

available to the legislature at least six months prior to the scheduled termination date. The audit shall include, but is not limited to, objective findings of fact, conclusions and recommendations as to continuation, modification, or termination of the state boxing commission.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

- (1) Section 11, chapter 99, Laws of 1979 and RCW 43.131.169; and
- (2) Section 53, chapter 99, Laws of 1979 and RCW 43.131.170.

NEW SECTION. Sec. 13. This 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.

Passed the Senate April 24, 1981.

Passed the House April 20, 1981.

Approved by the Governor May 19, 1981, with the exception of certain items which are vetoed.

Filed in Office of Secretary of State May 19, 1981.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to Sections 1(1)(b), 1(3), 3, 4, 5, 6, 7, 8, 9, and 10 Senate Bill No. 3646 entitled:

"AN ACT Relating to athletics."

The aforementioned sections remove professional wrestling from regulation under the State Athletic Commission (renamed the "State Boxing Commission"). I feel that wrestling should remain under the auspices of the Commission, which promotes safety and honesty in boxing and wrestling events.

The reason I have approved the Commission's new name ("State Boxing Commission") is that Section 11, which extends the sunset of the Commission to 1987, refers to the Commission by its new name.

With the exceptions of the aforementioned sections, the remainder of the bill is approved.

CHAPTER 338

[Engrossed Senate Bill No. 3000]
 GUBERNATORIAL APPOINTEES

AN ACT Relating to gubernatorial appointees; amending section 2, chapter 250, Laws of 1957 and RCW 38.12.010; amending section 43.43.020, chapter 8, Laws of 1965 as amended by section 1, chapter 80, Laws of 1973 1st ex. sess. and RCW 43.43.020; amending section 5, chapter 202, Laws of 1973 1st ex. sess. as last amended by section 14, chapter 146, Laws of 1980 and RCW 43.43.858; amending section 43.78.010, chapter 8, Laws of 1965 and RCW 43.78.010; amending section 11, chapter 5, Laws of 1965 as last amended by section 125, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.99.110; amending section 5, chapter 219, Laws of 1973 1st ex. sess. as amended by section 128, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.105.032; amending section 2, chapter 270, Laws of 1955 as amended by section 5, chapter 37, Laws of 1957 and RCW 49.60.050; amending section 51.52.010, chapter 23, Laws of 1961 as last amended by section 74, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.010; amending section 77.04.030, chapter 36, Laws of 1955 as amended by section 4, chapter 78, Laws of 1980 and RCW

77.04.030; amending section 43.06.030, chapter 8, Laws of 1965 and RCW 43.06.030; amending section 4, chapter 208, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 261, Laws of 1979 ex. sess. and RCW 18.73.040; amending section 28B.70.040, chapter 223, Laws of 1969 ex. sess. and RCW 28B.70.040; amending section 3, chapter 34, Laws of 1971 ex. sess. as amended by section 130, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.115.030; amending section 4, chapter 140, Laws of 1974 ex. sess. as amended by section 131, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.117-.040; amending section 1, chapter 98, Laws of 1935 as last amended by section 1, chapter 18, Laws of 1973 1st ex. sess. and RCW 18.64.001; amending section 2, chapter 55, Laws of 1933 as last amended by section 1, chapter 216, Laws of 1973 1st ex. sess. and RCW 67.16.012; amending section 6, chapter 36, Laws of 1969 ex. sess. as amended by section 73, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.16.060; amending section 2, chapter 6, Laws of 1977 and RCW 41.06.110; amending section 1, chapter 5, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.010; adding new sections to chapter 43.06 RCW; adding a new section to chapter 43. ___ RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 43.06 RCW a new section to read as follows:

Gubernatorial appointees subject to senate confirmation, other than those who serve at the governor's pleasure, may not be removed from office without cause by the governor prior to confirmation except upon consent of the senate as provided for by the rules of the senate.

NEW SECTION. Sec. 2. There is added to chapter 43.06 RCW a new section to read as follows:

(1) Any gubernatorial appointee subject to senate confirmation shall continue to serve unless rejected by a vote of the senate. An appointee who is rejected by a vote of the senate shall not be reappointed to the same position for a period of one year from termination of service.

(2) Any person appointed by the governor to fill the unexpired term of an appointment subject to senate confirmation must also be confirmed by the senate.

