

**MINUTES OF THE FIRST MEETING OF THE STATUTE LAW COMMITTEE
2013-2015 Biennium**

Correction made in the 5/20/2014 meeting

December 10, 2013

The Statute Law Committee held its first meeting of the 2013-2015 biennium at noon in the Senate Rules Room, located on the second floor, southeast corner of the Legislative Building.

The meeting opened with Chair Roger Goodman presiding.

Members present: Nicholas Brown, Anna L. Endter, Hunter Goodman, and Richard Rodger.

Members absent: Barbara Baker, Adam Kline, Susan Owens, Jill Reinmuth, and Jay Rodne.

Also in attendance were Kyle Thiessen, Code Reviser, who serves as the committee's secretary; Lew Lewis, Deputy Code Reviser; Kerry Radcliff, Washington State Register editor, Debbie Deibert, Administrative Secretary, Bernard Dean, Deputy Chief Clerk, and Jim Morishima, Assistant OPR Staff Director.

Chair Goodman called the meeting to order and said a few words honoring Senator Mike Carrell who had served on the Statute Law Committee for many years and who had become vice chair of the committee in January.

A motion was made for nominations for a Vice Chair. Richard Rodger nominated Hunter Goodman, the nomination was accepted and by vote of the committee, Hunter Goodman became Vice Chair.

A motion was made and seconded that the minutes of the previous Statute Law Committee meeting held on June 12, 2013 be approved. The motion carried. (Tab 1)

Kyle noted that membership in the committee had changed considerably and informed the committee that four members constitute a quorum.

Kyle reported that within the next five years up to five key employees would be retiring from the Code Reviser's Office. A succession planning process has begun which starts with a skills assessment of each position. The purpose of which is to evaluate what is needed for these positions as far as training and experience necessary to assume job duties of those retiring. Members of the committee asked how they could help. Kyle noted that he has gotten help and advice from Andy Stepelton, director of Legislative Support Services and he would welcome suggestions from the committee. Kyle stated he would keep the committee informed.

Kyle announced that the annual meeting of the National Conference of Commissioners on Uniform State Laws will be held in Seattle in the summer of 2014. Membership in this national commission is comprised of lawyers who are involved in drafting and in policy of uniform state laws. Code Revisers from each state are members of the commission .

Authentication of electronic legal documents is an issue of importance. The ULC has adopted a bill with three elements concerning electronic publications: 1) authentication, 2) security; and 3) permanent availability. Our state's electronic publications are secure and permanently available which includes possible change of formats. Kyle reported that he has discussed authentication with the Legislative Service Center. The Legislative Service Center is looking into authentication of electronic legal documents. Included in the meeting materials are two studies from California and Minnesota on authentication of primary legal materials and pricing options. LSC has been evaluating software.

A discussion was held as to the merits of maintaining paper copy of the WAC and RCW as the official copy versus electronic. Anna Endter reported that there are approximately a dozen states that are considering or have enacted UELMA. The involvement of LSC is important because technically, LSC is the publisher. Anna emphasized that authentication of legal materials contains a social justice component for the public that uses the electronic versions because the user may not know what they are viewing is necessarily the true and correct law.

Any reports or updates from LSC in the future concerning this subject will be brought to the attention of the Statute Law Committee. It may be of great benefit to see how other states react to the adoption of a uniform law. (Tab 2)

Kyle described the publication schedule for the Washington Administrative Code and the Revised Code of Washington. Historically, both were on a two-year cycle where one year the full sets would be published and the next year only a supplement would be produced. With the success of the internet access to publications, sales fell. To stem the tide of recycling high quantities of unpurchased sets, the Code Reviser's Office began to offer the full set of the WAC for purchase by pre-sale.

Lew reported that the pre-sale of the WAC has been a successful way to determine how many sets need to be published. The 2014 WAC flier has gone out to agencies and the public and the price is \$550.00 for the full reprint. He reported that we are receiving about the same number of subscriptions as last year. It has been suggested that this strategy of pre-sales could be used for ordering session laws in order to reduce recycling of unpurchased sets. Reducing waste has helped the publication account become more stable.

Lew noted that the past two publications have met with quality problems. The 2013 perfect bound session law covers were splotchy as if the ink did not dry before they were boxed. Department of Printing negotiated a credit for approximately 5% of the cost. When we received the 2013 RCW Supplement, the perfect bound cover color was a royal blue instead of forest green. It was necessary to return all volumes and have the supplement recovered with the correct color. The State Printer covered this expense also.

Legislative Support Services does not have the printing capability yet to do large jobs such as the Revised Code of Washington or the Washington Administrative Code, however they do have the experience to take these two jobs out to bid and better represent our interest in a good publication. Not many print shops are interested in what is now considered a low volume print job. (Tab 3)

There will be a meeting with Legislative Support Services to find out if they could meet some of our printing needs during the 2014 legislative session. The Code Reviser's Office employs a full-time printer. Usually during a legislative session, a part-time printer has been employed to work evenings and one day on the weekend. It is possible that this could be an efficiency and cost-saving strategy.

Kyle reported that the balance of our appropriation in the General Fund is

fine. For the 2014 legislative session, an indexer and an index typist will be returning. (Tab 4)

Kyle stated that there were three bills sponsored by the committee in 2013. The two bills which were thought of as not controversial got stalled. The one bill which could be seen as somewhat controversial passed. One bill made a minor technical correction to language affected by the marijuana initiative. Another bill introduced in the 2014 session will fix the language. The other concerned technical changes to form year designations which received some opposition because it removed a reference to “the year of our Lord”. That phrase will be restored in the proposed substitute presented to the committee. The gender-neutral bill passed and that project is complete. Kyle noted that he did not see a need for a technical clean-up bill this coming session. The committee approved the substitute to the “form year” bill. (Tab 5)

Thereupon, the meeting adjourned at 1:45 p.m., the next meeting to be held at the call of the Chair.

K. KYLE THIESSEN, Secretary

ROGER GOODMAN, Chair

Date