

Title 44

STATE GOVERNMENT—LEGISLATIVE

Chapters

- 44.04** General provisions.
- 44.05** Washington state redistricting act.
- 44.07E** Legislative districts and apportionment.
- 44.16** Legislative inquiry.
- 44.20** Session laws.
- 44.28** Joint legislative audit and review committee.
- 44.39** Joint committee on energy supply and energy conservation.
- 44.44** Office of state actuary—Select committee on pension policy.
- 44.48** Legislative evaluation and accountability program committee.
- 44.55** Joint legislative oversight committee on trade policy.
- 44.68** Joint legislative systems administrative committee.
- 44.73** Legislative gift center.
- 44.80** Legislative support services.
- 44.82** Joint select committee on health care oversight.

Adjournments: State Constitution Art. 2 § 11.

Administrative rules, review by rules review committee of the legislature: RCW 34.05.610 through 34.05.660.

Annual and special sessions: State Constitution Art. 2 § 12.

Apportionment: State Constitution Art. 22.

Attorney general, legal adviser for legislature: RCW 43.10.030.

Bills

drafting service maintained by code reviser: RCW 1.08.027.

origin and amendment: State Constitution Art. 2 § 20.

passage, requirements for: State Constitution Art. 2 § 22.

private interest in: State Constitution Art. 2 § 30.

style: State Constitution Art. 2 § 18.

time for introduction of: State Constitution Art. 2 § 36.

to embrace one subject: State Constitution Art. 2 § 19.

Bribery or corrupt solicitation of legislators: State Constitution Art. 2 § 30.

Campaign financing, disclosure of: Chapter 42.17A RCW.

Census, to provide for: State Constitution Art. 2 § 3.

Compelling attendance: State Constitution Art. 2 § 8.

Compensation of members

amount of: RCW 43.03.010.

appointees to office of state legislator: RCW 43.03.015.

extra compensation prohibited: State Constitution Art. 2 § 25.

how determined: State Constitution Art. 28 § 1.

Compensation of state officers, legislature to determine: State Constitution Art. 28 § 1.

Composition: State Constitution Art. 2 § 2.

Constitutional provisions relating to legislature: State Constitution Art. 2.

Contempt of legislature, how punished: State Constitution Art. 2 § 9.

Contested elections of state elective officers, legislature to decide: State Constitution Art. 3 § 4.

Continuity of government act: Chapter 42.14 RCW.

Counties

government, legislature to provide for: State Constitution Art. 11 § 4.

officers, legislature to provide for and fix compensation: State Constitution Art. 11 § 5; Art. 11 § 8.

Crimes relating to legislature: Chapter 9.55 RCW.

Elections

certification to legislature of returns: RCW 43.07.030.

judges of own election and qualifications: State Constitution Art. 2 § 8.

officers of legislature: State Constitution Art. 2 § 10.

qualifications of legislators: State Constitution Art. 2 § 7.

registration laws, legislature to enact: State Constitution Art. 6 § 7.

representatives: State Constitution Art. 2 § 4.

secrecy of voting, legislature to provide for: State Constitution Art. 6 § 6.

senators: State Constitution Art. 2 § 6.

time for holding: State Constitution Art. 2 § 5.

voice vote required: State Constitution Art. 2 § 27.

Ethics in public service act: Chapter 42.52 RCW.

Expulsion of member: State Constitution Art. 2 § 9.

Extraordinary sessions convened by governor: State Constitution Art. 3 § 7.

Financial disclosure by members: Chapter 42.17A RCW.

Fiscal notes on legislation: Chapter 43.88A RCW.

Free transportation prohibited: State Constitution Art. 2 § 39; Art. 12 § 20.

Freedom of debate: State Constitution Art. 2 § 17.

Governor-elect, appropriation for office and staff: RCW 43.06.055.

Governor's message to legislature: State Constitution Art. 3 § 6.

Harbor line commission, legislature shall provide for: State Constitution Art. 15 § 1.

Health professions, legislation regulating: Chapter 18.120 RCW.

Homestead and other property exemptions of families, legislature to protect: State Constitution Art. 19 § 1.

Hospitalization and medical aid for public employees and dependents—Premiums, governmental contributions authorized: RCW 41.04.180, 41.04.190.

Immunity of members from arrest: State Constitution Art. 2 § 16.

Impeachment: State Constitution Art. 5 §§ 1, 2.

Initiative and referendum: State Constitution Art. 2 § 1; chapter 29A.72 RCW.

Joint administrative rules review committee: RCW 34.05.610 through 34.05.681.

Journals

distribution of copies: RCW 40.04.090.

each house to keep: State Constitution Art. 2 § 11.

entry of vote upon: State Constitution Art. 2 § 21.

secretary of state as custodian: RCW 43.07.040.

Judiciary

inferior courts, legislature to prescribe jurisdiction and powers of: State Constitution Art. 4 § 12.

justices of the peace, number, powers, duties and jurisdiction to be fixed by legislature: State Constitution Art. 4 § 10.

publication of supreme court opinions to be provided for by legislature: State Constitution Art. 4 § 21.

supreme court judges, legislature may increase number: State Constitution Art. 4 § 2.

Legislation

effective date: State Constitution Art. 2 § 41.

how signed: State Constitution Art. 2 § 32.

limitation of amendments: State Constitution Art. 2 § 38.

secretary of state custodian of acts, resolutions and journals: RCW 43.07.040.

section amended must be set forth in full: State Constitution Art. 2 § 37.

special legislation prohibited: State Constitution Art. 2 § 28.

time limitation for introduction: State Constitution Art. 2 § 36.

veto: State Constitution Art. 3 § 12.

Legislators as retired state employees for insurance purposes: RCW 41.05.080.

Legislature

community college bonds, legislature may provide additional means for payment of principal and interest on: RCW 28B.50.400.

studies on environmental problems by director of ecology: RCW 43.21A.130.

workers' compensation, joint committee: See note following RCW 51.04.110.

Limitations on holding other public office: State Constitution Art. 2 §§ 13, 14.

Local government redistricting: Chapter 29A.76 RCW.

Medicine and surgery, legislature to enact laws to regulate: State Constitution Art. 20 § 2.

Microfilming of records to provide continuity of civil government: Chapter 40.10 RCW.

Mileage: State Constitution Art. 2 § 23; RCW 43.03.010.

Militia, legislature to provide for: State Constitution Art. 10 § 2.

Misconduct of public officers: Chapter 42.20 RCW.

Municipal corporations

combined city and county, legislature to provide for: State Constitution Art. 11 § 16.

incorporation, provisions for to be provided by legislature: State Constitution Art. 11 § 10.

limitation on power of legislature to levy taxes upon: State Constitution Art. 11 § 12.

local improvement by special assessments, legislature may provide: State Constitution Art. 7 § 9.

Navigable waters, right to lease land for wharves, docks, etc., legislature to provide laws for: State Constitution Art. 15 § 2.

Private interest of legislator in bill: State Constitution Art. 2 § 30.

Privilege from arrest: State Constitution Art. 2 § 16.

Qualifications of legislators: State Constitution Art. 2 § 7.

Quorum: State Constitution Art. 2 § 8.

Reapportionment: State Constitution Art. 2 § 3.

Recall: State Constitution Art. 1 §§ 33, 34; chapter 29A.56 RCW.

Records of legislature kept by secretary of state: State Constitution Art. 3 § 17.

Reprieves, commutations, and pardons, governor to report to legislature: State Constitution Art. 3 § 11.

Revised Code of Washington, legislators to receive copies on digital media: RCW 1.08.070.

Salaries: RCW 43.03.010.

Schools, legislature to provide for: State Constitution Art. 9 § 2.

Session laws

for use of legislature: RCW 40.04.031.

secretary of state as custodian of acts and resolutions: RCW 43.07.040.

Sessions, time for meeting, duration: State Constitution Art. 2 § 12.

Soldiers' home, legislature to provide for: State Constitution Art. 10 § 3.

Special sessions convened by legislature or governor: State Constitution Art. 2 § 12, Art. 3 § 7.

State participation within student exchange compact programs—Office to advise legislature: RCW 28B.76.650.

Statute law committee, legislative membership on: RCW 1.08.001.

Taxation

deficiencies, legislature may provide for tax to pay: State Constitution Art. 7 § 8.

limitation on legislature to tax municipal corporations: State Constitution Art. 11 § 12.

limitations on state expenditures: Chapter 43.135 RCW.

Uniform law commission: Chapter 43.56 RCW.

Vacancies

acceptance of federal office vacates seat: State Constitution Art. 2 § 14.

how filled: State Constitution Art. 2 § 15.

term of person elected to fill: RCW 42.12.030.

Veto: State Constitution Art. 3 § 12.

Washington scholars' program, participation in: RCW 28A.600.010 through 28A.600.150.

Chapter 44.04 RCW GENERAL PROVISIONS

Sections

- 44.04.010 Date of regular sessions.
- 44.04.021 Commencement of terms of office.
- 44.04.040 Vouchers for pay and mileage of members—Warrants.
- 44.04.041 Warrants for pay and mileage of members—Payment of.
- 44.04.050 Vouchers for pay of employees—Warrants.
- 44.04.051 Warrants for pay of employees—Payment of.
- 44.04.060 Vouchers for incidental expenses—Warrants.
- 44.04.070 Warrants for incidental expenses—Payment of.
- 44.04.090 Warrants for subsistence and lodging.
- 44.04.100 Contest of election—Depositions.
- 44.04.120 Members' allowances when engaged in legislative business.
- 44.04.125 Allowances of members-elect when attending meetings.
- 44.04.170 Information from municipal associations.
- 44.04.200 References to regular session of the legislature.
- 44.04.210 Gender-neutral terms.
- 44.04.230 Teachers' insurance benefits—Reimbursement.
- 44.04.240 Teachers' insurance benefits—Payment of warrants.
- 44.04.250 Surplus computer equipment—Donation to schools.
- 44.04.260 Legislative committees and agencies—Oversight.
- 44.04.280 State laws—Respectful language.
- 44.04.290 Periodic review of plans for bicycle, pedestrian, and equestrian facilities.
- 44.04.300 Joint transportation committee—Created—Duties.
- 44.04.310 Joint transportation committee—Allowances, expenses.
- 44.04.320 Oral history program.
- 44.04.325 Legislative oral history committee—Members.
- 44.04.330 Legislative oral history committee—Duties.
- 44.04.335 Oral history activities—Funding—Joint rules.
- 44.04.340 Oral history activities—Gifts, grants, conveyances—Expenditures—Joint rules.
- 44.04.345 Legislative oral history account.
- 44.04.360 Joint higher education committee—Purpose.
- 44.04.362 Joint higher education committee—Membership.
- 44.04.364 Joint higher education committee—Meetings—Reimbursement—Rules—Staffing.
- 44.04.370 Gina Grant Bull memorial legislative page scholarship program.
- 44.04.375 Legislative page scholarship program—Gifts, grants, conveyances, bequests, devises—Expenditures—Joint rules.
- 44.04.380 Gina Grant Bull memorial legislative page scholarship account.
- 44.04.390 Code of conduct—Training for registered lobbyists.

Cashing checks, drafts, and state warrants for state officers and employees: RCW 43.08.180.

Development of methods and protocols for measuring educational costs: RCW 43.41.415.

Eligibility of member of legislature to appointment or election to office of official whose salary was increased during legislator's term: RCW 3.58.010.

Emoluments of office for appointees to office of state legislator: RCW 43.03.015.

Studies and adoption of classifications for school district budgets—Publication: RCW 28A.300.060.

44.04.010 Date of regular sessions. Regular sessions of the legislature shall be held annually, commencing on the second Monday of January. [1980 c 87 § 27; 1979 ex.s. c 48 § 1; 1891 c 20 § 1; RRS § 8177.]

Regular and special sessions: State Constitution, Art. 2 § 12.

Additional notes found at www.leg.wa.gov

44.04.021 Commencement of terms of office. The regular term of office of each senator and representative shall commence on the second Monday in January following the date of election. [1987 c 13 § 1; 1981 c 288 § 68. Formerly RCW 44.07B.870.]

44.04.040 Vouchers for pay and mileage of members—Warrants. The chief clerk of the house of representatives and the secretary of the senate are hereby directed to prepare vouchers for the state treasurer for the mileage and daily pay of members of the legislature on presentation of certificates showing amounts due for miles traveled and services rendered to dates specified. The certificates shall be signed by the speaker or president, and countersigned by the chief clerk or secretary, respectively, of the body to which the members belong. The state treasurer shall issue warrants which shall be in favor of and payable to the order of the persons named in said certificates. [1973 c 106 § 17; 1890 p 6 § 1; RRS § 8150.]

Annual salary: RCW 43.03.010.

Mileage allowance: State Constitution Art. 2 § 23; RCW 43.03.010.

44.04.041 Warrants for pay and mileage of members—Payment of. Upon presentation of a warrant drawn as provided for in RCW 44.04.040, to the state treasurer, that officer shall pay the same out of any money in the treasury of the state appropriated for the expenses of the legislature of the state of Washington: PROVIDED, That should there be no money in the state treasury covered by such appropriation, the state treasurer shall indorse such fact on the warrant presented, and said warrant shall draw interest from the date of such presentation and indorsement, and shall be payable thereafter in the manner provided by existing law and custom. [1890 p 6 § 2; RRS § 8151. Formerly RCW 44.04.070, part.]

44.04.050 Vouchers for pay of employees—Warrants. The chief clerk of the house of representatives and the secretary of the senate shall prepare vouchers for the state treasurer for sums covering amounts due officers and employees of the legislature on presentation of certificates signed by the speaker or president, and countersigned by the chief clerk or secretary of the body in which the service of the officer or employee is rendered, and showing amounts due to dates specified. The state treasurer shall issue warrants which shall be drawn in favor and be made payable to the order of the officer or employee named in each certificate. [1973 c 106 § 18; 1890 p 3 § 1; RRS § 8148.]

44.04.051 Warrants for pay of employees—Payment of. Upon presentation to the state treasurer of a warrant drawn as provided for in RCW 44.04.050, that officer shall pay the same from any money in the state treasury appropriated for the expenses of the legislature of the state of Washington: PROVIDED, That should there be no money in the treasury of the state covered by such appropriation, the state treasurer shall indorse such fact on the warrant presented, and said warrant shall draw interest from date of such indorsement and shall be payable thereafter as is provided by law and custom. [1890 p 3 § 2; RRS § 8149. Formerly RCW 44.04.070, part.]

44.04.060 Vouchers for incidental expenses—Warrants. The chief clerk of the house of representatives and the secretary of the senate are hereby directed to prepare vouchers for the state treasurer for the incidental expenses of the legislature, on presentation of certificates showing amounts

due for material furnished and services rendered to dates specified. The certificates shall be signed by the speaker or president, and countersigned by the sergeant-at-arms, respectively, of the body ordering the expenditures. The state treasurer shall issue warrants which shall be in favor of and payable to the order of the persons named in said certificates. [1973 c 106 § 19; 1890 p 10 § 1; RRS § 8152.]

44.04.070 Warrants for incidental expenses—Payment of. Upon presentation of a warrant, drawn as provided for in RCW 44.04.060, to the state treasurer, that officer shall pay the same out of any money in the treasury of the state appropriated for the expenses of the legislature of the state of Washington: PROVIDED, That should there be no money in the state treasury covered by such appropriation, the state treasurer shall indorse such fact on the warrant presented, and said warrant shall draw interest from the date of such presentation and indorsement, and shall be payable thereafter in the manner provided by existing law and custom. [1890 p 10 § 2; RRS § 8153. FORMER PARTS OF SECTION: (i) 1890 p 3 § 2, now codified as RCW 44.04.051. (ii) 1890 p 6 § 2, now codified as RCW 44.04.041.]

44.04.090 Warrants for subsistence and lodging. The state treasurer shall issue warrants for said reimbursement supported by affidavits that the reimbursement is claimed for expenses of subsistence and lodging actually incurred without itemization and without receipts. Such warrants shall be immediately paid from any funds appropriated for the purpose. [1973 c 106 § 20; 1941 c 173 § 2; Rem. Supp. 1941 § 8153-2.]

44.04.100 Contest of election—Depositions. Any person desiring to contest the election of any member of the legislature, may, at any time after the presumptive election of such member and before the convening of the ensuing regular session of the legislature, have the testimony of witnesses, to be used in support of such contest, taken and perpetuated, by serving not less than three days' written notice upon the member whose election he or she desires to contest, of his or her intention to institute such contest and that he or she desires to take the testimony of certain witnesses named in such notice, at a time and place named therein, before a notary public duly commissioned and qualified and residing in the county where the presumptive member resides, giving the name of such notary public, which deposition shall be taken in the manner provided by law for the taking of depositions in civil actions in the superior court. The presumptive member of the legislature, whose election is to be contested, shall have the right to appear, in person or by counsel, at the time and place named in the notice, and cross examine any witness produced and have such cross examination made a part of such deposition, and to produce witnesses and have their depositions taken for the purpose of sustaining his or her election. The notary public before whom such deposition is taken shall transmit such depositions to the presiding officer of the senate, or house of representatives, as the case may be, in which said contest is to be instituted, in the care of the secretary of state, at the state capitol, by registered mail, and it shall be the duty of the secretary of state upon the convening of the legislature to transmit said depositions, unopened, to the presiding officer of the

senate, or the house of representatives, as the case may be, to whom it is addressed, and in case such contest is instituted said depositions may be opened and read in evidence in the manner provided by law for the opening and introduction of depositions in civil actions in the superior court. [2009 c 549 § 6001; 1927 c 205 § 1; RRS § 8162-1. Prior: Code 1881 §§ 3125-3139.]

Contest of elections: Chapter 29A.68 RCW.

Depositions: Rules of court: CR 26 through 37.

Legislature to judge election and qualifications of members: State Constitution Art. 2 § 8.

Recall: State Constitution Art. 1 §§ 33, 34, chapter 29A.56 RCW.

44.04.120 Members' allowances when engaged in legislative business. Each member of the senate or house of representatives when serving on official legislative business shall be entitled to receive, in lieu of per diem or any other payment, for each day or major portion thereof in which he or she is actually engaged in legislative business or business of the committee, commission, or council, notwithstanding any laws to the contrary, an allowance in an amount fixed by the secretary of the senate and chief clerk of the house, respectively, in accordance with applicable rules and resolutions of each body. Such allowance shall be reasonably calculated to reimburse expenses, exclusive of mileage, which are ordinary and necessary in the conduct of legislative business, recognizing cost variances which are encountered in different locales. The allowance authorized shall not exceed the greater of forty-four dollars per day or the maximum daily amount determined under RCW 43.03.050, as now or hereafter amended. In addition, a mileage allowance shall be paid at the rate per mile provided for in RCW 43.03.060, as now or hereafter amended, when authorized by the house, committee, commission, or council of which he or she is a member and on the business of which he or she is engaged. [2009 c 549 § 6002; 1985 c 3 § 1; 1979 ex.s. c 255 § 3; 1974 ex.s. c 157 § 2; 1973 1st ex.s. c 197 § 5; 1967 ex.s. c 112 § 4; 1963 ex.s. c 7 § 1; 1959 ex.s. c 10 § 1.]

Additional notes found at www.leg.wa.gov

44.04.125 Allowances of members-elect when attending meetings. Each member-elect of the senate or house of representatives who attends any meeting of the legislature or any of its committees, upon the invitation of the committee on rules of his or her respective house, shall be entitled to receive per diem, mileage, and incidental expense allowances at the rates prescribed in chapter 44.04 RCW, as now or hereafter amended. [1975 1st ex.s. c 185 § 1.]

44.04.170 Information from municipal associations. It shall be the duty of each association of municipal corporations or municipal officers, which is recognized by law and utilized as an official agency for the coordination of the policies and/or administrative programs of municipal corporations, to submit biennially, or oftener as necessary, to the governor and to the legislature the joint recommendations of such participating municipalities regarding changes which would affect the efficiency of such municipal corporations. Such associations shall include but shall not be limited to the Washington state association of fire commissioners and the

Washington state school directors' association. [2007 c 31 § 7; 1999 c 153 § 59; 1970 ex.s. c 69 § 2.]

Purpose—1970 ex.s. c 69: "It is the purpose of this act to assist the legislature in obtaining adequate information as to the needs of its municipal corporations and other public agencies and their recommendations for improvements." [1970 ex.s. c 69 § 1.]

Intent—Construction—1970 ex.s. c 69: "The intent of this act is to clarify and implement the powers of the public agencies to which it relates and nothing herein shall be construed to impair or limit the existing powers of any municipal corporation or association." [1970 ex.s. c 69 § 3.]

Additional notes found at www.leg.wa.gov

44.04.200 References to regular session of the legislature. After June 12, 1980, all references in the Revised Code of Washington to a regular session of the legislature mean a regular session during an odd- or even-numbered year unless the context clearly requires otherwise. [1980 c 87 § 1.]

44.04.210 Gender-neutral terms. (1) All statutes, memorials, and resolutions enacted, adopted, or amended by the legislature after July 1, 1983, shall be written in gender-neutral terms unless a specification of gender is intended.

