

2 ESHB 1107 - S AMD TO S AMD (S2752.3) 338  
3 By Senators Haugen, Winsley and Snyder

4 ADOPTED 4/13/95

5 On page 54, after line 4 of the amendment, insert the following:

6 "Sec. 3801. RCW 9.94A.060 and 1993 c 11 s 1 are each amended to  
7 read as follows:

8 (1) The commission consists of sixteen voting members, one of whom  
9 the governor shall designate as chairperson. With the exception of ex  
10 officio voting members, the voting members of the commission shall be  
11 appointed by the governor(~~(, subject to confirmation by the senate)~~).

12 (2) The voting membership consists of the following:

13 (a) The head of the state agency having general responsibility for  
14 adult correction programs, as an ex officio member;

15 (b) The director of financial management or designee, as an ex  
16 officio member;

17 (c) Until June 30, 1998, the chair of the indeterminate sentence  
18 review board, as an ex officio member;

19 (d) The chair of the clemency and pardons board, as an ex officio  
20 member;

21 (e) Two prosecuting attorneys;

22 (f) Two attorneys with particular expertise in defense work;

23 (g) Four persons who are superior court judges;

24 (h) One person who is the chief law enforcement officer of a county  
25 or city;

26 (i) Three members of the public who are not and have never been  
27 prosecutors, attorneys, judges, or law enforcement officers.

28 In making the appointments, the governor shall seek the recommendations  
29 of Washington prosecutors in respect to the prosecuting attorney  
30 members, of the Washington state bar association in respect to the  
31 attorney members, of the association of superior court judges in  
32 respect to the members who are judges, and of the Washington  
33 association of sheriffs and police chiefs in respect to the member who  
34 is a law enforcement officer.

35 (3) All voting members of the commission, except ex officio voting  
36 members, shall serve terms of three years and until their successors

1 are appointed (~~and confirmed~~). However, the governor shall stagger  
2 the terms by appointing four of the initial members for terms of one  
3 year, four for terms of two years, and four for terms of three years.

4 (4) The speaker of the house of representatives and the president  
5 of the senate may each appoint two nonvoting members to the commission,  
6 one from each of the two largest caucuses in each house. The members  
7 so appointed shall serve two-year terms, or until they cease to be  
8 members of the house from which they were appointed, whichever occurs  
9 first.

10 (5) The members of the commission shall be reimbursed for travel  
11 expenses as provided in RCW 43.03.050 and 43.03.060. Legislative  
12 members shall be reimbursed by their respective houses as provided  
13 under RCW 44.04.120(~~, as now existing or hereafter amended~~). Members  
14 shall be compensated in accordance with RCW 43.03.250.

15 **Sec. 3802.** RCW 9.94A.250 and 1981 c 137 s 25 are each amended to  
16 read as follows:

17 (1) The clemency and pardons board is established as a board within  
18 the office of the governor. The board consists of five members  
19 appointed by the governor(~~, subject to confirmation by the senate~~).

20 (2) Members of the board shall serve terms of four years and until  
21 their successors are appointed (~~and confirmed~~). However, the  
22 governor shall stagger the terms by appointing one of the initial  
23 members for a term of one year, one for a term of two years, one for a  
24 term of three years, and two for terms of four years.

25 (3) The board shall elect a chairman from among its members and  
26 shall adopt bylaws governing the operation of the board.

27 (4) Members of the board shall receive no compensation but shall be  
28 reimbursed for travel expenses as provided in RCW 43.03.050 and  
29 43.03.060 (~~as now existing or hereafter amended~~).

30 (5) The attorney general shall provide a staff as needed for the  
31 operation of the board.

32 **Sec. 3803.** RCW 9.95.003 and 1986 c 224 s 3 are each amended to  
33 read as follows:

34 The board shall consist of a chairman and six other members, each  
35 of whom shall be appointed by the governor (~~with the consent of the~~  
36 ~~senate~~). Each member shall hold office for a term of five years, and  
37 until his or her successor is appointed and qualified. The terms shall

1 expire on April 15th of the expiration year. Vacancies in the  
2 membership of the board shall be filled by appointment by the governor  
3 (~~with the consent of the senate~~). In the event of the inability of  
4 any member to act, the governor shall appoint some competent person to  
5 act in his or her stead during the continuance of such inability. The  
6 members shall not be removable during their respective terms except for  
7 cause determined by the superior court of Thurston county. The  
8 governor in appointing the members shall designate one of them to serve  
9 as chairman at the governor's pleasure.

10 The members of the board and its officers and employees shall not  
11 engage in any other business or profession or hold any other public  
12 office; nor shall they, at the time of appointment or employment or  
13 during their incumbency, serve as the representative of any political  
14 party on an executive committee or other governing body thereof, or as  
15 an executive officer or employee of any political committee or  
16 association. The members of the board shall each severally receive  
17 salaries fixed by the governor in accordance with the provisions of RCW  
18 43.03.040, and in addition shall receive travel expenses incurred in  
19 the discharge of their official duties in accordance with RCW 43.03.050  
20 and 43.03.060.

21 The board may employ, and fix, with the approval of the governor,  
22 the compensation of and prescribe the duties of a secretary and such  
23 officers, employees, and assistants as may be necessary, and provide  
24 necessary quarters, supplies, and equipment.

