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**SENATE BILL 6037**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** Senators Sheldon, Hale, Rinehart, Haugen, Drew, Oke, Kohl, Fairley, Franklin, Snyder, Quigley, Bauer, McAuliffe, Fraser, Sutherland and Gaspard

Read first time 02/27/95. Referred to Committee on Government Operations.

1 AN ACT Relating to the creation of the Washington independent  
2 regulatory affairs commission; amending RCW 34.05.010, 34.05.320, and  
3 34.05.350; reenacting and amending RCW 42.17.2401; adding new sections  
4 to chapter 34.05 RCW; creating a new section; and repealing RCW  
5 34.05.610, 34.05.620, 34.05.630, 34.05.640, and 34.05.650.

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

7 NEW SECTION. **Sec. 1.** (1) The Washington independent regulatory  
8 affairs commission is created, to consist of five members to be known  
9 as commissioners. One member of the commission shall be appointed by  
10 the governor to serve at his or her pleasure, one by the majority  
11 leader of the senate, one by the speaker of the house of  
12 representatives, one by the minority leader of the senate, and one by  
13 the minority leader of the house of representatives. No member of the  
14 legislature or any other officer or employee of state government may  
15 serve as a member of the commission. However, a commission member may  
16 serve on advisory boards and commissions, or on other boards and  
17 commissions that do not adopt any rules that may come before the  
18 commission for review under this chapter.

1 (2) Of the original members, the two members appointed by the  
2 speaker and the minority leader of the house of representatives,  
3 respectively, shall serve for initial terms of two years, and the two  
4 members appointed by the majority leader and the minority leader of the  
5 senate, respectively, shall serve for initial terms of three years.  
6 Thereafter, each appointment provided for by this section is for a term  
7 of three years, and such appointments must be made in the same manner  
8 as the original appointments. From the time of original appointment to  
9 the commission, no commissioner may serve more than two full terms  
10 consecutively. A commissioner initially appointed to serve the  
11 remainder of an unexpired term is, in addition eligible to be appointed  
12 to, and to serve, two full terms.

13 (3) All vacancies must be filled, for the remainder of the  
14 unexpired term, in the same manner as original appointments. A  
15 commissioner, upon the expiration of his or her term, will continue to  
16 hold office until his or her successor is appointed.

17 (4) The commissioners shall be compensated in accordance with RCW  
18 43.03.250. The commissioners are also entitled to reimbursement for  
19 travel and other necessary expenses incurred as a result of their  
20 duties as members of the commission. Commissioners are not eligible  
21 for state retirement under chapter 41.40 RCW by virtue of their service  
22 on the commission.

23 (5) Except as authorized under this section and except for the  
24 governor's appointee who serves at the governor's pleasure, no  
25 commissioner may be removed from office during his or her term. The  
26 governor may, with the approval of two-thirds of the members of the  
27 senate, upon clear and convincing evidence of misfeasance or  
28 malfeasance in office or neglect of duty, remove a commissioner before  
29 the expiration of the term. The governor shall provide the  
30 commissioner so removed with a detailed written statement of the  
31 reasons for the removal.

32 (6) No commissioner may participate in deliberations regarding a  
33 rule that significantly affects the operation or activities of an  
34 organization (except a nonprofit organization certified under section  
35 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26  
36 U.S.C. Sec. 501(c)(3)) in which the commissioner holds a nonsalaried  
37 position) in which the commissioner, or any member of his or her  
38 family, has a substantial economic interest or serves as an officer,  
39 director, trustee, partner, or employee. Within ninety days of

1 appointment, and annually thereafter, each commissioner shall file with  
2 the public disclosure commission a statement of financial affairs under  
3 RCW 42.17.240. Before a vote upon a rule in which a commissioner feels  
4 he or she or any other commissioner has a potential conflict of  
5 interest, the commissioner shall disclose the potential conflict and  
6 request a ruling from the chairman of the commission upon the question  
7 of whether the potential conflict disqualifies the commissioner from  
8 voting on the rule. Any commissioner may challenge the ruling of the  
9 chairman, and in such case the question must be resolved by majority  
10 vote of the commission. The chairman or a majority of the  
11 commissioners may request the executive ethics board under RCW  
12 42.52.360 to provide advice regarding conflicts of interest, and such  
13 advice, when given, is binding upon the commission.