(2) No statute, memorial, or resolution is invalid because it does not comply with this section. [1983 c 20 § 3.]

Intent—1983 c 20: See note following RCW 43.01.160.

Number and gender in statutes: RCW 1.12.050.

44.04.230 Teachers' insurance benefits—Reimbursement. The chief clerk of the house of representatives and the secretary of the senate shall prepare vouchers for the state treasurer for sums covering amounts due a school district for any teacher who is on a leave of absence as a legislator, and who has chosen to continue insurance benefits provided by the school district, in lieu of insurance benefits provided to that legislator as a state employee. The amount of reimbursement due the school district is for the actual cost of continuing benefits, but may not exceed the cost of the insurance benefits package that would otherwise be provided through the health care authority. [1998 c 62 § 1.]

Additional notes found at www.leg.wa.gov

44.04.240 Teachers' insurance benefits—Payment of warrants. Upon presentation to the state treasurer of a warrant issued by the treasurer and drawn for the purposes under RCW 44.04.230, the treasurer shall pay the amount necessary from appropriated funds. If sufficient funds have not been appropriated, the treasurer shall endorse the warrant and the warrant draws interest from the date of the endorsement until paid. [1998 c 62 § 3.]

Additional notes found at www.leg.wa.gov

44.04.250 Surplus computer equipment—Donation to schools. The chief clerk of the house of representatives may authorize surplus computers and computer-related equipment owned by the house, the secretary of the senate may authorize surplus computers and computer-related equipment owned by the senate, and the directors of legislative agencies may authorize surplus computers and computer-related equipment owned by his or her respective agency, to be donated to school districts and educational service districts. This section shall not be construed to limit the

discretion of the legislature regarding disposal of its surplus property. [1999 c 186 § 2.]

44.04.260 Legislative committees and agencies—

Oversight. The joint legislative audit and review committee, the joint transportation committee, the select committee on pension policy, the legislative evaluation and accountability program committee, the office of legislative support services, the joint higher education committee, and the joint legislative systems committee are subject to such operational policies, procedures, and oversight as are deemed necessary by the facilities and operations committee of the senate and the executive rules committee of the house of representatives to ensure operational adequacy of the agencies of the legislative branch. As used in this section, "operational policies, procedures, and oversight" includes the development process of biennial budgets, contracting procedures, personnel policies, and compensation plans, selection of a chief administrator, facilities, and expenditures. This section does not grant oversight authority to the facilities and operations committee of the senate over any standing committee of the house of representatives or oversight authority to the executive rules committee of the house of representatives over any standing committee of the senate. [2012 c 229 § 204; 2012 c 113 § 6; 2005 c 319 § 112; 2003 c 295 § 12; 2001 c 259 § 1.]

Reviser's note: This section was amended by 2012 c 113 § 6 and by 2012 c 229 § 204, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2012 c 113: See note following RCW 44.80.010.

Findings—Intent—Part headings—Effective dates—2005 c 319: See notes following RCW 43.17.020.

44.04.280 State laws—Respectful language. (1) The legislature recognizes that language used in reference to individuals with disabilities shapes and reflects society's attitudes towards people with disabilities. Many of the terms currently used diminish the humanity and natural condition of having a disability. Certain terms are demeaning and create an invisible barrier to inclusion as equal community members. The legislature finds it necessary to clarify preferred language for new and revised laws by requiring the use of terminology that puts the person before the disability.

(2)(a) The code reviser is directed to avoid all references to: Disabled, developmentally disabled, mentally disabled, mentally ill, mentally retarded, handicapped, cripple, and crippled, in any new statute, memorial, or resolution, and to change such references in any existing statute, memorial, or resolution as sections including these references are otherwise amended by law.

(b) The code reviser is directed to replace terms referenced in (a) of this subsection as appropriate with the following revised terminology: "Individuals with disabilities," "individuals with developmental disabilities," "individuals with mental illness," and "individuals with intellectual disabilities."

(3) No statute, memorial, or resolution is invalid because it does not comply with this section.

(4) The replacement of outmoded terminology with more appropriate references may not be construed as chang-

(2019 Ed.)

ing the application of any provision of this code to any person. [2010 c 94 § 2; 2009 c 377 § 1; 2004 c 175 § 1.]

Purpose—2010 c 94: "The purpose of this act is to move toward fulfillment of the goals stated in RCW 44.04.280, to remove demeaning language from the Revised Code of Washington and to use respectful language when referring to individuals with disabilities. It is not the intent of the legislature to expand or contract the scope or application of any provision of this code. Nothing in this act may be construed to change the application of any provision of this code to any person." [2010 c 94 § 1.]

44.04.290 Periodic review of plans for bicycle, pedestrian, and equestrian facilities. The house and senate transportation committees shall periodically review the six-year comprehensive plans submitted by cities and counties for expenditures for bicycle, pedestrian, and equestrian facilities prepared pursuant to RCW 35.77.010 and 36.81.121. [1977 ex.s. c 235 § 12; 1975 1st ex.s. c 268 § 2. Formerly RCW 44.40.120.]

44.04.300 Joint transportation committee—Created—Duties. The joint transportation committee is created. The executive committee of the joint committee consists of the chairs and ranking members of the house and senate transportation committees. The chairs of the house and senate transportation committees shall serve as cochairs of the joint committee. All members of the house and senate standing committees on transportation are eligible for membership of the joint committee and shall serve when appointed by the executive committee.

The joint transportation committee shall review and research transportation programs and issues in order to educate and promote the dissemination of transportation research to state and local government policymakers, including legislators and associated staff. All four members of the executive committee shall approve the annual work plan. Membership of the committee may vary depending on the subject matter of oversight and research projects. The committee may also make recommendations for functional or performance audits to the transportation performance audit board.

The executive committee shall adopt rules and procedures for its operations. [2005 c 319 § 12.]

Findings—Intent—Part headings—Effective dates—2005 c 319: See notes following RCW 43.17.020.

Additional notes found at www.leg.wa.gov

44.04.310 Joint transportation committee—Allowances, expenses. The members of the joint transportation committee will receive allowances while attending meetings of the committee or subcommittees and while engaged in other authorized business of the committees as provided in RCW 44.04.120. Subject to RCW 44.04.260, all expenses incurred by the committee must be paid upon voucher forms as provided by the office of financial management and signed by the cochairs of the joint committee, or their authorized designees, and the authority of the chair or vice chair to sign vouchers continues until their successors are selected. Vouchers may be drawn upon funds appropriated for the expenses of the committee. [2005 c 319 § 13.]

Findings—Intent—Part headings—Effective dates—2005 c 319: See notes following RCW 43.17.020.

44.04.320 Oral history program. (1) The secretary of the senate and the chief clerk of the house of representatives, at the direction of the legislative oral history committee, shall administer and conduct a program to record and document oral histories of current and former members and staff of the Washington state legislature, and other citizens who have participated in the political history of the Washington state legislature. The secretary of the senate and the chief clerk of the house of representatives may contract with independent oral historians or the history departments of the state universities to interview and record oral histories. The manuscripts and publications shall be made available for research and reference through the state archives. The manuscripts, together with current and historical photographs, may be published for distribution to libraries and the general public, and posted on the legislative oral history web site.

(2) The oral history of a person who occupied positions, or was staff to a person who occupied positions, in more than one branch of government, shall be conducted by the entity authorized to conduct oral histories of persons in the position last held by the person who is the subject of the oral history. However, the person being interviewed may select the entity he or she wishes to prepare his or her oral history. [2008 c 222 § 3; 1991 c 237 § 1. Formerly RCW 43.07.220.]

Purpose—2008 c 222: "Washington has developed an impressive oral history program of recording and documenting the recollections of public officials and citizens who have contributed to the rich political history surrounding the legislature. Schools, museums, historians, state agencies, and interested citizens have benefited from the availability of these educational materials. The purpose of this act is to enhance this resource by reinforcing the decision-making role of the legislature." [2008 c 222 § 1.]

Additional notes found at www.leg.wa.gov

44.04.325 Legislative oral history committee—Members. (1) A legislative oral history committee is created, which shall consist of the following individuals:

(a) Four members of the house of representatives, two from each of the two largest caucuses of the house, appointed by the speaker of the house of representatives;

(b) Four members of the senate, two from each of the two largest caucuses of the senate, appointed by the president of the senate;

(c) The chief clerk of the house of representatives; and

(d) The secretary of the senate.

(2) Ex officio members may be appointed by a majority vote of the committee's members appointed under subsection (1) of this section.

(3) The chair of the committee shall be elected by a majority vote of the committee members appointed under subsection (1) of this section. [2008 c 222 § 4; 1991 c 237 § 2. Formerly RCW 43.07.230.]

Purpose—2008 c 222: See note following RCW 44.04.320.

Additional notes found at www.leg.wa.gov

44.04.330 Legislative oral history committee—Duties. The legislative oral history committee shall have the following responsibilities:

(1) To select appropriate oral history interview candidates and subjects;

(2) To select transcripts or portions of transcripts, and related historical material, for publication;

(3) To advise the secretary of the senate and the chief clerk of the house of representatives on the format and length of individual interview series and on appropriate issues and subjects for related series of interviews;

(4) To advise the secretary of the senate and the chief clerk of the house of representatives on the appropriate subjects, format, and length of interviews and on the process for conducting oral history interviews;

(5) To advise the secretary of the senate and the chief clerk of the house of representatives on joint programs and activities with state universities, colleges, museums, and other groups conducting oral histories; and

(6) To advise the secretary of the senate and the chief clerk of the house of representatives on other aspects of the administration of the oral history program and on the conduct of individual interview projects. [2008 c 222 § 5; 1991 c 237 § 3. Formerly RCW 43.07.240.]

Purpose—2008 c 222: See note following RCW 44.04.320.

Additional notes found at www.leg.wa.gov

44.04.335 Oral history activities—Funding—Joint rules. The secretary of the senate and the chief clerk of the house of representatives may fund oral history activities through donations as provided in RCW 44.04.340 and through funds in the legislative gift center account created in RCW 44.73.020. The activities may include, but not be limited to, conducting interviews, preparing and indexing transcripts, publishing manuscripts and photographs, and presenting displays and programs. Donations that do not meet the criteria of the legislative oral history program may not be accepted. The secretary of the senate and the chief clerk of the house of representatives shall adopt joint rules necessary to implement this section. [2008 c 222 § 6.]

Purpose—2008 c 222: See note following RCW 44.04.320.

44.04.340 Oral history activities—Gifts, grants, conveyances—Expenditures—Joint rules. (1) The secretary of the senate and the chief clerk of the house of representatives may solicit and accept gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise, and sell, lease, exchange, invest, or expend these donations or the proceeds, rents, profits, and income from the donations except as limited by the donor's terms.

(2) Moneys received under this section may be used only for conducting oral histories.

(3) Moneys received under this section must be deposited in the legislative oral history account established in RCW 44.04.345.

(4) The secretary of the senate and the chief clerk of the house of representatives shall adopt joint rules to govern and protect the receipt and expenditure of the proceeds. [2008 c 222 § 7.]

Purpose—2008 c 222: See note following RCW 44.04.320.

44.04.345 Legislative oral history account. The legislative oral history account is created in the custody of the state treasurer. All moneys received under RCW 44.04.340 and from the legislative gift center account created in RCW 44.73.020 must be deposited in the account. Expenditures from the account may be made only for the purposes of the legislative oral history program under RCW 44.04.320. Only

the secretary of the senate or the chief clerk of the house of representatives or their designee may authorize expenditures from the account. An appropriation is not required for expenditures, but the account is subject to allotment procedures under chapter 43.88 RCW. [2008 c 222 § 8.]

Purpose—2008 c 222: See note following RCW 44.04.320.

44.04.360 Joint higher education committee—Purpose. (1) A joint higher education committee is created.

(2) The purpose of the joint higher education committee is to:

(a) By December 1, 2012, and annually thereafter, review the work of the student achievement council and provide legislative feedback;

(b) Engage with the student achievement council and the higher education community to create greater communication, coordination, and alignment between the higher education system and the expectations of the legislature; and

(c) Provide recommendations for higher education policy, including proposed legislation, to the higher education and fiscal committees of the legislature. [2012 c 229 § 201.]

44.04.362 Joint higher education committee—Membership. (1) The joint higher education committee shall consist of the following members:

(a) Four members of the house of representatives, two each appointed by the leadership of the two largest caucuses, with at least one member from each caucus who is a member of the house of representatives ways and means committee and at least one member from each caucus who is a member of the house of representatives higher education committee; and

(b) Four members of the senate, two each appointed by the leadership of the two largest caucuses, with at least one member from each caucus who is a member of the senate ways and means committee and at least one member from each caucus who is a member of the senate higher education and workforce development committee.

(2) All members must be appointed by July 1, 2012, and must serve a term of no less than two years.

(3) Vacancies on the joint higher education committee shall be filled by appointment by either the president of the senate or the speaker of the house of representatives. All such vacancies shall be filled from the same political party and from the same house as the member whose seat was vacated.

(4) The joint higher education committee shall appoint its own cochairs, representing two different parties and the two chambers of the legislature. [2012 c 229 § 202.]

44.04.364 Joint higher education committee—Meetings—Reimbursement—Rules—Staffing. (1) The joint higher education committee shall meet at least twice annually after the conclusion of the legislative session.

(2) The members of the joint higher education committee shall serve without additional compensation, but shall be reimbursed in accordance with RCW 44.04.120 while attending meetings of the joint higher education committee.

(3) The joint higher education committee shall adopt rules and procedures for its operations.

(4) Staff support for the joint higher education committee must be provided by the senate committee services and

(2019 Ed.)

the house of representatives office of program research. [2012 c 229 § 203.]

44.04.370 Gina Grant Bull memorial legislative page scholarship program. The secretary of the senate and the chief clerk of the house of representatives may administer and conduct a legislative page scholarship program to provide resources for Washington students who participate in the page programs of the senate or house of representatives. The scholarship program should provide assistance to students, based on financial need, who qualify for a page program. The program is called the Gina Grant Bull memorial legislative page scholarship program. [2017 c 322 § 1.]

44.04.375 Legislative page scholarship program—Gifts, grants, conveyances, bequests, devises—Expenditures—Joint rules. (1) The secretary of the senate and the chief clerk of the house of representatives may solicit and accept gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise, and sell, lease, exchange, or expend these donations or the proceeds, rents, profits, and income from the donations except as limited by the donor's terms. Any legislative member or legislative employee may solicit the same types of contributions for the secretary of the senate and the chief clerk of the house of representatives.

(2) Moneys received under this section may be used only for establishing and operating the legislative page scholarship program authorized in RCW 44.04.370.

(3) Moneys received under this section must be deposited in the Gina Grant Bull memorial legislative page scholarship account established in RCW 44.04.380.

(4) The secretary of the senate and the chief clerk of the house of representatives must adopt joint rules to govern and protect the receipt and expenditure of the proceeds. [2017 c 322 § 2.]

44.04.380 Gina Grant Bull memorial legislative page scholarship account. The Gina Grant Bull memorial legislative page scholarship account is created in the custody of the state treasurer. All moneys received under RCW 44.04.370 must be deposited in the account. Expenditures from the account may be made only for the purposes of the legislative page scholarship program in RCW 44.04.370. Only the secretary of the senate or the chief clerk of the house of representatives or their designee may authorize expenditures from the account. An appropriation is not required for expenditures, but the account is subject to allotment procedures under chapter 43.88 RCW. [2017 c 322 § 3.]

44.04.390 Code of conduct—Training for registered lobbyists. The chief clerk of the house of representatives and the secretary of the senate shall develop and provide a training course for registered lobbyists regarding the legislative code of conduct and any policies related to appropriate conduct adopted by the senate or the house of representatives. [2019 c 469 § 1.]

Chapter 44.05 RCW

WASHINGTON STATE REDISTRICTING ACT

Sections

44.05.010	Short title.
44.05.020	Definitions.
44.05.030	Redistricting commission—Membership—Chairperson—Vacancies.
44.05.040	Oath.
44.05.050	Members—Persons ineligible to serve.
44.05.060	Members—Political activities prohibited.
44.05.070	Employment of personnel—Assistance of state officials—Witness expenses—Appropriations—Compensation.
44.05.080	Duties.
44.05.090	Redistricting plan.
44.05.100	Submission of plan to legislature—Amendment—Effect—Adoption by supreme court, when.
44.05.110	Cessation of operations—Financial statement—Official record.
44.05.120	Reconvening of commission to modify plan.
44.05.130	Challenges to plan.
44.05.140	Residence of certain individuals—Last known place of residence.
44.05.900	Contingent effective date—1983 c 16.

44.05.010 Short title. This act may be cited as the Washington State Redistricting Act. [1983 c 16 § 1.]

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

- (1) "Chief election officer" means the secretary of state.
- (2) "Federal census" means the decennial census required by federal law to be prepared by the United States bureau of the census in each year ending in zero.
- (3) "Lobbyist" means an individual required to register with the Washington public disclosure commission pursuant to RCW 42.17A.600.
- (4) "Plan" means a plan for legislative and congressional redistricting mandated by Article II, section 43 of the state Constitution. [2011 c 60 § 41; 1983 c 16 § 2.]

Effective date—2011 c 60: See RCW 42.17A.919.

44.05.030 Redistricting commission—Membership—Chairperson—Vacancies. A redistricting commission shall be established in January of each year ending in one to accomplish state legislative and congressional redistricting. The five-member commission shall be appointed as follows:

- (1) Each legislative leader of the two largest political parties in each house of the legislature shall appoint one voting member to the commission by January 15th of each year ending in one.
- (2) The four legislators appointing commission members pursuant to this section shall certify their appointments to the chief election officer. If an appointing legislator does not certify an appointment by January 15th of each year ending in one, within five days the supreme court shall certify an appointment to the chief election officer.
- (3) No later than January 31st of the year of their selection, the four appointed members, by an affirmative vote of at least three, shall appoint and certify to the chief election officer the nonvoting fifth member who shall act as the commission's chairperson. If by January 31st of the year of their selection three of the four voting members fail to elect a chairperson, the supreme court shall within five days certify an appointment to the chief election officer. A vacancy on the commission shall be filled by the person who made the initial

appointment, or their successor, within fifteen days after the vacancy occurs. [1984 c 13 § 1; 1983 c 16 § 3.]

44.05.040 Oath. Before serving on the commission every person shall take and subscribe an oath to faithfully perform the duties of that office. The oath shall be filed in the office of the secretary of state. [1983 c 16 § 4.]

44.05.050 Members—Persons ineligible to serve. No person may serve on the commission who:

- (1) Is not a registered voter of the state at the time of selection; or
- (2) Is or has within one year prior to selection been a registered lobbyist; or
- (3) Is or has within two years prior to selection been an elected official or elected legislative district, county, or state party officer. The provisions of this subsection do not apply to the office of precinct committeeperson. [1984 c 13 § 2; 1983 c 16 § 5.]

44.05.060 Members—Political activities prohibited. No member of the commission may:

- (1) Campaign for elective office while a member of the commission;
- (2) Actively participate in or contribute to any political campaign of any candidate for state or federal elective office while a member of the commission; or
- (3) Hold or campaign for a seat in the state house of representatives, the state senate, or congress for two years after the effective date of the plan. [1984 c 13 § 3; 1983 c 16 § 6.]

44.05.070 Employment of personnel—Assistance of state officials—Witness expenses—Appropriations—Compensation. (1) The commission may employ the services of experts, consultants, and support staff, including attorneys not employed by the attorney general, as necessary to carry out its duties pursuant to this chapter.

(2) The chief election officer, the treasurer, and the attorney general shall make available to the commission such personnel, facilities, and other assistance as the commission may reasonably request. The chief election officer shall be the official recipient of all provisional and preliminary census data and maps, and shall forward such data and maps, upon request, to the commission.

(3) The commission, upon written request by a witness and subject to rules promulgated by the commission, may reimburse witnesses for their necessary expenses incurred in appearing before the commission.

(4) The legislature shall appropriate funds to enable the commission to carry out its duties. Members shall receive one hundred dollars of compensation for each day spent in the performance of their duties. Compensation of employees shall be determined by the commission. The provisions of RCW 43.03.050 and 43.03.060 shall apply to both the members and the employees of the commission. [1983 c 16 § 7.]

