
ENGROSSED SUBSTITUTE HOUSE BILL 2736

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Murray, Simpson, G., Dickerson, Rockefeller and Wood)

READ FIRST TIME 02/03/04.

1 AN ACT Relating to transportation governance; amending RCW
2 47.01.041 and 43.17.020; creating new sections; repealing RCW 47.01.051
3 and 47.01.071; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes the need to
6 streamline governance of the transportation system in order to increase
7 efficiency and accountability to the people it serves. The legislature
8 intends to create a single point of accountability for the performance
9 of the state department of transportation by making management of the
10 department directly accountable to the governor.

11 The legislature also desires to further streamline governance
12 structures. A bipartisan, bicameral review and analysis of the current
13 duties and responsibilities of the transportation commission must be
14 conducted to determine where these functions are best carried out.

15 NEW SECTION. **Sec. 2.** A bicameral, bipartisan review panel shall
16 conduct a review and analysis of the statutory duties, roles,
17 functions, and responsibilities of the transportation commission. The
18 review panel must make recommendations for the disposition of these

1 duties, roles, functions, and responsibilities, assuming the
2 transportation commission is dissolved. In making its recommendations,
3 the review panel must, at a minimum, consider the proper separation of
4 powers between the executive and legislative branches of government.

5 The review panel is comprised of eight legislators, with equal
6 representation from each house and each major political caucus. The
7 chairpersons and ranking minority members of the house and senate
8 transportation committees shall make appointments from their respective
9 caucuses. The review panel must complete its analysis and forward its
10 recommendations to the house of representatives and the senate by
11 December 3, 2004.

12 **Sec. 3.** RCW 47.01.041 and 1983 1st ex.s. c 53 s 28 are each
13 amended to read as follows:

14 The executive head of the department of transportation shall be the
15 secretary of transportation, who shall be appointed by the
16 ~~((transportation commission, and))~~ governor. The appointment of the
17 secretary must be confirmed by the senate. The secretary shall be paid
18 a salary to be fixed by the governor in accordance with the provisions
19 of RCW 43.03.040. ~~((The secretary shall be an ex officio member of the~~
20 ~~commission without a vote. The secretary shall be the chief executive~~
21 ~~officer of the commission and be responsible to it, and shall be guided~~
22 ~~by policies established by it.))~~ The secretary shall serve ~~((until~~
23 ~~removed by the commission, but only for incapacity, incompetence,~~
24 ~~neglect of duty, malfeasance in office, or failure to carry out the~~
25 ~~commission's policies. Before a motion for dismissal shall be acted on~~
26 ~~by the commission, the secretary shall be granted a hearing on formal~~
27 ~~written charges before the full commission. An action by the~~
28 ~~commission to remove the secretary shall be final))~~ at the pleasure of
29 the governor.

30 **Sec. 4.** RCW 43.17.020 and 1995 1st sp.s. c 2 s 2 are each amended
31 to read as follows:

32 There shall be a chief executive officer of each department to be
33 known as: (1) The secretary of social and health services, (2) the
34 director of ecology, (3) the director of labor and industries, (4) the
35 director of agriculture, (5) the director of fish and wildlife, (6) the
36 secretary of transportation, (7) the director of licensing, (8) the

1 director of general administration, (9) the director of community,
2 trade, and economic development, (10) the director of veterans affairs,
3 (11) the director of revenue, (12) the director of retirement systems,
4 (13) the secretary of corrections, (~~and~~) (14) the secretary of
5 health, and (15) the director of financial institutions.

6 Such officers, except the (~~secretary of transportation and the~~)
7 director of fish and wildlife, shall be appointed by the governor, with
8 the consent of the senate, and hold office at the pleasure of the
9 governor. (~~The secretary of transportation shall be appointed by the~~
10 ~~transportation commission as prescribed by RCW 47.01.041.~~) The
11 director of fish and wildlife shall be appointed by the fish and
12 wildlife commission as prescribed by RCW 77.04.055.

13 NEW SECTION. **Sec. 5.** The following acts or parts of acts are each
14 repealed:

- 15 (1) RCW 47.01.051 (Commission created--Appointment of members--
16 Terms--Qualifications--Removal) and 1977 ex.s. c 151 s 5; and
- 17 (2) RCW 47.01.071 (Commission--Functions, powers, and duties) and
18 1981 c 59 s 2, 1980 c 87 s 45, & 1977 ex.s. c 151 s 7.

19 NEW SECTION. **Sec. 6.** Section 5 of this act takes effect October
20 1, 2005.

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