14 (7) The commission shall elect a chairman, who shall serve for a  
15 term of two years and until his or her successor is elected. The  
16 chairman shall preside at meetings of the commission and shall execute  
17 documents relating to the formal actions of the commission.

18 (8) The commission shall meet at such times and places as set by  
19 the chairman. A commissioner who fails to attend three consecutive  
20 meetings without cause shall be removed as a commissioner by the  
21 authority appointing that commissioner.

22 (9) For purposes of conducting official business, a quorum consists  
23 of three commissioners.

24 (10) The commission shall annually file a report of its activities  
25 of the prior year with the governor and the legislature.

26 (11) The commission shall carry out the duties of sections 2  
27 through 8 of this act and any other activities directed by the  
28 legislature to improve the regulatory system in the state of  
29 Washington.

30 NEW SECTION. **Sec. 2.** The commission shall appoint an executive  
31 director whose annual salary is determined under RCW 43.03.028. The  
32 executive director shall perform such duties and have such powers as  
33 the commission prescribes in order to implement and enforce sections 1  
34 through 8 of this act. In addition, the commission shall appoint a  
35 chief counsel who is not subject to the supervision of the attorney  
36 general and whose annual salary is determined under RCW 43.03.028. The  
37 commission shall employ such other employees as it may from time to  
38 time find necessary for the proper performance of its duties.

1        NEW SECTION.     **Sec. 3.**     (1) The commission shall review all  
2 administrative rules brought before it to determine the following:

3        (a) Whether the rule is within the statutory authority of the  
4 agency and the intention of the legislature when it enacted the statute  
5 upon which the rule is based. In formulating its determination, the  
6 commission shall consider written comments from the appropriate  
7 standing committees of the legislature and current members of the  
8 legislature and any pertinent opinions of the Washington courts.

9        (b) Whether, in adopting the rule, the agency has complied with all  
10 applicable provisions of law, including chapter 19.85 RCW and section  
11 1, chapter . . . , Laws of 1995 (SB 5192).

12        (2) The commission shall adopt rules governing the procedures it  
13 uses in reviewing rules submitted to it. The rules must provide for an  
14 orderly review and specify the methods, standards, presumptions, and  
15 principles the commission uses, and the limitations it observes, in  
16 reviewing rules for compliance with the standards in subsection (1) of  
17 this section. The rules adopted by the commission must ensure: (a)  
18 Adequate and equal opportunity for all interested parties to  
19 participate in the rule review process; and (b) that the commission  
20 does not substitute its judgment for that of the rule-making agency as  
21 expressed in the substantive content of the rule under review. The  
22 commission and staff shall note all documents, telephone calls,  
23 personal visits, or other communication regarding a rule under review  
24 and make than a part of the commission's public record.

25        NEW SECTION.     **Sec. 4.**     (1) The commission shall either approve a  
26 rule submitted to it for review, and transmit it to the code reviser  
27 for filing, or disapprove it within thirty working days after the rule  
28 has been submitted to the commission for review. If the commission  
29 fails to act within thirty days, the rule is deemed to have been  
30 approved, and the commission shall transmit it to the office of the  
31 code reviser for filing.

32        (2) If the commission disapproves a rule, it shall return the rule  
33 to the adopting agency within the thirty-day period specified in  
34 subsection (1) of this section, accompanied by a notice specifying the  
35 reasons for disapproval. Within seven days of the issuance of the  
36 notice, the commission shall provide the adopting agency with a written  
37 decision detailing the reasons for disapproval, as well as a  
38 description of the documents and testimony relied on by the commission

1 in reaching its final decision. The commission may not disapprove a  
2 rule except for failure to comply with the standards set forth in  
3 section 3(1) of this act.

4 (3) The commission shall file the notice of disapproval required by  
5 subsection (2) of this section with the code reviser for publication in  
6 the Washington State Register. The commission shall provide the  
7 written decision required by subsection (2) of this section to anyone  
8 requesting it, and shall submit it to the secretary of the senate and  
9 the chief clerk of the house of representatives.

