

Section 6 of this bill would significantly expand the authority of administrative law judges, turning them into a new arm of the judiciary. These judges now have the authority to issue a proposed decision. This section would give them authority to make a final decision which could be appealed only to the courts.

This new authority is not necessary or justified. Section 6 would also create a new appeals process outside the provisions of the state's Administrative Procedure Act. The Administrative Procedure Act has made agency actions more uniform and this uniformity is more understandable to the state's citizens. For these reasons, I have vetoed section 6.

With the exception of section 6, Substitute House Bill No. 1458 is approved.\*

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## CHAPTER 272

[House Bill No. 1647]

### PUBLIC DISCLOSURE COMMISSION—SUNSET PROVISIONS MODIFIED

AN ACT Relating to the sunset termination and repeal of the public disclosure commission, of the powers and duties of the commission, and of the programs administered or enforced by the commission; amending RCW 43.131.269 and 43.131.270; and reenacting and amending RCW 42.17.240.

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

Sec. 1. Section 8, chapter 197, Laws of 1983 and RCW 43.131.269 are each amended to read as follows:

The public disclosure commission and its powers and duties shall be terminated on June 30, (~~(+1986)~~) 1992, as provided in RCW 43.131.270.

Sec. 2. Section 34, chapter 197, Laws of 1983 and RCW 43.131.270 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, (~~(+1987)~~) 1993:

(1) Section 1, chapter 1, Laws of 1973, section 1, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.010;

(2) Section 3, chapter 1, Laws of 1973, section 2, chapter 313, Laws of 1977 ex. sess., section 2, chapter 367, Laws of 1985 and RCW 42.17.030;

(3) Section 4, chapter 1, Laws of 1973, section 3, chapter 294, Laws of 1975 1st ex. sess., section 1, chapter 336, Laws of 1977 ex. sess., section 1, chapter 147, Laws of 1982 and RCW 42.17.040;

(4) Section 5, chapter 1, Laws of 1973, section 2, chapter 147, Laws of 1982, section 3, chapter 367, Laws of 1985 and RCW 42.17.050;

(5) Section 6, chapter 1, Laws of 1973, section 4, chapter 294, Laws of 1975 1st ex. sess., section 3, chapter 313, Laws of 1977 ex. sess., section 3, chapter 147, Laws of 1982, section 4, chapter 367, Laws of 1985 and RCW 42.17.060;

(6) Section 5, chapter 294, Laws of 1975 1st ex. sess., section 4, chapter 147, Laws of 1982 and RCW 42.17.065;

(7) Section 9, chapter 112, Laws of 1975-'76 2nd ex. sess., section 5, chapter 147, Laws of 1982 and RCW 42.17.067;

(8) Section 7, chapter 1, Laws of 1973, section 5, chapter 367, Laws of 1985 and RCW 42.17.070;

(9) Section 8, chapter 1, Laws of 1973, section 6, chapter 294, Laws of 1975 1st ex. sess., section 6, chapter 147, Laws of 1982 and RCW 42.17.080;

(10) Section 9, chapter 1, Laws of 1973, section 7, chapter 294, Laws of 1975 1st ex. sess., section 3, chapter 112, Laws of 1975-'76 2nd ex. sess., section 2, chapter 336, Laws of 1977 ex. sess., section 7, chapter 147, Laws of 1982, section 1, chapter 96, Laws of 1983 and RCW 42.17.090;

(11) Section 3, chapter 336, Laws of 1977 ex. sess., section 8, chapter 147, Laws of 1982 and RCW 42.17.095;

(12) Section 10, chapter 1, Laws of 1973, section 4, chapter 112, Laws of 1975-'76 2nd ex. sess., section 9, chapter 147, Laws of 1982, section 6, chapter 367, Laws of 1985 and RCW 42.17.100;

(13) Section 1, chapter 176, Laws of 1983, section 1, chapter 359, Laws of 1985 and RCW 42.17.105;

(14) Section 11, chapter 1, Laws of 1973, section 5, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.110;

((+4)) (15) Section 12, chapter 1, Laws of 1973, section 8, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.120;

((+5)) (16) Section 6, chapter 336, Laws of 1977 ex. sess., section 7, chapter 367, Laws of 1985 and RCW 42.17.125;

((+6)) (17) Section 15, chapter 1, Laws of 1973, section 10, chapter 147, Laws of 1982 and RCW 42.17.150;

