

**MINUTES OF THE FIRST MEETING OF THE STATUTE LAW COMMITTEE
2009-2011 Biennium**

December 2, 2009

The Statute Law Committee held its first meeting of the 2009-2011 biennium at 10:00 a.m. in the House Rules Room in the Legislative Building in Olympia.

The meeting opened with Chair Marty Brown presiding.

Members present: Baker, Carrell, Conte, Goodman, Panesko, and Rodger.

Members absent: Alexander, Hoemann, Rockefeller, and Rodne.

Also in attendance were Kyle Thiessen, Code Reviser, who also served as the committee's secretary; Lew Lewis, Deputy Code Reviser; Kerry Radcliff, Washington State Register Editor; and Debbie Deibert, Administrative Secretary.

The Chair noted that minutes to the June 17, 2009, meeting had been distributed. (Tab 1) A motion was made by Barbara Baker to adopt the minutes to the previous meeting. The motion was seconded by Senator Mike Carrell and adopted.

Kyle Thiessen presented a brief overview on the history of sales and revenue decreases to the committee. He noted that the Code Reviser's Office has had to adjust its publishing practices to fit the new market by cutting down on press runs of publications, changing state law to provide that the official version of the Washington State Register is now published electronically on the internet, and publishing one perfect bound set of the session laws instead of one soft set and one hard bound set.

Mr. Thiessen reported that the office has been updating and perfecting the way the RCW, WAC, Session Laws, and WSR are displayed on the internet. Also, the technical and computer staff of the Code Reviser's Office has obtained the

ability to print CDs of most publications on demand, thereby reducing the historical \$50 price of each CD to \$39 each.

Modernization of publishing practices has helped to stabilize the balance in the Publication Account. (Tab 2)

Included in Mr. Thiessen's overview of the publication account's balance over the previous years is that sales of the Washington Administrative Code do not support the expense of publishing it. Most problematic is that by the time the WAC is published in paper form, it is out of date. The Code Reviser's Office is charged in statute with compiling the administrative code, it does not specify how the compilation should look. The Code Reviser's Office is exploring ideas on providing the WAC in a different way to customers. It has been observed that users are usually only interested in a few WAC titles. Selling a soft bound version title by title may be more cost-effective and up-to-date than the current practice of publishing 12 volumes every other year and a two-set supplement in between. A meeting has been set up with the Department of Printing to find out what options they can present for a "title by title" print on demand system that would allow for selling and distribution to customers at a reasonable cost to the office and the customer. The reprint of the WAC will not occur until 2011. The Code Reviser will report back to the committee on his findings and suggest a workable solution to providing the WAC to customers in a cost-effective manner.

Mr. Panesko commented that at most he might use 10 titles of the WAC. He suggested that a survey be conducted concerning customer's use of the WAC. Kyle reported that he has already talked to the library association. Kerry Radcliff commented that there were plans to do a survey. She also noted that providing updates to WAC titles is being investigated. Some agencies do not touch their titles for years and gave some statistics concerning titles updated. (Tab 3)

Mr. Thiessen presented a report to the committee that listed the number of free session laws sets sent out to various entities. There seemed to be a wide difference in the number of free sets provided to the county auditors. The committee encouraged the office to conduct a survey that would explain how the free sets are used and also suggested a formula be established for how many session laws each county auditor would get. The committee discussed the possibility of amending RCW 40.04.031 concerning the distribution, sale, and exchange of the session laws. Mr. Thiessen noted that the Code Reviser's Office should also be investigating alternative publication methods and shifting the focus from paper copy to the newer technology such as Kindles, I-Phones, PDAs, and

Blackberries. Mr. Thiessen pointed out that one of the assistant code revisers has been doing a study on different publishing media. Mr. Lewis spoke on copyright of the Revised Code of Washington and unauthorized use of it by outside or even foreign publishing companies and a discussion followed. (Tab 4)

Mr. Thiessen presented the notes and minutes to an all-staff meeting of the Code Reviser's Office which was held November 3, 2009. Every Tuesday, each department provides a report on its workload, problems encountered, and timelines met. Usually, the Tuesday meetings or reports just involve data gathered by the supervisor of that particular department; however, once a year, all staff are invited and encouraged to attend the meeting, listen to the reports, and ask questions.

Mr. Thiessen reported that the finances and accounts for the office are in fine shape. The office continues to look for cost-savings measures. The code reviser's warehouse supervisor tested for the position of session proof reader and received a very good score. During legislative session, there are fewer publications to send out, so he will be spending most of each day proofing bill digests and indexes. This saves an FTE and salary. (Tab 5)

The Code Reviser reported that four Statute Law Committee technical bills have been drafted and e-mailed by the office to interested parties and potential sponsors. These bills include gender neutral language, respectful language, a technical cleanup of double amendments, and a bill which changes the department name of Community, Trade, and Economic Development to Department of Commerce. A discussion was held on the size of each bill and a question as to the need to have a bill draft that would just change the name of a department. In this case, the legislature directed that a name-change bill be drafted.

Thereupon, the meeting adjourned at 11:07 a.m., the next meeting to be held at the call of the Chair.

K. KYLE THIESSEN, Secretary

MARTY BROWN, Chair

Date

(Tab references are to the meeting binder.)