44.05.080 Duties. In addition to other duties prescribed by law, the commission shall:

- (1) Adopt rules pursuant to the Administrative Procedure Act, chapter 34.05 RCW, to carry out the provisions of Article II, section 43 of the state Constitution and of this chapter,

which rules shall provide that three voting members of the commission constitute a quorum to do business, and that the votes of three of the voting members are required for any official action of the commission;

(2) Act as the legislature's recipient of the final redistricting data and maps from the United States Bureau of the Census;

(3) Comply with requirements to disclose and preserve public records as specified in chapters 40.14 and 42.56 RCW;

(4) Hold open meetings pursuant to the open public meetings act, chapter 42.30 RCW;

(5) Prepare and disclose its minutes pursuant to RCW 42.30.035;

(6) Be subject to the provisions of RCW 42.17A.700;

(7) Prepare and publish a report with the plan; the report will be made available to the public at the time the plan is published. The report will include but will not be limited to: (a) The population and percentage deviation from the average district population for every district; (b) an explanation of the criteria used in developing the plan with a justification of any deviation in a district from the average district population; (c) a map of all the districts; and (d) the estimated cost incurred by the counties for adjusting precinct boundaries;

(8) Adopt a districting plan for a noncharter county with a population of four hundred thousand or more, pursuant to RCW 36.32.054. [2018 c 301 § 10; 2017 3rd sp.s. c 25 § 33; 2011 c 60 § 42; 2005 c 274 § 303; 1983 c 16 § 8.]

Findings—Short title—2018 c 301: See notes following RCW 36.32.051.

Effective date—2011 c 60: See RCW 42.17A.919.

44.05.090 Redistricting plan. In the redistricting plan:

(1) Districts shall have a population as nearly equal as is practicable, excluding nonresident military personnel, based on the population reported in the federal decennial census as adjusted by RCW 44.05.140.

(2) To the extent consistent with subsection (1) of this section the commission plan should, insofar as practical, accomplish the following:

(a) District lines should be drawn so as to coincide with the boundaries of local political subdivisions and areas recognized as communities of interest. The number of counties and municipalities divided among more than one district should be as small as possible;

(b) Districts should be composed of convenient, contiguous, and compact territory. Land areas may be deemed contiguous if they share a common land border or are connected by a ferry, highway, bridge, or tunnel. Areas separated by geographical boundaries or artificial barriers that prevent transportation within a district should not be deemed contiguous; and

(c) Whenever practicable, a precinct shall be wholly within a single legislative district.

(3) The commission's plan and any plan adopted by the supreme court under RCW 44.05.100(4) shall provide for forty-nine legislative districts.

(4) The house of representatives shall consist of ninety-eight members, two of whom shall be elected from and run at large within each legislative district. The senate shall consist of forty-nine members, one of whom shall be elected from each legislative district.

(2019 Ed.)

(5) The commission shall exercise its powers to provide fair and effective representation and to encourage electoral competition. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group. [2019 c 456 § 2; 1990 c 126 § 1; 1983 c 16 § 9.]

44.05.100 Submission of plan to legislature—Amendment—Effect—Adoption by supreme court, when. (1) Upon approval of a redistricting plan by three of the voting members of the commission, but not later than November 15th of the year ending in one, the commission shall submit the plan to the legislature.

(2) After submission of the plan by the commission, the legislature shall have the next thirty days during any regular or special session to amend the commission's plan. If the legislature amends the commission's plan the legislature's amendment must be approved by an affirmative vote in each house of two-thirds of the members elected or appointed thereto, and may not include more than two percent of the population of any legislative or congressional district.

(3) The plan approved by the commission, with any amendment approved by the legislature, shall be final upon approval of such amendment or after expiration of the time provided for legislative amendment by subsection (2) of this section whichever occurs first, and shall constitute the districting law applicable to this state for legislative and congressional elections, beginning with the next elections held in the year ending in two. This plan shall be in force until the effective date of the plan based upon the next succeeding federal decennial census or until a modified plan takes effect as provided in RCW 44.05.120(6).

(4) If three of the voting members of the commission fail to approve and submit a plan within the time limitations provided in subsection (1) of this section, the supreme court shall adopt a plan by April 30th of the year ending in two. Any such plan approved by the court is final and constitutes the districting law applicable to this state for legislative and congressional elections, beginning with the next election held in the year ending in two. This plan shall be in force until the effective date of the plan based on the next succeeding federal decennial census or until a modified plan takes effect as provided in RCW 44.05.120(6). [2019 c 192 § 1; 2002 c 4 § 1; 1995 c 88 § 1; 1983 c 16 § 10.]

Additional notes found at www.leg.wa.gov

44.05.110 Cessation of operations—Financial statement—Official record. (1) Following the period provided by RCW 44.05.100(1) for the commission's adoption of a plan, the commission shall take all necessary steps to conclude its business and cease operations. The commission shall prepare a financial statement disclosing all expenditures made by the commission. The official record shall contain all relevant information developed by the commission pursuant to carrying out its duties under this chapter, maps, data collected, minutes of meetings, written communications, and other information of a similar nature. Once the commission ceases to exist, the chief election officer shall be the custodian of the official record for purposes of reprecincting and election administration. The chief election officer shall provide for the permanent preservation of this official record pursuant to chapter 42.56 RCW and Title 40 RCW. Once the

commission ceases to exist any budget surplus shall revert to the state general fund.

(2) Except as provided in RCW 44.05.120 for a reconvened commission, the commission shall cease to exist on July 1st of each year ending in two unless the supreme court extends the commission's term. [2011 c 60 § 43; 1983 c 16 § 11.]

Effective date—2011 c 60: See RCW 42.17A.919.

44.05.120 Reconvening of commission to modify plan. (1) If a commission has ceased to exist, the legislature may, upon an affirmative vote in each house of two-thirds of the members elected or appointed thereto, adopt legislation reconvening the commission for the purpose of modifying the redistricting plan.

(2) RCW 44.05.050 governs the eligibility of persons to serve on the reconvened commission. A vacancy involving a voting member of the reconvened commission shall be filled by the person who made the initial appointment, or their successor, within fifteen days after the effective date of the legislation reconvening the commission. A vacancy involving the nonvoting member of the commission shall be filled by an affirmative vote of at least [least] three of four voting members, within fifteen days after all other vacancies are filled or, if no other vacancies exist, within fifteen days after the effective date of the legislation reconvening the commission. A subsequent vacancy on a reconvened commission shall be filled by the person or persons who made the initial appointment, or their successor, within fifteen days after the vacancy occurs. If any appointing authority fails to make a required appointment within the time limitations established by this subsection, within five days after that date the supreme court shall make the required appointment.

(3) The provisions of RCW 44.05.070 and 44.05.080 are applicable if a commission is reconvened under this section.

(4) The commission shall complete the modification to the redistricting plan as soon as possible, but no later than sixty days after the effective date of the legislation reconvening the commission. At least three of the voting members shall approve the modification to the redistricting plan.

(5) Following approval of a modification to the redistricting plan by the commission, the legislature has the next thirty days during any regular or special session to amend the commission's modification. Any amendment by the legislature must be approved by an affirmative vote in each house of two-thirds of the members elected or appointed thereto. No amendment by the legislature may include more than two percent of the population of any legislative or congressional district contained in the commission's modification.

(6) The commission's modification to the redistricting plan, with any amendments approved by the legislature, shall be final upon approval of the amendments or after expiration of the time provided for legislative amendment by subsection (5) of this section, whichever occurs first.

(7) Following the period provided by subsection (4) of this section for the commission's approval of a modification to the redistricting plan, the commission shall take all necessary steps to conclude its business and cease operations in accordance with RCW 44.05.110(1). A reconvened commission shall cease to exist ninety days after the effective date of the legislation reconvening the commission, unless the

supreme court extends the commission's term. [1983 c 16 § 12.]

44.05.130 Challenges to plan. After the plan takes effect as provided in RCW 44.05.100, any registered voter may file a petition with the supreme court challenging the plan. After a modification to the redistricting plan takes effect as provided in RCW 44.05.120, any registered voter may file a petition with the supreme court challenging the amended plan. The court may consolidate any or all petitions and shall give all such petitions precedence over all other matters. [1983 c 16 § 13.]

44.05.140 Residence of certain individuals—Last known place of residence. (1) After April 1st of each year ending in zero, and by July 1st of each year ending in zero, the department of corrections shall furnish to the redistricting commission the following information regarding the last known place of residence of each inmate incarcerated in a state adult correctional facility:

(a) A unique identifier, other than the inmate's department of corrections number; and

(b) Last known place of residence information sufficiently specific to determine the congressional and state legislative districts in which the inmate's last known place of residence is located.

(2) After April 1st of each year ending in zero, and by July 1st of each year ending in zero, the department of social and health services shall furnish to the redistricting commission the following information regarding the last known place of residence of each person committed to receive involuntary behavioral health treatment under chapter 71.05 RCW:

(a) A unique identifier, other than the person's patient identification number; and

(b) Last known place of residence information sufficiently specific to determine the congressional and state legislative districts in which the resident's last known place of residence is located.

(3) After April 1st of each year ending in zero, and by July 1st of each year ending in zero, the department of children, youth, and families shall furnish to the redistricting commission the following information regarding the last known place of residence of each person residing or placed in a juvenile justice facility:

(a) A unique identifier, other than the person's patient identification number; and

(b) Last known place of residence information sufficiently specific to determine the congressional and state legislative districts in which the resident's last known place of residence is located.

(4) The redistricting commission shall:

(a) Deem each inmate incarcerated in a state adult correctional facility and person residing or placed in a juvenile justice facility or committed to receive involuntary behavioral health treatment under chapter 71.05 RCW as residing at his or her last known place of residence, rather than at the institution of his or her incarceration, residence, or placement;

(b) Regardless of the form in which the information is furnished, refrain from publishing any information regarding a specific inmate's or resident's last known place of residence;

(c) Deem an inmate or resident in state custody in Washington whose last known place of residence is outside of Washington or whose last known place of residence cannot be determined to reside at the location of the facility in which the inmate or resident is incarcerated, placed, or committed; and

(d) Adjust race and ethnicity data in districts, wards, and precincts in a manner that reflects the inclusion of inmates and residents in the population count of the district, ward, or precinct of their last known place of residence.

(5) For purposes of this section:

(a) "Inmate incarcerated in a state adult correctional facility" includes an inmate who has been transferred to a facility outside of Washington to complete his or her term of incarceration.

(b) "Last known place of residence" means the address at which the inmate or resident was last domiciled prior to his or her placement or current term of incarceration, as reported by the inmate or resident.

(c) "Person residing or placed in a juvenile justice facility" and "person committed to receive involuntary behavioral health treatment under chapter 71.05 RCW" include a person who has been transferred to a facility outside of Washington.

(d) "Resident" means persons residing or placed in a juvenile justice facility or committed to receive involuntary behavioral health treatment under chapter 71.05 RCW. [2019 c 456 § 1.]

44.05.900 Contingent effective date—1983 c 16. This act shall take effect if the proposed amendment to Article II of the state Constitution establishing a commission for state legislative and congressional redistricting is validly submitted to and is approved and ratified by the voters at a general election held in November, 1983. If the proposed amendment is not so approved and ratified, this act shall be null and void in its entirety. [1983 c 16 § 18.]

Reviser's note: Senate Joint Resolution No. 103, requiring redistricting commissions and plans, was approved by the voters November 8, 1983, and is codified as Article II, section 43 of the state Constitution.

Chapter 44.07E RCW

LEGISLATIVE DISTRICTS AND APPORTIONMENT

Reviser's note: The following material represents the legislative portion of the redistricting plan filed with the legislature by the Washington State Redistricting Commission on January 1, 2012, and as amended by House Concurrent Resolution 4409 under RCW 44.05.100. For United States congressional districts, see chapter 29A.76B RCW.

RESOLUTION OF REDISTRICTING CONGRESSIONAL and LEGISLATIVE DISTRICTS AS AMENDED BY EHCR 4409

WHEREAS, Article II, section 43 of the Washington state Constitution and chapter 44.05 RCW require that a commission be established in January of each year ending in one, to provide for the redistricting of state legislative and congressional districts as soon as possible following the federal decennial census, but no later than January 1st of each year ending in two; and

WHEREAS, The United States Bureau of the Census conducted a census of the United States on April 1, 2010, and reported the results of the census to the state of Washington on February 23, 2011; and

(2019 Ed.)

WHEREAS, The Washington State Redistricting Commission was duly constituted in January 2011, and undertook its constitutional and statutory responsibilities for preparing a redistricting plan for the state of Washington; and

WHEREAS, The Washington State Redistricting Commission held numerous public hearings throughout the state and solicited public comment and third-party plans in accordance with its rules, chapter 417-06 WAC; and

WHEREAS, The Washington State Redistricting Commission has adopted by a unanimous vote a Final Plan and Resolution of the Redistricting Commission on this date January 1, 2012, in conformity with the constitutional requirement that it do so as soon as possible following the federal decennial census, but no later than January 1st of each year ending in two;

NOW, THEREFORE, BE IT RESOLVED, THAT

FIRST, It is the intent of the Commission to redistrict the congressional and legislative districts of the state of Washington in accordance with the Constitution and laws of the United States and the state of Washington; and

SECOND, The definitions set forth in RCW 44.05.020 apply throughout this plan, unless the context requires otherwise; and

THIRD, In every case the population of the congressional and legislative districts described by this plan has been ascertained on the basis of the total number of persons found inhabiting such areas as of April 1, 2010, in accordance with the 2010 federal decennial census data submitted pursuant to P.L. 94-171; and

FOURTH, Pursuant to the most recent certificate of entitlement from the Clerk of the United States House of Representatives as required by 2 U.S.C. Sec. 2a, the territory of the state shall be divided into ten congressional districts. The congressional districts described by this plan shall be those recorded as *C-JOINTSUB_2-1, maintained in electronic files designated as *C-JOINTSUB_2-1, which are public records of the Commission. As soon as practicable after approval and submission of this plan to the Legislature, the Commission shall publish *C-JOINTSUB_2-1; and

FIFTH, The legislative districts described by this plan shall be those recorded as *L-JOINTSUB_3-2, maintained in electronic files designated as *L-JOINTSUB_3-2, which are public records of the Commission. As soon as practicable after approval and submission of this plan to the Legislature, the Commission shall publish *L-JOINTSUB_3-2; and

SIXTH, The Commission recognizes that existing state law shall continue to govern such matters as the terms and dates of election for members of the state Senate to be elected from each district, the status of "hold-over" senators, and the elections to fill vacancies, when required. Districts referred to in existing law and designated by number shall refer to districts of the same number described in this plan, beginning with the next elections in 2012; and

SEVENTH, This Commission intends that this plan supersede the district boundaries established by chapters 29A.76A and 44.07D RCW for congressional and legislative districts, respectively; and

EIGHTH, If any provision of this plan or its application to any person or circumstance is held invalid, the remainder of the plan or its application to other persons or circumstances is not affected; and

NINTH, For purposes of this plan, districts shall be described in terms of:

(1) Official United States Census Bureau tracts, Block Groups, or blocks established by the United States Census Bureau in the 2010 federal decennial census or specifically delineated portions thereof; and

(2) Local political subdivisions, such as counties, municipalities, school districts, voting precincts, or other political subdivisions as they existed on January 1, 2010; and

(3) Any durable and significant natural or artificial boundaries or monuments including but not limited to rivers, streams, or lakes as they existed on January 1, 2010; and

(4) Roads, streets, or highways as they existed on January 1, 2010; and

(5) Where the boundary of any Census tract, Block Group, or block listed herein is defined by a visible feature, or by the boundary of a county, voting precinct, school district, urban growth area, or incorporated city or town, the boundary of that Census tract, Block Group, or block shall be considered to follow the actual location of that feature or boundary as of January 1, 2010, should this differ from the location mapped by the United States Census Bureau; and

(6) Where the boundary of any Census tract, Block Group, or block listed herein is defined by a roadway, and the boundary of an incorporated city or town lies along a right-of-way line of that roadway, the County Auditor may consider the boundary of that tract, Block Group, or block to follow the corporate limits of that city or town for the purpose of implementing this plan; and

TENTH, Any area not specifically included within the boundaries of any of the districts as described in this plan; any area described in this plan

as specifically embraced in two or more districts; and other specified instances of omissions or errors, shall be resolved in accordance with the criteria detailed in Attachment A.

***Reviser's note:** The redistricting plan filed with the Legislature was amended by House Concurrent resolution 4409. The Washington State Redistricting Commission has published updated electronic files, designated as CONG_AMEND_FINAL for the Congressional portion of the plan and LEG_AMEND_FINAL for the Legislative portion of the plan, incorporating the changes made by the Legislature. These files are maintained as public records of the commission.

**ATTACHMENT A
CRITERIA FOR RESOLVING ERRORS AND OMISSIONS AFTER
ADOPTION
OF THE 2012 PLAN**

(A) If any area is not included in any district as described herein, it shall be assigned to a district as follows:

(1) If the area is surrounded by or adjacent to a single district, it shall be a part of that district.

(2) If the area is adjacent to more than one district:

(a) The area shall be a part of the adjacent district that is not separated from the area by a county boundary;

(b) If more than one district satisfies criterion (a), the area shall be a part of the adjacent district that is not separated from the area by a municipal boundary;

(c) If more than one district satisfies criteria (a) and (b), the area shall be a part of the adjacent district that has the least population of all adjacent districts that satisfy criteria (a) and (b);

(d) If more than one district satisfies criteria (a), (b), and (c), the area shall be a part of the adjacent district satisfying criteria (a), (b), and (c) with which the area shares the longest land boundary;

(e) If all districts that satisfy criterion (a) fail to satisfy criterion (b), the area shall be a part of the adjacent district that has the least population of all adjacent districts that satisfy criterion (a);

(f) If all districts that satisfy criterion (a) fail to satisfy criterion (b), and more than one district satisfies criteria (a) and (e), the area shall be a part of the adjacent district satisfying criteria (a) and (e) with which the area shares the longest land boundary.

(B) If any area is included within more than one district as described herein, it shall be assigned to only one district, following the criteria in (A) above, with the additional condition that the area must be assigned to one of the districts within which it is included as described herein.

(C) If any district described herein is found to consist of multiple nonadjacent areas, the area having the largest population shall be considered to be the district, and the area(s) with lesser population shall be assigned following the criteria in (A) above, with the following exception:

If a land area is completely separated from the remaining land area of the district to which it has been assigned solely by Census blocks consisting entirely of water, and if the intervening Census water blocks have been assigned to a different district, and the area is accessible from the remainder of its district by bridge or ferry, then the area shall remain a part of the district to which it is assigned herein, and the intervening water Census blocks shall also be reassigned to that district.

LEGISLATIVE DISTRICTS

District 1: King County (part): Tract 217: Block Group 2: Block 2000, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014; Block Group 5: Block 5000, Block 5001, Block 5002, Block 5003, Block 5004, Block 5005, Block 5006, Block 5007, Block 5008, Block 5022, Block 5023, Block 5024, Block 5025, Block 5026, Block 5027, Block 5028, Block 5029, Block 5030, Block 5031, Block 5032, Block 5034; Tract 218.02: Block Group 1; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2052, Block 2053, Block 2054, Block 2056, Block 2057; Block Group 3: Block 3020, Block 3023, Block 3024; Tract 218.03; Tract 218.04; Tract 219.05: Block Group 1; Block Group 2: Block 2000, Block 2001, Block 2003, Block 2009, Block 2012, Block 2013; Block Group 3: Block 3001, Block 3002, Block 3003, Block 3004, Block

3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3013, Block 3014, Block 3017, Block 3018, Block 3019, Block 3020; Block Group 4: Block 4001, Block 4002, Block 4003, Block 4008; Tract 219.06: Block Group 1: Block 1003, Block 1004, Block 1023, Block 1024; Tract 220.01: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1015; Block Group 2; Block Group 3; Tract 221.01: Block Group 3: Block 3015; Tract 221.02: Block Group 1: Block 1000, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1010, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028; Block Group 4: Block 4012; Tract 222.01; Tract 222.02: Block Group 1; Block Group 2: Block 2000, Block 2005, Block 2006, Block 2007, Block 2008; Block Group 3; Block Group 4; Block Group 5: Block 5000, Block 5001, Block 5002, Block 5003, Block 5004, Block 5007; Tract 222.03: Block Group 1; Block Group 2; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3025; Tract 223: Block Group 1: Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1041, Block 1042, Block 1043; Block Group 2; Tract 323.19: Block Group 3: Block 3019, Block 3032; Snohomish County (part): Tract 511: Block Group 1; Block Group 2; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3026, Block 3027; Tract 512; Tract 513; Tract 519.05: Block Group 1: Block 1010, Block 1014, Block 1017, Block 1018, Block 1019, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030; Block Group 3: Block 3007; Block Group 5: Block Group 6: Block 6004, Block 6005, Block 6006, Block 6007, Block 6008; Tract 519.12; Tract 519.13; Tract 519.14; Tract 519.15: Block Group 1; Block Group 2; Block Group 3; Block Group 4: Block 4005, Block 4006, Block 4009, Block 4011; Tract 519.16: Block Group 1; Block Group 2: Block 2001, Block 2002, Block 2003, Block 2004, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019; Block Group 3; Tract 519.17; Tract 519.18; Tract 519.21: Block Group 1: Block 1000, Block 1010, Block 1013, Block 1014, Block 1015, Block 1016; Block Group 2; Block Group 3; Tract 519.22: Block Group 1: Block 1017, Block 1018; Block Group 2; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018; Tract 519.23: Block Group 1: Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015; Block Group 2; Block Group 3; Tract 519.24; Tract 519.25; Tract 519.26; Tract 519.27: Block Group 2: Block 2013, Block 2016; Tract 520.03: Block Group 4; Tract 521.05: Block Group 1: Block 1040, Block 1041, Block 1042, Block 1043, Block 1044, Block 1045; Tract 521.07; Tract 521.08; Tract 521.12; Tract 521.13: Block Group 1: Block 1006, Block 1007, Block 1008, Block 1009, Block 1010; Block Group 2: Block 2003, Block 2005, Block 2018, Block 2029, Block 2034, Block 2035, Block 2036; Tract 521.14: Block Group 1; Block Group 2: Block 2000, Block 2001, Block 2003, Block 2016, Block 2017, Block 2018, Block 2020, Block 2021; Block Group 3; Tract 521.15: Block Group 2: Block 2014; Block Group 3: Block 3010; Block Group 5: Block 5005; Block Group 6: Block 6003, Block 6004, Block 6005; Tract 521.18: Block Group 1; Block Group 2: Block 2025, Block 2026, Block 2027, Block 2028, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034.

