

2 **SSB 5634 - H AMD ADOPTED 4-8-93**

3 By Representative

4

5 Strike everything after the enacting clause and insert the
6 following:

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

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

13 For purposes of sections 2 through 4 of this act, "state agency"
14 means:

15 (1) Any agency for which the executive officer is listed in RCW
16 42.17.2401(1); and

17 (2) The office of the secretary of state; the office of the state
18 treasurer; the office of the state auditor; the department of natural
19 resources; the office of the insurance commissioner; and the office of
20 the superintendent of public instruction.

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

23 Whenever a dispute arises between state agencies, agencies shall
24 employ every effort to resolve the dispute themselves without resorting
25 to litigation. These efforts shall involve alternative dispute
26 resolution methods. If a dispute cannot be resolved by the agencies
27 involved, any one of the disputing agencies may request the governor to
28 assist in the resolution of the dispute. The governor shall employ
29 whatever dispute resolution methods that the governor deems appropriate
30 in resolving the dispute. Such methods may include, but are not
31 limited to, the appointment by the governor of a mediator, acceptable
32 to the disputing agencies, to assist in the resolution of the dispute.
33 The governor may also request assistance from the attorney general to
34 advise the mediator and the disputing agencies.

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

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

9 **SSB 5634** - H AMD
10 By Representative

11

12 On page 1, line 1 of the title, after "agencies;" strike the
13 remainder of the title and insert "adding new sections to chapter 43.17
14 RCW; and creating a new section."

--- END ---