

ESSB 5432 - H COMM AMD

By Committee on Natural Resources, Ecology & Parks

NOT ADOPTED 04/20/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that implementing the
4 2004 oil spill early action task force recommendations to increase
5 opportunities for the public to participate in the oil spill process
6 will lead to improvements to the state's oil spill program.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.56 RCW
8 to read as follows:

9 (1)(a) There is established in the office of the governor the oil
10 spill advisory council.

11 (b) The primary purpose of the council is to maintain the state's
12 vigilance in, by ensuring an emphasis on, the prevention of oil spills
13 to marine waters, while recognizing the importance of also improving
14 preparedness and response.

15 (c) The council shall be an advisory body only.

16 (2)(a) The council is composed of fifteen members representing
17 various interests as follows:

18 (i) Three representatives of environmental organizations;

19 (ii) One representative of commercial shellfish interests;

20 (iii) One representative of commercial fisheries that primarily
21 fishes in Washington waters;

22 (iv) One representative of marine recreation;

23 (v) One representative of tourism interests;

24 (vi) Three representatives of county government from counties
25 bordering Puget Sound, the Columbia river/Pacific Ocean, and the Strait
26 of Juan de Fuca/San Juan Islands;

27 (vii) Two representatives of marine trade interests;

28 (viii) One representative of major oil facilities;

29 (ix) One representative of public ports; and

1 (x) An individual who resides on a shoreline who has an interest,
2 experience, and familiarity in the protection of water quality.

3 (b) In addition to the members identified in this subsection, the
4 governor shall invite the participation of tribal governments through
5 the appointment of two representatives to the council.

6 (3) Appointments to the council shall reflect a geographical
7 balance and the diversity of populations within the areas potentially
8 affected by oil spills to state waters.

9 (4) Members shall be appointed by the governor and shall serve
10 four-year terms, except the initial members appointed to the council.
11 Initial members to the council shall be appointed as follows: Five
12 shall serve two-year terms, five shall serve three-year terms, and five
13 shall serve four-year terms. Vacancies shall be filled by appointment
14 in the same manner as the original appointment for the remainder of the
15 unexpired term of the position vacated. Members serve at the pleasure
16 of the governor.

17 (5) The council shall elect a chair from among its members in odd-
18 numbered years to serve for two years as chair. The chair shall
19 convene the council at least four times per year. At least one meeting
20 per year shall be held in a Columbia river community, an ocean coastal
21 community, and a Puget Sound community.

22 (6) Members shall not be compensated, but shall be reimbursed for
23 travel expenses while attending meetings of the council or technical
24 advisory committee as provided in RCW 43.03.050 and 43.03.060.

25 (7) The first meeting of the council shall be convened by the
26 governor or the governor's designee. Other meetings may be convened by
27 a vote of at least a majority of the voting members of the council, or
28 by call of the chair. All meetings are subject to the open public
29 meetings act. The council shall maintain minutes of all meetings.

30 (8) To the extent possible, all decisions of the council shall be
31 by the consensus of the members. If consensus is not possible, nine
32 voting members of the council may call for a vote on a matter. When a
33 vote is called, all decisions shall be determined by a majority vote of
34 the voting members present. Two-thirds of the voting members are
35 required to be present for a quorum for all votes. The subject matter
36 of all votes and the vote tallies shall be recorded in the minutes of
37 the council.

1 (9) The council may form subcommittees and technical advisory
2 committees.

3 NEW SECTION. **Sec. 3.** (1) It is the intent of the legislature to
4 implement this act within existing resources allocated to the
5 department of ecology's oil spill program and with moneys that may be
6 appropriated to implement the recommendations from the oil spill early
7 action task force.

8 (2) By December 15, 2006, the council shall report to the governor
9 and appropriate committees of the legislature recommendations for:

- 10 (a) The long-term funding of the council's activities; and
11 (b) The appropriate agency in which to locate the council."

12 Correct the title.

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