
SUBSTITUTE SENATE BILL 5039

State of Washington

61st Legislature

2009 Regular Session

By Senate Judiciary (originally sponsored by Senators Jarrett and Kohl-Welles)

READ FIRST TIME 02/06/09.

1 AN ACT Relating to membership of the Washington state forensic
2 investigations council; amending RCW 43.103.040; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that it is in the
6 interests of justice and public safety that the work of the state crime
7 laboratory remains above criticism. The legislature further finds that
8 recent events have called into question the truth of reports from the
9 state crime laboratory. Therefore, it is the legislature's intent that
10 oversight of the laboratory by the Washington state forensic
11 investigations council must be strengthened with the addition of a
12 scientist from a university in the state of Washington.

13 **Sec. 2.** RCW 43.103.040 and 1995 c 398 s 5 are each amended to read
14 as follows:

15 The council shall consist of (~~twelve~~) thirteen members who shall
16 be selected as follows: One county coroner; one county prosecutor; one
17 county prosecutor who also serves as ex officio county coroner; one
18 county medical examiner; one county sheriff; one chief of police; the

1 chief of the state patrol; two members of a county legislative
2 authority; one pathologist who is currently in private practice;
3 ~~((and))~~ two members of a city legislative authority; and one member
4 with a doctorate in a physical science who is a tenured faculty member
5 at a university or college in the state of Washington which is a member
6 institution of a recognized accrediting association and has operated as
7 a nonprofit college or university delivering on-site classroom
8 instruction for a minimum of twenty consecutive years within the state
9 of Washington, and has an annual enrollment of at least seven hundred
10 full-time equivalent students.

11 The governor shall appoint members to the council from among the
12 nominees submitted for each position as follows: The Washington
13 association of county officials shall submit two nominees each for the
14 coroner position and the medical examiner position; the Washington
15 state association of counties shall submit two nominees each for the
16 two county legislative authority positions; the association of
17 Washington cities shall submit two nominees each for the two city
18 legislative authority positions; the Washington association of
19 prosecuting attorneys shall submit two nominees each for the county
20 prosecutor-ex officio county coroner and for the county prosecutor
21 position; the Washington association of sheriffs and police chiefs
22 shall submit two nominees each for the county sheriff position and the
23 chief of police position; ~~((and))~~ the Washington association of
24 pathologists shall submit two nominees for the private pathologist
25 position; and the president of an institution of higher education as
26 defined in RCW 28B.10.016(4) or the president of a nonprofit college or
27 university delivering on-site classroom instruction for a minimum of
28 twenty consecutive years within the state of Washington, and has an
29 annual enrollment of at least seven hundred full-time equivalent
30 students may each forward to the governor a nomination of a member of
31 the faculty at the college or university at which the president serves.
32 No president shall be required to submit a nomination, and the governor
33 shall not be restricted to appointing a member to the council from
34 among individuals nominated by a president.

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