

the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 48. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 10, 1982.

Passed the Senate March 9, 1982.

Approved by the Governor April 1, 1982.

Filed in Office of Secretary of State April 1, 1982.

## CHAPTER 183

[House Bill No. 826]

### LAW REVISION COMMISSION

AN ACT Relating to the law revision commission; adding a new chapter to Title 1 RCW; and adding a new section to chapter 41.06 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. The legislature finds and declares that to secure the better administration of justice it is in the public interest to establish a law revision commission and thereby to: (1) Provide facilities and procedures to undertake the scholarly investigation of the law; (2) recommend to the legislature elimination of antiquated and inequitable rules of law and removal of other defects or anachronisms in the law; and (3) encourage the clarification and simplification of the law in Washington and to promote its better adaption to modern conditions.

NEW SECTION. Sec. 2. There is created the Washington law revision commission consisting of thirteen members as follows:

- (1) Two senators, ex officio, to be designated by the president of the senate, and not members of the same political party;
- (2) Two representatives, ex officio, to be designated by the speaker of the house of representatives, and not members of the same political party;
- (3) Three deans of accredited law schools of this state, ex officio, or their designees from members of their respective law faculties;
- (4) Four lawyers admitted to practice in this state, designated by the board of governors of the Washington state bar association;
- (5) Two nonlawyer members with a demonstrated interest in the work of the commission, appointed by the governor.

NEW SECTION. Sec. 3. The terms of the members designated by the state bar association and the governor shall be for four years. Of the initial members designated by the state bar association, the terms of two members shall expire June 30, 1984, and the terms of two members shall expire June 30, 1986. Of the initial members designated by the governor, the term of

one member shall expire June 30, 1984, and the term of one member shall expire June 30, 1986. The terms of the legislative members of the commission shall be two years, from July 1 following the adjournment of the regular session of the legislature in each odd-numbered year starting in 1983 and to and including the thirtieth day of June in the succeeding odd-numbered year. The term of any member designated by a law school dean shall be at the pleasure of the dean.

The term of any ex officio member shall expire upon expiration of tenure of the position by virtue of which he or she is a member of the commission. Vacancies shall be filled in the same manner as for the member so vacating, and if a vacancy results other than from expiration of a term, the vacancy shall be filled for the unexpired term.

**NEW SECTION.** Sec. 4. It shall be the duty of the law revision commission:

(1) To examine the common law and statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law, surveying alternative remedies, and recommending needed reforms.

(2) To receive and consider proposed changes in the law recommended by the American law institute, the commissioners for the promotion of uniformity of legislation in the United States, any bar association, or other learned bodies.

(3) To receive and consider suggestions from judges, justices, public officials, lawyers, and the public generally as to defects and anachronisms in the law.

(4) To recommend, from time to time, such changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law, and to bring the law of this state, civil and criminal, into harmony with modern conditions.

(5) To recommend the express repeal of all statutes repealed by implication, or held unconstitutional by the supreme court of the state or the supreme court of the United States.

(6) To promote utilization of sound principles of legal drafting to achieve clarity and precision in legal documents and in the statutory law and administrative rules and regulations.

(7) To report its proceedings annually to the legislature on or before January 15, and, if it deems advisable, to accompany its report with proposed legislation to carry out any of its recommendations.

**NEW SECTION.** Sec. 5. The commission shall from time to time elect a chairman from among its members and adopt rules to govern its procedures.

**\*NEW SECTION.** Sec. 6. *For attendance at meetings of the commission or in attending to such other business of the commission as may be authorized thereby, each legislative member of the commission shall receive the per*

*diem and travel allowances provided for such members by RCW 44.04.120, and each other member shall be entitled to allowances at rates equivalent thereto.*

\*Sec. 6 was vetoed, see message at end of chapter.

**\*NEW SECTION. Sec. 7.** *The commission may appoint such employees as may be needed, prescribe their duties, and fix their compensation within the amount appropriated for the commission.*

\*Sec. 7 was vetoed, see message at end of chapter.

**\*NEW SECTION. Sec. 8.** *The commission may enter into, amend, and terminate contracts with colleges, universities, schools of law, or other research institutions, or with qualified individuals for the purposes of research.*

\*Sec. 8 was vetoed, see message at end of chapter.

**NEW SECTION. Sec. 9.** The commission shall confer and coordinate its activities with any committees of the legislature, the state bar association, the uniform law commission, the statute law committee, or the judicial council so as to most efficiently accomplish its functions.

**NEW SECTION. Sec. 10.** There is added to chapter 41.06 RCW a new section to read as follows:

The provisions of this chapter do not apply to any position in or employee of the Washington law revision commission.

**NEW SECTION. Sec. 11.** Sections 1 through 9 of this act shall constitute a new chapter in Title 1 RCW.

Passed the House February 12, 1982.

Passed the Senate March 4, 1982.

Approved by the Governor April 1, 1982, with the exceptions of Sections 6, 7 and 8, which are vetoed.

Filed in Office of Secretary of State April 1, 1982.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to Sections 6, 7, and 8 House Bill No. 826 entitled:

"AN ACT Relating to the law revision commission."

This bill authorizes a new commission to propose reforms of our laws. The legislature, however, has not funded the Commission. I am vetoing those sections which authorize per diem, hiring of staff, and contracting with consultants because there are no supporting funds for those provisions."

## CHAPTER 184

[Substitute House Bill No. 626]

### PORNOGRAPHY AND MORAL NUISANCES—PENALTIES

AN ACT Relating to pornography and moral nuisances; adding a new chapter to Title 7 RCW; adding a new section to chapter 9.68 RCW; repealing section 118, page 96, Laws of 1854, section 124, page 226, Laws of 1869, section 130, page 210, Laws of 1873, section 850, Code of 1881, section 1, page 122, Laws of 1886, section 24, chapter 69, Laws