((+7)) (18) Section 21, chapter 294, Laws of 1975 1st ex. sess., section 11, chapter 147, Laws of 1982, section 8, chapter 367, Laws of 1985 and RCW 42.17.155;

((+8)) (19) Section 16, chapter 1, Laws of 1973, section 9, chapter 294, Laws of 1975 1st ex. sess., section 4, chapter 313, Laws of 1977 ex. sess., section 12, chapter 147, Laws of 1982 and RCW 42.17.160;

((+9)) (20) Section 17, chapter 1, Laws of 1973, section 10, chapter 294, Laws of 1975 1st ex. sess., section 5, chapter 313, Laws of 1977 ex. sess., section 13, chapter 147, Laws of 1982, section 9, chapter 367, Laws of 1985 and RCW 42.17.170;

(21) Section 2, chapter 359, Laws of 1985 and RCW 42.17.175;

((+20)) (22) Section 18, chapter 1, Laws of 1973, section 11, chapter 294, Laws of 1975 1st ex. sess., section 6, chapter 34, Laws of 1984 and RCW 42.17.180;

((+21)) (23) Section 19, chapter 1, Laws of 1973, section 12, chapter 294, Laws of 1975 1st ex. sess., section 6, chapter 313, Laws of 1977 ex. sess., section 1, chapter 265, Laws of 1979 ex. sess. and RCW 42.17.190;

((+22)) (24) Section 20, chapter 1, Laws of 1973, section 10, chapter 367, Laws of 1985 and RCW 42.17.200;

~~((23))~~ (25) Section 21, chapter 1, Laws of 1973 and RCW 42.17.210;

~~((24))~~ (26) Section 22, chapter 1, Laws of 1973 and RCW 42.17.220;

~~((25))~~ (27) Section 23, chapter 1, Laws of 1973, section 14, chapter 147, Laws of 1982 and RCW 42.17.230;

~~((26))~~ (28) Section 9, chapter 10, Laws of 1982, section 27, chapter 161, Laws of 1983, section 1, chapter 34, Laws of 1984, section 14, chapter 125, Laws of 1984 and RCW 42.17.240;

(29) Section 2, chapter 34, Laws of 1984, section 8, chapter 6, Laws of 1985 and RCW 42.17.2401;

~~((27))~~ (30) Section 42, chapter 126, Laws of 1979 ex. sess., section 3, chapter 34, Laws of 1984 and RCW 42.17.241;

~~((28))~~ (31) Section 4, chapter 336, Laws of 1977 ex. sess. and RCW 42.17.242;

~~((29))~~ (32) Section 5, chapter 336, Laws of 1977 ex. sess. and RCW 42.17.243;

~~((30))~~ (33) Section 10, chapter 112, Laws of 1975-'76 2nd ex. sess., section 1, chapter 102, Laws of 1981, section 1, chapter 213, Laws of 1983 and RCW 42.17.245;

~~((31))~~ (34) Section 35, chapter 1, Laws of 1973, section 23, chapter 294, Laws of 1975 1st ex. sess., section 93, chapter 34, Laws of 1975-'76 2nd ex. sess., section 8, chapter 112, Laws of 1975-'76 2nd ex. sess., section 15, chapter 147, Laws of 1982, section 74, chapter 287, Laws of 1984 and RCW 42.17.350;

~~((32))~~ (35) Section 36, chapter 1, Laws of 1973 and RCW 42.17.360;

~~((33))~~ (36) Section 37, chapter 1, Laws of 1973, section 25, chapter 294, Laws of 1975 1st ex. sess., section 7, chapter 336, Laws of 1977 ex. sess., section 7, chapter 34, Laws of 1984, section 11, chapter 367, Laws of 1985 and RCW 42.17.370;

(37) Section 1, chapter 294, Laws of 1983 and RCW 42.17.375;

~~((34))~~ (38) Section 38, chapter 1, Laws of 1973, section 26, chapter 294, Laws of 1975 1st ex. sess., section 196, chapter 35, Laws of 1982 and RCW 42.17.380;

~~((35))~~ (39) Section 12, chapter 112, Laws of 1975-'76 2nd ex. sess., section 16, chapter 147, Laws of 1982, section 12, chapter 367, Laws of 1985 and RCW 42.17.395;

~~((36))~~ (40) Section 13, chapter 112, Laws of 1975-'76 2nd ex. sess., section 17, chapter 147, Laws of 1982 and RCW 42.17.397;

~~((37))~~ (41) Section 1, chapter 60, Laws of 1982, section 13, chapter 367, Laws of 1985 and RCW 42.17.405;

~~((38))~~ (42) Section 42, chapter 1, Laws of 1973, section 2, chapter 176, Laws of 1983 and RCW 42.17.420;

~~((39))~~ (43) Section 43, chapter 1, Laws of 1973 and RCW 42.17-.430; and

~~((40))~~ (44) Section 45, chapter 1, Laws of 1973 and RCW 42.17.450.

