

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5634

Chapter 279, Laws of 1993

53rd Legislature
1993 Regular Session

INTERAGENCY DISPUTES--USE OF ALTERNATIVE DISPUTE
RESOLUTION METHODS REQUIRED

EFFECTIVE DATE: 7/25/93

Passed by the Senate April 18, 1993
YEAS 42 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 8, 1993
YEAS 98 NAYS 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved May 10, 1993

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5634** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

May 10, 1993 - 8:44 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5634

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Bauer, Newhouse, Snyder, Haugen, Gaspard, Vognild, Sutherland, Rinehart, Spanel, Talmadge, Winsley, McAuliffe, Moore and Drew)

Read first time 02/26/93.

1 AN ACT Relating to disputes between state agencies; adding new
2 sections to chapter 43.17 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
5 reduce the number of time-consuming and costly lawsuits between state
6 agencies by establishing alternative dispute resolution processes
7 available to any agency.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.17 RCW
9 to read as follows:

10 For purposes of sections 2 through 4 of this act, "state agency"
11 means:

12 (1) Any agency for which the executive officer is listed in RCW
13 42.17.2401(1); and

14 (2) The office of the secretary of state; the office of the state
15 treasurer; the office of the state auditor; the department of natural
16 resources; the office of the insurance commissioner; and the office of
17 the superintendent of public instruction.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.17 RCW
2 to read as follows:

3 Whenever a dispute arises between state agencies, agencies shall
4 employ every effort to resolve the dispute themselves without resorting
5 to litigation. These efforts shall involve alternative dispute
6 resolution methods. If a dispute cannot be resolved by the agencies
7 involved, any one of the disputing agencies may request the governor to
8 assist in the resolution of the dispute. The governor shall employ
9 whatever dispute resolution methods that the governor deems appropriate
10 in resolving the dispute. Such methods may include, but are not
11 limited to, the appointment by the governor of a mediator, acceptable
12 to the disputing agencies, to assist in the resolution of the dispute.
13 The governor may also request assistance from the attorney general to
14 advise the mediator and the disputing agencies.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.17 RCW
16 to read as follows:

17 Sections 2 and 3 of this act shall not apply to any state agency
18 that is a party to a lawsuit, which: (1) Impleads another state agency
19 into the lawsuit when necessary for the administration of justice; or
20 (2) files a notice of appeal, petitions for review, or makes other
21 filings subject to time limits, in order to preserve legal rights and
22 remedies.

 Passed the Senate April 18, 1993.

 Passed the House April 8, 1993.

 Approved by the Governor May 10, 1993.

 Filed in Office of Secretary of State May 10, 1993.