25 **Sec. 3804.** RCW 13.40.025 and 1986 c 288 s 8 are each amended to  
26 read as follows:

27 (1) There is established a juvenile disposition standards  
28 commission to propose disposition standards to the legislature in  
29 accordance with RCW 13.40.030 and perform the other responsibilities  
30 set forth in this chapter.

31 (2) The commission shall be composed of the secretary or the  
32 secretary's designee and the following nine members appointed by the  
33 governor(~~, subject to confirmation by the senate~~): (a) A superior  
34 court judge; (b) a prosecuting attorney or deputy prosecuting attorney;  
35 (c) a law enforcement officer; (d) an administrator of juvenile court  
36 services; (e) a public defender actively practicing in juvenile court;  
37 (f) a county legislative official or county executive; and (g) three  
38 other persons who have demonstrated significant interest in the

1 adjudication and disposition of juvenile offenders. In making the  
2 appointments, the governor shall seek the recommendations of the  
3 association of superior court judges in respect to the member who is a  
4 superior court judge; of Washington prosecutors in respect to the  
5 prosecuting attorney or deputy prosecuting attorney member; of the  
6 Washington association of sheriffs and police chiefs in respect to the  
7 member who is a law enforcement officer; of juvenile court  
8 administrators in respect to the member who is a juvenile court  
9 administrator; and of the state bar association in respect to the  
10 public defender member; and of the Washington association of counties  
11 in respect to the member who is either a county legislative official or  
12 county executive.

13 (3) The secretary or the secretary's designee shall serve as  
14 chairman of the commission.

15 (4) The secretary shall serve on the commission during the  
16 secretary's tenure as secretary of the department. The term of the  
17 remaining members of the commission shall be three years. The initial  
18 terms shall be determined by lot conducted at the commission's first  
19 meeting as follows: (a) Four members shall serve a two-year term; and  
20 (b) four members shall serve a three-year term. In the event of a  
21 vacancy, the appointing authority shall designate a new member to  
22 complete the remainder of the unexpired term.

23 (5) Commission members shall be reimbursed for travel expenses as  
24 provided in RCW 43.03.050 and 43.03.060. Members shall be compensated  
25 in accordance with RCW 43.03.240.

26 (6) The commission shall meet at least once every three months.

27 **Sec. 3805.** RCW 18.64.001 and 1984 c 153 s 1 are each amended to  
28 read as follows:

29 There shall be a state board of pharmacy consisting of seven  
30 members, to be appointed by the governor (~~by and with the advice and~~  
31 ~~consent of the senate~~). Five of the members shall be designated as  
32 pharmacist members and two of the members shall be designated a public  
33 member.

34 Each pharmacist member shall be a citizen of the United States and  
35 a resident of this state, and at the time of his or her appointment  
36 shall have been a duly registered pharmacist under the laws of this  
37 state for a period of at least five consecutive years immediately  
38 preceding his or her appointment and shall at all times during his or

1 her incumbency continue to be a duly licensed pharmacist: PROVIDED,  
2 That subject to the availability of qualified candidates the governor  
3 shall appoint pharmacist members representative of the areas of  
4 practice and geographically representative of the state of Washington.

5 The public member shall be a citizen of the United States and a  
6 resident of this state. The public member shall be appointed from the  
7 public at large, but shall not be affiliated with any aspect of  
8 pharmacy.

9 Members of the board shall hold office for a term of four years,  
10 and the terms shall be staggered so that the terms of office of not  
11 more than two members will expire simultaneously on the third Monday in  
12 January of each year.

13 No person who has been appointed to and served for two four year  
14 terms shall be eligible for appointment to the board.

15 Each member shall qualify by taking the usual oath of a state  
16 officer, which shall be filed with the secretary of state, and each  
17 member shall hold office for the term of his or her appointment and  
18 until his or her successor is appointed and qualified.

19 In case of the resignation or disqualification of a member, or a  
20 vacancy occurring from any cause, the governor shall appoint a  
21 successor for the unexpired term.

22 **Sec. 3806.** RCW 28B.07.030 and 1985 c 370 s 48 are each amended to  
23 read as follows:

24 (1) The Washington higher education facilities authority is hereby  
25 established as a public body corporate and politic, with perpetual  
26 corporate succession, constituting an agency of the state of Washington  
27 exercising essential governmental functions. The authority is a  
28 "public body" within the meaning of RCW 39.53.010.

29 (2) The authority shall consist of seven members as follows: The  
30 governor, lieutenant governor, executive director of the higher  
31 education coordinating board, and four public members, one of whom  
32 shall be the president of a higher education institution at the time of  
33 appointment. The public members shall be residents of the state and  
34 appointed by the governor(~~(, subject to confirmation by the senate,)~~)  
35 on the basis of their interest or expertise in the provision of higher  
36 education and the financing of higher education. The public members of  
37 the authority shall serve for terms of four years. The initial terms  
38 of the public members shall be staggered in a manner determined by the

1 governor. In the event of a vacancy on the authority due to death,  
2 resignation, or removal of one of the public members, and upon the  
3 expiration of the term of any public member, the governor shall appoint  
4 a successor for a term expiring on the fourth anniversary of the  
5 successor's date of the appointment. If any of the state offices are  
6 abolished, the resulting vacancy on the authority shall be filled by  
7 the state officer who shall succeed substantially to the power and  
8 duties of the abolished office. Any public member of the authority may  
9 be removed by the governor for misfeasance, malfeasance, wilful neglect  
10 of duty, or any other cause after notice and a public hearing, unless  
11 such notice and hearing shall be expressly waived in writing.