10 (4) If an agency determines on its own that a rule submitted for  
11 review should be returned by the commission before the completion of  
12 the commission's review, it may request the return of the rule. The  
13 submitting agency shall memorialize in writing all requests for the  
14 return of a rule no later than seven days after the request. The  
15 agency shall resubmit to the commission for review within one hundred  
16 eighty days as specified in RCW 34.05.335, or refile in accordance with  
17 RCW 34.05.320, a rule returned under this subsection.

18 (5) The commission shall not initiate the return of a rule under  
19 subsection (4) of this section as an alternative to disapproval under  
20 subsection (2) of this section.

21 NEW SECTION. **Sec. 5.** (1) Within one hundred twenty days of an  
22 agency's receipt of the written decision required by section 4 of this  
23 act, the agency may rewrite and resubmit a rule returned to it under  
24 that section without complying with the notice and hearing requirements  
25 of RCW 34.05.320, unless the substantive provisions of the rule are  
26 significantly changed. If the rule is significantly changed or is not  
27 submitted within one hundred twenty days of receipt of the written  
28 decision, the agency may start a new process to adopt the rule, in full  
29 compliance with this chapter. The commission may, upon a showing of  
30 good cause, grant an extension to the one hundred twenty-day period  
31 specified in this subsection.

32 (2) Upon resubmission of a previously disapproved rule to the  
33 commission under subsection (1) of this section, the commission shall  
34 review the resubmitted rule only for those reasons expressly identified  
35 in the written decision required by section 4 of this act, or for those  
36 issues arising as a result of a significant change to a provision of  
37 the resubmitted rule or as a result of intervening statutory changes or  
38 intervening court orders or decisions.

1 (3) When an agency resubmits a withdrawn or disapproved rule to the  
2 commission, it shall identify the prior withdrawn or disapproved rule  
3 by date of submission to the commission, shall specify the portion of  
4 the prior rule-making record that should be included in the  
5 resubmission, and shall submit to the commission a copy of the prior  
6 rule-making record if that record has been returned to the agency by  
7 the commission.

8 (4) The commission shall expedite the review of a rule resubmitted  
9 without significant substantive changes.

10 (5) When the commission disapproves a rule, the agency may  
11 nonetheless adopt the rule and file it with the code reviser within the  
12 sixty-day period after the last day of the next regular legislative  
13 session after the date on which the rule was disapproved.

14 NEW SECTION. **Sec. 6.** The commission may require the attendance  
15 and testimony of witnesses and the production of documentary evidence  
16 relative to any investigation or hearing that the commission may  
17 conduct in accordance with the powers granted it under this chapter.  
18 The subpoena must be signed by the chairman or the executive director  
19 and it must be served by a person authorized to serve subpoenas under  
20 the laws of this state.

21 NEW SECTION. **Sec. 7.** The commission, either on its motion or on  
22 the request of an individual, agency, corporation, member of the  
23 legislature, or any other entity that may be affected by a rule, may  
24 also review an existing rule or administrative procedure. Whenever a  
25 committee of the senate or the house of representatives requests a  
26 review of a rule or administrative procedure, the commission shall make  
27 the review and assign it high priority. The commission may petition an  
28 agency requesting the adoption, amendment, or repeal of a rule under  
29 RCW 34.05.330. The commission may also make recommendations to the  
30 legislature and the governor for statutory changes whenever it finds  
31 that an existing rule or procedure may be contrary to the public  
32 interest.

33 NEW SECTION. **Sec. 8.** The commission shall act as a clearinghouse  
34 for complaints, comments, and other input from members of the  
35 legislature and from the public regarding rules, proposed rules, and  
36 administrative procedures. The commission shall maintain accurate

1 records regarding complaints and comments it receives and shall  
2 maintain the records according to departmental and subject matter  
3 categories. When the commission files its annual report under section  
4 1 of this act, the commission shall include within it a summary of  
5 public complaint and comment along with any recommendations the  
6 commission may offer for statutory change as the result of public  
7 complaint and comment.

8       **Sec. 9.** RCW 34.05.010 and 1992 c 44 s 10 are each amended to read  
9 as follows:

10       The definitions set forth in this section shall apply throughout  
11 this chapter, unless the context clearly requires otherwise.

12       (1) "Adjudicative proceeding" means a proceeding before an agency  
13 in which an opportunity for hearing before that agency is required by  
14 statute or constitutional right before or after the entry of an order  
15 by the agency. Adjudicative proceedings also include all cases of  
16 licensing and rate making in which an application for a license or rate  
17 change is denied except as limited by RCW 66.08.150, or a license is  
18 revoked, suspended, or modified, or in which the granting of an  
19 application is contested by a person having standing to contest under  
20 the law.

