that there will be some interesting presentations including Byran Garner and Bill Gates, SR. Under discussion will be over 100 uniform codes. A copy of the agenda is provided in the meeting packet. (Tab 5)

Kyle informed the committee members that the 2015-2017 operating budget would be developed during the summer. Other than usual maintenance level items,

Kyle anticipates that the office will need to purchase a new Microplex wide paper printer. This printer is important to the governor and the legislature's budget process, bill drafting, codification and index processes.

Another item being investigated is the cost and feasibility of installing a white noise reduction system. The Code Reviser's Office has an open office concept. Private offices on the first floor are open cubicles. Greeting clients and answering phone calls at the reception area of office creates sounds that can be heard in many areas of the office.

Kyle mentioned that the print room will be relocated from the basement to the lower mezzanine. DES has agreed to pay for the relocation and will be working towards solving the problem of odors in the basement.

Kyle stated that the number of double amendments from the 2014 session was fewer compared to other 60-day sessions. A table was compiled by the office of the double amendments reflecting the RCW section, bill citation, session law citation, a comment by the codifying attorney and the recommendation by the attorney on whether to merge or not to merge. The table was distributed to staff at Office of Program Research and Senate Committee Services for review and comment. One comment or recommendation was received. Justice Owen made a motion to approve the recommendations of the Code Reviser's Office with an opportunity to review the multiple amendment table in the next two weeks. The motion was approved. (Tab 6)

Kyle reported that he was contacted by Sue Box at the Attorney General's Office concerning an omission made in codifying a 32 year old RCW section. It appears what was codified and published was the original version of House Bill 946 instead of the substitute version.

A discussion followed whether the code reviser has the authority to correct the sections in the next publication of the code or whether a bill is necessary. It was noted that since the publication of RCW 43.59.030, the section has been amended twice. Senator Padden suggested this would be a good training issue, and that from the bill drafting process through the codification process the office staff needs to remain vigilant. Barbara Baker put forth the opinion that what we should not do is rectify the mistake in a technical bill but rather a correction bill as sponsored by the governor's office and the traffic safety commission.

It was noted that an assistant attorney general spoke with the director of the

Traffic Safety Commission and that at that time there was no strong opinion as to correcting the RCW section. (Tab 7)

The Chair expressed interest in an interim project of cleaning up Titles 9 and 9A RCW. Kyle noted that it could be a huge endeavor and would take quite a bit of staff resource. Further, although the Code Reviser's Office could help with the technical work that the policy and other parts of the revision to those titles should be by committee staff.

Thereupon, the meeting adjourned at 1:45 p.m., the next meeting to be held at the call of the Chair.

K. KYLE THIESSEN, Secretary

ROGER GOODMAN, Chair

Date