12 (3) The governor shall serve as chairperson of the authority. The  
13 authority shall elect annually one of its members as secretary. If the  
14 governor shall be absent from a meeting of the authority, the secretary  
15 shall preside. However, the governor may designate an employee of the  
16 governor's office to act on the governor's behalf in all other respects  
17 during the absence of the governor at any meeting of the authority. If  
18 the designation is in writing and is presented to the person presiding  
19 at the meetings of the authority who is included in the designation,  
20 the vote of the designee has the same effect as if cast by the  
21 governor.

22 (4) Any person designated by resolution of the authority shall keep  
23 a record of the proceedings of the authority and shall be the custodian  
24 of all books, documents, and papers filed with the authority, the  
25 minute book or a journal of the authority, and the authority's official  
26 seal, if any. The person may cause copies to be made of all minutes  
27 and other records and documents of the authority, and may give  
28 certificates to the effect that such copies are true copies. All  
29 persons dealing with the authority may rely upon the certificates.

30 (5) Four members of the authority constitute a quorum. The  
31 authority may act on the basis of a motion except when authorizing the  
32 issuance and sale of bonds, in which case the authority shall act by  
33 resolution. Bond resolutions and other resolutions shall be adopted  
34 upon the affirmative vote of four members of the authority, and shall  
35 be signed by those members voting yes. Motions shall be adopted upon  
36 the affirmative vote of a majority of a quorum of members present at  
37 any meeting of the authority. All actions taken by the authority shall  
38 take effect immediately without need for publication or other public

1 notice. A vacancy in the membership of the authority does not impair  
2 the power of the authority to act under this chapter.

3 (6) The members of the authority shall be compensated in accordance  
4 with RCW 43.03.240 and shall be entitled to reimbursement, solely from  
5 the funds of the authority, for travel expenses as determined by the  
6 authority incurred in the discharge of their duties under this chapter.

7 **Sec. 3807.** RCW 28C.18.020 and 1991 c 238 s 3 are each amended to  
8 read as follows:

9 (1) There is hereby created the work force training and education  
10 coordinating board as a state agency and as the successor agency to the  
11 state board for vocational education. Once the coordinating board has  
12 convened, all references to the state board for vocational education in  
13 the Revised Code of Washington shall be construed to mean the work  
14 force training and education coordinating board, except that reference  
15 to the state board for vocational education in RCW 49.04.030 shall mean  
16 the state board for community and technical colleges.

17 (2)(a) The board shall consist of nine voting members appointed by  
18 the governor (~~((with the consent of the senate,))~~) as follows: Three  
19 representatives of business, three representatives of labor, and,  
20 serving as ex officio members, the superintendent of public  
21 instruction, the executive director of the state board for community  
22 and technical colleges, and the commissioner of the employment security  
23 department. The chair of the board shall be a nonvoting member  
24 selected by the governor (~~((with the consent of the senate))~~), and shall  
25 serve at the pleasure of the governor. In selecting the chair, the  
26 governor shall seek a person who understands the future economic needs  
27 of the state and nation and the role that the state's training system  
28 has in meeting those needs. Each voting member of the board may  
29 appoint a designee to function in his or her place with the right to  
30 vote. In making appointments to the board, the governor shall seek to  
31 ensure geographic, ethnic, and gender diversity and balance. The  
32 governor shall also seek to ensure diversity and balance by the  
33 appointment of persons with disabilities.

34 (b) The business representatives shall be selected from among  
35 nominations provided by a state-wide business organization representing  
36 a cross-section of industries. However, the governor may request, and  
37 the organization shall provide, an additional list or lists from which  
38 the governor shall select the business representatives. The

1 nominations and selections shall reflect the cultural diversity of the  
2 state, including women, people with disabilities, and racial and ethnic  
3 minorities, and diversity in sizes of businesses.

4 (c) The labor representatives shall be selected from among  
5 nominations provided by state-wide labor organizations. However, the  
6 governor may request, and the organizations shall provide, an  
7 additional list or lists from which the governor shall select the labor  
8 representatives. The nominations and selections shall reflect the  
9 cultural diversity of the state, including women, people with  
10 disabilities, and racial and ethnic minorities.

11 (d) Each business member may cast a proxy vote or votes for any  
12 business member who is not present and who authorizes in writing the  
13 present member to cast such vote.

14 (e) Each labor member may cast a proxy vote for any labor member  
15 who is not present and who authorizes in writing the present member to  
16 cast such vote.

17 (f) The chair shall appoint to the board one nonvoting member to  
18 represent racial and ethnic minorities, women, and people with  
19 disabilities. The nonvoting member appointed by the chair shall serve  
20 for a term of four years with the term expiring on June 30th of the  
21 fourth year of the term.

22 (g) The business members of the board shall serve for terms of four  
23 years, the terms expiring on June 30th of the fourth year of the term  
24 except that in the case of initial members, one shall be appointed to  
25 a two-year term and one appointed to a three-year term.

26 (h) The labor members of the board shall serve for terms of four  
27 years, the terms expiring on June 30th of the fourth year of the term  
28 except that in the case of initial members, one shall be appointed to  
29 a two-year term and one appointed to a three-year term.

30 (i) Any vacancies among board members representing business or  
31 labor shall be filled by the governor with nominations provided by  
32 state-wide organizations representing business or labor, respectively.

