

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1238

56th Legislature
1999 Regular Session

Passed by the House March 4, 1999
Yeas 94 Nays 0

Speaker of the House of Representatives

Speaker of the House of Representatives

Passed by the Senate April 12, 1999
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1238** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

Chief Clerk

FILED

Secretary of State
State of Washington

HOUSE BILL 1238

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Representatives Conway, Clements, Wood, McMorris and Hurst

Read first time 01/19/1999. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to the membership of the board of industrial
2 insurance appeals; and amending RCW 51.52.010.

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

4 **Sec. 1.** RCW 51.52.010 and 1981 c 338 s 10 are each amended to read
5 as follows:

6 There shall be a "board of industrial insurance appeals,"
7 hereinafter called the "board," consisting of three members appointed
8 by the governor, with the advice and consent of the senate, as
9 hereinafter provided. One shall be a representative of the public and
10 a lawyer, appointed from a mutually agreed to list of not less than
11 three active members of the Washington state bar association, submitted
12 to the governor by the two organizations defined below, and such member
13 shall be the chairperson of said board. The second member shall be a
14 representative of the majority of workers engaged in employment under
15 this title and selected from a list of not less than three names
16 submitted to the governor by an organization, state-wide in scope,
17 which through its affiliates embraces a cross section and a majority of
18 the organized labor of the state. The third member shall be a
19 representative of employers under this title, and appointed from a list

1 of at least three names submitted to the governor by a recognized
2 state-wide organization of employers, representing a majority of
3 employers. The initial terms of office of the members of the board
4 shall be for six, four, and two years respectively. Thereafter all
5 terms shall be for a period of six years. Each member of the board
6 shall be eligible for reappointment and shall hold office until his or
7 her successor is appointed and qualified. In the event of a vacancy
8 the governor is authorized to appoint a successor to fill the unexpired
9 term of his or her predecessor. All appointments to the board shall be
10 made in conformity with the foregoing plan. In the event a board
11 member becomes incapacitated in excess of thirty days either due to his
12 or her illness or that of an immediate family member as determined by
13 a request for family leave or as certified by the affected member's
14 treating physician, the governor shall appoint an acting member to
15 serve pro tem. Such an appointment shall be made in conformity with
16 the foregoing plan, except that the list of candidates shall be
17 submitted to the governor not more than fifteen days after the affected
18 organizations are notified of the incapacity and the governor shall
19 make the appointment within fifteen days after the list is submitted.
20 The temporary member shall serve until such time as the affected member
21 is able to reassume his or her duties by returning from requested
22 family leave or as determined by the treating physician or until the
23 affected member's term expires, whichever occurs first. Whenever the
24 workload of the board and its orderly and expeditious disposition shall
25 necessitate, the governor may appoint two additional pro-tem members in
26 addition to the regular members. Such appointments shall be for a
27 definite period of time, and shall be made from lists submitted
28 respectively by labor and industry as in the case of regular members.
29 One pro-tem member shall be a representative of labor and one shall be
30 a representative of industry. Members shall devote their entire time
31 to the duties of the board and shall receive for their services a
32 salary as fixed by the governor in accordance with the provisions of
33 RCW 43.03.040 which shall be in addition to travel expenses in
34 accordance with RCW 43.03.050 and 43.03.060 as now existing or
35 hereafter amended. Headquarters for the board shall be located in
36 Olympia. The board shall adopt a seal which shall be judicially
37 recognized.

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