District 2: Pierce County (part): Tract 701: Block Group 1: Block 1080, Block 1083; Block Group 2: Block 2006, Block 2007, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2021, Block 2022, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2049, Block 2050, Block 2051, Block 2052, Block 2053, Block 2054, Block 2055, Block 2056, Block 2057, Block 2058, Block 2059, Block 2060, Block 2061, Block 2062, Block 2063, Block 2064, Block 2065, Block 2066, Block 2067, Block

Group 1; Block Group 2; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3021, Block 3023, Block 3024, Block 3034, Block 3035, Block 3036, Block 3037, Block 3038, Block 3039, Block 3040, Block 3041, Block 3042, Block 3043, Block 3044, Block 3045, Block 3046, Block 3047, Block 3048, Block 3049, Block 3050, Block 3051, Block 3052, Block 3053, Block 3054, Block 3055, Block 3056, Block 3057, Block 3058, Block 3059, Block 3060, Block 3061, Block 3062, Block 3063, Block 3064, Block 3065, Block 3066; Block Group 4; Tract 733.02; Tract 734.06: Block Group 3: Block 3000, Block 3001, Block 3002, Block 3008; Tract 735; Tract 9400.09: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2007, Block 2008, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020; Tract 9400.10: Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2048, Block 2049, Block 2060.

District 32: King County (part): Tract 4.01; Tract 4.02; Tract 5; Tract 13: Block Group 2: Block 2002, Block 2003, Block 2004, Block 2005; Tract 14: Block Group 1; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2010, Block 2017, Block 2018; Tract 201; Tract 202; Tract 203; Tract 204.01: Block Group 1; Block Group 2; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3008, Block 3009, Block 3010, Block 3011, Block 3014, Block 3015, Block 3016; Tract 204.02: Block Group 1: Block 1003, Block 1004, Block 1005, Block 1006, Block 1007; Block Group 5: Block 5000, Block 5001, Block 5002, Block 5003, Block 5004, Block 5005, Block 5006, Block 5009; Tract 205; Tract 206; Tract 207; Tract 208; Tract 209; Tract 210; Tract 211; Tract 213: Block Group 2: Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019; Block Group 3: Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019; Tract 214: Block Group 2: Block 2007, Block 2008, Block 2009, Block 2010, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017; Block Group 3: Block 3005, Block 3006; Tract 9901: Block Group 0: Block 0001, Block 0002, Block 0003, Block 0004; Snohomish County (part): Tract 504.01: Block Group 1: Block 1000, Block 1002; Block Group 2; Tract 504.02: Block Group 1; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014; Block Group 3: Block 3006, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012; Tract 505: Block Group 2: Block 2017, Block 2018, Block 2022, Block 2023, Block 2024, Block 2025; Block Group 3: Block 3005, Block 3006, Block 3007, Block 3012, Block 3013, Block 3014, Block 3015, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025; Tract 506: Block Group 1: Block 1000, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036; Tract 507; Tract 508; Tract 509; Tract 510; Tract 511: Block Group 3: Block 3017; Tract 514; Tract 515; Tract 516.01: Block Group 2; Block Group 3: Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008; Block Group 4: Block 4000, Block 4002, Block 4003, Block 4004, Block 4005, Block 4007, Block 4008; Tract 516.02; Tract 517.01; Tract 517.02; Tract 518.02: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013; Block Group 2: Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2026, Block 2030, Block 2031, Block 2032; Block Group 3; Tract 519.05: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1011, Block 1012, Block 1013, Block 1015, Block 1016, Block 1020; Block Group 2; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003,

Block 3004, Block 3005, Block 3006; Block Group 4; Block Group 6: Block 6000, Block 6001, Block 6002, Block 6003; Block Group 7; Tract 519.15: Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4007, Block 4008, Block 4010; Tract 9900.02: Block Group 0: Block 0049, Block 0050.

District 33: King County (part): Tract 262: Block Group 1: Block 1139, Block 1140, Block 1141, Block 1142; Tract 264: Block Group 1: Block 1035, Block 1036, Block 1047, Block 1048, Block 1049, Block 1050; Block Group 2; Block Group 3; Block Group 4: Block 4000, Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011, Block 4012, Block 4013, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019, Block 4020, Block 4021, Block 4022, Block 4025, Block 4026, Block 4027, Block 4028; Block Group 5: Block 5000, Block 5001, Block 5002, Block 5003, Block 5004, Block 5005, Block 5006, Block 5007, Block 5009, Block 5010, Block 5011, Block 5012, Block 5013, Block 5014, Block 5015, Block 5016, Block 5017, Block 5018, Block 5019; Tract 270: Block Group 1; Block Group 2: Block 2000, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013; Tract 271: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1004, Block 1005, Block 1007, Block 1014, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021; Block Group 2; Tract 273: Block Group 3; Block Group 4; Tract 274: Block Group 1; Block Group 2; Block Group 3: Block 3013, Block 3014, Block 3015, Block 3016, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3026; Tract 278: Block Group 2: Block 2000, Block 2001; Block Group 3: Block 3013, Block 3014, Block 3015, Block 3018; Tract 279: Block Group 4: Block 4019; Tract 280: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1019; Block Group 2: Block 2000, Block 2001, Block 2002, Block 2003, Block 2004, Block 2005; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3009, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3016, Block 3017, Block 3018, Block 3019; Tract 281: Block Group 1: Block 1002, Block 1004, Block 1005, Block 1006; Block Group 2: Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027; Tract 283: Block Group 1: Block 1007, Block 1009, Block 1010, Block 1013, Block 1014, Block 1015; Block Group 2: Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009; Block Group 3: Block 3007, Block 3014, Block 3015, Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3024, Block 3025, Block 3027, Block 3028, Block 3029, Block 3030, Block 3032, Block 3033, Block 3035, Block 3036, Block 3037, Block 3038, Block 3039, Block 3040, Block 3041, Block 3042, Block 3043, Block 3044, Block 3045, Block 3046, Block 3047, Block 3051, Block 3052, Block 3053, Block 3054, Block 3056, Block 3057, Block 3058, Block 3059, Block 3060, Block 3062, Block 3063, Block 3064, Block 3066, Block 3067, Block 3068, Block 3069, Block 3071, Block 3072, Block 3073, Block 3074, Block 3075, Block 3076, Block 3077, Block 3080, Block 3081, Block 3082, Block 3083, Block 3084, Block 3085, Block 3086, Block 3087, Block 3088; Tract 284.02; Tract 284.03; Tract 285; Tract 286: Block Group 1; Block Group 2; Block Group 3; Block Group 4; Block Group 5: Block 5000, Block 5001, Block 5008, Block 5009, Block 5010, Block 5011, Block 5012, Block 5013, Block 5014, Block 5015, Block 5016, Block 5017, Block 5018, Block 5019, Block 5020, Block 5021, Block 5024, Block 5025, Block 5026, Block 5028, Block 5029; Block Group 6; Tract 287; Tract 288.01; Tract 288.02: Block Group 1; Block Group 2: Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2049, Block 2050, Block 2051, Block 2052, Block 2053, Block 2054, Block 2055; Block Group 3; Block Group 4; Tract 289.01; Tract 289.02; Tract 290.01; Tract 290.03; Tract 290.04; Tract 291.01; Tract 291.02; Tract 292.03; Tract 292.04; Tract 292.05; Tract 292.06: Block Group 1: Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block

3026, Block 3027, Block 3028, Block 3029, Block 3030, Block 3031, Block 3032, Block 3033, Block 3038, Block 3059, Block 3060, Block 3063, Block 3064, Block 3065, Block 3066, Block 3067, Block 3068, Block 3069, Block 3070, Block 3071, Block 3072, Block 3075, Block 3076, Block 3080, Block 3081, Block 3082; Tract 319.06: Block Group 2: Block 2018, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025; Tract 319.09: Block Group 1: Block 1015, Block 1019, Block 1020, Block 1023, Block 1024, Block 1025; Block Group 2: Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009; Tract 320.05: Block Group 1: Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1041, Block 1044, Block 1045; Block Group 2; Block Group 3; Block Group 4; Block Group 5; Block Group 6; Tract 320.06: Block Group 1; Block Group 2: Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2051, Block 2052; Block Group 3; Tract 320.07: Block Group 2: Block 2003, Block 2004, Block 2005, Block 2006, Block 2009, Block 2010, Block 2011, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021.

District 48: King County (part): Tract 224: Block Group 2: Block 2003, Block 2004, Block 2005, Block 2026; Block Group 3: Block 3000, Block 3034, Block 3035; Block Group 4: Block 4000, Block 4017, Block 4018; Tract 225: Block Group 1; Block Group 2: Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024; Block Group 3; Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019, Block 4023, Block 4024, Block 4025; Block Group 5: Block 5000, Block 5001, Block 5002, Block 5004, Block 5009, Block 5010, Block 5011, Block 5012, Block 5013, Block 5014, Block 5015, Block 5016, Block 5017, Block 5018, Block 5019, Block 5020, Block 5021, Block 5022; Tract 226.03: Block Group 2: Block 2013, Block 2014, Block 2015, Block 2016; Block Group 3: Block 3013, Block 3014, Block 3015; Block Group 4: Block 4004, Block 4005, Block 4006, Block 4010, Block 4011, Block 4012, Block 4013, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019; Block Group 5; Tract 226.04; Tract 226.05: Block Group 1: Block 1038, Block 1043, Block 1050, Block 1051, Block 1052, Block 1053; Block Group 2: Block 2001, Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2010, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027; Block Group 3; Tract 226.06; Tract 227.01; Tract 227.02; Tract 227.03; Tract 228.01; Tract 228.02; Tract 228.03; Tract 229.01; Tract 229.02; Tract 230; Tract 231; Tract 232.01; Tract 232.02; Tract 233; Tract 234.01: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020; Block Group 2: Block 2035, Block 2042; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3007, Block 3008, Block 3009, Block 3010, Block 3011, Block 3012, Block 3014, Block 3015, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021; Tract 234.03: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1008, Block 1009, Block 1010, Block 1011, Block 1012, Block 1013, Block 1014, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033; Block Group 2; Block Group 3; Tract 234.04: Block Group 1: Block 1021, Block 1022; Tract 236.01: Block Group 1: Block 1000, Block 1001, Block 1002, Block 1003, Block 1004, Block 1005, Block 1006, Block 1007, Block 1010, Block 1011, Block 1013, Block 1019; Tract 236.03: Block Group 1; Block Group 2; Block Group 3: Block 3000, Block 3001, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3012, Block 3013; Block Group 4; Tract 237; Tract 238.03; Tract 240: Block Group 1; Block Group 2; Block Group 3; Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4007, Block 4012, Block 4013, Block 4014,

Block 4015, Block 4021, Block 4022, Block 4038; Tract 241; Tract 242; Tract 248: Block Group 1: Block 1000, Block 1003; Tract 250.03: Block Group 2: Block 2003, Block 2004; Tract 323.09: Block Group 1: Block 1006, Block 1007, Block 1008, Block 1011, Block 1012, Block 1013, Block 1014, Block 1015, Block 1016, Block 1017, Block 1018, Block 1019, Block 1020, Block 1021, Block 1022, Block 1023, Block 1024, Block 1025, Block 1026, Block 1027, Block 1028, Block 1029, Block 1030, Block 1031, Block 1032, Block 1033, Block 1034, Block 1035, Block 1036, Block 1037, Block 1038, Block 1039, Block 1040, Block 1041, Block 1042, Block 1043, Block 1044, Block 1045, Block 1046, Block 1047, Block 1048, Block 1049, Block 1050, Block 1051, Block 1052, Block 1053, Block 1054, Block 1055, Block 1056, Block 1057, Block 1058, Block 1059, Block 1060, Block 1061; Block Group 2; Block Group 3: Block 3012, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3026, Block 3027, Block 3028, Block 3029, Block 3030, Block 3031, Block 3032, Block 3033, Block 3034, Block 3035, Block 3036, Block 3037, Block 3038, Block 3039, Block 3040, Block 3041, Block 3042, Block 3043, Block 3044; Tract 323.13: Block Group 1: Block 1002, Block 1009, Block 1012; Block Group 2: Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2018, Block 2019, Block 2020, Block 2021, Block 2022, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2049, Block 2050, Block 2051, Block 2052, Block 2053, Block 2054; Block Group 3: Block 3000, Block 3001, Block 3002, Block 3003, Block 3004, Block 3005, Block 3006, Block 3007, Block 3008, Block 3010, Block 3011, Block 3012, Block 3013, Block 3014, Block 3015, Block 3016, Block 3017, Block 3025, Block 3026; Block Group 4; Tract 323.24: Block Group 1; Block Group 2; Block Group 3; Block Group 4: Block 4017, Block 4018, Block 4019; Tract 323.25; Tract 323.26: Block Group 2: Block 2058.

District 49: Clark County (part): Tract 404.11: Block Group 2: Block 2002, Block 2003, Block 2004, Block 2005, Block 2006, Block 2007, Block 2008, Block 2009, Block 2014, Block 2015; Tract 408.03; Tract 408.08; Tract 408.09; Tract 408.10; Tract 409.04: Block Group 1: Block 1000, Block 1010; Block Group 2; Block Group 3; Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4010, Block 4011, Block 4012, Block 4013, Block 4014, Block 4015, Block 4016, Block 4017, Block 4018, Block 4019, Block 4020, Block 4021, Block 4022; Tract 409.08: Block Group 3: Block 3016, Block 3017, Block 3018, Block 3019, Block 3020, Block 3021, Block 3022, Block 3023, Block 3024, Block 3025, Block 3028, Block 3029; Tract 409.09: Block Group 2: Block 2000, Block 2001, Block 2013; Tract 409.10: Block Group 1: Block 1030, Block 1032, Block 1033; Tract 410.03; Tract 410.05: Block Group 1; Block Group 2: Block 2011, Block 2012, Block 2013, Block 2014, Block 2015, Block 2016, Block 2017, Block 2023, Block 2024, Block 2025, Block 2026, Block 2027, Block 2028, Block 2029, Block 2030, Block 2031, Block 2032, Block 2033, Block 2034, Block 2035, Block 2036, Block 2037, Block 2038, Block 2039, Block 2040, Block 2041, Block 2042, Block 2043, Block 2044, Block 2045, Block 2046, Block 2047, Block 2048, Block 2049, Block 2050, Block 2051, Block 2052, Block 2053, Block 2054, Block 2055, Block 2056, Block 2057, Block 2058, Block 2059, Block 2060, Block 2061, Block 2062, Block 2063, Block 2064, Block 2065, Block 2066, Block 2067, Block 2068, Block 2069, Block 2070, Block 2071, Block 2072, Block 2073, Block 2074, Block 2075, Block 2076, Block 2077, Block 2078, Block 2079, Block 2080, Block 2081, Block 2082, Block 2083, Block 2084, Block 2085, Block 2086, Block 2087, Block 2088, Block 2089, Block 2090, Block 2091, Block 2092, Block 2093; Tract 410.07; Tract 410.08; Tract 410.09; Tract 410.10; Tract 410.11; Tract 411.05; Tract 411.07; Tract 411.08; Tract 411.10; Tract 411.11; Tract 411.12; Tract 412.01: Block Group 1; Block Group 2; Block Group 3; Block Group 4: Block 4000, Block 4001, Block 4002, Block 4003, Block 4004, Block 4005, Block 4006, Block 4007, Block 4008, Block 4009, Block 4010, Block 4011; Block Group 5; Tract 412.03; Tract 412.05; Tract 412.06; Tract 413.09: Block Group 1: Block 1021, Block 1022; Tract 413.17: Block Group 2: Block 2034; Tract 413.22: Block Group 1: Block 1008; Tract 416; Tract 417; Tract 418; Tract 419; Tract 420; Tract 421; Tract 423; Tract 424; Tract 425; Tract 426; Tract 427; Tract 428; Tract 429; Tract 430; Tract 431.

Chapter 44.16 RCW
LEGISLATIVE INQUIRY

Sections

44.16.010	Examination of witnesses—Compulsory process.
44.16.020	Service of process.
44.16.030	Chair to administer oaths.
44.16.040	Commission to examine absent witness.
44.16.050	Commission executed during recess.
44.16.060	To whom directed—Interrogatories.
44.16.070	Oath and powers of commissioner.
44.16.080	Examination to be private.
44.16.090	Testimony reduced to writing.
44.16.100	Return of depositions.
44.16.110	Fees of commissioner and witnesses.
44.16.120	Punishment of recalcitrant witness.
44.16.130	Failure to attend—Contempt.
44.16.140	Refusal to testify—Contempt.
44.16.150	Punishment for contempt.
44.16.160	Warrant of imprisonment.
44.16.170	Record of proceedings.

Reviser's note: "Act" has been translated to "chapter" throughout chapter 44.16 RCW as the entire chapter is composed of 1895 c 6 with the exception of 1897 c 33 § 1, which is supplementary thereto.

Joint administrative rules review committee, subpoena powers: RCW 34.05.675 and 34.05.681.

44.16.010 Examination of witnesses—Compulsory process. Every chair or presiding member of any committee of either the senate or house of representatives, or any joint committee of the senate or house of representatives, which, by the terms of its appointment, shall be authorized to send for persons and papers, shall have power, under the direction of such committee, to issue compulsory process for the attendance of any witness within the state whom the committee may wish to examine. [2009 c 549 § 6003; 1895 c 6 § 1; RRS § 8178.]

44.16.020 Service of process. All process provided for in this chapter may be served in the same manner as is provided by law for the service of process in the superior court; and it shall be the duty of any officer to whom any process may be delivered or issued, to serve the same as directed: PROVIDED, That in the service of process a copy thereof shall be delivered to the witness. [1895 c 6 § 15; RRS § 8192.]

Service of summons: RCW 4.28.080.

44.16.030 Chair to administer oaths. The chair or presiding member of any committee of either the senate, house of representatives, or any joint committee thereof, shall be authorized to administer oaths to all witnesses coming before such committee for examination; and all witnesses who shall testify in any proceeding provided for in this chapter, shall be under oath or affirmation. [2009 c 549 § 6004; 1895 c 6 § 2; RRS § 8179.]

44.16.040 Commission to examine absent witness. Every such chair or presiding member shall also have power, under the direction of the committee, to issue a commission for the examination of any witness who shall be without the jurisdiction of the state, or if within the state, shall be unable to attend, or who shall, for any reasons, be excused by the committee from attendance. [2009 c 549 § 6005; 1895 c 6 § 3; RRS § 8180.]

44.16.050 Commission executed during recess.

Whenever such committee shall obtain authority for that purpose, from the senate or house, or legislature, by which it may be appointed, it may issue such commission to be executed during the recess of the legislature. [1895 c 6 § 4; RRS § 8181.]

44.16.060 To whom directed—Interrogatories.

Every such commission shall be directed to such magistrate or other person, as the committee may designate, and interrogatories framed by the committee shall be annexed thereto. [1895 c 6 § 5; RRS § 8182.]

44.16.070 Oath and powers of commissioner. The person to whom such commission shall be directed, if he or she reside within the state and accept the trust, shall, before entering upon the execution of his or her duties, take the oath of office prescribed in the Constitution. Such commissioner shall have power to issue process to compel the attendance of witnesses, whom he or she shall be required to examine, and shall have power to administer oaths to such witnesses. [2009 c 549 § 6006; 1895 c 6 § 6; RRS § 8183.]

44.16.080 Examination to be private. Unless otherwise directed by the committee, it shall in all cases be the duty of the commissioner to examine, in private, every witness attending before him or her, and not to make public the particulars of such examination, when so made in private, until the same shall be made public by order of the house or legislature appointing the committee. [2009 c 549 § 6007; 1895 c 6 § 7; RRS § 8184.]

44.16.090 Testimony reduced to writing. Every witness so attending shall be examined on oath or affirmation, and his or her testimony shall be reduced to writing by the commissioner, or by some disinterested person in his or her presence and under the direction of said commissioner, and signed by the witness. [2009 c 549 § 6008; 1895 c 6 § 8; RRS § 8185.]