33 (j) The board shall adopt bylaws and shall meet at least bimonthly  
34 and at such other times as determined by the chair who shall give  
35 reasonable prior notice to the members or at the request of a majority  
36 of the voting members.

37 (k) Members of the board shall be compensated in accordance with  
38 RCW 43.03.040 and shall receive travel expenses in accordance with RCW  
39 43.03.050 and 43.03.060.



1 (1) The board shall be formed and ready to assume its  
2 responsibilities under this chapter by October 1, 1991.

3 (m) The director of the board shall be appointed by the governor  
4 from a list of three names submitted by a committee made up of the  
5 business and labor members of the board. However, the governor may  
6 request, and the committee shall provide, an additional list or lists  
7 from which the governor shall select the director. The lists compiled  
8 by the committee shall not be subject to public disclosure. The  
9 governor may dismiss the director only with the approval of a majority  
10 vote of the board. The board, by a majority vote, may dismiss the  
11 director with the approval of the governor.

12 (3) The state board for vocational education is hereby abolished  
13 and its powers, duties, and functions are hereby transferred to the  
14 work force training and education coordinating board. All references  
15 to the director or the state board for vocational education in the  
16 Revised Code of Washington shall be construed to mean the director or  
17 the work force training and education coordinating board.

18 **Sec. 3808.** RCW 41.64.010 and 1981 c 311 s 1 are each amended to  
19 read as follows:

20 (1) There is hereby created a "personnel appeals board,"  
21 hereinafter in this chapter referred to as the "board," which shall  
22 consist of three members to be appointed by the governor(~~(, subject to~~  
23 ~~confirmation by the senate)~~). The first board shall be appointed  
24 within thirty days after May 19, 1981, for terms of two, four, and six  
25 years. Thereafter, appointments shall be made for six-year terms. A  
26 vacancy shall be filled by appointment by the governor for the  
27 unexpired term in which the vacancy exists. Each member shall continue  
28 to hold office after the expiration of the member's term until a  
29 successor has been appointed. Members may be reappointed to the board  
30 for successive terms. Persons appointed to the board shall be  
31 qualified by experience and training in the field of administrative  
32 procedures and merit principles. Such members:

33 (a) May not hold any other employment with the state;

34 (b) May not during the terms to which they are appointed be or  
35 become candidates for public office, hold any other public office or  
36 trust, engage in any occupation or business which interferes, or is  
37 inconsistent, with their duties as members of the board, serve on or  
38 under any committee of any political party, and may not have been

1 officers of a political party for a period of one year immediately  
2 prior to their appointment; and

3 (c) May not for a period of one year after the termination of their  
4 membership on the board, act in a representative capacity before the  
5 board on any matter.

6 (2) Unless the context clearly indicates otherwise, the following  
7 definitions apply to this chapter:

8 (a) "Agency" means any agency as defined in RCW 41.06.020;

9 (b) For appeals filed on or after July 1, 1981, under RCW  
10 41.64.090, "board" or "personnel appeals board" means the personnel  
11 appeals board created by subsection (1) of this section;

12 (c) For purposes of RCW 41.64.080 through 41.64.140 for appeals  
13 filed before July 1, 1981, under RCW 41.06.170, as it existed prior to  
14 or after May 19, 1981, "board" or "personnel appeals board" means the  
15 state personnel board created by RCW 41.06.110.

16 **Sec. 3809.** RCW 43.97.025 and 1987 c 499 s 2 are each amended to  
17 read as follows:

18 (1) The governor, the Columbia River Gorge commission, and all  
19 state agencies and counties are hereby directed and provided authority  
20 to carry out their respective functions and responsibilities in  
21 accordance with the compact executed pursuant to RCW 43.97.015, the  
22 Columbia River Gorge National Scenic Area Act, and the provisions of  
23 this chapter.

24 (2) The governor shall appoint three members of the Columbia River  
25 Gorge commission who reside in the state of Washington, at least one of  
26 whom shall be a resident of the scenic area as defined in the act.

27 (3)(a) The governing bodies of Clark, Klickitat, and Skamania  
28 counties shall each appoint one member of the Columbia River Gorge  
29 commission.

30 (b) In the event the governing body of a county fails to make the  
31 appointments prescribed in section 5(a)(c)(1) of that act and (a) of  
32 this subsection, the governor shall appoint any such member.

33 (4) Each member appointed by the governor (~~shall be subject to~~  
34 ~~confirmation by the Washington state senate and~~) shall serve at the  
35 pleasure of the governor until their term shall expire or until a  
36 disqualifying change in residence.

37 (5) Of those members appointed to the Columbia River Gorge  
38 commission by the governing body of the counties of Clark, Klickitat,

1 and Skamania, the governor shall designate one member to serve for a  
2 term of five years and one to serve for six years. Of those members  
3 appointed directly by the governor pursuant to RCW 43.97.015, the  
4 governor shall designate one to serve a term of five years and one to  
5 serve a term of six years. All other members shall serve a period of  
6 four years.

7 Neither the governor nor governing body of any of the counties may  
8 appoint federal, state, or local elected or appointed officials as  
9 members to the Columbia River Gorge commission.

10 Vacancies shall be filled in accordance with the appointing  
11 procedure for the commission member occupying the seat before its  
12 vacancy.

