

sidewalks, paths, or other pedestrian access ways are to be constructed, shall be not less than two ramps per lineal block on or near the crosswalks at intersections. Such ramps shall be at least thirty-six inches wide and so constructed as to allow reasonable access to the crosswalk for physically handicapped persons, without uniquely endangering blind persons.

(2) Standards set for curb ramping under subsection (1) of this section shall not apply to any curb existing upon enactment of this section but shall apply to all new curb construction and to all replacement curbs constructed at any point in a block which gives reasonable access to a crosswalk.

(3) Upon September 21, 1977, every ramp thereafter constructed under subsection (1) of this section, which serves one end of a crosswalk, shall be matched by another ramp at the other end of the crosswalk. However, no ramp shall be required at the other end of the crosswalk if there is no curb nor sidewalk at the other end of the crosswalk. Nor shall any matching ramp constructed pursuant to this subsection require a subsequent matching ramp.

Passed the House April 15, 1989.

Passed the Senate March 29, 1989.

Approved by the Governor April 27, 1989.

Filed in Office of Secretary of State April 27, 1989.

CHAPTER 174

[Substitute Senate Bill No. 5350]

MENTAL HEALTH COMMISSIONERS—SUPERIOR COURT—APPOINTMENT AND DUTIES

AN ACT Relating to mental health commissioners; adding new sections to chapter 71.05 RCW; and adding a new section to chapter 71.34 RCW.

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

NEW SECTION. Sec. 1. A new section is added to chapter 71.05 RCW to read as follows:

In class A counties and counties of the first through ninth classes, the superior court may appoint the following persons to assist the superior court in disposing of its business: **PROVIDED**, That such positions may not be created without prior consent of the county legislative authority:

- (1) One or more attorneys to act as mental health commissioners; and
- (2) Such investigators, stenographers, and clerks as the court shall find necessary to carry on the work of the mental health commissioners.

The appointments provided for in this section shall be made by a majority vote of the judges of the superior court of the county and may be in addition to all other appointments of commissioners and other judicial attaches otherwise authorized by law. Mental health commissioners and investigators shall serve at the pleasure of the judges appointing them and shall

receive such compensation as the county legislative authority shall determine. The appointments may be full or part-time positions. A person appointed as a mental health commissioner may also be appointed to any other commissioner position authorized by law.

NEW SECTION. Sec. 2. A new section is added to chapter 71.05 RCW to read as follows:

The judges of the superior court of the county by majority vote may authorize mental health commissioners, appointed pursuant to section 1 of this act, to perform any or all of the following duties:

(1) Receive all applications, petitions, and proceedings filed in the superior court for the purpose of disposing of them pursuant to this chapter;

(2) Investigate the facts upon which to base warrants, subpoenas, orders to directions in actions, or proceedings filed pursuant to this chapter;

(3) For the purpose of this chapter, exercise all powers and perform all the duties of a court commissioner appointed pursuant to RCW 2.24.010;

(4) Hold hearings in proceedings under this chapter and make written reports of all proceedings under this chapter which shall become a part of the record of superior court;

(5) Provide such supervision in connection with the exercise of its jurisdiction as may be ordered by the presiding judge; and

(6) Cause the orders and findings to be entered in the same manner as orders and findings are entered in cases in the superior court.

NEW SECTION. Sec. 3. A new section is added to chapter 71.34 RCW to read as follows:

The judges of the superior court of the county by majority vote may authorize mental health commissioners, appointed pursuant to section 1 of this act, to perform any or all of the following duties:

(1) Receive all applications, petitions, and proceedings filed in the superior court for the purpose of disposing of them pursuant to this chapter;

(2) Investigate the facts upon which to base warrants, subpoenas, orders to directions in actions, or proceedings filed pursuant to this chapter;

(3) For the purpose of this chapter, exercise all powers and perform all the duties of a court commissioner appointed pursuant to RCW 2.24.010;

(4) Hold hearings in proceedings under this chapter and make written reports of all proceedings under this chapter which shall become a part of the record of superior court;

(5) Provide such supervision in connection with the exercise of its jurisdiction as may be ordered by the presiding judge; and

(6) Cause the orders and findings to be entered in the same manner as orders and findings are entered in cases in the superior court.

NEW SECTION. Sec. 4. If any provision of this 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.

Passed the Senate April 18, 1989.

Passed the House April 14, 1989.

Approved by the Governor April 27, 1989.

Filed in Office of Secretary of State April 27, 1989.

