

bill. With the exception of those items, the remainder of House Bill No. 1144 is approved." ^{veto} Message

CHAPTER 140
[House Bill No. 1169]
WASHINGTON COMMISSION ON ASIAN-AMERICAN AFFAIRS

AN ACT Relating to state government; establishing the Washington Commission on Asian-American Affairs; creating a new chapter in Title 43 RCW; declaring an emergency; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. The legislature declares that the public policy of this state is to insure equal opportunity for all of its citizens. The legislature finds that Asian-Americans have unique and special problems. It is the purpose of this chapter to improve the well-being of Asian-Americans by insuring their participation in the fields of government, business, and education. The legislature further finds that it is necessary to aid Asian-Americans in obtaining governmental services in order to promote the health, safety, and welfare of all the residents of this state. Therefore the legislature deems it necessary to create a commission to carry out the purposes of this chapter.

NEW SECTION. Sec. 2. As used in this chapter unless the context indicates otherwise:

(1) "Asian-Americans" include persons primarily of Japanese, Chinese, Filipino, or Korean ancestry; "Asian-Americans" also include persons of Samoan, Guamanian, Thai, Viet-Namese, other Far East or South East Asian and Pacific Island ancestry.

(2) "Commission" means the Washington state commission on Asian-American affairs in the office of the governor.

NEW SECTION. Sec. 3. There is established a Washington state commission on Asian-American affairs in the office of the governor. The now existing Asian-American advisory council shall become the commission upon enactment of this 1974 act. The council may transfer all office equipment, including files and records to the commission.

NEW SECTION. Sec. 4. (1) The commission shall consist of twenty-four members appointed by the governor with the advice and consent of the senate.

Two of the members to be appointed shall be members of the House of Representatives to be selected by the Speaker of the House of Representatives and two of the members shall be members of the Senate of the state of Washington to be selected by the president of the Senate. The legislative members selected by

each house shall be one member from each political party. In making such appointments, the governor shall give due consideration to recommendations submitted to him by the commission. The governor may also consider nominations of members made by the various Asian-American organizations in the state. The governor shall consider nominations for membership based upon maintaining a balanced distribution of Asian-ethnic, geographic, sex, age, and occupational representation, where practicable.

(2) The currently serving Asian-American advisory council members shall serve out their original terms which commenced on July 1, 1972, as follows: Seven to serve one year; seven to serve two years; and six to serve three years. Upon expiration of said original terms, subsequent appointments shall be for three years except in case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term for which the vacancy occurs. Vacancies shall be filled in the same manner as the original appointments.

(3) Members shall receive twenty-five dollars per diem for each day or major portion thereof plus reimbursement for actual travel expenses incurred in the performance of their duties in the same manner as provided for state officials generally in chapter 43.03 RCW as now or hereafter amended.

(4) Sixty percent of the membership plus one shall constitute a quorum for the purpose of conducting business.

(5) The governor shall appoint an executive director based upon recommendations made by the council.

NEW SECTION. Sec. 5. The commission shall:

(1) Elect one of its members to serve as chairman; and also such other officers as necessary to form an executive committee;

(2) Adopt rules and regulations pursuant to chapter 34.04 RCW.

(3) Meet at the call of the chairman or the call of a majority of its members, but in no case less often than once during any three month period;

(4) Be authorized to appoint such citizen task force as it deems appropriate.

NEW SECTION. Sec. 6. The executive director shall employ a staff who shall be state employees pursuant to Title 41 RCW and prescribe their duties as may be necessary to implement the purposes of this chapter.

NEW SECTION. Sec. 7. (1) The commission shall examine and define issues pertaining to the rights and needs of Asian-Americans, and make recommendations to the governor and state agencies with respect to desirable changes in program and law.

(2) The commission shall further advise such state government agencies on the development and implementation of comprehensive and coordinated policies, plans, and programs focusing on the special problems and needs of Asian-Americans.

(3) Each state department and agency shall provide appropriate and reasonable assistance to the commission as needed in order that the commission may carry out the purposes of this chapter.

NEW SECTION. Sec. 8. In carrying out its duties, the commission may establish such relationships with local governments and private industry as may be needed to promote equal opportunity and benefits to Asian-Americans in government, education, economic development, employment, and services.

NEW SECTION. Sec. 9. (1) The commission may for the purpose of carrying out the purposes of this chapter hold such public hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the commission may deem advisable. The commission may administer oaths or affirmations to witnesses appearing before it. At least five members of the commission must be present to conduct a hearing.

(2) The commission may secure directly from any department or agency of the state information necessary to enable it to carry out the purposes of this chapter. Upon request of the chairman of the commission, the head of such department or agency shall furnish such information to the commission.

NEW SECTION. Sec. 10. The commission shall have authority to receive such gifts, grants, and endowments from public or private sources as may be made from time to time in trust or otherwise for the use and benefit of the purposes of the commission and to expend the same or any income therefrom according to the terms of said gifts, grants, or endowments.

NEW SECTION. Sec. 11. If any provision of this 1974 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. Sections 1 through 11 of this 1974 act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 13. This 1974 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 14. This act shall expire automatically on June 30, 1977, unless such expiration date be removed or extended by subsequent action of the legislature.

Passed the House February 11, 1974.
Passed the Senate February 7, 1974.
Approved by the Governor February 16, 1974, with the exception of an item in Section 4 which is vetoed.
Filed in Office of Secretary of State February 26, 1974.
Note: Governor's explanation of partial veto is as follows:
"I am returning herewith without my approval as to one item House Bill No. 1169 entitled:

"AN ACT Relating to state government; establishing the Washington Commission on Asian-American Affairs."
Veto Message

This bill provides for the creation of the Washington Commission on Asian-American Affairs within the office of the Governor.

Section 4 of the bill contains an item providing for the appointment of four members of the Legislature to the commission. I believe this type of appointment sets a questionable precedent in the area of the separation of executive and legislative powers. The Legislature has seen fit to make the commission a part of the executive branch by placing it within the office of the Governor. While there would be nothing objectionable to the appointment by the Governor of a member of the Legislature to the commission who happens to have the background and experience which would aid the commission in its duties, it is quite another matter for the Legislature to mandate the Governor to appoint four legislators chosen respectively by the Speaker of the House of Representatives and the President of the Senate. Accordingly, I have vetoed the referenced item.

With the exception of that item, the remainder of House Bill No. 1169 is approved."

CHAPTER 141
[House Bill No. 1295]
BICYCLE ROUTES

AN ACT Relating to bicycle routes and bicycles; amending section 36.75.240, chapter 4, Laws of 1963 and RCW 36.75.240; adding new sections to chapter 83, Laws of 1967 ex. sess. and to chapter 47.26 RCW; adding a new section to chapter 4, Laws of 1963 and to chapter 36.81 RCW; adding a new section to chapter 4, Laws of 1963 and to chapter 36.82 RCW; adding a new section to chapter 7, Laws of 1965 and to chapter 35.75 RCW; adding a new section to chapter 7, Laws of 1965 and to chapter 35.77 RCW; and amending section 2, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.030; amending section 83, chapter 155, Laws of 1965 1st ex. sess. and RCW 46.61.770; making an appropriation; and declaring an emergency.