13 **Sec. 3810.** RCW 43.99.110 and 1994 c 264 s 31 are each amended to  
14 read as follows:

15 There is created the interagency committee for outdoor recreation  
16 consisting of the commissioner of public lands, the director of parks  
17 and recreation, and the director of fish and wildlife, or their  
18 designees, and, by appointment of the governor (~~with the advice and~~  
19 ~~consent of the senate~~), five members from the public at large who have  
20 a demonstrated interest in and a general knowledge of outdoor  
21 recreation in the state. The terms of members appointed from the  
22 public at large shall commence on January 1st of the year of  
23 appointment and shall be for three years or until a successor is  
24 appointed, except in the case of appointments to fill vacancies which  
25 shall be for the remainder of the unexpired term; provided the first  
26 such members shall be appointed for terms as follows: One member for  
27 one year, two members for two years, and two members for three years.  
28 The governor shall appoint one of the members from the public at large  
29 to serve as chairman of the committee for the duration of the member's  
30 term. Members employed by the state shall serve without additional pay  
31 and participation in the work of the committee shall be deemed  
32 performance of their employment. Members from the public at large  
33 shall be compensated in accordance with RCW 43.03.240 and shall be  
34 entitled to reimbursement individually for travel expenses incurred in  
35 performance of their duties as members of the committee in accordance  
36 with RCW 43.03.050 and 43.03.060.

1       **Sec. 3811.** RCW 43.180.040 and 1985 c 6 s 14 are each amended to  
2 read as follows:

3       (1) There is hereby established a public body corporate and  
4 politic, with perpetual corporate succession, to be known as the  
5 Washington state housing finance commission. The commission is an  
6 instrumentality of the state exercising essential government functions  
7 and, for purposes of the code, acts as a constituted authority on  
8 behalf of the state when it issues bonds pursuant to this chapter. The  
9 commission is a "public body" within the meaning of RCW 39.53.010.

10       (2) The commission shall consist of the following voting members:

11       (a) The state treasurer, ex officio;

12       (b) The director of community, trade, and economic development, ex  
13 officio;

14       (c) An elected local government official, ex officio, with  
15 experience in local housing programs, who shall be appointed by the  
16 governor (~~((with the consent of the senate))~~);

17       (d) A representative of housing consumer interests, appointed by  
18 the governor (~~((with the consent of the senate))~~);

19       (e) A representative of labor interests, appointed by the governor,  
20 (~~((with the consent of the senate,))~~) after consultation with  
21 representatives of organized labor;

22       (f) A representative of low-income persons, appointed by the  
23 governor (~~((with the consent of the senate))~~);

24       (g) Five members of the public appointed by the governor(~~(, with~~  
25 ~~the consent of the senate,)) on the basis of geographic distribution  
26 and their expertise in housing, real estate, finance, energy  
27 efficiency, or construction, one of whom shall be appointed by the  
28 governor as chair of the commission and who shall serve on the  
29 commission and as chair of the commission at the pleasure of the  
30 governor.~~

31       The term of the persons appointed by the governor, other than the  
32 chair, shall be four years from the date of their appointment, except  
33 that the terms of three of the initial appointees shall be for two  
34 years from the date of their appointment. The governor shall designate  
35 the appointees who will serve the two-year terms. An appointee may be  
36 removed by the governor for cause pursuant to RCW 43.06.070 and  
37 43.06.080. The governor shall fill any vacancy in an appointed  
38 position by appointment for the remainder of the unexpired term. If  
39 the department of community, trade, and economic development is

1 abolished, the resulting vacancy shall be filled by a state official  
2 who shall be appointed to the commission by the governor. (~~If this~~  
3 ~~official occupies an office or position for which senate confirmation~~  
4 ~~is not required, then his appointment to the commission shall be~~  
5 ~~subject to the consent of the senate.~~) The members of the commission  
6 shall be compensated in accordance with RCW 43.03.240 and may be  
7 reimbursed, solely from the funds of the commission, for expenses  
8 incurred in the discharge of their duties under this chapter, subject  
9 to the provisions of RCW 43.03.050 and 43.03.060. A majority of the  
10 commission constitutes a quorum. Designees shall be appointed in such  
11 manner and shall exercise such powers as are specified by the rules of  
12 the commission.

13 (3) The commission may adopt an official seal and may select from  
14 its membership a vice chair, a secretary, and a treasurer. The  
15 commission shall establish rules concerning its exercise of the powers  
16 authorized by this chapter. The rules shall be adopted in conformance  
17 with chapter 34.05 RCW.

18 **Sec. 3812.** RCW 43.210.030 and 1991 c 314 s 15 are each amended to  
19 read as follows:

20 The small business export finance assistance center and its  
21 branches shall be governed and managed by a board of nineteen directors  
22 appointed by the governor (~~and confirmed by the senate~~). The  
23 directors shall serve terms of six years except that two of the  
24 original directors shall serve for two years and two of the original  
25 directors shall serve for four years. The directors may provide for  
26 the payment of their expenses. The directors shall include a  
27 representative of a not-for-profit corporation formed for the purpose  
28 of facilitating economic development, at least two representatives of  
29 state financial institutions engaged in the financing of export  
30 transactions, a representative of a port district, and a representative  
31 of organized labor. Of the remaining board members, there shall be one  
32 representative of business from the area west of Puget Sound, one  
33 representative of business from the area east of Puget Sound and west  
34 of the Cascade range, one representative of business from the area east  
35 of the Cascade range and west of the Columbia river, one representative  
36 of business from the area east of the Columbia river, the director of  
37 the department of community, trade, and economic development, and the  
38 director of the department of agriculture. One of the directors shall