44.16.100 Return of depositions. When a commission shall have been duly executed, the commissioner shall annex thereto the depositions of the witnesses, duly certified by him or her, and shall, without delay, transmit the same by mail, inclosed and under seal, or deliver the same, to the chair of the committee by which the commission shall have been issued, or to such person as by the committee directed. [2009 c 549 § 6009; 1895 c 6 § 9; RRS § 8186.]

44.16.110 Fees of commissioner and witnesses. A person executing any such commission shall be paid, out of the state treasury, the same fees that are allowed by law for the taking of depositions on commissions issued out of the superior courts of this state; and any witness attending before either house of the legislature, or any committee or joint committee thereof, or before any such commissioner, shall be so paid two dollars per day for each day in attendance, and five cents a mile for the distance necessarily traveled in attending as such witness. [1895 c 6 § 10; RRS § 8187.]

44.16.120 Punishment of recalcitrant witness. Any person who shall fail to attend as a witness upon any committee appointed by either the house or senate of the state of Washington, or both, after having been duly subpoenaed as provided in this chapter, or who, being in attendance as a witness before such committee, shall refuse to answer any question or produce any paper or document or book which he or she is required to answer or to produce by such committee, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five hundred dollars, or by imprisonment in the county jail for a term not longer than six months, or by both such fine and imprisonment. [2009 c 549 § 6010; 1897 c 33 § 1; RRS § 8194.]

Witness refusing to attend legislature or committee or to testify: RCW 9.55.020.

44.16.130 Failure to attend—Contempt. A person who, being duly summoned to attend as a witness before either house of the legislature, or any committee or joint committee thereof, or commissioner authorized to summon witnesses, refuses or neglects, without lawful excuse, to attend pursuant to such summons, shall be punished as for contempt, as hereinafter provided. [1895 c 6 § 11; RRS § 8188.]

44.16.140 Refusal to testify—Contempt. A person who, being present before either house of the legislature, or any committee or joint committee thereof, or commissioner authorized to summon witnesses, wilfully refuses to be sworn or affirmed, or to answer any material and proper question, or to produce, upon reasonable notice, any material and proper books, papers or documents in his or her possession or under his or her control, shall be punished as for contempt, as hereinafter provided. [2009 c 549 § 6011; 1895 c 6 § 12; RRS § 8189.]

44.16.150 Punishment for contempt. Any person being in contempt, as hereinbefore provided, shall be punished by fine in any sum not less than fifty dollars and not exceeding one thousand dollars, or by imprisonment in the county jail in the county where such examination is being had, for any period of time not extending beyond the legislative session then being held, or by both such fine and imprisonment, as the legislative body which authorized such examination may order. And in case the contempt arises in a joint proceeding of both houses, or before a joint committee thereof, the senate shall prescribe the penalty. [1895 c 6 § 13; RRS § 8190.]

Contempt: Chapter 7.21 RCW.

Witness refusing to attend legislature or committee or to testify: RCW 9.55.020.

44.16.160 Warrant of imprisonment. If any fine is imposed against any person for contempt, as hereinbefore provided, he or she shall stand committed to the county jail of the county in which the offense was committed until such fine is paid. The presiding officer of the house, fixing the fine, shall issue a warrant to the sheriff of the county where the offense was committed, commanding him or her to imprison such person in the county jail until such fine is paid, or until he or she has been imprisoned in such jail one day for

(2019 Ed.)

every three dollars of such fine. [2009 c 549 § 6012; 1895 c 6 § 14; RRS § 8191.]

44.16.170 Record of proceedings. Every such committee shall keep a record of its proceedings under the provisions of this chapter, which record shall be signed by the chair or presiding officer of the committee, and the same returned to the legislative body by which the committee was appointed, as a part of the report of such committee. [2009 c 549 § 6013; 1895 c 6 § 16; RRS § 8193.]

Chapter 44.20 RCW SESSION LAWS

Sections

44.20.010	Engrossed bills filed with secretary of state.
44.20.020	Chapter numbers—Bill copies certified, delivered—Citation by number and year.
44.20.030	Session laws—Separate copies to be available.
44.20.050	Publication of session laws—Headings, index.
44.20.060	Duty of code reviser in arranging laws.
44.20.080	Private publication restricted.

Distribution of session laws: RCW 40.04.031.

Revised Code of Washington: Chapter 1.04 RCW.

44.20.010 Engrossed bills filed with secretary of state. Whenever any bill shall have passed both houses, the house transmitting the enrolled bill to the governor shall also file with the secretary of state the engrossed bill, together with the history of such bill up to the time of transmission to the governor. [1907 c 136 § 1; RRS § 8196.]

Secretary of state to keep record of acts of the legislature: State Constitution Art. 3 § 17; RCW 43.07.040.

44.20.020 Chapter numbers—Bill copies certified, delivered—Citation by number and year. Whenever any bill shall become a law the secretary of state shall number such bill in the order in which it became a law, commencing with each session of the legislature, and shall forthwith certify and deliver three copies of such bill to the statute law committee. Such number shall be in Arabic numerals, and shall be the chapter number of the act when published. A citation to the chapter number and year of the session laws heretofore or hereafter published shall be a sufficient reference to the act so designated. [1969 c 6 § 1; 1907 c 136 § 2; RRS § 8197.]

44.20.030 Session laws—Separate copies to be available. The statute law committee, after every legislative session, whether regular or special, shall have available, on demand, for temporary use separate copies of each act filed in the office of secretary of state within ten days after the filing thereof. [2006 c 46 § 1; 1982 1st ex.s. c 32 § 3; 1969 c 6 § 2; 1961 c 21 § 1; 1933 ex.s. c 31 § 1; 1933 c 27 § 1; 1925 ex.s. c 35 § 1; 1907 c 136 § 3; RRS § 8198.]

Statute law committee: Chapter 1.08 RCW.

44.20.050 Publication of session laws—Headings, index. When all of the acts of any session of the legislature and initiative measures enacted by the people since the next preceding session have been certified to the statute law committee, the code reviser employed by the statute law committee,

tee shall make the proper headings and index of such acts or laws and, after such work has been completed, the statute law committee shall have published on the code reviser or legislative web site within seventy-five days after final adjournment of the legislature for that year and publish as many paper sets as deemed necessary by the committee of such acts and laws, with such headings and indexes, and such other matter as may be deemed essential, including a title page showing the session at which such acts were passed, the date of convening and adjournment of the session, and any other matter deemed proper, including a certificate by the secretary of state of such referendum measures as may have been enacted by the people since the next preceding session. [2011 c 156 § 6; 2006 c 46 § 2; 1982 1st ex.s. c 32 § 4; 1969 c 6 § 4; 1951 c 157 § 18; 1915 c 27 § 1; 1907 c 136 § 5; RRS § 8200.]

Purpose—Finding—Intent—2011 c 156: See note following RCW 1.08.080.

44.20.060 Duty of code reviser in arranging laws. In arranging the laws, memorials and resolutions for publication, the code reviser is hereby authorized to make such corrections in the orthography, clerical errors and punctuation of the same as in his or her judgment shall be deemed essential: PROVIDED, That when any words or clauses shall be inserted, the same shall be inclosed in brackets; and no correction shall be made which changes the intent or meaning of any sentence, section or act of the legislature. [2009 c 549 § 6014; 1969 c 6 § 5; 1890 p 632 § 8; RRS § 8203.]

44.20.080 Private publication restricted. It shall be unlawful for any person to print and publish for sale the session laws of any session in book form within one year after the adjournment of such session, other than those ordered printed by the statute law committee, or to deliver to anyone other than such committee or upon their order any of the session laws so ordered printed by them: PROVIDED, This section shall not apply to any general compilation of the laws of this state or to a compilation of any special laws or laws on any special subject. [1969 c 6 § 6; 1907 c 136 § 6; RRS § 8201.]

Chapter 44.28 RCW

JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Sections

44.28.005	Definitions.
44.28.010	Committee created—Members.
44.28.020	Terms of members—Vacancies.
44.28.040	Travel expenses.
44.28.050	Expenses of committee—Vouchers.
44.28.055	Administration.
44.28.060	Executive committee—Legislative auditor—Rules, subcommittees.
44.28.065	Legislative auditor—Duties.
44.28.071	Conduct of performance audits.
44.28.075	Performance audits—Scope.
44.28.080	Powers—Appropriations, expenses, revenues.
44.28.083	Performance audit work plans.
44.28.088	Performance audit reports—Preliminary, final.
44.28.091	Compliance reports—Preliminary and final.
44.28.094	Quality control review of joint committee.
44.28.097	Agency and local government reports furnished to joint committee.
44.28.100	Reports, minutes.

44.28.110	Examinations—Subpoenas—Depositions—Access to confidential records.
44.28.120	Contempt proceedings—Recalcitrant witnesses.
44.28.130	Witness fees and mileage.
44.28.150	Cooperation with legislative committees and others.
44.28.155	WorkFirst program evaluation.
44.28.156	Education performance agreement pilot—Evaluation.
44.28.157	School district health benefits—Review—Recommendations—Performance grants—Report.
44.28.190	Review of increased density bonus for affordable housing located on property owned by a religious organization.
44.28.800	Legislation affecting persons with mental illness—Report to legislature.
44.28.805	Review of distributions to cities and counties—Report.
44.28.810	Review of governor's interagency coordinating council on health disparities—Report to the legislature.
44.28.812	Review of impact fee deferral requirements.
44.28.818	Review of office of privacy and data protection.
44.28.900	Severability—1951 c 43.

Director of financial management: Chapter 43.41 RCW.

Evaluation of opportunity scholarship and opportunity expansion programs: RCW 28B.145.080.

Loan program for mathematics and science teachers—Review of: RCW 28B.15.766.

Personal service contracts, filing with joint legislative audit and review committee required: Chapter 39.26 RCW.

Review of motion picture competitiveness program: RCW 43.365.050.

Review of state-funded programs that serve unaccompanied homeless youth: RCW 43.330.717.

State budgeting, accounting, and reporting: Chapter 43.88 RCW.

Study of funds related to state transportation programs: RCW 43.88.125.

Sunset review process: Chapter 43.131 RCW.

Termination of tax preferences: Chapter 43.136 RCW.

44.28.005 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Legislative auditor" means the executive officer of the joint legislative audit and review committee.

(2) "Economy and efficiency audits" means performance audits that establish: (a) Whether a state agency or unit of local government receiving state funds is acquiring, protecting, and using its resources such as personnel, property, and space economically and efficiently; (b) the causes of inefficiencies or uneconomical practices; and (c) whether the state agency or local government has complied with significant laws and rules in acquiring, protecting, and using its resources.

(3) "Final compliance report" means a written document, as approved by the joint committee, that states the specific actions a state agency or unit of local government receiving state funds has taken to implement recommendations contained in the final performance audit report and the preliminary compliance report. Any recommendations, including proposed legislation and changes in the agency's rules and practices or the local government's practices, based on testimony received, must be included in the final compliance report.

(4) "Final performance audit report" means a written document adopted by the joint legislative audit and review committee that contains the findings and proposed recommendations made in the preliminary performance audit report, the final recommendations adopted by the joint committee, any comments to the preliminary performance audit report by the joint committee, and any comments to the pre-

liminary performance audit report by the state agency or local government that was audited.

(5) "Joint committee" means the joint legislative audit and review committee.

(6) "Local government" means a city, town, county, special purpose district, political subdivision, municipal corporation, or quasi-municipal corporation, including a public corporation created by such an entity.

(7) "Performance audit" means an objective and systematic assessment of a state agency or any of its programs, functions, or activities, or a unit of local government receiving state funds, by an independent evaluator in order to help public officials improve efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits. A performance audit of a local government may only be made to determine whether the local government is using state funds for their intended purpose in an efficient and effective manner.

(8) "Performance measures" are a composite of key indicators of a program's or activity's inputs, outputs, outcomes, productivity, timeliness, and/or quality. They are means of evaluating policies and programs by measuring results against agreed upon program goals or standards.

(9) "Preliminary compliance report" means a written document that states the specific actions a state agency or unit of local government receiving state funds has taken to implement any recommendations contained in the final performance audit report.

(10) "Preliminary performance audit report" means a written document prepared for review and comment by the joint legislative audit and review committee after the completion of a performance audit. The preliminary performance audit report must contain the audit findings and any proposed recommendations to improve the efficiency, effectiveness, or accountability of the state agency or local government audited.

(11) "Program audits" means performance audits that determine: (a) The extent to which desired outcomes or results are being achieved; (b) the causes for not achieving intended outcomes or results; and (c) compliance with significant laws and rules applicable to the program.

(12) "State agency" or "agency" means a state agency, department, office, officer, board, commission, bureau, division, institution, or institution of higher education. "State agency" includes all elective offices in the executive branch of state government. [1996 c 288 § 2.]

Findings and intent—1996 c 288: "The public expects the legislature to address citizens' increasing demand for the basic services of state government, while limiting the growth in spending. The public demands that public officials and state employees be accountable to provide maximum value for every dollar entrusted to state government. The public believes that it is possible to improve the responsiveness of state government and to save the taxpayers' money, and that efficiency and effectiveness should result in savings.

The legislature, public officials, state employees, and citizens need to know the extent to which state agencies, programs, and activities are achieving the purposes for which they were created. It is essential to compare the conditions, problems, and priorities that led to the creation of government programs with current conditions, problems, and priorities, and to examine the need for and performance of those programs in the current environment.

Along with examining the performance of state agencies and programs, the legislature, public officials, state employees, and citizens must also consider the effect that state government programs can reasonably expect to have on citizens' lives, how the level of programs and services of Washington state government compares with that of other states, and alternatives for

service delivery, including other levels of government and the private sector including not-for-profit organizations. It is essential that the legislature, public officials, state employees, and citizens share a common understanding of the role of state government. The performance and relative priority of state agency programs and activities must be the basis for managing and allocating resources within Washington state government.

It is the intent of the legislature to strengthen the role of the current legislative budget committee so that it may more effectively examine how efficiently state agencies perform their responsibilities and whether the agencies are achieving their goals, and whether units of local government are using state funds for their intended purpose in an efficient and effective manner. It is also the intent of the legislature to enact a clear set of definitions for different types of audits in order to eliminate confusion with regard to government reviews." [1996 c 288 § 1.]

44.28.010 Committee created—Members. The joint legislative audit and review committee is created, which shall consist of eight senators and eight representatives from the legislature. The senate members of the joint committee shall be appointed by the president of the senate, and the house members of the joint committee shall be appointed by the speaker of the house. Not more than four members from each house shall be from the same political party. Members shall be appointed before the close of each regular session of the legislature during an odd-numbered year. [2010 c 26 § 1; 1996 c 288 § 3; 1983 c 52 § 1; 1980 c 87 § 30; 1969 c 10 § 4; 1967 ex.s. c 114 § 1; 1963 ex.s. c 20 § 1; 1955 c 206 § 4; 1951 c 43 § 1.]

44.28.020 Terms of members—Vacancies. The term of office of the members of the joint committee shall be two years, ending two years from the date of appointment or when a member is no longer a member of the house from which he or she was appointed, except that members shall continue to serve until a successor is appointed. Vacancies on the joint committee shall be filled from the same political party and from the same house as the member whose seat was vacated. Senate vacancies shall be filled through appointment by the president of the senate, and house vacancies shall be filled through appointment by the speaker of the house. [2010 c 26 § 2; 1996 c 288 § 4; 1980 c 87 § 31; 1969 c 10 § 5; 1955 c 206 § 5; 1951 c 43 § 12.]

44.28.040 Travel expenses. The members of the joint committee shall serve without additional compensation, but shall be reimbursed for their travel expenses in accordance with RCW 44.04.120 for attending meetings of the joint committee or a subcommittee of the joint committee, or while engaged on other business authorized by the joint committee. [1996 c 288 § 6; 1975-'76 2nd ex.s. c 34 § 134; 1951 c 43 § 14.]

Additional notes found at www.leg.wa.gov

44.28.050 Expenses of committee—Vouchers. All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon voucher forms as provided by the auditor. The legislative auditor may be authorized by the *legislative budget committee's executive committee to sign vouchers. Such authorization shall specify a dollar limitation and be set out in writing. A monthly report of such vouchers shall be submitted to the executive committee. If authorization is not given to the legislative auditor then the chair, or the vice chair in the chair's absence, is authorized to sign vouchers. This authority shall continue until the

chair's or vice chair's successors are selected after each ensuing session of the legislature. Vouchers may be drawn on funds appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the committee or both. [1989 c 137 § 1; 1955 c 206 § 7; 1951 c 43 § 15.]

***Reviser's note:** The "legislative budget committee" was redesignated the "joint legislative audit and review committee" by 1996 c 288 § 3.

Vouchers on public funds: Chapter 42.24 RCW.

44.28.055 Administration. The administration of the joint legislative audit and review committee is subject to RCW 44.04.260. [2001 c 259 § 2.]

44.28.060 Executive committee—Legislative auditor—Rules, subcommittees. The members of the joint committee shall form an executive committee consisting of one member from each of the four major political caucuses, which shall include a chair and a vice chair. The chair and vice chair shall serve for a period not to exceed two years. The chair and the vice chair may not be members of the same political party. The chair shall alternate between the members of the majority parties in the senate and the house of representatives.

Subject to RCW 44.04.260, the executive committee is responsible for performing all general administrative and personnel duties assigned to it in the rules and procedures adopted by the joint committee, as well as other duties delegated to it by the joint committee. The executive committee shall recommend applicants for the position of the legislative auditor to the membership of the joint committee. The legislative auditor shall be hired with the approval of a majority of the membership of the joint committee. Subject to RCW 44.04.260, the executive committee shall set the salary of the legislative auditor.

The joint committee shall adopt rules and procedures for its orderly operation. The joint committee may create subcommittees to perform duties under this chapter. [2001 c 259 § 3; 1996 c 288 § 7; 1975 1st ex.s. c 293 § 13; 1951 c 43 § 2.]

44.28.065 Legislative auditor—Duties. The legislative auditor shall:

(1) Establish and manage the office of the joint legislative audit and review committee to carry out the functions of this chapter;

(2) Direct the audit and review functions described in this chapter and ensure that performance audits are performed in accordance with the "Government Auditing Standards" published by the comptroller general of the United States as applicable to the scope of the audit;

(3) Make findings and recommendations to the joint committee and under its direction to the committees of the state legislature concerning the organization and operation of state agencies and the expenditure of state funds by units of local government;

(4) Subject to RCW 44.04.260, in consultation with and with the approval of the executive committee, hire staff necessary to carry out the purposes of this chapter. Subject to RCW 44.04.260, employee salaries, other than the legislative auditor, shall be set by the legislative auditor with the approval of the executive committee;

(5) Assist the several standing committees of the house and senate in consideration of legislation affecting state departments and their efficiency; appear before other legislative committees; and assist any other legislative committee upon instruction by the joint legislative audit and review committee;

(6) Provide the legislature with information obtained under the direction of the joint legislative audit and review committee;

(7) Maintain a record of all work performed by the legislative auditor under the direction of the joint legislative audit and review committee and keep and make available all documents, data, and reports submitted to the legislative auditor by any legislative committee. [2001 c 259 § 4; 1996 c 288 § 8; 1975 1st ex.s. c 293 § 17; 1955 c 206 § 9; 1951 c 43 § 11. Formerly RCW 44.28.140.]

44.28.071 Conduct of performance audits. (1) In conducting performance audits and other reviews, the legislative auditor shall work closely with the chairs and staff of standing committees of the senate and house of representatives, and may work in consultation with the state auditor and the director of financial management.

(2) The legislative auditor may contract with and consult with public and private independent professional and technical experts as necessary in conducting the performance audits. The legislative auditor should also involve frontline employees and internal auditors in the performance audit process to the highest possible degree.

(3) The legislative auditor shall work with the legislative evaluation and accountability program committee and the office of financial management to develop information system capabilities necessary for the performance audit requirements of this chapter.

(4) The legislative auditor shall work with the legislative office of performance review and the office of financial management to facilitate the implementation of effective performance measures throughout state government. In agencies and programs where effective systems for performance measurement exist, the measurements incorporated into those systems should be a basis for performance audits conducted under this chapter. [1996 c 288 § 9.]

44.28.075 Performance audits—Scope. (1) Subject to the requirements of the performance audit work plan approved by the joint committee under RCW 44.28.083, performance audits may, in addition to the determinations that may be made in such an audit as specified in RCW 44.28.005, include the following:

(a) An examination of the costs and benefits of agency programs, functions, and activities;

(b) Identification of viable alternatives for reducing costs or improving service delivery;

(c) Identification of gaps and overlaps in service delivery, along with corrective action; and

(d) Comparison with other states whose agencies perform similar functions, as well as their relative funding levels and performance.

(2) As part of a performance audit, the legislative auditor may review the costs of programs recently implemented by the legislature to compare actual agency costs with the appro-

priations provided and the cost estimates that were included in the fiscal note for the program at the time the program was enacted. [1996 c 288 § 10.]

