
SENATE BILL 5869

State of Washington

54th Legislature

1995 Regular Session

By Senators Smith, Long and Sheldon; by request of Utilities & Transportation Commission

Read first time 02/10/95. Referred to Committee on Energy, Telecommunications & Utilities.

1 AN ACT Relating to hearings conducted by the utilities and
2 transportation commission; amending RCW 34.12.020 and 80.01.060; and
3 repealing RCW 34.12.042.

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

5 **Sec. 1.** RCW 34.12.020 and 1994 c 257 s 22 are each amended to read
6 as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Office" means the office of administrative hearings.

10 (2) "Administrative law judge" means any person appointed by the
11 chief administrative law judge to conduct or preside over hearings as
12 provided in this chapter.

13 (3) "Hearing" means an adjudicative proceeding within the meaning
14 of RCW 34.05.010(1) conducted by a state agency under RCW 34.05.413
15 through 34.05.476.

16 (4) "State agency" means any state board, commission, department,
17 or officer authorized by law to make rules or to conduct adjudicative
18 proceedings, except those in the legislative or judicial branches, the
19 growth ((planning)) management hearings boards, the utilities and

1 transportation commission, the pollution control hearings board, the
2 shorelines hearings board, the forest practices appeals board, the
3 environmental hearings office, the board of industrial insurance
4 appeals, the Washington personnel resources board, the public
5 employment relations commission, the personnel appeals board, and the
6 board of tax appeals.

7 **Sec. 2.** RCW 80.01.060 and 1991 c 48 s 1 are each amended to read
8 as follows:

9 The commission (~~((shall have the power to request the appointment
10 of))~~) may designate employees of the commission as hearing examiners,
11 administrative law judges ((under chapter 34.12 RCW)), and review
12 judges when it deems such action necessary for its general
13 administration. Such (~~((administrative law judges shall))~~) persons have
14 power to administer oaths, to issue subpoenas for the attendance of
15 witnesses and the production of papers, waybills, books, accounts,
16 documents, and testimony, to examine witnesses, (~~((and))~~) to receive
17 testimony in any inquiry, investigation, hearing, or proceeding in any
18 part of the state, to preside over adjudicative proceedings, and to
19 enter initial orders under such rules as the commission may adopt. The
20 commission may by order delegate to such persons the authority to hear
21 and enter a final order in adjudications involving the transportation
22 of persons or property, cases involving rates or services of water
23 companies, or other classes of adjudicative proceedings that the
24 commission has identified by rule. The commission may designate
25 persons by rule to preside and enter final orders in emergency
26 adjudications under RCW 34.05.479.

27 NEW SECTION. **Sec. 3.** RCW 34.12.042 and 1982 c 189 s 13 are each
28 repealed.

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