
SENATE BILL 5439

State of Washington 53rd Legislature 1993 Regular Session

By Senators McCaslin and Sutherland

Read first time 01/28/93. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to the utilities and transportation commission; and
2 amending RCW 80.01.010.

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

4 **Sec. 1.** RCW 80.01.010 and 1961 c 307 s 4 are each amended to read
5 as follows:

6 There is hereby created and established a state commission to be
7 known and designated as the Washington utilities and transportation
8 commission, and in this chapter referred to as the commission.

9 The commission shall be composed of ~~((three))~~ five members
10 appointed by the governor, with the consent of the senate. Not more
11 than ~~((two))~~ three members of ~~((said))~~ the commission shall belong to
12 the same political party.

13 The members of the first commission to be appointed after taking
14 effect of this section shall be appointed for terms beginning April 1,
15 1951, and expiring as follows: One commissioner for the term expiring
16 January 1, 1953; one commissioner for the term expiring January 1,
17 1955; one commissioner for the term expiring January 1, 1957. Two
18 additional commissioners shall be appointed for terms beginning July 1,
19 1993; one for a term ending January 1, 1997, and one for a term ending

1 January 1, 1999. Each of the commissioners shall hold office until his
2 successor is appointed and qualified. Upon the expiration of the
3 initial terms of the (~~three~~) commissioners (~~first to be~~) appointed
4 as (~~herein~~) provided in this section, each succeeding commissioner
5 shall be appointed and hold office for the term of six years. One of
6 such commissioners to be designated by the governor, shall, during the
7 term of the appointing governor, be the chairman of the commission.

8 Each commissioner shall receive a salary as may be fixed by the
9 governor in accordance with the provisions of RCW 43.03.040.

10 Any member of the commission may be removed for inefficiency,
11 malfeasance or misfeasance in office, upon specific written charges
12 filed by the governor, who shall transmit such written charges to the
13 member accused and to the chief justice of the supreme court. The
14 chief justice shall thereupon designate a special tribunal composed of
15 three judges of the superior court to hear and adjudicate the charges.
16 Such tribunal shall fix the time, place and procedure for the hearing,
17 and the hearing shall be public. The decision of such tribunal shall
18 be final and not subject to review.

19 If the tribunal specified herein finds the charges of the governor
20 to be true, the governor shall have the right to immediately remove the
21 commissioner from office, to declare the position of the commissioner
22 vacant, and appoint another commissioner to the position in accordance
23 with the provisions of the law.

24 Any vacancy arising in the office of commissioner shall be filled
25 by appointment by the governor, and an appointee selected to fill such
26 vacancy shall hold office for the balance of the full term for which
27 his predecessor on the commission was appointed.

28 If a vacancy occurs while the senate is not in session, the
29 governor shall make a temporary appointment until the next meeting of
30 the senate, when he shall present to the senate his nomination or
31 nominations for the office to be filled.

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