44.28.080 Powers—Appropriations, expenses, revenues. The joint committee has the following powers:

(1) To make examinations and reports concerning whether or not appropriations are being expended for the purposes and within the statutory restrictions provided by the legislature; and concerning the organization and operation of procedures necessary or desirable to promote economy, efficiency, and effectiveness in state government, its officers, boards, committees, commissions, institutions, and other state agencies, and to make recommendations and reports to the legislature.

(2) To make such other studies and examinations of economy, efficiency, and effectiveness of state government and its state agencies as it may find advisable, and to hear complaints, hold hearings, gather information, and make findings of fact with respect thereto.

(3) To conduct program and fiscal reviews of any state agency or program scheduled for termination under the process provided under chapter 43.131 RCW.

(4) To perform other legislative staff studies of state government or the use of state funds.

(5) To conduct performance audits in accordance with the work plan adopted by the joint committee under *RCW 44.28.180.

(6) To receive a copy of each report of examination or audit issued by the state auditor for examinations or audits that were conducted at the request of the joint committee and to make recommendations as it deems appropriate as a separate addendum to the report or audit.

(7) To develop internal tracking procedures that will allow the legislature to measure the effectiveness of performance audits conducted by the joint committee including, where appropriate, measurements of cost-savings and increases in efficiency and effectiveness in how state agencies deliver their services.

(8) To receive messages and reports in person or in writing from the governor or any other state officials and to study generally any and all business relating to economy, efficiency, and effectiveness in state government and state agencies. [1996 c 288 § 11; 1975 1st ex.s. c 293 § 14; 1955 c 206 § 10; 1951 c 43 § 4.]

*Reviser's note: RCW 44.28.180 was recodified as RCW 44.28.083 pursuant to 1996 c 288 § 55.

44.28.083 Performance audit work plans. (1) At the conclusion of the regular legislative session of each odd-numbered year, the joint legislative audit and review committee shall develop and approve a performance audit work plan for the ensuing biennium. The biennial work plan may be modified, as necessary, at the conclusion of other legislative sessions to reflect actions taken by the legislature and the joint committee. The work plan shall include a description of each performance audit, and the cost of completing the audits on the work plan shall be limited to the funds appropriated to the joint committee. Approved performance audit work plans shall be transmitted to the entire legislature by July 1st following the conclusion of each regular session of an odd-num-

(2019 Ed.)

bered year and as soon as practical following other legislative sessions.

(2) Among the factors to be considered in preparing the work plans are:

(a) Whether a program newly created or significantly altered by the legislature warrants continued oversight because (i) the fiscal impact of the program is significant, or (ii) the program represents a relatively high degree of risk in terms of reaching the stated goals and objectives for that program;

(b) Whether implementation of an existing program has failed to meet its goals and objectives by any significant degree;

(c) Whether a follow-up audit would help ensure that previously identified recommendations for improvements were being implemented; and

(d) Whether an assignment for the joint committee to conduct a performance audit has been mandated in legislation.

(3) The legislative auditor may consult with the chairs and staff of appropriate legislative committees, the state auditor, and the director of financial management in developing the performance audit work plan. [2010 c 26 § 3; 1996 c 288 § 12; 1993 c 406 § 5. Formerly RCW 44.28.180.]

Additional notes found at www.leg.wa.gov

44.28.088 Performance audit reports—Preliminary, final. (1) When the legislative auditor has completed a performance audit authorized in the performance audit work plan, the legislative auditor shall transmit the preliminary performance audit report to the affected state agency or local government and the office of financial management for comment. The agency or local government and the office of financial management shall provide any response to the legislative auditor within thirty days after receipt of the preliminary performance audit report unless a different time period is approved by the joint committee. The legislative auditor shall incorporate the response of the agency or local government and the office of financial management into the final performance audit report.

(2) Before releasing the results of a performance audit to the legislature or the public, the legislative auditor shall submit the preliminary performance audit report to the joint committee for its review, comments, and final recommendations. Any comments by the joint committee must be included as a separate addendum to the final performance audit report. Upon consideration and incorporation of the review, comments, and recommendations of the joint committee, the legislative auditor shall transmit the final performance audit report to the affected agency or local government, the director of financial management, the leadership of the senate and the house of representatives, and the appropriate standing committees of the house of representatives and the senate and shall publish the results and make the report available to the public. For purposes of this section, "leadership of the senate and the house of representatives" means the speaker of the house, the majority leaders of the senate and the house of representatives, the minority leaders of the senate and the house of representatives, the caucus chairs of both major political parties of the senate and the house of representatives, and the floor leaders of both major political parties

of the senate and the house of representatives. [2010 c 26 § 4; 2005 c 319 § 113; 2003 c 362 § 14; 1996 c 288 § 13.]

Findings—Intent—Part headings—Effective dates—2005 c 319: See notes following RCW 43.17.020.

44.28.091 Compliance reports—Preliminary and final. (1) No later than nine months after the final performance audit has been transmitted by the joint committee to the appropriate standing committees of the house of representatives and the senate, the joint committee in consultation with the standing committees may produce a preliminary compliance report on the agency's or local government's compliance with the final performance audit recommendations. The agency or local government may attach its comments to the joint committee's preliminary compliance report as a separate addendum.

(2) Within three months after the issuance of the preliminary compliance report, the joint committee may hold at least one public hearing and receive public testimony regarding the findings and recommendations contained in the preliminary compliance report. The joint committee may waive the public hearing requirement if the preliminary compliance report demonstrates that the agency or local government is in compliance with the audit recommendations. The joint committee shall issue any final compliance report within four weeks after the public hearing or hearings. The legislative auditor shall transmit the final compliance report in the same manner as a final performance audit is transmitted under RCW 44.28.088. [1996 c 288 § 14.]

44.28.094 Quality control review of joint committee. Subject to the joint committee's approval, the office of the joint committee shall undergo an external quality control review within three years of June 6, 1996, and at regular intervals thereafter. The review must be conducted by an independent organization that has experience in conducting performance audits. The quality control review must include, at a minimum, an evaluation of the quality of the audits conducted by the joint committee, an assessment of the audit procedures used by the joint committee, and an assessment of the qualifications of the joint committee staff to conduct performance audits. [1996 c 288 § 15.]

44.28.097 Agency and local government reports furnished to joint committee. All agency and local government reports concerning program performance, including administrative review, quality control, and other internal audit or performance reports, as requested by the joint committee, shall be furnished by the agency or local government requested to provide such report. [2010 c 26 § 5; 1996 c 288 § 18; 1973 1st ex.s. c 197 § 2. Formerly RCW 44.28.087.]

44.28.100 Reports, minutes. The joint committee may make reports from time to time to the members of the legislature and to the public with respect to any of its findings or recommendations. The joint committee shall keep complete minutes of its meetings. [1996 c 288 § 19; 1987 c 505 § 45; 1975 1st ex.s. c 293 § 16; 1951 c 43 § 6.]

44.28.110 Examinations—Subpoenas—Depositions—Access to confidential records. (1) In the discharge of

any duty herein imposed, the joint committee or any personnel under its authority and its subcommittees shall have the authority to examine and inspect all properties, equipment, facilities, files, records, and accounts of any state office, department, institution, board, committee, commission, agency, or local government, and to administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony, and to cause the deposition of witnesses, either residing within or without the state, to be taken in the manner prescribed by laws for taking depositions in civil actions in the superior courts.

(2) The authority in this section extends to accessing any confidential records needed to discharge the joint committee's performance audit duties. However, access to confidential records for the purpose of conducting performance audits does not change their confidential nature, and any existing confidentiality requirements shall remain in force and be similarly respected by the joint committee and its staff. [2010 c 26 § 6; 1955 c 206 § 8; 1951 c 43 § 8.]

Depositions: Rules of court: CR 26 through 37.

44.28.120 Contempt proceedings—Recalcitrant witnesses. In case of the failure on the part of any person to comply with any subpoena issued in behalf of the joint committee, or on the refusal of any witness to testify to any matters regarding which he or she may be lawfully interrogated, it shall be the duty of the superior court of any county, or of the judge thereof, on application of the joint committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. [1996 c 288 § 20; 1951 c 43 § 9.]

Contempt: Chapter 7.21 RCW.

Legislative inquiry: Chapter 44.16 RCW.

Witness refusing to attend legislature or committee or to testify: RCW 9.55.020.

44.28.130 Witness fees and mileage. Each witness who appears before the joint committee by its order, other than a state official or employee, shall receive for his or her attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers signed by such witness, verified by the legislative auditor, and approved by the chair and the vice chair of the joint committee. [1996 c 288 § 21; 1951 c 43 § 10.]

Witness fees and mileage: Chapter 2.40 RCW.

44.28.150 Cooperation with legislative committees and others. The joint committee shall cooperate, act, and function with legislative committees and with the councils or committees of other states similar to this joint committee and with other interstate research organizations. [1996 c 288 § 22; 1975 1st ex.s. c 293 § 18; 1951 c 43 § 7.]

44.28.155 WorkFirst program evaluation. (1) The joint legislative audit and review committee shall conduct an evaluation of the effectiveness of the WorkFirst program described in chapter 58, Laws of 1997, including the job opportunities and basic skills training program and any

approved private, county, or local government WorkFirst program. The evaluation shall assess the success of the program in assisting clients to become employed and to reduce their use of temporary assistance for needy families. The study shall include but not be limited to the following:

(a) An assessment of employment outcomes, including hourly wages, hours worked, and total earnings, for clients;

(b) A comparison of temporary assistance for needy families outcomes, including grant amounts and program exits, for clients; and

(c) An audit of the performance-based contract for each private nonprofit contractor for job opportunities and basic skills training program services. The joint legislative audit and review committee may contract with the Washington institute for public policy for appropriate portions of the evaluation required by this section.

(2) Administrative data shall be provided by the department of social and health services, the employment security department, the state board for community and technical colleges, local governments, and private contractors. The department of social and health services shall require contractors to provide administrative and outcome data needed for this study as a condition of contract compliance. [1997 c 58 § 705.]

Additional notes found at www.leg.wa.gov

44.28.156 Education performance agreement pilot—Evaluation. The joint committee shall conduct an evaluation of the higher education performance agreement pilot test under *RCW 28B.10.920 through 28B.10.922 and make recommendations regarding changes to the substance or process of creating the agreements, including whether the performance agreement process should be continued and expanded to include additional higher education institutions. The evaluation shall be submitted to the governor and the higher education committees of the senate and house of representatives by November 1, 2014. [2008 c 160 § 5.]

*Reviser's note: RCW 28B.10.920 through 28B.10.922 were repealed by 2011 1st sp.s. c 10 § 26. RCW 28B.10.922 was also repealed by 2011 1st sp.s. c 21 § 18.

Findings—Intent—2008 c 160: "(1) The legislature finds that in the last ten years, significant progress has been made to identify and monitor accountability and performance measures in higher education, both internally in institutions and externally in the legislative and state policymaking environment.

(2) However, the legislature further finds that opportunities exist to promote greater visibility of performance measures among policymakers and among the public consumers of higher education. Policy decisions, including decisions about resource allocation, should be made with greater knowledge and a shared understanding about the tradeoffs between resources, flexibility, and desired outcomes. A forum should be created to allow discussion among policymakers and institution leaders about setting outcome-oriented priorities, targeting of investments, linking operating and capital planning, and creating a longer-term view than the biennial budget cycle typically permits.

(3) Therefore, the legislature intends to implement a process for such discussions, agreements, and planning to occur. The process of crafting higher education performance agreements will be pilot-tested over a six-year period with the public four-year institutions of higher education beginning in 2008." [2008 c 160 § 1.]

44.28.157 School district health benefits—Review—Recommendations—Performance grants—Report. (1) By December 31, 2015, the joint committee must review the reports on school district health benefits submitted to it by the

office of the insurance commissioner and the health care authority and report to the legislature on the progress by school districts and their benefit providers in meeting the following legislative goals to:

(a) Improve the transparency of health benefit plan claims and financial data to assure prudent and efficient use of taxpayers' funds at the state and local levels;

(b) Create greater affordability for full family coverage and greater equity between premium costs for full family coverage and employee only coverage for the same health benefit plan;

(c) Promote health care innovations and cost savings and significantly reduce administrative costs.

(2) The joint committee shall also make a recommendation regarding a specific target to realize the goal in subsection (1)(b) of this section.

(3) The joint committee shall report on the status of individual school districts' progress in achieving the goals in subsection (1) of this section.

(4)(a) In the 2015-2016 school year, the joint committee shall determine which school districts have met the requirements of *RCW 28A.400.350 (5) and (6), and shall rank order these districts from highest to lowest in term of their performance in meeting the requirements.

(b) The joint committee shall then allocate performance grants to the highest performing districts from a performance fund of five million dollars appropriated by the legislature for this purpose. Performance grants shall be used by school districts only to reduce employee health insurance copayments and deductibles. In determining the number of school districts to receive awards, the joint committee must consider the impact of the award on district employee copayments and deductibles in such a manner that the award amounts have a meaningful impact.

(5) If the joint committee determines that districts and their benefit providers have not made adequate progress, in the judgment of the joint committee, in achieving one or more of the legislative goals in subsection (1) of this section, the joint committee report to the legislature must contain advantages, disadvantages, and recommendations on the following:

(a) Why adequate progress has not been made, to the extent the joint committee is able to determine the reason or reasons for the insufficient progress;

(b) What legislative or agency actions would help remove barriers to improvement;

(c) Whether school district health insurance purchasing should be accomplished through a single consolidated school employee health benefits purchasing plan;

(d) Whether school district health insurance purchasing should be accomplished through the public employees' benefits board program, and whether consolidation into the public employees' benefits board program would be preferable to the creation of a consolidated school employee health benefits purchasing plan; and

(e) Whether certificated or classified employees, as separate groups, would be better served by purchasing health insurance through a single consolidated school employee health benefits purchasing plan or through participation in the public employees' benefits board program.

(6) The report shall contain any legislation necessary to implement the recommendations of the joint committee.

(7) The legislature shall take all steps necessary to implement the recommendations of the joint committee unless the legislature adopts alternative strategies to meet its goals during the 2016 session. [2012 2nd sp.s. c 3 § 7.]

*Reviser's note: RCW 28A.400.350 was amended by 2017 3rd sp.s. c 13 § 816, changing subsections (5) and (6) to subsection (5)(a) and (b).

Findings—Goals—Intent—2012 2nd sp.s. c 3: See note following RCW 28A.400.275.

44.28.190 Review of increased density bonus for affordable housing located on property owned by a religious organization. The joint committee must review the efficacy of the increased density bonus incentive for affordable housing development located on property owned by a religious organization pursuant to chapter 218, Laws of 2019 and report its findings to the appropriate committees of the legislature by December 1, 2030. The review must include a recommendation on whether this incentive should be continued without change or should be amended or repealed. [2019 c 218 § 4.]

44.28.800 Legislation affecting persons with mental illness—Report to legislature. (Effective until January 1, 2020.) The joint legislative audit and review committee shall conduct an evaluation of the efficiency and effectiveness of chapter 297, Laws of 1998 in meeting its stated goals. Such an evaluation shall include the operation of the state mental hospitals and the behavioral health organizations, as well as any other appropriate entity. The joint legislative audit and review committee shall prepare an interim report of its findings which shall be delivered to the appropriate legislative committees of the house of representatives and the senate no later than September 1, 2000. In addition, the joint legislative audit and review committee shall prepare a final report of its findings which shall be delivered to the appropriate legislative committees of the house of representatives and the senate no later than January 1, 2001. [2014 c 225 § 68; 1998 c 297 § 61.]

Effective date—2014 c 225: See note following RCW 71.24.016.

Effective dates—Severability—Intent—1998 c 297: See notes following RCW 71.05.010.

44.28.805 Review of distributions to cities and counties—Report. During calendar year 2008, the joint legislative audit and review committee shall review the distributions to cities and counties under RCW 43.08.290 to determine the extent to which the distributions target the needs of cities and counties for which the repeal of the motor vehicle excise tax had the greatest fiscal impact. In conducting the study, the committee shall solicit input from the cities and counties. The department of revenue and the state treasurer shall provide the committee with any data within their purview that the committee considers necessary to conduct the review. The committee shall report to the legislature the results of its findings, and any recommendations for changes to the distribution formulas under RCW 43.08.290, by December 31, 2008. [2005 c 450 § 3.]

Additional notes found at www.leg.wa.gov

44.28.810 Review of governor's interagency coordinating council on health disparities—Report to the legislature. The joint committee shall conduct a review of the governor's interagency coordinating council on health disparities and its functions. The review shall be substantially the same as a sunset review under chapter 43.131 RCW. The joint committee shall present its findings to appropriate committees of the legislature by December 1, 2016. [2006 c 239 § 7.]

44.28.812 Review of impact fee deferral requirements. (Expires January 1, 2022.) (1) The joint legislative audit and review committee must review the impact fee deferral requirements of RCW 82.02.050(3). The review must consist of an examination of issued impact fee deferrals, including: (a) The number of deferrals requested of and issued by counties, cities, and towns; (b) the type of impact fee deferred; (c) the monetary amount of deferrals, by jurisdiction; (d) whether the deferral process was efficiently administered; (e) the number of deferrals that were not fully and timely paid; and (f) the costs to counties, cities, and towns for collecting timely and delinquent fees. The review must also include an evaluation of whether the impact fee deferral process required by RCW 82.02.050(3) was effective in providing a locally administered process for the deferral and full payment of impact fees.

(2) The review required by this section must, in accordance with RCW 43.01.036, be submitted to the appropriate committees of the house of representatives and the senate on or before September 1, 2021.

(3) In complying with this section, and in accordance with RCW 43.31.980, the joint legislative audit and review committee must make its collected data and associated materials available, upon request, to the department of commerce.

(4) This section expires January 1, 2022. [2015 c 241 § 3.]

Effective date—2015 c 241: "This act takes effect September 1, 2016." [2015 c 241 § 5.]

44.28.818 Review of office of privacy and data protection. (Expires July 1, 2026.) (1) The joint committee must conduct a program and fiscal review of the office of privacy and data protection created in RCW 43.105.369, by June 30, 2025, and report its findings to the legislature and the governor by December 1, 2025. The report must be prepared in the manner set forth in RCW 44.28.071 and 44.28.075.

(2) This section expires July 1, 2026. [2016 c 195 § 3.]

Findings—2016 c 195: See note following RCW 43.105.369.

44.28.900 Severability—1951 c 43. If any section, subsection, paragraph or provision of this chapter shall be held invalid by any court for any reason, such invalidity shall not in any way affect the validity of the remainder of this chapter. [1951 c 43 § 16.]

Chapter 44.39 RCW

JOINT COMMITTEE ON ENERGY SUPPLY AND ENERGY CONSERVATION

Sections

44.39.010 Committee created.
 44.39.012 Definitions.
 44.39.015 Composition—Appointment of members.
 44.39.020 Terms.
 44.39.025 Vacancies.
 44.39.038 Study of state building code relating to energy.
 44.39.045 Expenses and per diem.
 44.39.050 Payment of expenses—Vouchers.
 44.39.060 Examinations—Subpoenas—Depositions—Contempt proceedings—Witness fees.
 44.39.070 Meetings—Energy supply alert or energy emergency—Duties.

Energy supply emergencies, alerts: Chapter 43.21G RCW.

44.39.010 Committee created. There is hereby created the joint committee on energy supply and energy conservation. [2005 c 299 § 1; 2001 c 214 § 30; 1977 ex.s. c 328 § 13; 1969 ex.s. c 260 § 1.]

Intent—2005 c 299: "It is the intent of the legislature to utilize lessons learned from efforts to conserve energy usage in single state buildings or complexes and extend conservation measures across all levels of government. Implementing conservation measures across all levels of government will create actual energy conservation savings, maintenance and cost savings to state and local governments, and savings to the state economy, which depends on affordable, realizable electricity to retain jobs. The legislature intends that conservation measures be identified and aggregated within a government entity or among multiple government entities to maximize energy savings and project efficiencies." [2005 c 299 § 3.]

Findings—2001 c 214: See note following RCW 39.35.010.

Additional notes found at www.leg.wa.gov

44.39.012 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Committee" means the joint committee on energy supply and energy conservation.

(2) "Conservation" means reduced energy consumption or energy cost, or increased efficiency in the use of energy, and activities, measures, or equipment designed to achieve such results. [2005 c 299 § 4.]

Intent—2005 c 299: See note following RCW 44.39.010.

44.39.015 Composition—Appointment of members. The committee shall consist of four senators and four representatives who shall be selected biennially as follows:

(1) The president of the senate shall appoint four members from the senate to serve on the committee, including the chair of the committee responsible for energy issues. Two members from each major political party must be appointed.

(2) The speaker or co-speakers of the house of representatives shall appoint four members from the house of representatives to serve on the committee, including the chair or co-chairs of the committee responsible for energy issues. Two members from each major political party must be appointed.

(3) The committee shall elect a chair and a vice chair. The chair shall be a member of the house of representatives in even-numbered years and a member of the senate in odd-numbered years. In the case of a tie in the membership of the house of representatives in an even-numbered year, the committee shall elect co-chairs from the house of representatives

(2019 Ed.)

in that year. [2001 c 214 § 31; 1977 ex.s. c 328 § 14; 1969 ex.s. c 260 § 2.]