Sec. 3. Section 2, chapter 250, Laws of 1957 and RCW 38.12.010 are each amended to read as follows:

The governor, with the advice and consent of the senate, shall appoint an adjutant general who shall be chief of staff to the governor, and may be removed by the governor at will. He shall appoint the civilian employees and other personnel of his department and may remove any of them in his discretion.

The expenses of the adjutant general's department, necessary to the military service, shall be audited, allowed, and paid as other military expenditures.

The adjutant general must execute an official bond running to the state in the penal sum of twenty thousand dollars conditioned for the faithful performance of his duties. The bond shall be submitted to the attorney general for approval, and when approved shall be filed in the office of the secretary of state. The cost of the bond shall be paid by the state.

The adjutant general may obtain and pay for, from funds appropriated for military purposes, a surety bond or bonds running to the state covering such officers of the organized militia responsible to the state for money or military property, as may be advisable to insure proper accountability. The bond or bonds shall be approved and filed in the same manner as the adjutant general's bond.

Sec. 4. Section 43.43.020, chapter 8, Laws of 1965 as amended by section 1, chapter 80, Laws of 1973 1st ex. sess. and RCW 43.43.020 are each amended to read as follows:

The governor, with the advice and consent of the senate, shall appoint the chief of the Washington state patrol, determine his compensation, and may remove him at will.

The chief shall appoint a sufficient number of competent persons to act as Washington state patrol officers, may remove them for cause, as provided in this chapter, and shall make promotional appointments, determine their compensation, and define their rank and duties, as hereinafter provided.

The chief may appoint employees of the Washington state patrol to serve as special deputies, with such restricted police authority as the chief shall designate as being necessary and consistent with their assignment to duty. Such appointment and conferral of authority shall not qualify said employees for membership in the Washington state patrol retirement system, nor shall it grant tenure of office as a regular officer of the Washington state patrol.

**Sec. 5. Section 5, chapter 202, Laws of 1973 1st ex. sess. as last amended by section 14, chapter 146, Laws of 1980 and RCW 43.43.858 are each amended to read as follows:*

There is hereby created the organized crime advisory board of the state of Washington. The board shall consist of thirteen voting and two nonvoting members.

The lieutenant governor shall appoint four members of the senate judiciary committee to the board, no more than two of whom shall be from the same political party.

The governor shall appoint five members to the board with the advice and consent of the senate. Two members shall be county prosecuting attorneys and shall be appointed from a list of four county prosecutors agreed upon and submitted to the governor by the elected county prosecutors. One member shall be a municipal police chief, and one member shall be a county sheriff, both of whom shall be appointed from a list of three police chiefs and three sheriffs agreed upon and submitted to the governor by the association of sheriffs and police chiefs (RCW 36.28A.010). One member shall be a retired judge of a court of record.

The United States attorneys for the western and eastern districts of Washington shall be requested to serve on the board as nonvoting members and shall not be eligible to serve as chairperson.

The speaker of the house shall appoint four members of the house judiciary committee to the board, no more than two of whom shall be from the same political party.

The members of the board shall be qualified on the basis of knowledge and experience in matters relating to crime prevention and security or with such other abilities as may be expected to contribute to the effective performance of the board's duties. The members of the board shall meet with the chief of the Washington state patrol at least four times a year to perform the duties enumerated in RCW 43.43.862 and to discuss any other matters related to organized crime. Additional meetings of the board may be convened at the call of the chairperson or by a majority of the members. The board shall elect its own chairperson from among its members. Legislative members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 44.04.120 as now existing or hereafter amended, and the other members in accordance with RCW 43.03.050 and 43.03.060, as now existing or hereafter amended.

*Sec. 5. was vetoed, see message at end of chapter.

Sec. 6. Section 43.78.010, chapter 8, Laws of 1965 and RCW 43.78.010 are each amended to read as follows:

There shall be a public printer appointed by the governor with the advice and consent of the senate, who shall hold office at the pleasure of the governor and until his successor is appointed and qualified.