1 be a representative of the public selected from the area in the state  
2 west of the Cascade mountain range and one director shall be a  
3 representative of the public selected from that area of the state east  
4 of the Cascade mountain range. One director shall be a representative  
5 of the public at large. The directors shall be broadly representative  
6 of geographic areas of the state, and the representatives of businesses  
7 shall represent at least four different industries in different sized  
8 businesses as follows: (a) One representative of a company employing  
9 fewer than one hundred persons; (b) one representative of a company  
10 employing between one hundred and five hundred persons; (c) one  
11 representative of a company employing more than five hundred persons;  
12 (d) one representative from an export management company; and (e) one  
13 representative from an agricultural or food processing company. Any  
14 vacancies on the board due to the expiration of a term or for any other  
15 reason shall be filled by appointment by the governor for the unexpired  
16 term.

17 **Sec. 3813.** RCW 49.04.010 and 1984 c 287 s 97 are each amended to  
18 read as follows:

19 The director of labor and industries shall appoint an  
20 apprenticeship council, composed of three representatives each from  
21 employer and employee organizations, respectively. The terms of office  
22 of the members of the apprenticeship council first appointed by the  
23 director of labor and industries shall be as follows: One  
24 representative each of employers and employees shall be appointed for  
25 one year, two years, and three years, respectively. Thereafter, each  
26 member shall be appointed for a term of three years. The governor  
27 shall appoint a public member to the apprenticeship council for a  
28 three-year term. (~~The appointment of the public member is subject to~~  
29 ~~confirmation by the senate.~~) Each member shall hold office until his  
30 or her successor is appointed and has qualified and any vacancy shall  
31 be filled by appointment for the unexpired portion of the term. The  
32 state official who has been designated by the commission for vocational  
33 education as being in charge of trade and industrial education and the  
34 state official who has immediate charge of the state public employment  
35 service shall ex officio be members of (~~said~~) the council, without  
36 vote. Each member of the council, not otherwise compensated by public  
37 moneys, shall be reimbursed for travel expenses in accordance with RCW  
38 43.03.050 and 43.03.060 and shall be compensated in accordance with RCW

1 43.03.240. The apprenticeship council with the consent of employee and  
2 employer groups shall: (1) Establish standards for apprenticeship  
3 agreements in conformity with the provisions of this chapter; (2) issue  
4 such rules and regulations as may be necessary to carry out the intent  
5 and purposes of this chapter, including a procedure to resolve an  
6 impasse should a tie vote of the council occur; and (3) perform such  
7 other duties as are hereinafter imposed. Not less than once a year the  
8 apprenticeship council shall make a report to the director of labor and  
9 industries of its activities and findings which shall be available to  
10 the public.

11 **Sec. 3814.** RCW 70.37.030 and 1989 1st ex.s. c 9 s 261 are each  
12 amended to read as follows:

13 There is hereby established a public body corporate and politic,  
14 with perpetual corporate succession, to be known as the Washington  
15 health care facilities authority. The authority shall constitute a  
16 political subdivision of the state established as an instrumentality  
17 exercising essential governmental functions. The authority is a  
18 "public body" within the meaning of RCW 39.53.010(~~(, as now or~~  
19 ~~hereafter amended)~~). The authority shall consist of the governor who  
20 shall serve as chairman, the lieutenant governor, the insurance  
21 commissioner, the secretary of health, and one member of the public who  
22 shall be appointed by the governor(~~(, subject to confirmation by the~~  
23 ~~senate,)~~) on the basis of the member's interest or expertise in health  
24 care delivery, for a term expiring on the fourth anniversary of the  
25 date of appointment. In the event that any of the offices referred to  
26 shall be abolished the resulting vacancy on the authority shall be  
27 filled by the officer who shall succeed substantially to the powers and  
28 duties thereof. The members of the authority shall be compensated in  
29 accordance with RCW 43.03.240 and shall be entitled to reimbursement,  
30 solely from the funds of the authority, for travel expenses incurred in  
31 the discharge of their duties under this chapter, subject to the  
32 provisions of RCW 43.03.050 and 43.03.060. A majority shall constitute  
33 a quorum.

34 The governor may designate an employee of the governor's office to  
35 act on behalf of the governor during the absence of the governor at one  
36 or more of the meetings of the authority. The vote of the designee  
37 shall have the same effect as if cast by the governor if the

1 designation is in writing and is presented to the person presiding at  
2 the meetings included within the designation.

3 The governor may designate a member to preside during the  
4 governor's absence.

5 **Sec. 3815.** RCW 72.23.025 and 1992 c 230 s 1 are each amended to  
6 read as follows:

7 (1) It is the intent of the legislature to improve the quality of  
8 service at state hospitals, eliminate overcrowding, and more  
9 specifically define the role of the state hospitals. The legislature  
10 intends that eastern and western state hospitals shall become clinical  
11 centers for handling the most complicated long-term care needs of  
12 patients with a primary diagnosis of mental disorder. Over the next  
13 six years, their involvement in providing short-term, acute care, and  
14 less complicated long-term care shall be diminished in accordance with  
15 the revised responsibilities for mental health care under chapter 71.24  
16 RCW. To this end, the legislature intends that funds appropriated for  
17 mental health programs, including funds for regional support networks  
18 and the state hospitals be used for persons with primary diagnosis of  
19 mental disorder. The legislature finds that establishment of the  
20 eastern state hospital board, the western state hospital board, and  
21 institutes for the study and treatment of mental disorders at both  
22 eastern state hospital and western state hospital will be instrumental  
23 in implementing the legislative intent.