Findings—2001 c 214: See note following RCW 39.35.010.

Additional notes found at www.leg.wa.gov

44.39.020 Terms. Members shall serve until their successors are installed as provided in RCW 44.39.015, as now or hereafter amended, at the next succeeding regular session of the legislature during an odd-numbered year, or until they are no longer members of the legislature, whichever is sooner. [1980 c 87 § 38; 1977 ex.s. c 328 § 15; 1969 ex.s. c 260 § 3.]

Additional notes found at www.leg.wa.gov

44.39.025 Vacancies. The presiding officer of the appropriate legislative chamber shall fill any vacancies occurring on the committee by appointment from the same political party as the departing member. Notwithstanding the provisions of RCW 44.39.015 as now or hereafter amended, any such appointee shall be deemed installed as a member upon appointment. Members filling vacancies shall serve until they or their successors are installed as provided in RCW 44.39.015, as now or hereafter amended, or until they are no longer members of the legislature, whichever is sooner. [1977 ex.s. c 328 § 16; 1969 ex.s. c 260 § 4.]

Additional notes found at www.leg.wa.gov

44.39.038 Study of state building code relating to energy. The senate and house committees on energy and utilities shall make continuing studies of the state building code as it relates to energy consumption, conservation and retention and shall submit their recommendations concerning such to the legislature periodically. [1977 ex.s. c 14 § 13.]

Energy-related building standards: Chapter 19.27A RCW.

Additional notes found at www.leg.wa.gov

44.39.045 Expenses and per diem. The members of the committee shall serve without compensation, but shall be reimbursed for their expenses incurred while attending sessions of the committee or any subcommittee of the committee, or while engaged in other committee business authorized by the committee, as provided for in RCW 44.04.120. [1969 ex.s. c 260 § 8.]

44.39.050 Payment of expenses—Vouchers. All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon voucher forms as provided by the director of financial management and signed by the chair of the committee. Vouchers may be drawn upon funds appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the committee. [2009 c 549 § 6015; 1979 c 151 § 156; 1969 ex.s. c 260 § 9.]

44.39.060 Examinations—Subpoenas—Depositions—Contempt proceedings—Witness fees. In the discharge of any duty imposed by this chapter, the committee or any personnel acting under its direction shall have the authority to examine and inspect all properties, equipment, facilities, files, records, and accounts of any state office, department, institution, board, committee, commission, or agency; to

administer oaths; and to issue subpoenas, upon approval of a majority of the members of the house or senate rules committee, to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony, and to cause the deposition of witnesses, either residing within or without the state, to be taken in the manner prescribed by law for taking depositions in civil actions in the superior courts.

In case of the failure of any person to comply with any subpoena issued in behalf of the committee, or on the refusal of any witness to testify to any matters regarding which he or she may be lawfully interrogated, it shall be the duty of the superior court of any county, or of the judge thereof, on application of the committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

Each witness who appears before the committee by its order, other than a state official or employee, shall receive for his or her attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers signed by such witness and approved by the chair of the committee. [2010 c 8 § 8001; 2009 c 549 § 6016; 1977 ex.s. c 328 § 17.]

Additional notes found at www.leg.wa.gov

44.39.070 Meetings—Energy supply alert or energy emergency—Duties. (1) The committee shall meet and function at the following times: (a) At least once per year or at anytime upon the call of the chair to receive information related to the state or regional energy supply situation; (b) during a condition of energy supply alert or energy emergency; and (c) upon the call of the chair, in response to gubernatorial action to terminate such a condition. Upon the declaration by the governor of a condition of energy supply alert or energy emergency, the committee shall meet to receive any plans proposed by the governor for programs, controls, standards, and priorities for the production, allocation, and consumption of energy during any current or anticipated condition of energy supply alert or energy emergency, any proposed plans for the suspension or modification of existing rules of the Washington Administrative Code, and any other relevant matters the governor deems desirable. The committee shall review such plans and matters and shall transmit its recommendations to the governor for review. The committee may review any voluntary programs or local or regional programs for the production, allocation, or consumption of energy which have been submitted to the committee.

(2) The committee shall receive any request from the governor for the approval of a declaration of a condition of energy emergency as provided in RCW 43.21G.040 as now or hereafter amended and shall either approve or disapprove such request.

(3) During a condition of energy supply alert, the committee shall: (a) Receive any request from the governor for an extension of the condition of energy supply alert for an additional period of time not to exceed ninety consecutive days and the findings upon which such request is based; (b) receive any request from the governor for subsequent extensions of the condition of energy supply alert for an additional

period of time not to exceed one hundred twenty consecutive days and the findings upon which such a request is based; and (c) either approve or disapprove the requested extensions. When approving a request, the committee may specify a longer period than requested, up to ninety days for initial extensions and one hundred twenty days for additional extensions.

(4) During a condition of energy emergency the committee shall: (a) Receive any request from the governor for an extension of the condition of energy emergency for an additional period of time not to exceed forty-five consecutive days and the finding upon which any such request is based; (b) receive any request from the governor for subsequent extensions of the condition of energy emergency for an additional period of time not to exceed sixty consecutive days and the findings upon which such a request is based; and (c) either approve or disapprove the requested extensions. When approving a request, the committee may specify a longer period than requested, up to forty-five days for initial extensions and sixty days for additional extensions. [2005 c 299 § 2; 2002 c 192 § 1; 1977 ex.s. c 328 § 18.]

Intent—2005 c 299: See note following RCW 44.39.010.

Additional notes found at www.leg.wa.gov

Chapter 44.44 RCW OFFICE OF STATE ACTUARY—SELECT COMMITTEE ON PENSION POLICY

Sections

44.44.010	Office of state actuary—Created—Qualifications.
44.44.013	State actuary appointment committee—Creation—Membership—Powers.
44.44.030	Personnel—Member of American academy of actuaries.
44.44.040	Powers and duties—Actuarial fiscal notes.

Department of retirement systems: Chapter 41.50 RCW.

44.44.010 Office of state actuary—Created—Qualifications. (1) There is hereby created an office within the legislative branch to be known as the office of the state actuary.

(2) The executive head of the office shall be the state actuary who shall be qualified by education and experience in the field of actuarial science. [1987 c 25 § 1; 1975-'76 2nd ex.s. c 105 § 19.]

44.44.013 State actuary appointment committee—Creation—Membership—Powers. (1) The state actuary appointment committee is created. The committee shall consist of: (a) The chair and ranking minority member of the house of representatives appropriations committee and the chair and ranking minority member of the senate ways and means committee; and (b) four members of the select committee on pension policy appointed jointly by the chair and vice chair of the select committee, at least one member representing state retirement systems active or retired members, and one member representing state retirement system employers.

(2) The state actuary appointment committee shall be jointly chaired by the chair of the house of representatives appropriations committee and the chair of the senate ways and means committee.

(3) The state actuary appointment committee shall appoint or remove the state actuary by a two-thirds vote of the committee. When considering the appointment or

removal of the state actuary, the appointment committee shall consult with the director of the department of retirement systems, the director of the office of financial management, and other interested parties.

(4) The state actuary appointment committee shall be convened by the chairs of the house of representatives appropriations committee and the senate ways and means committee (a) whenever the position of state actuary becomes vacant, or (b) upon the written request of any four members of the appointment committee. [2003 c 295 § 13.]

44.44.030 Personnel—Member of American academy of actuaries. (1) Subject to RCW 44.04.260, the state actuary shall have the authority to select and employ such research, technical, clerical personnel, and consultants as the actuary deems necessary, whose salaries shall be fixed by the actuary and approved by the state actuary appointment committee, and who shall be exempt from the provisions of the state civil service law, chapter 41.06 RCW.

(2) All actuarial valuations and experience studies performed by the office of the state actuary shall be signed by a member of the American academy of actuaries. If the state actuary is not such a member, the state actuary, after approval by the select committee, shall contract for a period not to exceed two years with a member of the American academy of actuaries to assist in developing actuarial valuations and experience studies. [2003 c 295 § 14; 2001 c 259 § 11; 1987 c 25 § 2; 1975-'76 2nd ex.s. c 105 § 21.]

44.44.040 Powers and duties—Actuarial fiscal notes. The office of the state actuary shall have the following powers and duties:

(1) Perform all actuarial services for the department of retirement systems, including all studies required by law.

(2) Advise the legislature and the governor regarding pension benefit provisions, and funding policies and investment policies of the state investment board.

(3) Consult with the legislature and the governor concerning determination of actuarial assumptions used by the department of retirement systems.

(4) Prepare a report, to be known as the actuarial fiscal note, on each pension bill introduced in the legislature which briefly explains the financial impact of the bill. The actuarial fiscal note shall include: (a) The statutorily required contribution for the biennium and the following twenty-five years; (b) the biennial cost of the increased benefits if these exceed the required contribution; and (c) any change in the present value of the unfunded accrued benefits. An actuarial fiscal note shall also be prepared for all amendments which are offered in committee or on the floor of the house of representatives or the senate to any pension bill. However, a majority of the members present may suspend the requirement for an actuarial fiscal note for amendments offered on the floor of the house of representatives or the senate.

(5) Provide such actuarial services to the legislature as may be requested from time to time.

(6) Provide staff and assistance to the committee established under RCW 41.04.276.

(7) Provide actuarial assistance to the law enforcement officers' and firefighters' plan 2 retirement board as provided in chapter 2, Laws of 2003. Reimbursement for services shall

(2019 Ed.)

be made to the state actuary under RCW 39.34.130 and section 5(5), chapter 2, Laws of 2003.

(8) Provide actuarial assistance to the committee on advanced tuition payment pursuant to chapter 28B.95 RCW, including recommending a tuition unit price to the committee on advanced tuition payment to be used in the ensuing enrollment period. Reimbursement for services shall be made to the state actuary under RCW 39.34.130.

(9) Provide actuarial assistance to the long-term services and supports trust commission pursuant to chapter 50B.04 RCW. Reimbursement for services shall be made to the state actuary under RCW 39.34.130. [2019 c 363 § 22; 2011 1st sp.s. c 12 § 7. Prior: 2003 c 295 § 4; 2003 c 92 § 2; 1987 c 25 § 3; 1986 c 317 § 6; 1975-'76 2nd ex.s. c 105 § 22.]

Legislative findings—Intent—Severability—1986 c 317: See notes following RCW 41.40.150.

Additional notes found at www.leg.wa.gov

Chapter 44.48 RCW

LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Sections

44.48.010	Committee created—Composition.
44.48.020	Terms of members—Vacancies.
44.48.030	Continuation of memberships, powers, duties, etc.
44.48.040	Travel expenses of members—Reimbursement.
44.48.045	Administration.
44.48.050	Expenses of committee—Vouchers.
44.48.060	Officers and rules.
44.48.070	Committee's duties with respect to data processing capability for fiscal matters—LEAP defined.
44.48.080	Duties of LEAP administration.
44.48.090	Committee's powers.
44.48.100	Reports to legislature—Minutes.
44.48.110	Witness fees and mileage.
44.48.120	LEAP administrator and other assistants—Employment—Duties of LEAP administrator.
44.48.130	Exemption from consolidated technology services agency.
44.48.140	Cooperation with legislative committees and others.
44.48.150	State expenditure information web site—Access to data—Maintenance—Capital and transportation projects—Web site testing.

Alternative economic and revenue forecasts to be provided at the request of the legislative evaluation and accountability program committee: RCW 82.33.030.

44.48.010 Committee created—Composition. There is hereby created a legislative evaluation and accountability program committee which shall consist of four senators and four representatives from the legislature. The senate members of the committee shall be appointed by the president of the senate and the house members of the committee shall be appointed by the speaker of the house. Not more than two members from each house shall be from the same political party. All members shall be appointed before the close of the 1977 session of the legislature and before the close of each regular session during an odd-numbered year thereafter. Members shall be subject to confirmation, as to the senate members by the senate, and as to the house members by the house. [1980 c 87 § 40; 1977 ex.s. c 373 § 1.]

44.48.020 Terms of members—Vacancies. The term of office of the members of the committee who continue to be members of the senate and house shall be from the close of the session in which they were appointed or elected as pro-

vided in RCW 44.48.010 until the close of the next regular session during an odd-numbered year, or, in the event that such appointments or elections are not made, until the close of the next regular session during an odd-numbered year during which successors are appointed or elected. The term of office of such committee members as shall not continue to be members of the senate and house shall cease upon the convening of the next regular session of the legislature during an odd-numbered year after their confirmation, election, or appointment. Vacancies on the committee shall be filled by appointment by the remaining members. All such vacancies shall be filled from the same political party and from the same house as the member whose seat was vacated. [1980 c 87 § 41; 1977 ex.s. c 373 § 2.]

44.48.030 Continuation of memberships, powers, duties, etc. On and after the commencement of a succeeding regular session of the legislature during an odd-numbered year, those members of the committee who continue to be members of the senate and house, respectively, shall continue as members of the committee as indicated in RCW 44.48.020 and the committee shall continue with all its powers, duties, authorities, records, papers, personnel and staff, and all funds made available for its use. [1980 c 87 § 42; 1977 ex.s. c 373 § 3.]

44.48.040 Travel expenses of members—Reimbursement. The members of the committee shall serve without additional compensation, but shall be reimbursed in accordance with RCW 44.04.120 while attending sessions of the committee or meetings of any subcommittee of the committee, or on other committee business authorized by the committee. [1977 ex.s. c 373 § 4.]

44.48.045 Administration. The administration of the legislative evaluation and accountability program committee is subject to RCW 44.04.260. [2001 c 259 § 12.]

44.48.050 Expenses of committee—Vouchers. Subject to RCW 44.04.260, all expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon voucher forms as provided by the administrator and signed by the chair or vice chair of the committee and attested by the secretary of said committee, and the authority of said chair and secretary to sign vouchers shall continue until their successors are selected after each ensuing session of the legislature. Vouchers may be drawn on funds appropriated by law for the committee: PROVIDED, That the senate and the house may authorize the committee to draw on funds appropriated by the legislature for legislative expenses. [2009 c 549 § 6017; 2001 c 259 § 13; 1977 ex.s. c 373 § 5.]

44.48.060 Officers and rules. The committee shall have the power and duty to appoint its own chair, vice chair, and other officers; and to make rules for orderly procedure. [2009 c 549 § 6018; 1977 ex.s. c 373 § 6.]

44.48.070 Committee's duties with respect to data processing capability for fiscal matters—LEAP defined. The committee shall acquire a data processing service capability under the exclusive jurisdiction and control of the leg-

islature acting through the committee and its administrator for the purpose of providing the legislature and its staff with the type of information required for in-depth analysis and monitoring of state agency expenditures, budgets, and related fiscal matters. The legislative evaluation and accountability program established in this section may be referred to in this chapter as the LEAP administration. [1977 ex.s. c 373 § 7.]

44.48.080 Duties of LEAP administration. To carry out the provisions of RCW 44.48.070 the LEAP administration shall provide for:

- (1) Automated databases and application systems in support of legislative requirements to monitor, evaluate, analyze, report, and review;
- (2) Maintenance of computer software, application programs, databases, and related documentation;
- (3) Education, training, and programming services;
- (4) Procedural documentation support; and
- (5) Consulting assistance on special projects. [1977 ex.s. c 373 § 8.]

44.48.090 Committee's powers. The committee shall have the following powers:

- (1) To have timely access, upon written request of the administrator, to all machine readable, printed, and other data of state agencies relative to expenditures, budgets, and related fiscal matters;
- (2) To suggest changes relative to state accounting and reporting systems to the office of financial management or its successor and to require timely written responses to such suggestions; and
- (3) Subject to RCW 44.04.260, to enter into contracts; and when entering into any contract for computer access, make necessary provisions relative to the scheduling of computer time and usage in recognition of the unique requirements and priorities of the legislative process. [2001 c 259 § 14; 1979 c 151 § 158; 1977 ex.s. c 373 § 9.]

44.48.100 Reports to legislature—Minutes. The committee shall have the power to make reports to the legislature. The committee shall keep complete minutes of its meetings. [1987 c 505 § 46; 1977 ex.s. c 373 § 10.]

44.48.110 Witness fees and mileage. Each person who appears before the committee, other than a state official or employee, may upon request receive for attendance the fees and mileage provided for witnesses in civil cases in courts of record in accordance with the provisions of RCW 2.40.010, which shall be audited and paid upon the presentation of proper vouchers signed by such person and approved by the secretary and chair of the committee. [2009 c 549 § 6019; 1977 ex.s. c 373 § 11.]

44.48.120 LEAP administrator and other assistants—Employment—Duties of LEAP administrator. The committee is hereby authorized and empowered to appoint an officer to be known as the LEAP administrator who shall be the executive officer of the committee and assist in its duties and shall compile information for the committee.

Subject to RCW 44.04.260, the committee is hereby authorized and empowered to select and employ temporary and permanent personnel and fix their salaries.

The duties of the administrator shall be as follows:

- (1) To manage the LEAP operations.
- (2) To assist the several standing committees of the house and senate; to appear before other legislative committees; and to assist any other legislative committee upon instruction by the committee.
- (3) To provide the legislature with information obtained under the direction of the committee.
- (4) To maintain a record of all work performed by the administrator under the direction of the committee and to keep and make available all documents, data, and reports submitted to the administrator by any legislative committee. [2001 c 259 § 15; 1977 ex.s. c 373 § 12.]

44.48.130 Exemption from consolidated technology services agency. The committee is hereby expressly exempted from the provisions of chapter 43.105 RCW. [1977 ex.s. c 373 § 13.]

44.48.140 Cooperation with legislative committees and others. The committee shall cooperate, act, and function with Washington state legislative committees and may cooperate with the councils or committees of other states similar to this committee and with other interstate research organizations. [1977 ex.s. c 373 § 14.]

44.48.150 State expenditure information web site—Access to data—Maintenance—Capital and transportation projects—Web site testing. (1) By January 1, 2009, in collaboration with the office of financial management, using existing databases and structures currently shared, the office of the legislative evaluation and accountability program committee shall establish and make available to the public a searchable state expenditure information web site. The state expenditure information web site shall provide access to current budget data, access to current accounting data for budgeted expenditures and staff, and access to historical data. At a minimum, the web site will provide access or links to the following information as data are available:

- (a) State expenditures by fund or account;
- (b) State expenditures by agency, program, and subprogram;
- (c) State revenues by major source;
- (d) State expenditures by object and subobject;
- (e) State agency workloads, caseloads, and performance measures, and recent performance audits;
- (f) State agency budget data by activity; and
- (g) The inventory of state agency fees required by RCW 43.88.585.

(2) "State agency," as used in this section, includes every state agency, office, board, commission, or institution of the executive, legislative, or judicial branches, including institutions of higher education.

(3) The state expenditure information web site shall be updated periodically as subsequent fiscal year data become available, and the prior year expenditure data shall be maintained by the legislative evaluation and accountability program committee as part of its ten-year historical budget data.

(2019 Ed.)

(4) By January 1, 2014, current and future capital project and transportation project investments must be coded with the geographic information sufficient to permit the public to search and identify appropriation and expenditure data at the parent and subproject level to the extent available by:

- (a) State legislative district;
- (b) County; and
- (c) Agency project identifier.

(5) The office of the legislative evaluation and accountability program committee must, within existing resources, update the state expenditure information web site to allow the public to search for capital budget and transportation projects by selecting from an online geographical map. The map must allow an in-depth examination of financial and other data associated with such projects. Data elements must include:

- (a) Project title;
- (b) Total appropriation;
- (c) Project description;
- (d) Expenditure data; and
- (e) Administering agency.

(6) The web site must be easy to use, contain current and readily available data, and allow for review and analysis by the public. The legislative evaluation and accountability program committee must test the web site with potential users to ensure that it is easy to navigate and comprehend. [2013 c 327 § 2; 2013 c 63 § 2; 2008 c 326 § 2.]

Reviser's note: This section was amended by 2013 c 63 § 2 and by 2013 c 327 § 2, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Intent—2013 c 327: "The intent of the legislature is to make state capital budget and transportation budget appropriation and expenditure data as transparent and easy to use by the public as is feasible. It is important to provide information to the public on state capital and transportation investments by legislative district and county in a format that is easy to navigate and comprehend. Providing such information contributes to governmental accountability, public participation, agency efficiency, and open government." [2013 c 327 § 1.]

Intent—2008 c 326: "The intent of the legislature is to make state revenue and expenditure data as open, transparent, and publicly accessible as is feasible. Increasing the ease of public access to state budget data, particularly where the data are currently available from disparate internal government sources but are difficult for the public to collect and efficiently aggregate, significantly contributes to governmental accountability, public participation, agency efficiency, and open government." [2008 c 326 § 1.]

Chapter 44.55 RCW

JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON TRADE POLICY

Sections

- 44.55.010 Findings—Intent.
- 44.55.020 Committee membership.
- 44.55.030 Chair—Officers—Rules.
- 44.55.040 Powers, duties.
- 44.55.050 Staff support.
- 44.55.060 Compensation.

