

**MINUTES OF THE STATUTE LAW COMMITTEE MEETING
2015-2017 Biennium**

May 17, 2016

The Statute Law Committee held its third meeting of the 2015-2017 biennium at the SeaTac Red Lion Hotel in the Tacoma Room, located at 1818220 International Blvd, Seattle, WA.

Chair Roger Goodman called the meeting to order at 12:05 p.m.

Members present: Hunter Goodman, Susan Howson, Rick Neidhardt, Mike Padden, and Jamie Pedersen.

Members absent: Barbara Baker, Nicholas Brown, Hillary Madsen, Jill Reinmuth, and Jay Rodne.

Also in attendance were Kyle Thiessen, Code Reviser, who serves as the committee's secretary; code reviser staff attorneys Alice Im and Mark Lally; Kerry Radcliff, Washington State Register Editor; Debbie Deibert, Administrative Secretary; Bernard Dean by request of Barbara Baker; and Mike Thompson, Legislative Support Services, Project Manager.

Committee members and others in attendance introduced themselves.

Minutes to the prior meeting were presented. A motion was made by Hunter Goodman and seconded by Senator Padden that the minutes of the previous Statute Law Committee meeting held on January 7, 2016, be approved. The motion carried. (Tab 1)

Kyle informed the committee that Lew Lewis was unable to attend the meeting. Our long-time employee, Marian O'Sullivan, passed away on Monday, May 16, 2016 and Mr. Lewis was taking care of her estate. Marian was a good friend and valuable, long-time employee of 26 years. Kyle went on to explain some of the work which Marian did, which included publication and photocomposing duties for our office and special publications for other state agencies. Marian helped to train many first-year typists and also helped with bill

drafting data entry. Mark Lally and Kerry Radcliff also shared memories of Marian's contributions to the office. Chair Roger Goodman and committee members expressed their thanks to Lew Lewis and Kerry Radcliff for their roles in helping Marian. The committee members conveyed their sympathy to the office in mourning her passing.

Kyle recalled that about 10 years ago, the Code Reviser's Office depended on the State Printer to coordinate the publication of the state's statutes and rules. Legislative Support Services was established to assist the legislature and its committees with office services, video services, photography, technology and audio/video support, and production/publication services. When LSS came into existence, we were released from the obligation to use the State Printer.

Progressively, LSS has taken on publishing each of the Code Reviser's Office's publications and this year they will be printing the complete set of the Washington Administrative Code and the Revised Code of Washington. Kyle reported that the office purchased a used binding machine which LSS will use to bind our publications. He noted that especially the WAC is a difficult publication to bind and therefore to find a company which can do the work. In the past, some of our publications which were outsourced did not meet our standard of quality.

Kyle introduced Mike Thompson, LSS Product Manager. Mr. Thompson presented the committee with statistics concerning the in-house printing and binding of our materials by LSS versus out-sourcing. Besides saving money, other advantages include reduction of waste, reduced delivery time and the ability to print on demand if a publication sells out.

Kyle introduced Alice Im, staff attorney. Alice is overseeing the production of the office's publications. Alice presented the committee with information on the publication of the WAC the 2016 Session Laws, and the RCW. She reported that 140 sets of the WAC were being produced this year and sold at \$550 per set. Alice has received the proof set for the two volumes of the 2016 Session Laws. The set sells for \$25 and 500 sets will be produced. There will be 875-900 sets of the RCW produced. The governor signed in to law 241 chapters during the regular session and 38 chapters in the special session. It was noted that the RCW may be available for distribution by mid-August. For the first time, the 2014 RCW set was sold out by December of 2015. It will be advantageous to be able to have a small run of the RCW sets produced by LSS if we sell out by the winter of 2017.

Kyle gave an account to the committee concerning the copyright held by the State of Washington for use the WAC, RCW, or WSR. He reported that he has been contacted by smaller entities who would like access to our code for their applications which may sell for a small fee. A discussion was held on how to establish fair pricing for various-sized commercial sales companies. Suggestions included obtaining expert advice from the University of Washington's Press, the attorney general, and/or contracting out with an expert consultant in the field. Establishing a graduated scale of charging on sales which would work fairly for small business and large commercial enterprises such as Lexis/Nexis, West and Bloomberg would be the goal of the office. (Tab 2)

Kerry Radcliff reported on the progress of the authentication and certification of PDF documents. Displayed in the meeting materials are examples of a certified and uncertified OTS document. There are legitimate reasons for an agency to receive an uncertified version if it is necessary for them to make edits. Only the certified copy may be filed with the Washington State Register. (Tab 3)

Expenditures from the state general fund for ten months was presented to the committee. The report covered salaries, benefits, goods and services, travel and equipment. Everything seemed to be in order. Expenditures from the publication account was presented to the committee. The expenses included payments for supplies, postage, utilities, rental of a warehouse which stores the RCW, WAC, and Session Laws, the costs of printing various publications and the purchase of a binding machine which will be located at the office of Legislative Support Services. The revenue report displayed sales for publications from July 1, 2015 to April 30, 2016. The balance in the account is \$809,609. A brief discussion was held concerning the staffing of the office and of future retirements. (Tab 4)

The 2016 multiple amendment table was presented in the meeting materials. This table has been sent to the Office of Program Research and to Senate Committee Services for comment and change recommendations. The office will welcome responses for the next two weeks before finalizing the recommendations of the staff attorneys. Senator Padden moved that the 2016 multiple amendment table be approved subject to a two-week comment period. Hunter Goodman seconded the motion which passed unanimously. (Tab 5)

Chair Goodman presented the pen which the governor used to sign SB 5046 to Senator Padden. The senator sponsored SB 5046 which corrected a codification error from many years ago, but the senator was unable to attend the signing ceremony. Also it was noted that the clean-up bill which updates obsolete date

references passed the legislature. Kyle is waiting to hear from any interested party concerning corrective bill draft for the upcoming 2017 legislative session.

Thereupon, the meeting adjourned at 1:20 p.m., the next meeting to be held at the call of the Chair.

K. KYLE THIESSEN, Secretary

ROGER GOODMAN, Chair

Date