CHAPTER 175

[House Bill No. 1358]

ADMINISTRATIVE PROCEDURE ACT—MODIFICATIONS AND CONFORMING AMENDMENTS

AN ACT Relating to modifications in the Administrative Procedure Act and necessary conforming amendments; amending RCW 34.05.010, 34.05.030, 34.05.080, 34.05.220, 34.05.310, 34.05.315, 34.05.320, 34.05.335, 34.05.340, 34.05.350, 34.05.380, 34.05.413, 34.05.422, 34.05.425, 34.05.428, 34.05.440, 34.05.446, 34.05.449, 34.05.461, 34.05.464, 34.05.470, 34.05.473, 34.05.485, 34.05.488, 34.05.550, 34.05.566, 34.05.570, 34.05.574, 34.05.586, 34.08.040, 34.08.050, 34.12.020, 34.12.060, 34.12.120, 42.17.260, 2.10.200, 7.24.146, 7.68.110, 9.46.095, 9.46.140, 15.13.350, 15.14.080, 15.30.090, 15.32.584, 15.35.240, 15.36.115, 15.36.595, 15.37.080, 15.53.9036, 15.80.590, 16.49.454, 16.58.070, 16.65.445, 16.74.370, 17.10.080, 17.21.050, 18.08.450, 18.20.060, 18.27.104, 18.43.110, 18.46.050, 18.51.065, 18.54.050, 18.85.271, 18.85.343, 18.130.060, 18.130.100, 18.130.110, 18.130.190, 19.85.030, 19.85.040, 19.85.050, 24.34.020, 26.19.020, 26.23.110, 26.23.120, 28B.15.013, 28B.50.864, 28B.50.873, 28B.85.090, 28C.10.120, 35.68.076, 39.19.030, 40.07.020, 41.40.414, 41.40.420, 42.17.020, 42.17.170, 42.17.395, 42.17.397, 42.21.020, 42.30.140, 43.20A.605, 43.20B.340, 43.20B.430, 43.20B.630, 43.20B.740, 43.21B.110, 43.21B.160, 43.21B.180, 43.21B.240, 43.51.040, 43.51.340, 43.60A.070, 43.131.080, 46.10.220, 46.20.331, 48.03.070, 48.17.540, 48.62.050, 49.60.250, 49.60.260, 50.32.040, 50.32.090, 50.32.140, 51.48.131, 51.48.140, 66.08.150, 67.70.060, 68.05.310, 69.30.080, 70.38.115, 70.41.030, 70.41.130, 70.77.370, 70.90.210, 70.96A.090, 70.98.050, 70.98.130, 70.105B.070, 70.119A.040, 70.150.040, 71.12.500, 71A.10.050, 71A.10.060, 71A.10.070, 71A.16.040, 71A.18.040, 71A.20.080, 72.66.044, 74.08.080, 74.09.210, 74.13.036, 74.13.127, 74.15.130, 74.18.120, 74.20A.020, 74.20A.055, 74.20A.060, 74.20A.080, 74.20A.120, 74.20A.270, 74.20A.290, 74.21.100, 74.46.780, 75.20.130, 75.20.140, 76.04.630, 76.09.080, 76.09.220, 76.09.230, 78.44.170, 78.52.463, 78.52.470, 79.72.040, 79.90.105, 79.94.210, 80.50.075, 80.50.090, 80.50.100, 82.03.160, 82.03.180, 82.34.040, 84.26.130, 84.33.200, 90.14.200, 90.48.230, 90.58.120, 90.58.180, and 90.58.190; adding a new section to chapter 34.05 RCW; adding a new section to chapter 7.16 RCW; adding new sections to chapter 43.20A RCW; repealing RCW 18.20.070, 18.46.100, 34.04.115, 34.05.538, 69.30.090, 69.30.100, 70.41.140, 74.08.070, 74.09.536, and 74.12.270; providing effective dates; and declaring an emergency.

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

Sec. 1. Section 5, chapter 10, Laws of 1982 as amended by section 101, chapter 288, Laws of 1988 and RCW 34.05.010 are each amended to read as follows:

The definitions set forth in this section shall apply throughout this chapter, unless the context clearly requires otherwise.

(1) "Adjudicative proceeding((s))" means a proceeding before an agency in which an opportunity for hearing before that agency is required by statute or constitutional right before or after the ((issuance)) entry of an order by the agency. Adjudicative proceedings also include all cases of licensing and rate making in which an application for a license or rate change