

HOUSE BILL REPORT

HB 1847

As Reported by House Committee On:
State Government Operations & Accountability

Title: An act relating to the statute law committee.

Brief Description: Changing administrative oversight of the code reviser's office.

Sponsors: Representatives Haigh, McDermott, Jarrett, Miloscia, Nixon, Green, Wallace and Hunt.

Brief History:

Committee Activity:

State Government Operations & Accountability: 2/23/05, 2/25/05 [DPS].

Brief Summary of Substitute Bill

- Changes the membership of the Statute Law Committee.

HOUSE COMMITTEE ON STATE GOVERNMENT OPERATIONS & ACCOUNTABILITY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Haigh, Chair; Green, Vice Chair; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Hunt, McDermott, Miloscia, Schindler and Sump.

Staff: Jim Morishima (786-7191).

Background:

The Office of the Code Reviser was created in 1951. The office is a legislative agency whose responsibilities include:

- codifying, indexing, and publishing the Revised Code of Washington, including harmonizing the statutes through administrative changes or suggested legislation;
- drafting bills on behalf of legislators, legislative committees, joint committees, state elected officials, and agencies;
- acting as the repository for various documents relating to administrative rulemaking; and
- publishing a variety of rulemaking-related publications, including the Washington Administrative Code and the State Register.

The Code Reviser is employed at will by the Statute Law Committee. The Statute Law Committee is also responsible for setting the Code Reviser's salary and employing the Code Reviser's staff. The Statute Law Committee is made up of the following members:

- a member of the Legislature who is also a lawyer;
- the chair of the House Judiciary Committee or a member serving on the committee who is a member of the same party as the chair;
- a member of the House Judiciary Committee who is not a member of the same party as the chair;
- the chair of the Senate Judiciary Committee or a member serving on the committee who is a member of the same party as the chair;
- a member of the Senate Judiciary Committee who is not a member of the same party as the chair;
- five lawyers designated by the Washington State Bar Association;
- a Justice of the Washington Supreme Court or a lawyer designated by the Chief Justice; and
- a lawyer appointed by the Governor.

The term of office for the lawyer members appointed by the Washington State Bar Association is six years. The term of office for the legislative members is two years. The term of office for the member appointed by the Chief Justice is at the pleasure of the Supreme Court. The term of office for the Governor's appointee is four years.

Summary of Substitute Bill:

The membership of the Statute Law Committee is changed to:

- the Secretary of the Senate;
- an attorney staff member of the Senate appointed by the minority caucus;
- the Chief Clerk of the House;
- an attorney staff member of the House appointed by the minority caucus;
- the staff Director of Senate Committee Services;
- the staff Director of the Office of Program Research;
- a lawyer appointed by the Washington State Bar Association;
- a Justice of the Washington Supreme Court appointed by the Chief Justice; and
- a lawyer staff member of the Governor's office or a state agency.

The term of office for the member appointed by the Washington State Bar Association is two years. The term of office for the Secretary of the Senate, the Chief Clerk of the House, the staff Director of Senate Committee Services, and the staff Director of the Office of Program Research expires when the tenure of the position expires. The remaining committee members serve at the pleasure of the appointing authority.

Substitute Bill Compared to Original Bill:

The substitute bill removes the provisions in the original bill that placed the Office of the Code Reviser under the oversight of an administrative committee and the Legislature. Instead, the substitute bill changes the membership and terms of office of the Statute Law Committee.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: This bill helps to modernize the Statute Law Committee. The bill helps to mate the members of the committee with the tasks of the Code Reviser. The duties of the Code Reviser have changed over the years. The agency is now primarily tasked with bill drafting services. Committee staff and legislators are now the primary users of the Code Reviser. Administration of the Code Reviser should be vested with the primary users of the agency.

Testimony Against: The Statute Law Committee has existed since 1951. The membership of the committee is varied and already includes five legislators. The impetus behind this bill is not clear. The bill will neither modernize the Office of the Code Reviser nor improve the office. The Office of the Code Reviser would not work the same with a political appointee in charge. This bill would profoundly change the way the Office of the Code Reviser operates. The efficiency of the office has never been questioned. The Office of the Code Reviser is not broken and does not need to be fixed.

Persons Testifying: (In support) Representative Haigh, prime sponsor.

(Opposed) John G. Schultz, Statute Law Committee.

Persons Signed In To Testify But Not Testifying: None.