Sec. 7. Section 11, chapter 5, Laws of 1965 as last amended by section 125, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.99.110 are each amended to read as follows:

There is created the interagency committee for outdoor recreation consisting of the commissioner of public lands, the director of parks and recreation, the director of game, the director of fisheries, the ~~((director of highways, and))~~ secretary of transportation, the director of commerce and economic development, the director of the department of ecology, and, by appointment of the governor with the advice and consent of the senate, five members from the public at large who have a demonstrated interest in and a general knowledge of outdoor recreation in the state. The terms of members appointed from the public at large shall commence on January 1st of the year of appointment and shall be for three years or until a successor is appointed, except in the case of appointments to fill vacancies which shall be for the remainder of the unexpired term; provided the first such members shall be appointed for terms as follows: One member for one year, two members for two years, and two members for three years. The governor shall appoint one of the members from the public at large to serve as chairman of the committee for the duration of the member's term. Members employed by the state shall serve without additional pay and participation in the work of the committee shall be deemed performance of their employment. Members from the public at large shall serve without pay, but shall

be entitled to reimbursement individually for travel expenses incurred in performance of their duties as members of the committee in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

***Sec. 8. Section 5, chapter 219, Laws of 1973 1st ex. sess. as amended by section 128, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43-.105.032 are each amended to read as follows:**

There is hereby created the Washington state data processing authority consisting of eleven members appointed by the governor with the advice and consent of the senate, and serving at his pleasure. The governor shall make such appointments within thirty days after April 25, 1973.

Members of the authority shall not be compensated for service on the authority but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060, as now existing or hereafter amended.

The authority shall elect a chairman from among its members and shall appoint an executive director (~~within sixty days after April 25, 1973, subject to confirmation by a majority vote of the senate~~).

***Sec. 8. was vetoed, see message at end of chapter.**

Sec. 9. Section 2, chapter 270, Laws of 1955 as amended by section 5, chapter 37, Laws of 1957 and RCW 49.60.050 are each amended to read as follows:

There is created the "Washington state board against discrimination," which shall be composed of five members to be appointed by the governor with the advice and consent of the senate, one of whom shall be designated as chairman by the governor.

Sec. 10. Section 51.52.010, chapter 23, Laws of 1961 as last amended by section 74, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.010 are each amended to read as follows:

There shall be a "board of industrial insurance appeals," hereinafter called the "board," consisting of three members appointed by the governor, with the advice and consent of the senate, as hereinafter provided. One shall be a representative of the public and a lawyer, appointed from a mutually agreed to list of not less than three active members of the Washington state bar association, submitted to the governor by the two organizations defined below, and such member shall be the chairperson of said board. The second member shall be a representative of the majority of workers engaged in employment under this title and selected from a list of not less than three names submitted to the governor by an organization, state-wide in scope, which through its affiliates embraces a cross section and a majority of the organized labor of the state. The third member shall be a representative of employers under this title, and appointed from a list of at least three names submitted to the governor by a recognized state-wide organization of employers, representing a majority of employers. The initial terms of office of the members of the board shall be for six, four, and two years respectively.

Thereafter all terms shall be for a period of six years. Each member of the board shall be eligible for reappointment and shall hold office until his or her successor is appointed and qualified. In the event of a vacancy the governor is authorized to appoint a successor to fill the unexpired term of his or her predecessor. All appointments to the board shall be made in conformity with the foregoing plan. Whenever the workload of the board and its orderly and expeditious disposition shall necessitate, the governor may appoint two additional pro-tem members in addition to the regular members. Such appointments shall be for a definite period of time, and shall be made from lists submitted respectively by labor and industry as in the case of regular members. One pro-tem member shall be a representative of labor and one shall be a representative of industry. Members shall devote their entire time to the duties of the board and shall receive for their services a salary as fixed by the governor in accordance with the provisions of RCW 43.03.040 which shall be in addition to travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. Headquarters for the board shall be located in Olympia. The board shall adopt a seal which shall be judicially recognized.

Sec. 11. Section 77.04.030, chapter 36, Laws of 1955 as amended by section 4, chapter 78, Laws of 1980 and RCW 77.04.030 are each amended to read as follows:

The state game commission consists of six voters of the state. In January of each odd-numbered year, the governor shall appoint with the advice and consent of the senate two voters to the commission to serve for terms of six years from that January or until their successors are appointed and qualified. If a vacancy occurs on the commission prior to the expiration of a term, the governor shall appoint a voter within sixty days to complete the term. Three members shall be residents of that portion of the state lying east of the summit of the Cascade mountains, and three shall be residents of that portion of the state lying west of the summit of the Cascade mountains. No two members may be residents of the same county. The legal office of the commission is at the administrative office of the department in Olympia.

Sec. 12. Section 43.06.030, chapter 8, Laws of 1965 and RCW 43.06-.030 are each amended to read as follows:

~~((On or before the last five days of each biennial session of the legislature))~~ For a gubernatorial appointment to be effective, the governor must transmit to the secretary of the senate ((a list of all appointments made by him, and not before communicated to the senate for confirmation)) notice of the appointment, along with pertinent information regarding the appointee, within fourteen days after making any appointment subject to senate confirmation.