24 (2)(a) The eastern state hospital board and the western state  
25 hospital board are each established. Members of the boards shall be  
26 appointed by the governor (~~with the consent of the senate~~). Each  
27 board shall include:

28 (i) The director of the institute for the study and treatment of  
29 mental disorders established at the hospital;

30 (ii) One family member of a current or recent hospital resident;

31 (iii) One consumer of services;

32 (iv) One community mental health service provider;

33 (v) Two citizens with no financial or professional interest in  
34 mental health services;

35 (vi) One representative of the regional support network in which  
36 the hospital is located;

37 (vii) One representative from the staff who is a physician;

38 (viii) One representative from the nursing staff;



1 (ix) One representative from the other professional staff;

2 (x) One representative from the nonprofessional staff; and

3 (xi) One representative of a minority community.

4 (b) At least one representative listed in (a) (viii), (ix), or (x)  
5 of this subsection shall be a union member.

6 (c) Members shall serve four-year terms. Members of the board  
7 shall be reimbursed for travel expenses as provided in RCW 43.03.050  
8 and 43.03.060 and shall receive compensation as provided in RCW  
9 43.03.240.

10 (3) The boards established under this section shall:

11 (a) Monitor the operation and activities of the hospital;

12 (b) Review and advise on the hospital budget;

13 (c) Make recommendations to the governor and the legislature for  
14 improving the quality of service provided by the hospital;

15 (d) Monitor and review the activities of the hospital in  
16 implementing the intent of the legislature set forth in this section;

17 (e) Report periodically to the governor and the legislature on the  
18 implementation of the legislative intent set forth in this section; and

19 (f) Consult with the secretary regarding persons the secretary may  
20 select as the superintendent of the hospital whenever a vacancy occurs.

21 (4)(a) There is established at eastern state hospital and western  
22 state hospital, institutes for the study and treatment of mental  
23 disorders. The institutes shall be operated by joint operating  
24 agreements between state colleges and universities and the department  
25 of social and health services. The institutes are intended to conduct  
26 training, research, and clinical program development activities that  
27 will directly benefit mentally ill persons receiving treatment in  
28 Washington state by performing the following activities:

29 (i) Promote recruitment and retention of highly qualified  
30 professionals at the state hospitals and community mental health  
31 programs;

32 (ii) Improve clinical care by exploring new, innovative, and  
33 scientifically based treatment models for persons presenting  
34 particularly difficult and complicated clinical syndromes;

35 (iii) Provide expanded training opportunities for existing staff at  
36 the state hospitals and community mental health programs;

37 (iv) Promote bilateral understanding of treatment orientation,  
38 possibilities, and challenges between state hospital professionals and  
39 community mental health professionals.

1 (b) To accomplish these purposes the institutes may, within funds  
2 appropriated for this purpose:

3 (i) Enter joint operating agreements with state universities or  
4 other institutions of higher education to accomplish the placement and  
5 training of students and faculty in psychiatry, psychology, social  
6 work, occupational therapy, nursing, and other relevant professions at  
7 the state hospitals and community mental health programs;

8 (ii) Design and implement clinical research projects to improve the  
9 quality and effectiveness of state hospital services and operations;

10 (iii) Enter into agreements with community mental health service  
11 providers to accomplish the exchange of professional staff between the  
12 state hospitals and community mental health service providers;

13 (iv) Establish a student loan forgiveness and conditional  
14 scholarship program to retain qualified professionals at the state  
15 hospitals and community mental health providers when the secretary has  
16 determined a shortage of such professionals exists.

17 (c) Notwithstanding any other provisions of law to the contrary,  
18 the institutes may enter into agreements with the department or the  
19 state hospitals which may involve changes in staffing necessary to  
20 implement improved patient care programs contemplated by this section.

21 (d) The institutes are authorized to seek and accept public or  
22 private gifts, grants, contracts, or donations to accomplish their  
23 purposes under this section.

24 **Sec. 3816.** RCW 75.40.040 and 1983 1st ex.s. c 46 s 152 are each  
25 amended to read as follows:

26 The director, ex officio, and two appointees of the governor  
27 representing the fishing industry shall act as the representatives of  
28 this state on the Pacific Marine Fisheries Commission. ((The  
29 appointees of the governor are subject to confirmation by the state  
30 senate.))

31 **Sec. 3817.** RCW 80.50.030 and 1994 c 264 s 75 and 1994 c 154 s 315  
32 are each reenacted and amended to read as follows:

33 (1) There is created and established the energy facility site  
34 evaluation council.

35 (2)(a) The chairman of the council shall be appointed by the  
36 governor ((with the advice and consent of the senate)), shall have a  
37 vote on matters before the council, shall serve for a term coextensive

1 with the term of the governor, and is removable for cause. The  
2 chairman may designate a member of the council to serve as acting  
3 chairman in the event of the chairman's absence. The chairman is a  
4 "state employee" for the purposes of chapter 42.52 RCW. As applicable,  
5 when attending meetings of the council, members may receive  
6 reimbursement for travel expenses in accordance with RCW 43.03.050 and  
7 43.03.060, and are eligible for compensation under RCW 43.03.240.

