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HOUSE BILL 1306

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Nelson, R. Fisher, Cooper, Wineberry and R. Johnson.

Read first time January 25, 1991.      Referred to Committee on  
Transportation.

1            AN ACT Relating to the secretary of transportation; and amending  
2      RCW 47.01.041 and 47.01.061.

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

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

6            The executive head of the department of transportation shall be the  
7      secretary of transportation, who shall be appointed by the  
8      transportation commission, and shall be paid a salary to be fixed by  
9      the governor in accordance with the provisions of RCW 43.03.040. The  
10     secretary shall be an ex officio member of the commission without a  
11     vote.      The secretary shall be the chief executive officer of the  
12     commission and be responsible to it, and shall be guided by policies  
13     established by it.      The secretary shall serve until removed by the  
14     commission, but only for incapacity, incompetence, neglect of duty,  
15     malfeasance in office, ~~((or))~~ failure to carry out the commission's

1 policies, or failure of the evaluation process specified in RCW  
2 47.01.061. Before a motion for dismissal shall be acted on by the  
3 commission, the secretary shall be granted a hearing on formal written  
4 charges before the full commission. An action by the commission to  
5 remove the secretary shall be final.

6 **Sec. 2.** RCW 47.01.061 and 1987 c 364 s 2 are each amended to read  
7 as follows:

8 The commission shall meet at such times as it deems advisable but  
9 at least once every month. It may adopt its own rules and regulations  
10 and may establish its own procedure. It shall act collectively in  
11 harmony with recorded resolutions or motions adopted by majority vote  
12 of at least four members. The commission may appoint an administrative  
13 secretary, and shall elect one of its members chairman for a term of  
14 one year. The chairman shall be able to vote on all matters before the  
15 commission. The commission may from time to time retain planners,  
16 consultants, and other technical personnel to advise it in the  
17 performance of its duties.

18 The commission shall submit to each regular session of the  
19 legislature held in an odd-numbered year its own budget proposal  
20 necessary for the commission's operations separate from that proposed  
21 for the department. The commission shall establish criteria for  
22 evaluation of the secretary and shall annually evaluate the secretary.

23 Each member of the commission shall be compensated in accordance  
24 with RCW 43.03.250 and shall be reimbursed for actual necessary  
25 traveling and other expenses in going to, attending, and returning from  
26 meetings of the commission, and actual and necessary traveling and  
27 other expenses incurred in the discharge of such duties as may be  
28 requested by a majority vote of the commission or by the secretary of  
29 transportation, but in no event shall a commissioner be compensated in

1 any year for more than one hundred twenty days, except the chairman of  
2 the commission who may be paid compensation for not more than one  
3 hundred fifty days. Service on the commission shall not be considered  
4 as service credit for the purposes of any public retirement system.