Sec. 13. Section 4, chapter 208, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 261, Laws of 1979 ex. sess. and RCW 18-.73.040 are each amended to read as follows:

There is created an emergency medical services committee of nine members to be appointed by the governor (~~((with the advice and consent of the senate))~~). Members of the committee shall be persons knowledgeable in specific and general aspects of emergency medical services. Members shall be appointed for a period of three years; except, that the first appointees shall serve for terms as follows: Five for three years, two for two years, and two for one year. Further, the terms of those members representing the same field shall not expire at the same time.

The committee shall elect a chairman and a vice chairman whose terms of office shall be for one year each. The chairman shall be ineligible for re-election after serving two consecutive terms.

The committee shall meet on call by the governor, the secretary or the chairman.

All appointive members of the committee, in the performance of their duties, may be entitled to receive travel expenses as provided in RCW 43-.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 14. Section 28B.70.040, chapter 223, Laws of 1969 ex. sess. and RCW 28B.70.040 are each amended to read as follows:

(1) The governor(~~((, with the advice and consent of the senate,))~~) shall appoint the members, for this state, of the Western Interstate Commission for Higher Education, which is created under the provisions of Article III of the western regional higher education compact.

(2) The qualifications and terms of office of the members of the commission for this state shall conform with the provisions of Article IV of said compact.

(3) The commissioners shall serve without compensation and they shall be reimbursed for their actual and necessary expenses by the Western Interstate Commission for Higher Education.

(4) The governor may remove a member of the commission in conformity with the provisions of RCW 43.06.070, 43.06.080 and 43.06.090.

Sec. 15. Section 3, chapter 34, Laws of 1971 ex. sess. as amended by section 130, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.115-.030 are each amended to read as follows:

(1) The commission shall consist of eleven members appointed by the governor (~~((with the advice and consent of the senate))~~). The membership shall include:

- (a) Two members from workers in the agricultural field;
- (b) Two members from the general populace of the Spanish speaking population;
- (c) One member from the field of education;
- (d) One member from professional services; and

(e) One member from among elected trade union officials;

(f) Four members from the Mexican-American community in the state.

(2) The members shall hold office commencing July 1, 1971 for four years and until their successors are chosen and qualified. Four of the initial appointees shall be appointed for two-year terms and three shall be appointed for four-year terms. Vacancies shall be filled in the same manner as the original appointments.

(3) Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(4) Six members of the commission shall constitute a quorum for the purpose of conducting business.

Sec. 16. Section 4, chapter 140, Laws of 1974 ex. sess. as amended by section 131, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.117-.040 are each amended to read as follows:

(1) The commission shall consist of twenty-four members appointed by the governor (~~with the advice and consent of the senate~~). 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 for each day or major portion thereof plus reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing 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.

Sec. 17. Section 1, chapter 98, Laws of 1935 as last amended by section 1, chapter 18, Laws of 1973 1st ex. sess. and RCW 18.64.001 are each amended to read as follows:

There shall be a state board of pharmacy consisting of five members, to be appointed by the governor by and with the advice and consent of the

senate. Four of the members shall be designated as pharmacist members and one of the members shall be designated a public member.

Each pharmacist member shall be a citizen of the United States and a resident of this state, and at the time of his appointment shall have been a duly registered pharmacist under the laws of this state for a period of at least five consecutive years immediately preceding his appointment and shall at all times during his incumbency continue to be a duly licensed pharmacist: PROVIDED, That subject to the availability of qualified candidates the governor shall appoint pharmacist members representative of the areas of practice and geographically representative of the state of Washington.

The public member shall be a citizen of the United States and a resident of this state. The public member shall be appointed from the public at large, but shall not be affiliated with any aspect of pharmacy.

Members of the board shall hold office for a term of four years, and the terms shall be staggered so that the terms of office of not more than two members will expire simultaneously on the third Monday in January of each year.

No person who has been appointed to and served for two four year terms shall be eligible for appointment to the board.

Each member shall qualify by taking the usual oath of a state officer, which shall be filed with the secretary of state, and each member shall hold office for the term of his appointment and until his successor is appointed and qualified.

~~((Each member shall be subject to removal at the pleasure of the governor, but no such removal shall be made by the governor unless he furnishes the member with a letter setting forth his reasons for the removal, and files a copy thereof with the secretary of state where it shall remain subject to public inspection.))~~

In case of the resignation or disqualification of a member, or a vacancy occurring from any cause, the governor shall appoint a successor for the unexpired term.