21       (2) "Agency" means any state board, commission, department,  
22 institution of higher education, or officer, authorized by law to make  
23 rules or to conduct adjudicative proceedings, except those in the  
24 legislative or judicial branches, the governor, or the attorney general  
25 except to the extent otherwise required by law and any local  
26 governmental entity that may request the appointment of an  
27 administrative law judge under chapter 42.41 RCW.

28       (3) "Agency action" means licensing, the implementation or  
29 enforcement of a statute, the adoption or application of an agency rule  
30 or order, the imposition of sanctions, or the granting or withholding  
31 of benefits.

32       Agency action does not include an agency decision regarding (a)  
33 contracting or procurement of goods, services, public works, and the  
34 purchase, lease, or acquisition by any other means, including eminent  
35 domain, of real estate, as well as all activities necessarily related  
36 to those functions, or (b) determinations as to the sufficiency of a  
37 showing of interest filed in support of a representation petition, or  
38 mediation or conciliation of labor disputes or arbitration of labor

1 disputes under a collective bargaining law or similar statute, or (c)  
2 any sale, lease, contract, or other proprietary decision in the  
3 management of public lands or real property interests, or (d) the  
4 granting of a license, franchise, or permission for the use of  
5 trademarks, symbols, and similar property owned or controlled by the  
6 agency.

7 (4) "Agency head" means the individual or body of individuals in  
8 whom the ultimate legal authority of the agency is vested by any  
9 provision of law. If the agency head is a body of individuals, a  
10 majority of those individuals constitutes the agency head.

11 (5) "Commission" means the Washington independent regulatory  
12 affairs commission created under section 1 of this act.

13 (6) "Entry" of an order means the signing of the order by all  
14 persons who are to sign the order, as an official act indicating that  
15 the order is to be effective.

16 (~~(6)~~) (7) "Filing" of a document that is required to be filed  
17 with an agency means delivery of the document to a place designated by  
18 the agency by rule for receipt of official documents, or in the absence  
19 of such designation, at the office of the agency head.

20 (~~(7)~~) (8) "Institutions of higher education" are the University  
21 of Washington, Washington State University, Central Washington  
22 University, Eastern Washington University, Western Washington  
23 University, The Evergreen State College, the various community  
24 colleges, and the governing boards of each of the above, and the  
25 various colleges, divisions, departments, or offices authorized by the  
26 governing board of the institution involved to act for the institution,  
27 all of which are sometimes referred to in this chapter as  
28 "institutions."

29 (~~(8)~~) (9) "Interpretive statement" means a written expression of  
30 the opinion of an agency, entitled an interpretive statement by the  
31 agency head or its designee, as to the meaning of a statute or other  
32 provision of law, of a court decision, or of an agency order.

33 (~~(9)~~) (10)(a) "License" means a franchise, permit, certification,  
34 approval, registration, charter, or similar form of authorization  
35 required by law, but does not include (i) a license required solely for  
36 revenue purposes, or (ii) a certification of an exclusive bargaining  
37 representative, or similar status, under a collective bargaining law or  
38 similar statute, or (iii) a license, franchise, or permission for use

1 of trademarks, symbols, and similar property owned or controlled by the  
2 agency.

3 (b) "Licensing" includes the agency process respecting the  
4 issuance, denial, revocation, suspension, or modification of a license.

5 ~~((10))~~ (11)(a) "Order," without further qualification, means a  
6 written statement of particular applicability that finally determines  
7 the legal rights, duties, privileges, immunities, or other legal  
8 interests of a specific person or persons.

9 (b) "Order of adoption" means the official written statement by  
10 which an agency adopts, amends, or repeals a rule.

11 ~~((11))~~ (12) "Party to agency proceedings," or "party" in a  
12 context so indicating, means:

13 (a) A person to whom the agency action is specifically directed; or

14 (b) A person named as a party to the agency proceeding or allowed  
15 to intervene or participate as a party in the agency proceeding.