**\*Sec. 3. Section 9, chapter 10, Laws of 1982 as last amended by section 1, chapter 34, Laws of 1984 and by section 14, chapter 125, Laws of 1984 and RCW 42.17.240 are each reenacted and amended to read as follows:**

**(1) Every elected official and every executive state officer shall after January 1st and before April 15th of each year file with the commission a statement of financial affairs for the preceding calendar year. However, any local elected official whose term of office expires immediately after December 31st shall file the statement required to be filed by this section for the year that ended on that December 31st.**

**(2) Every candidate shall within two weeks of becoming a candidate file with the commission a statement of financial affairs for the preceding twelve months.**

**(3) Every person appointed to a vacancy in an elective office or executive state officer position shall within two weeks of being so appointed file with the commission a statement of financial affairs for the preceding twelve months.**

**(4) A statement of a candidate or appointee filed during the period from January 1st to April 15th shall cover the period from January 1st of the preceding calendar year to the time of candidacy or appointment if the filing of the statement would relieve the individual of a prior obligation to file a statement covering the entire preceding calendar year.**

**(5) No individual may be required to file more than once in any calendar year.**

**(6) Each statement of financial affairs filed under this section shall be sworn as to its truth and accuracy.**

**(7) For the purposes of this section, the term "executive state officer" includes those listed in RCW 43.17.020 and those listed in RCW 42.17.2401.**

**(8) This section does not apply to incumbents or candidates for a federal office or the office of precinct committeeman.**

**(9) "Executive state officers" as defined in RCW 42.17.2401 are prohibited from filing as a registered lobbyist for any entity other than to fulfill their responsibilities as an executive state officer.**

\*Sec. 3 was vetoed, see message at end of chapter.

Passed the House March 10, 1986.

Passed the Senate March 7, 1986.

Approved by the Governor April 3, 1986, with the exception of certain items which are vetoed.

Filed in Office of Secretary of State April 3, 1986.

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

"I am returning herewith, without my approval as to one section, House Bill No. 1647, entitled:

"AN ACT Relating to the sunset termination and repeal of the public disclosure commission, of the powers and duties of the commission, and of its programs administered or enforced by the commission."

Section 3 of this bill would have restricted registered lobbyists from serving as executive state officers as that term is defined by RCW 42.17.2401 in the Public Disclosure Act. I do not believe that there has been a demonstrated need for this legislation or that the far-reaching effects have been recognized. Leaving this provision in the legislation would exclude persons who are appointed to any of the many boards or commissions of this state. Most of these positions are part-time and only minimally compensated by expense reimbursement. In this regard, section 3 would unfairly restrict the activities of those who serve on the state's boards of regents, boards of trustees and the numerous other boards and commissions.

With the exception of section 3, House Bill No. 1647 is approved."

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CHAPTER 273

[Senate Bill No. 4506]

STATE BOARD OF HEALTH—SUNSET PROVISIONS REPEALED

AN ACT Relating to the state board of health; creating a new section; and repealing RCW 43.131.213 and 43.131.214.

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

***\*NEW SECTION. Sec. 1. The office of financial management, in cooperation with the state board of health, the social and health services committee of the house of representatives, and the human services and corrections committee of the senate, shall study the desirability and feasibility of consolidating into a single state agency existing public health and environmental health services presently administered by the departments of social and health services, ecology, agriculture, labor and industries, and fisheries.***

***The office of financial management shall report to the appropriate committees of the legislature no later than December 1, 1986, on the results of the study. The report shall include: Recommendations on consolidation; any necessary legislation to implement the consolidation; and other options considered, but not adopted and the reason for rejection.***

\*Sec. 1 was vetoed, see message at end of chapter.

***NEW SECTION. Sec. 2. The following acts or parts of acts are each repealed:***

- (1) Section 33, chapter 99, Laws of 1979, section 16, chapter 235, Laws of 1983, section 29, chapter 213, Laws of 1985 and RCW 43.131.213; and