***Sec. 18. Section 2, chapter 55, Laws of 1933 as last amended by section 1, chapter 216, Laws of 1973 1st ex. sess. and RCW 67.16.012 are each amended to read as follows:**

There is hereby created the Washington horse racing commission, to consist of three commissioners, who shall be citizens, residents, and qualified electors of the state of Washington, and one of whom shall be a breeder of race horses and he shall be of at least one year's standing. The first members of said commission shall be appointed by the governor within thirty days after March 3, 1933, one for a term to expire on the Thursday following the second Monday in January of 1935, one for a term to expire on the Thursday following the second Monday in January of 1937, and one for a term to expire on the Thursday following the second Monday in January of 1939, upon which expiration of the term of any member, the governor shall appoint

a successor for a term of six years. Each member shall hold office until his successor is appointed and qualified. Vacancies in the office of commissioner shall be filled by appointment to be made by the governor for the unexpired term. (~~Any commissioner may be removed at any time at the pleasure of the governor. PROVIDED, That~~) Any member or successor that is appointed or reappointed by the governor after August 11, 1969, shall be confirmed by the senate. Before entering upon the duties of his office, each commissioner shall enter into a surety company bond, to be approved by the governor and attorney general, payable to the state of Washington, in the penal sum of five thousand dollars, conditioned upon the faithful performance of his duties and the correct accounting and payment of all sums received and coming within his control under this chapter, and in addition thereto each commissioner shall take and subscribe to an oath of office of the same form as that prescribed by law for elective state officers.

*Sec. 18. was vetoed, see message at end of chapter.

Sec. 19. Section 6, chapter 36, Laws of 1969 ex. sess. as amended by section 73, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.16-.060 are each amended to read as follows:

(1) There is hereby created a state higher education personnel board composed of three members appointed by the governor, subject to confirmation by the senate(~~(-PROVIDED, That no member appointed when the legislature was not in session shall continue to be a member of the board after the thirtieth day of the next legislative session unless his appointment shall have been approved by the senate)~~). The first such board shall be appointed within thirty days after the effective date of this chapter for terms of two, four, and six years. Each odd-numbered year thereafter the governor shall appoint a member for a six-year term. Persons so appointed shall have clearly demonstrated an interest and belief in the merit principle, shall not hold any other employment with the state, shall not have been an officer of a political party for a period of one year immediately prior to such appointment, and shall not be or become a candidate for partisan elective public office during the term to which they are appointed.

(2) Each member of the board shall be paid fifty dollars for each day in which he has actually attended a meeting of the board officially held. The members of the board may receive any number of daily payments for official meetings of the board actually attended. Members of the board shall also be reimbursed for travel expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) At its first meeting following the appointment of all of its members, and annually thereafter, the board shall elect a chairman and vice chairman from among its members to serve one year. The presence of at least two members of the board shall constitute a quorum to transact business. A written public record shall be kept by the board of all actions of the board.

(4) The board shall appoint a personnel director who shall be the chief staff officer for the board. In preparing matters for consideration by the board and in coordinating the implementation of the board's rules and regulations, the personnel director shall work in conjunction with the campus personnel officers and their staffs at each institution of higher education, and in the case of community colleges, with the state board for community college education. When necessary, the personnel director may request the creation of task forces drawn from the four-year institutions of higher education, and representatives of the various state community colleges through the state board for community college education, for the accomplishment of any projects undertaken by the board. The director may employ necessary personnel for the board, and the board may appoint and compensate hearing officers to hear and conduct appeals. The board shall establish an office for the conduct of its business.

Sec. 20. Section 2, chapter 6, Laws of 1977 and RCW 41.06.110 are each amended to read as follows:

(1) There is hereby created a state personnel board composed of three members appointed by the governor, subject to confirmation by the senate (~~(: PROVIDED, That no member appointed when the legislature was not in session shall continue to be a member of the board after the thirtieth day of the next legislative session unless his appointment shall have been approved by the senate)~~). The first such board shall be appointed within thirty days after December 8, 1960 for terms of two, four, and six years. Each odd-numbered year thereafter the governor shall appoint a member for a six year term. Persons so appointed shall have clearly demonstrated an interest and belief in the merit principle, shall not hold any other employment with the state, shall not have been an officer of a political party for a period of one year immediately prior to such appointment, and shall not be or become a candidate for partisan elective public office during the term to which they are appointed;