16 ~~((12))~~ (13) "Party to judicial review or civil enforcement  
17 proceedings," or "party" in a context so indicating, means:

18 (a) A person who files a petition for a judicial review or civil  
19 enforcement proceeding; or

20 (b) A person named as a party in a judicial review or civil  
21 enforcement proceeding, or allowed to participate as a party in a  
22 judicial review or civil enforcement proceeding.

23 ~~((13))~~ (14) "Person" means any individual, partnership,  
24 corporation, association, governmental subdivision or unit thereof, or  
25 public or private organization or entity of any character, and includes  
26 another agency.

27 ~~((14))~~ (15) "Policy statement" means a written description of the  
28 current approach of an agency, entitled a policy statement by the  
29 agency head or its designee, to implementation of a statute or other  
30 provision of law, of a court decision, or of an agency order, including  
31 where appropriate the agency's current practice, procedure, or method  
32 of action based upon that approach.

33 ~~((15))~~ (16) "Rule" means any agency order, directive, or  
34 regulation of general applicability (a) the violation of which subjects  
35 a person to a penalty or administrative sanction; (b) which  
36 establishes, alters, or revokes any procedure, practice, or requirement  
37 relating to agency hearings; (c) which establishes, alters, or revokes  
38 any qualification or requirement relating to the enjoyment of benefits  
39 or privileges conferred by law; (d) which establishes, alters, or

1 revokes any qualifications or standards for the issuance, suspension,  
2 or revocation of licenses to pursue any commercial activity, trade, or  
3 profession; or (e) which establishes, alters, or revokes any mandatory  
4 standards for any product or material which must be met before  
5 distribution or sale. The term includes the amendment or repeal of a  
6 prior rule, but does not include (i) statements concerning only the  
7 internal management of an agency and not affecting private rights or  
8 procedures available to the public, (ii) declaratory rulings issued  
9 pursuant to RCW 34.05.240, (iii) traffic restrictions for motor  
10 vehicles, bicyclists, and pedestrians established by the secretary of  
11 transportation or his designee where notice of such restrictions is  
12 given by official traffic control devices, or (iv) rules of  
13 institutions of higher education involving standards of admission,  
14 academic advancement, academic credit, graduation and the granting of  
15 degrees, employment relationships, or fiscal processes.

16 ~~((16) "Rules review committee" or "committee" means the joint  
17 administrative rules review committee created pursuant to RCW 34.05.610  
18 for the purpose of selectively reviewing existing and proposed rules of  
19 state agencies.))~~

20 (17) "Rule making" means the process for formulation and adoption  
21 of a rule.

22 (18) "Service," except as otherwise provided in this chapter, means  
23 posting in the United States mail, properly addressed, postage prepaid,  
24 or personal service. Service by mail is complete upon deposit in the  
25 United States mail. Agencies may, by rule, authorize service by  
26 electronic telefacsimile transmission, where copies are mailed  
27 simultaneously, or by commercial parcel delivery company.

28 **Sec. 10.** RCW 34.05.320 and 1994 c 249 s 14 are each amended to  
29 read as follows:

30 (1) At least twenty days before the rule-making hearing at which  
31 the agency receives public comment regarding adoption of a rule, the  
32 agency shall cause notice of the hearing to be published in the state  
33 register. The publication constitutes the proposal of a rule. The  
34 notice shall include all of the following:

35 (a) A title, a description of the rule's purpose, and any other  
36 information which may be of assistance in identifying the rule or its  
37 purpose;

1 (b) Citations of the statutory authority for adopting the rule and  
2 the specific statute the rule is intended to implement;

3 (c) A summary of the rule and a statement of the reasons supporting  
4 the proposed action;

5 (d) The agency personnel, with their office location and telephone  
6 number, who are responsible for the drafting, implementation, and  
7 enforcement of the rule;

8 (e) The name of the person or organization, whether private,  
9 public, or governmental, proposing the rule;

10 (f) Agency comments or recommendations, if any, regarding statutory  
11 language, implementation, enforcement, and fiscal matters pertaining to  
12 the rule;

13 (g) Whether the rule is necessary as the result of federal law or  
14 federal or state court action, and if so, a copy of such law or court  
15 decision shall be attached to the purpose statement;

16 (h) When, where, and how persons may present their views on the  
17 proposed rule;

18 (i) The date on which the agency intends to adopt the rule;

19 (j) A short explanation of the rule, its purpose, and anticipated  
20 effects, including in the case of a proposal that would modify existing  
21 rules, a short description of the changes the proposal would make; and

22 (k) A statement indicating how a person can obtain a copy of the  
23 small business economic impact statement prepared under chapter 19.85  
24 RCW, or an explanation for why the agency did not prepare the  
25 statement.