44.55.010 Findings—Intent. The legislature finds that international trade is an important part of Washington's economy with Washington as the fifth largest exporting state in the nation. The legislature further finds that World Trade Organization agreements and the North American Free Trade Agreement have implications for Washington state laws governing agriculture, services, environmental regulation, and

economic subsidies. The legislature further finds that future trade agreements such as the proposed Free Trade Area of the Americas may also impact Washington state. Therefore, it is the intent of the legislature to create a joint legislative oversight committee on trade policy to monitor the impact of these trade agreements on Washington state laws, and to provide a mechanism for legislators and citizens to voice their opinions and concerns about the potential impacts of these trade agreements to state and federal government officials. [2003 c 404 § 1.]

44.55.020 Committee membership. A joint legislative oversight committee on trade policy is created, to consist of four senators and four representatives from the legislature and three ex officio members. The president of the senate shall appoint the senate members of the committee, and the speaker of the house shall appoint the house members of the committee. No more than two members from each house may be from the same political party. A list of appointees must be submitted by July 1, 2003, and before the close of each regular session during an even-numbered year. Vacancies on the committee will be filled by appointment and must be filled from the same political party and from the same house as the member whose seat was vacated. The ex officio members shall be appointed by the speaker of the house and the president of the senate, and include a representative from the department of agriculture, the state trade representative, and a representative from the office of the attorney general. [2003 c 404 § 2.]

Reviser's note: Substitute House Bill No. 1059, Substitute House Bill No. 1173, and Engrossed Substitute House Bill No. 1827 were enacted during the 2003 regular session of the legislature, but were vetoed in part by the governor. A stipulated judgment, No. 03-2-01988-4 filed in the Superior Court of Thurston County, between the governor and the legislature, settled litigation over the governor's use of veto powers and declared the vetoes of SHB 1059, SHB 1173, and ESHB 1827 null and void. Consequently, the text of this section has been returned to the version passed by the legislature prior to the vetoes. For vetoed text and message, see chapter 404, Laws of 2003.

Additional notes found at www.leg.wa.gov

44.55.030 Chair—Officers—Rules. The committee shall appoint its own chair and other officers and make rules for orderly procedure. [2003 c 404 § 3.]

44.55.040 Powers, duties. The committee has the following powers and duties:

(1) At least once a year, hear public testimony on the actual and potential impacts of international trade agreements and negotiations on Washington state and submit an annual report to the state trade representative's office and to the legislature regarding the public testimony;

(2) Maintain active communication with the state trade representative's office, the United States trade representative's office, Washington's congressional delegation, the national conference of state legislatures, and any other bodies the committee deems appropriate regarding ongoing developments in international trade agreements and policy;

(3) Conduct an annual assessment of the impacts of international trade agreements upon Washington law and submit the report to the legislature;

(4) Examine any aspects of international trade, international economic integration, and trade agreements that the members deem appropriate. [2003 c 404 § 4.]

44.55.050 Staff support. The committee will receive the necessary staff support from both the senate committee services and the house office of program research. [2003 c 404 § 5.]

44.55.060 Compensation. The members of the committee shall serve without additional compensation, but are entitled to receive per diem, mileage, and incidental expense allowances at the rates provided in chapter 44.04 RCW. [2003 c 404 § 6.]

Chapter 44.68 RCW

JOINT LEGISLATIVE SYSTEMS ADMINISTRATIVE COMMITTEE

Sections

44.68.010	Definitions.
44.68.020	Committee created—Members, terms, vacancies, officers, rules.
44.68.030	Administrative committee—Membership, coordinator as secretary.
44.68.035	Administration.
44.68.040	Legislative systems coordinator—Employment, duties.
44.68.050	Administrative committee—Powers and duties.
44.68.060	Legislative service center—Duties—Protection of information—Bill drafts.
44.68.065	Additional duties of legislative service center.
44.68.080	Scope of requirements of this chapter.
44.68.085	Salaries and expenses of employees—Vouchers—Authority to draw on funds—Transfer of moneys.
44.68.090	Systems committee, administrative committee members—Travel expenses.
44.68.100	Electronic access to legislative information.
44.68.105	Systems committee, administrative committee, center—Exemption.
44.68.900	Effective date—2007 c 18.

44.68.010 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrative committee" means the joint legislative systems administrative committee created under RCW 44.68.030.

(2) "Center" means the legislative service center established under RCW 44.68.060.

(3) "Coordinator" means the legislative systems coordinator employed under RCW 44.68.040.

(4) "Systems committee" means the joint legislative systems committee created under RCW 44.68.020. [2007 c 18 § 1; 1986 c 61 § 1.]

44.68.020 Committee created—Members, terms, vacancies, officers, rules. (1) The joint legislative systems committee is created to oversee the direction of the information processing and communications systems of the legislature and to enforce the policies, procedures, and standards established under this chapter. The systems committee consists of four members as follows:

(a) A member from each of the two largest caucuses in the house of representatives, appointed by the speaker of the house of representatives; and

(b) A member from each of the two largest caucuses in the senate, appointed by the majority leader of the senate.

(2) Members shall serve two-year terms, beginning with their appointment in the regular legislative session held in an odd-numbered year and continuing until their successors are appointed and qualified. In case of a vacancy, the original appointing authority shall appoint another member of the same party as the vacating member.

(3) The systems committee shall choose its own presiding officer and other necessary officers from among its membership, and shall make rules for orderly procedure. [1993 c 332 § 1; 1986 c 61 § 2.]

44.68.030 Administrative committee—Membership, coordinator as secretary. (1) The joint legislative systems administrative committee is created to manage the information processing and communications systems of the legislature. The administrative committee consists of five members appointed as follows:

(a) The secretary of the senate, and another senate staff person appointed by and serving at the pleasure of the secretary;

(b) The chief clerk of the house of representatives, and another house of representatives staff person appointed by and serving at the pleasure of the chief clerk; and

(c) The code reviser, or the code reviser's designee, serving in a nonvoting capacity.

(2) The coordinator shall serve as the secretary of the administrative committee. [2007 c 18 § 2; 1986 c 61 § 3.]

44.68.035 Administration. The administration of the joint legislative systems committee is subject to RCW 44.04.260. [2001 c 259 § 16.]

44.68.040 Legislative systems coordinator—Employment, duties. Subject to RCW 44.04.260:

(1) The systems committee, after consultation with the administrative committee, shall employ a legislative systems coordinator. The coordinator shall serve at the pleasure of the systems committee, which shall fix the coordinator's salary.

(2)(a) The coordinator shall serve as the executive and administrative head of the center, and shall assist the administrative committee in managing the information processing and communications systems of the legislature as directed by the administrative committee;

(b) In accordance with an adopted personnel plan, the coordinator shall employ or engage and fix the compensation for personnel required to carry out the purposes of this chapter;

(c) The coordinator shall enter into contracts for: (i) The sale, exchange, or acquisition of equipment, supplies, services, and facilities required to carry out the purposes of this chapter; and (ii) the distribution of legislative information. [2007 c 18 § 3; 2001 c 259 § 17; 1986 c 61 § 4.]

44.68.050 Administrative committee—Powers and duties. The administrative committee shall, subject to the approval of the systems committee and subject to RCW 44.04.260:

(1) Adopt policies, procedures, and standards regarding the information processing and communications systems of the legislature;

(2) Establish appropriate charges for services, equipment, and publications provided by the legislative information processing and communications systems, applicable to legislative and nonlegislative users as determined by the administrative committee;

(3) Adopt a compensation plan for personnel required to carry out the purposes of this chapter;

(4) Approve strategic and tactical information technology plans and provide guidance in operational matters required to carry out (a) the purposes of this chapter; and (b) the distribution of legislative information;

(5) Generally assist the systems committee in carrying out its responsibilities under this chapter, as directed by the systems committee. [2007 c 18 § 4; 2001 c 259 § 18; 1986 c 61 § 5.]

44.68.060 Legislative service center—Duties—Protection of information—Bill drafts. (1) The administrative committee, subject to the approval of the systems committee, shall establish a legislative service center. The center shall provide automatic data processing services, equipment, training, and support to the legislature and legislative agencies. The center may also, by agreement, provide services to agencies of the judicial and executive branches of state government and other governmental entities, and provide public access to legislative information. All operations of the center shall be subject to the general supervision of the administrative committee in accordance with the policies, procedures, and standards established under RCW 44.68.050.

(2) Except as provided otherwise in subsection (3) of this section, determinations regarding the security, disclosure, and disposition of information placed or maintained in the center shall rest solely with the originator and shall be made in accordance with any law regulating the disclosure of such information. The originator is the person who directly places information in the center.

(3) When utilizing the center to carry out the bill drafting functions required under RCW 1.08.027, the code reviser shall be considered the originator as defined in RCW 44.68.060. However, determinations regarding the security, disclosure, and disposition of drafts placed or maintained in the center shall be made by the person requesting the code reviser's services and the code reviser, acting as the originator, shall comply with and carry out such determinations as directed by that person. A measure once introduced shall not be considered a draft under this subsection. [2007 c 18 § 5; 1986 c 61 § 6.]

44.68.065 Additional duties of legislative service center. The legislative service center, under the direction of the joint legislative systems committee and the joint legislative systems administrative committee, shall:

(1) Develop a legislative information technology portfolio consistent with the provisions of RCW 43.105.341;

(2) Participate in the development of an enterprise-based statewide information technology strategy;

(3) Ensure the legislative information technology portfolio is organized and structured to clearly indicate participa-

tion in and use of enterprise-wide information technology strategies;

(4) As part of the biennial budget process, submit the legislative information technology portfolio to the chair and ranking member of the ways and means committees of the house of representatives and the senate, the office of financial management, and the consolidated technology services agency. [2015 3rd sp.s. c 1 § 411; 2015 c 225 § 96; 2010 c 282 § 8.]

Effective date—2015 3rd sp.s. c 1 §§ 401-405, 409, 411, and 412: See note following RCW 2.36.057.

44.68.080 Scope of requirements of this chapter. The information and communications functions of the legislature and legislative agencies are subject to the requirements of this chapter, and the standards, policies, and procedures established under this chapter. [1986 c 61 § 8.]

44.68.085 Salaries and expenses of employees—Vouchers—Authority to draw on funds—Transfer of moneys. Subject to RCW 44.04.260, all expenses incurred, including salaries and expenses of employees, shall be paid upon voucher forms as provided and signed by the coordinator. Vouchers may be drawn on funds appropriated by law for the systems committee, administrative committee, and center: PROVIDED, That the senate, house of representatives, and code reviser may authorize the systems committee, administrative committee, and center to draw on funds appropriated by the legislature for related information technology expenses. The senate and house of representatives may transfer moneys appropriated for legislative expenses to the systems committee, administrative committee, and center, in addition to charges made under RCW 44.68.050(2). [2007 c 18 § 6.]

44.68.090 Systems committee, administrative committee members—Travel expenses. Members of the systems committee and of the administrative committee shall be reimbursed for travel expenses under RCW 44.04.120 or 43.03.050 and 43.03.060, as appropriate, while attending meetings of their respective committees or on other official business authorized by their respective committees. [1986 c 61 § 9.]

44.68.100 Electronic access to legislative information. The legislature and legislative agencies through the joint legislative systems committee, shall:

- (1) Continue to plan for and implement processes for making legislative information available electronically;
- (2) Promote and facilitate electronic access to the public of legislative information and services;
- (3) Establish technical standards for such services;
- (4) Consider electronic public access needs when planning new information systems or major upgrades of information systems;
- (5) Develop processes to determine which legislative information the public most wants and needs;
- (6) Increase capabilities to receive information electronically from the public and transmit forms, applications and other communications and transactions electronically;

(7) Use technologies that allow continuous access twenty-four hours a day, seven days per week, involve little or no cost to access, and are capable of being used by persons without extensive technology ability; and

(8) Consider and incorporate wherever possible ease of access to electronic technologies by persons with disabilities. [1996 c 171 § 4.]

Additional notes found at www.leg.wa.gov

44.68.105 Systems committee, administrative committee, center—Exemption. The systems committee, administrative committee, and center are hereby expressly exempted from the provisions of chapter 43.105 RCW. [2007 c 18 § 7.]

44.68.900 Effective date—2007 c 18. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2007. [2007 c 18 § 10.]

Chapter 44.73 RCW LEGISLATIVE GIFT CENTER

Sections

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| 44.73.005 | Findings. |
| 44.73.010 | Legislative gift center—Created—Retail sale of products—Governance—Planning. |
| 44.73.015 | Legislative gift center—Selling wine for off-premises consumption—Collection and remittance of all applicable state and local taxes—Consultation with the Washington wine commission. |
| 44.73.020 | Legislative gift center account. |

44.73.005 Findings. The legislature finds that Washington is committed to economic development and supporting the tourism industry, and that economic development is achieved by promoting the state and the goods produced around the state. The legislature further finds that tourism is encouraged providing a memorable experience and an opportunity for visitors to take something back home with them to remind them of this experience. There are many visitors every day to the legislative building, including tourists, school children, and people from around the state visiting the state capitol. These visitors offer an opportunity for the state to showcase its products and history. Therefore, the legislature finds that a gift center in the legislative building would be an appropriate response to this opportunity, and further, that such a gift center could provide a source of revenue to help fund the oral history program and to pay for the restoration and repurchase of historical capitol furnishings. [2007 c 453 § 1.]

44.73.010 Legislative gift center—Created—Retail sale of products—Governance—Planning. (1) There is created in the legislature a legislative gift center for the retail sale of products bearing the state seal, Washington state souvenirs, other Washington products, and other products as approved. Wholesale purchase of products for sale at the legislative gift center is not subject to competitive bidding.

(2) Governance for the legislative gift center shall be under the chief clerk of the house of representatives and the secretary of the senate. They may designate a legislative staff

member as the lead staff person to oversee management and operation of the gift shop.

(3) The chief clerk of the house of representatives and secretary of the senate shall consult with the department of enterprise services in planning, siting, and maintaining legislative building space for the gift center.

(4) Products bearing the "Seal of the State of Washington" as described in Article XVIII, section 1 of the Washington state Constitution and RCW 1.20.080, must be purchased from the secretary of state pursuant to an agreement between the chief clerk of the house of representatives, the secretary of the senate, and the secretary of state. [2015 c 225 § 97; 2007 c 453 § 2.]

44.73.015 Legislative gift center—Selling wine for off-premises consumption—Collection and remittance of all applicable state and local taxes—Consultation with the Washington wine commission. (1) The legislative gift center is authorized to sell at retail for off-premises consumption wine produced in Washington by a licensed domestic winery. Wine sold by the legislative gift center must: (a) Be sold to individuals twenty-one years of age or older; (b) be sold for personal use and not for resale; and (c) have been purchased from a licensed wine distributor or from a manufacturer authorized to distribute wine of its own production.

(2) The legislative gift center must collect and remit to the department of revenue all applicable state and local taxes on sales of wine.

(3) The legislative gift center must consult with the Washington wine commission to select which Washington wines will be sold. The Washington wine commission must give consideration to award winning wines in assisting the gift center. [2009 c 228 § 3.]

Findings—Intent—2009 c 228: See note following RCW 66.12.195.

44.73.020 Legislative gift center account. (1) The legislative gift center account is created in the custody of the state treasurer. All moneys received by the gift center from the sale of Washington state souvenirs, other Washington products, and other products as approved shall be deposited in the account. Expenditures from the account may be used only for the operations and maintenance of the gift center, including the purchase of inventory, and for other purposes as provided in this section. Only the chief clerk of the house of representatives and the secretary of the senate, or the lead staff person designated by them to oversee management and operation of the gift shop, may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Net profits, after expenses, from the sale of Washington state souvenirs, other Washington products, and products approved by the legislative gift center, shall be deposited as provided in this subsection:

(a) Twenty-five percent in the legislative oral history account in chapter 44.04 RCW (created in *Substitute House Bill No. 1741);

(b) Twenty-five percent in the oral history, state library, and archives account created in **RCW 43.07.380; and

(c) Fifty percent in the capitol furnishings preservation committee account created in RCW 27.48.040.

(2019 Ed.)

(3) Net profits, after expenses, from the sale of items bearing the state seal by the legislative gift center shall be deposited in the capitol furnishings preservation committee account created in RCW 27.48.040. A full accounting thereof shall be provided to the secretary of state.

(4) The legislative gift center may designate special sales, the proceeds of which shall go to an account specified at the time of designation. [2007 c 453 § 3.]

Reviser's note: *(1) Substitute House Bill No. 1741 was not enacted during the 2007 legislative session. However, Third Substitute House Bill No. 1741 was enacted in 2008 and created the legislative oral history account in RCW 44.04.345.

** (2) RCW 43.07.380 was amended by 2008 c 222 § 13, renaming the "oral history, state library, and archives account" to the "Washington state legacy project, state library, and archives account."

Chapter 44.80 RCW LEGISLATIVE SUPPORT SERVICES

Sections

44.80.010	Finding—Intent.
44.80.020	Definitions.
44.80.030	Administrative and support services.
44.80.040	Duties of director.
44.80.050	Expenses—Vouchers.

44.80.010 Finding—Intent. The legislature finds that state government should be operated in an efficient and effective manner. It is the intent of the legislature to create the office of legislative support services to make effective and efficient use of the public's resources, improve the delivery and quality of services, standardize practices, and achieve cost savings. [2012 c 113 § 1.]

Effective date—2012 c 113: "This act takes effect July 1, 2012." [2012 c 113 § 8.]

44.80.020 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Director" means the director of the office of legislative support services employed under RCW 44.80.040.

(2) "Legislative agencies" means: The joint legislative audit and review committee, the joint transportation committee, the office of the state actuary, the legislative evaluation and accountability program committee, the office of legislative support services, the joint legislative systems committee, and the statute law committee.

(3) "Office" means the office of legislative support services. [2012 c 113 § 2.]

Effective date—2012 c 113: See note following RCW 44.80.010.

44.80.030 Administrative and support services. (1) The office of legislative support services is created to provide administrative and support services to the senate, house of representatives, and legislative agencies. All operations of the office are subject to RCW 44.04.260.

(2) The office shall provide support to the senate, the house of representatives, and legislative agencies for facilities operations, asset management, production services, audiovisual needs, the distribution of information about the legislature and the legislative process to the public, and other administrative or support services of the senate, the house of representatives, and legislative agencies authorized by the

[Title 44 RCW—page 71]

secretary of the senate and the chief clerk of the house of representatives. [2012 c 113 § 3.]

Effective date—2012 c 113: See note following RCW 44.80.010.

44.80.040 Duties of director. (1) The secretary of the senate and the chief clerk of the house of representatives, in consultation with the senate facilities and operations committee and the house executive rules committee, shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(2)(a) The director serves as the executive and administrative head of the office.

(b) In accordance with an adopted personnel plan, the director shall employ and fix the compensation for personnel required to carry out the purposes of this chapter.

(c) The director may enter into contracts for: (i) The sale, exchange, or acquisition of equipment, supplies, services, and facilities required to carry out the purposes of this chapter; and (ii) the distribution of legislative information. [2012 c 113 § 4.]

Effective date—2012 c 113: See note following RCW 44.80.010.

44.80.050 Expenses—Vouchers. Subject to RCW 44.04.260, all expenses incurred, including salaries and expenses of employees, shall be paid upon voucher forms as provided and signed by the director. Vouchers may be drawn on funds appropriated by law for the office. The senate and house of representatives may transfer moneys appropriated for legislative expenses to the office. [2012 c 113 § 5.]

Effective date—2012 c 113: See note following RCW 44.80.010.

Chapter 44.82 RCW

JOINT SELECT COMMITTEE ON HEALTH CARE OVERSIGHT

Sections

44.82.010 Joint select committee on health care oversight.

44.82.010 Joint select committee on health care oversight. (1) The joint select committee on health care oversight is established in statute, continuing the committee created in Engrossed Substitute Senate Concurrent Resolution No. 8401 passed in 2013.

(2) The membership of the joint select committee on health care oversight must consist of the following: (a) The chairs of the health care committees of the senate and the house of representatives, who must serve as cochairs; (b) four additional members of the senate, two each appointed by the leadership of the two largest political parties in the senate; and (c) four additional members of the house of representatives, two each appointed by the leadership of the two largest political parties in the house of representatives. The governor must be invited to appoint, as a liaison to the joint select committee, a person who must be a nonvoting member.

(3) The joint select committee on health care oversight must provide oversight between the health care authority, health benefit exchange, the office of the insurance commissioner, the department of health, and the department of social and health services. The goal must be to ensure that these entities are not duplicating their efforts and are working

toward a goal of increased quality of services which will lead to reduced costs to the health care consumer.

(4) The joint select committee on health care oversight must, as necessary, propose legislation to the health care committees and budget recommendations to the ways and means committees of the legislature that aids in their coordination of activities and that leads to better quality and cost savings.

(5) The joint select committee on health care oversight expires on December 31, 2022. [2014 c 223 § 3.]

Finding—2014 c 223: See note following RCW 41.05.800.