(2) Each member of the board shall be paid fifty dollars for each day in which he has actually attended a meeting of the board officially held. The members of the board may receive any number of daily payments for official meetings of the board, actually attended: PROVIDED, That after July 1, 1962, no one board member shall receive more than one thousand five hundred dollars in any fiscal year for this purpose: PROVIDED, FURTHER, That such limitation shall not apply to daily payments for the hearing of employee appeals. Members of the board shall also be reimbursed for travel expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) At its first meeting following the appointment of all of its members, and annually thereafter, the board shall elect a chairman and vice chairman from among its members to serve one year. The presence of at least two

members of the board shall constitute a quorum to transact business. A written public record shall be kept by the board of all actions of the board. The director of personnel shall serve as secretary.

(4) The board may appoint and compensate hearing officers to hear and conduct appeals. Such compensation shall be paid on a contractual basis for each hearing, in accordance with the provisions of chapter 43.88 RCW and rules adopted pursuant thereto, as they relate to personal service contracts.

Sec. 21. Section 1, chapter 5, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.010 are each amended to read as follows:

(1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. The commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate(~~(: PROVIDED, That no member appointed when the legislature was not in session shall continue to be a member of the commission if that person's appointment shall have been rejected by the senate during the next legislative session)~~). One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chairman of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission.

(2) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of labor relations in the state.

(3) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(4) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

***NEW SECTION. Sec. 22. There is added to chapter 43 RCW a new section to read as follows:**

The appointments by the governor to the Pacific Northwest Electrical Power and Conservation Planning Council created pursuant to chapter

43. RCW (sections 1 through 5, chapter ___ (ESSB 3041), Laws of 1981), shall be subject to the advice and consent of the senate.

***Sec. 22. was vetoed, see message at end of chapter.**

****NEW SECTION. Sec. 23. This 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.***

***Sec. 23. was vetoed, see message at end of chapter.**

Passed the Senate April 26, 1981.

Passed the House April 26, 1981.

Approved by the Governor May 19, 1981, with the exception of certain items which are vetoed.

Filed in Office of Secretary of State May 19, 1981.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to Sections 5, 8, 18, 22 and 23 Senate Bill No. 3000 entitled:

"AN ACT Relating to gubernatorial appointees."

In my view the requirement of Senate confirmation should be limited to major administrative posts and governing bodies. In light of the 1500 or so gubernatorial appointments to boards and commissions, a routine requirement of Senate confirmation is impractical. For that reason I have vetoed Sections 5 and 8, which require Senate confirmation of the gubernatorial appointments to the Organized Crime Advisory Board and the Data Processing Authority.

I have vetoed Section 18 because it unnecessarily restricts the Governor's control over the membership of the Horse Racing Commission.

Section 22 is vetoed because it is identical in substance to Section 3 of En-grossed Substitute Senate Bill No. 3041, which has been signed into law.

Section 23 is vetoed because, the legislative session having been concluded, no emergency exists with respect to the gubernatorial appointments covered by this bill.

With the exceptions of the aforementioned sections, which I have vetoed, the remainder of Senate Bill No. 3000 is approved."

CHAPTER 339

[Substitute House Bill No. 144]

INSURANCE

AN ACT Relating to insurance; amending section 1, chapter 225, Laws of 1959 as amended by section 70, chapter 75, Laws of 1977 and RCW 48.02.180; amending section .03.06, chapter 79, Laws of 1947 as amended by section 1, chapter 35, Laws of 1979 ex. sess. and RCW 48.03.060; amending section .05.21, chapter 79, Laws of 1947 and RCW 48.05.210; amending section 3, chapter 150, Laws of 1967 and RCW 48.05.215; amending section .07.13, chapter 79, Laws of 1947 and RCW 48.07.130; amending section .13.16, chapter 79, Laws of 1947 as last amended by section 3, chapter 151, Laws of 1973 and RCW 48.13.160; amending section .14.01, chapter 79, Laws of 1947 as last amended by section 1, chapter 269, Laws of 1979 ex. sess. and RCW 48.14.010; amending section .15.07, chapter 79, Laws of 1947 as last amended by section 3, chapter 102, Laws of 1980 and RCW 48.15.070; amending section .17.01, chapter 79, Laws of 1947 and RCW 48.17.010; amending section .17.09, chapter 79, Laws of 1947 as amended by section 15, chapter