26 (2) Upon filing notice of the proposed rule with the code reviser,  
27 the adopting agency shall have copies of the notice on file and  
28 available for public inspection and shall forward three copies of the  
29 notice to the (~~rules review committee~~) regulatory affairs commission.

30 (3) No later than three days after its publication in the state  
31 register, the agency shall cause a copy of the notice of proposed rule  
32 adoption to be mailed to each person who has made a request to the  
33 agency for a mailed copy of such notices. An agency may charge for the  
34 actual cost of providing individual mailed copies of these notices.

35 (4) In addition to the notice required by subsections (1) and (2)  
36 of this section, an institution of higher education shall cause the  
37 notice to be published in the campus or standard newspaper of the  
38 institution at least seven days before the rule-making hearing.

1       **Sec. 11.** RCW 34.05.350 and 1994 c 249 s 3 are each amended to read  
2 as follows:

3       (1) If an agency for good cause finds:

4       (a) That immediate adoption, amendment, or repeal of a rule is  
5 necessary for the preservation of the public health, safety, or general  
6 welfare, and that observing the time requirements of notice and  
7 opportunity to comment upon adoption of a permanent rule would be  
8 contrary to the public interest; or

9       (b) That state or federal law or federal rule or a federal deadline  
10 for state receipt of federal funds requires immediate adoption of a  
11 rule,

12 the agency may dispense with those requirements and adopt, amend, or  
13 repeal the rule on an emergency basis. The agency's finding and a  
14 concise statement of the reasons for its finding shall be incorporated  
15 in the order for adoption of the emergency rule or amendment filed with  
16 the office of the code reviser under RCW 34.05.380 and with the (~~rules~~  
17 ~~review committee~~) regulatory affairs commission.

18       (2) An emergency rule adopted under this section takes effect upon  
19 filing with the code reviser, unless a later date is specified in the  
20 order of adoption, and may not remain in effect for longer than one  
21 hundred twenty days after filing. Identical or substantially similar  
22 emergency rules may not be adopted in sequence unless conditions have  
23 changed or the agency has filed notice of its intent to adopt the rule  
24 as a permanent rule, and is actively undertaking the appropriate  
25 procedures to adopt the rule as a permanent rule. This section does  
26 not relieve any agency from compliance with any law requiring that its  
27 permanent rules be approved by designated persons or bodies before they  
28 become effective.

29       (3) Within seven days after the rule is adopted, any person may  
30 petition the governor requesting the immediate repeal of a rule adopted  
31 on an emergency basis by any department listed in RCW 43.17.010.  
32 Within seven days after submission of the petition, the governor shall  
33 either deny the petition in writing, stating his or her reasons for the  
34 denial, or order the immediate repeal of the rule. In ruling on the  
35 petition, the governor shall consider only whether the conditions in  
36 subsection (1) of this section were met such that adoption of the rule  
37 on an emergency basis was necessary. If the governor orders the repeal  
38 of the emergency rule, any sanction imposed based on that rule is void.

1 This subsection shall not be construed to prohibit adoption of any rule  
2 as a permanent rule.

3 (4) In adopting an emergency rule, the agency shall (~~comply with~~  
4 ~~section 4 of this act or~~) provide a written explanation for its  
5 failure to do so.

6 **Sec. 12.** RCW 42.17.2401 and 1993 sp.s. c 2 s 18, 1993 c 492 s 488,  
7 and 1993 c 281 s 43 are each reenacted and amended to read as follows:

8 For the purposes of RCW 42.17.240, the term "executive state  
9 officer" includes:

10 (1) The chief administrative law judge, the director of  
11 agriculture, the administrator of the office of marine safety, the  
12 administrator of the Washington basic health plan, the director of the  
13 department of services for the blind, the director of the state system  
14 of community and technical colleges, the director of community, trade,  
15 and economic development, the secretary of corrections, the director of  
16 ecology, the commissioner of employment security, the chairman of the  
17 energy facility site evaluation council, the director of the energy  
18 office, the secretary of the state finance committee, the director of  
19 financial management, the director of fish and wildlife, the executive  
20 secretary of the forest practices appeals board, the director of the  
21 gambling commission, the director of general administration, the  
22 secretary of health, the administrator of the Washington state health  
23 care authority, the executive secretary of the health care facilities  
24 authority, the executive secretary of the higher education facilities  
25 authority, the executive secretary of the horse racing commission, the  
26 executive secretary of the human rights commission, the executive  
27 director of the independent regulatory affairs commission, the  
28 executive secretary of the indeterminate sentence review board, the  
29 director of the department of information services, the director of the  
30 interagency committee for outdoor recreation, the executive director of  
31 the state investment board, the director of labor and industries, the  
32 director of licensing, the director of the lottery commission, the  
33 director of the office of minority and women's business enterprises,  
34 the director of parks and recreation, the director of personnel, the  
35 executive director of the public disclosure commission, the director of  
36 retirement systems, the director of revenue, the secretary of social  
37 and health services, the chief of the Washington state patrol, the  
38 executive secretary of the board of tax appeals, (~~the director of~~

1 ~~trade and economic development,~~) the secretary of transportation, the  
2 secretary of the utilities and transportation commission, the director  
3 of veterans affairs, the president of each of the regional and state  
4 universities and the president of The Evergreen State College, each  
5 district and each campus president of each state community college;

6 (2) Each professional staff member of the office of the governor;

7 (3) Each professional staff member of the legislature; and

8 (4) Central Washington University board of trustees, board of  
9 trustees of each community college, each member of the state board for  
10 community and technical colleges, state convention and trade center  
11 board of directors, committee for deferred compensation, Eastern  
12 Washington University board of trustees, Washington economic  
13 development finance authority, The Evergreen State College board of  
14 trustees, forest practices appeals board, forest practices board,  
15 gambling commission, Washington health care facilities authority, each  
16 member of the Washington health services commission, higher education  
17 coordinating board, higher education facilities authority, horse racing  
18 commission, state housing finance commission, human rights commission,  
19 independent regulatory affairs commission, indeterminate sentence  
20 review board, board of industrial insurance appeals, information  
21 services board, interagency committee for outdoor recreation, state  
22 investment board, liquor control board, lottery commission, marine  
23 oversight board, (~~oil and gas conservation committee,~~) Pacific  
24 Northwest electric power and conservation planning council, parks and  
25 recreation commission, personnel appeals board, board of pilotage  
26 commissioners, pollution control hearings board, public disclosure  
27 commission, public pension commission, shorelines hearing board, public  
28 employees' benefits board, board of tax appeals, transportation  
29 commission, University of Washington board of regents, utilities and  
30 transportation commission, Washington state maritime commission,  
31 Washington personnel resources board, Washington public power supply  
32 system executive board, Washington State University board of regents,  
33 Western Washington University board of trustees, and fish and wildlife  
34 commission.

35 NEW SECTION. **Sec. 13.** The following acts or parts of acts are  
36 each repealed:

37 (1) RCW 34.05.610 and 1988 c 288 s 601, 1983 c 53 s 1, & 1981 c 324  
38 s 5;

1 (2) RCW 34.05.620 and 1994 c 249 s 17, 1988 c 288 s 602, 1987 c 451  
2 s 1, & 1981 c 324 s 6;

3 (3) RCW 34.05.630 and 1993 c 249 s 18, 1993 c 277 s 1, 1988 c 288  
4 s 603, 1987 c 451 s 2, & 1981 c 324 s 7;

5 (4) RCW 34.05.640 and 1994 c 249 s 19, 1993 c 277 s 2, 1988 c 288  
6 s 604, 1987 c 451 s 3, & 1981 c 324 s 8; and

7 (5) RCW 34.05.650 and 1988 c 288 s 605, 1987 c 451 s 4, & 1981 c  
8 324 s 9.

9 NEW SECTION. **Sec. 14.** Sections 1 through 8 of this act are added  
10 to chapter 34.05 RCW.

11 NEW SECTION. **Sec. 15.** If specific funding for the purposes of  
12 this act, referencing this act by bill number, is not provided by June  
13 30, 1995, in the omnibus appropriations act, this act is null and void.

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