8 (b) The chairman or a designee shall execute all official  
9 documents, contracts, and other materials on behalf of the council.  
10 The Washington state energy office shall provide all administrative and  
11 staff support for the council. The director of the energy office has  
12 supervisory authority over the staff of the council and shall employ  
13 such personnel as are necessary to implement this chapter. Not more  
14 than three such employees may be exempt from chapter 41.06 RCW.

15 (3) The council shall consist of the directors, administrators, or  
16 their designees, of the following departments, agencies, commissions,  
17 and committees or their statutory successors:

- 18 (a) Department of ecology;
- 19 (b) Department of fish and wildlife;
- 20 (c) Parks and recreation commission;
- 21 (d) Department of health;
- 22 (e) State energy office;
- 23 (f) Department of community, trade, and economic development;
- 24 (g) Utilities and transportation commission;
- 25 (h) Office of financial management;
- 26 (i) Department of natural resources;
- 27 (j) Department of agriculture;
- 28 (k) Department of transportation.

29 (4) The appropriate county legislative authority of every county  
30 wherein an application for a proposed site is filed shall appoint a  
31 member or designee as a voting member to the council. The member or  
32 designee so appointed shall sit with the council only at such times as  
33 the council considers the proposed site for the county which he or she  
34 represents, and such member or designee shall serve until there has  
35 been a final acceptance or rejection of the proposed site;

36 (5) The city legislative authority of every city within whose  
37 corporate limits an energy plant is proposed to be located shall  
38 appoint a member or designee as a voting member to the council. The  
39 member or designee so appointed shall sit with the council only at such

1 times as the council considers the proposed site for the city which he  
2 or she represents, and such member or designee shall serve until there  
3 has been a final acceptance or rejection of the proposed site.

4 (6) For any port district wherein an application for a proposed  
5 port facility is filed subject to this chapter, the port district shall  
6 appoint a member or designee as a nonvoting member to the council. The  
7 member or designee so appointed shall sit with the council only at such  
8 times as the council considers the proposed site for the port district  
9 which he or she represents, and such member or designee shall serve  
10 until there has been a final acceptance or rejection of the proposed  
11 site. The provisions of this subsection shall not apply if the port  
12 district is the applicant, either singly or in partnership or  
13 association with any other person.

14 **Sec. 3818.** RCW 88.16.010 and 1991 c 200 s 1001 are each amended to  
15 read as follows:

16 (1) The board of pilotage commissioners of the state of Washington  
17 is hereby created and shall consist of the assistant secretary of  
18 marine transportation of the department of transportation of the state  
19 of Washington, or the assistant secretary's designee who shall be an  
20 employee of the marine division, who shall be chairperson, the  
21 administrator of the office of marine safety, or the administrator's  
22 designee, and seven members appointed by the governor (~~and confirmed~~  
23 ~~by the senate~~). Each of the appointed commissioners shall be  
24 appointed for a term of four years from the date of the member's  
25 commission. No person shall be eligible for appointment to the board  
26 unless that person is at the time of appointment eighteen years of age  
27 or over and a citizen of the United States and of the state of  
28 Washington. Two of the appointed commissioners shall be pilots  
29 licensed under this chapter and actively engaged in piloting upon the  
30 waters covered by this chapter for at least three years immediately  
31 preceding the time of appointment and while serving on the board. One  
32 pilot shall be from the Puget Sound pilotage district and one shall be  
33 from the Grays Harbor pilotage district. Two of the appointed  
34 commissioners shall be actively engaged in the ownership, operation, or  
35 management of deep sea cargo and/or passenger carrying vessels for at  
36 least three years immediately preceding the time of appointment and  
37 while serving on the board(~~(-)~~), with one (~~(of said shipping~~  
38 ~~commissioners shall be a representative of)~~) representing American and

1 one ((of)) representing foreign shipping. One of the commissioners  
2 shall be a representative from a recognized environmental organization  
3 concerned with marine waters. The remaining commissioners shall be  
4 persons interested in and concerned with pilotage, maritime safety, and  
5 marine affairs, with broad experience related to the maritime industry  
6 exclusive of experience as either a state licensed pilot or as a  
7 shipping representative.

8 (2) Any vacancy in an appointed position on the board shall be  
9 filled by the governor for the remainder of the unfilled term(~~(7~~  
10 ~~subject to confirmation by the senate)~~).

11 (3) Five members of the board shall constitute a quorum. At least  
12 one pilot, one shipping representative, and one public member must be  
13 present at every meeting. All commissioners and the chairperson shall  
14 have a vote."

15 Renumber the remaining sections consecutively and correct any  
16 internal references accordingly.

17 **ESHB 1107** - S AMD TO S AMD (S2752.3) 338  
18 By Senators Haugen, Winsley and Snyder

19 ADOPTED 4/13/95

20 On page 55, beginning on line 6 of the title amendment, after  
21 "43.131.369," strike "and 43.131.370" and insert "43.131.370,  
22 9.94A.060, 9.94A.250, 9.95.003, 13.40.025, 18.64.001, 28B.07.030,  
23 28C.18.020, 41.64.010, 43.97.025, 43.99.110, 43.180.040, 43.210.030,  
24 49.04.010, 70.37.030, 72.23.025, 75.40.040, and 88.16.010"

25 On page 55, beginning on line 7 of the title amendment, after  
26 "82.44.180," strike "and 75.30.050" and insert "75.30.050, and  
27 80.50.030"

--- END ---