

CHAPTER 151

[House Bill No. 848]

OFFICE OF FINANCIAL MANAGEMENT—STATUTORY DEVOLUTION

AN ACT Relating to state government; amending section 1, chapter 299, Laws of 1961 as amended by section 1, chapter 42, Laws of 1967 ex. sess. and RCW 3.30.010; amending section 4, chapter 95, Laws of 1895 as last amended by section 1, chapter 144, Laws of 1977 ex. sess. and RCW 4.92.040; amending section 3, chapter 159, Laws of 1963 as last amended by section 2, chapter 144, Laws of 1977 ex. sess. and RCW 4.92.100; amending section 4, chapter 159, Laws of 1963 as amended by section 3, chapter 144, Laws of 1977 ex. sess. and RCW 4.92.110; amending section 10, chapter 159, Laws of 1963 as last amended by section 6, chapter 126, Laws of 1975 1st ex. sess. and RCW 4.92.160; amending section 11, chapter 159, Laws of 1963 as last amended by section 2, chapter 228, Laws of 1977 ex. sess. and RCW 4.92.170; amending section 4, chapter 213, Laws of 1955 as amended by section 7, chapter 106, Laws of 1973 and RCW 8.04.090; amending section 10, chapter 74, Laws of 1891 as amended by section 8, chapter 106, Laws of 1973 and RCW 8.04.160; amending section 5, chapter 165, Laws of 1969 ex. sess. as last amended by section 1, chapter 307, Laws of 1977 ex. sess. and RCW 13.06.050; amending section 5, chapter 168, Laws of 1971 ex. sess. and RCW 26.34.050; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 15, Laws of 1972 ex. sess. and RCW 28A.10.080; amending section 14, chapter 244, Laws of 1969 ex. sess. as amended by section 5, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.140; amending section 28A.61.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 101, Laws of 1974 ex. sess. and RCW 28A.61.030; amending section 2, chapter 279, Laws of 1971 ex. sess. as amended by section 3, chapter 331, Laws of 1977 ex. sess. and RCW 28B.15.031; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 8, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.100; amending section 11, chapter 36, Laws of 1969 ex. sess. as last amended by section 10, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.110; amending section 11, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.112; amending section 20, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.200; amending section 4, chapter 120, Laws of 1973 1st ex. sess. and RCW 28B.17.040; amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 282, Laws of 1977 ex. sess. and RCW 28B.50.090; amending section 2, chapter 331, Laws of 1977 ex. sess. and RCW 28B.50.143; amending section 9, chapter 277, Laws of 1969 ex. sess. as amended by section 6, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.080; amending section 12, chapter 174, Laws of 1975 1st ex. sess. as amended by section 1, chapter 86, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.510; amending section 35.04.070, chapter 7, Laws of 1965 as amended by section 5, chapter 110, Laws of 1977 ex. sess. and RCW 35.04.070; amending section 35.13.260, chapter 7, Laws of 1965 as last amended by section 1, chapter 31, Laws of 1975 1st ex. sess. and RCW 35.13.260; amending section 35.18.020, chapter 7, Laws of 1965 and RCW 35.18.020; amending section 35.21.600, chapter 7, Laws of 1965 as amended by section 6, chapter 47, Laws of 1965 ex. sess. and RCW 35.21.600; amending section 12, chapter 277, Laws of 1977 ex. sess. and RCW 35.58.020; amending section 35A.04.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.04.080; amending section 35A.04.160, chapter 119, Laws of 1967 ex. sess. and RCW 35A.04.160; amending section 35A.05.120, chapter 119, Laws of 1967 ex. sess. and RCW 35A.05.120; amending section 35A.08.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.08.020; amending section 35A.12.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.010; amending section 35A.13.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.13.010; amending section 35A.14.700, chapter 119, Laws of 1967 ex. sess. as amended by section 2, chapter 31, Laws of 1975 1st ex. sess. and RCW 35A.14.700; amending section 35A.44.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.44.010; amending section 36.13.030, chapter 4, Laws of 1963 as amended by section 1, chapter 110, Laws of 1977 ex. sess. and RCW 36.13.030; amending section 36.38.020, chapter 4, Laws of 1963 as amended by section 21, chapter 278, Laws of 1975 1st ex. sess. and RCW 36.38.020; amending section 1, chapter 167, Laws of 1974 ex. sess. and RCW 36.57.010; amending section 11, chapter 270, Laws of 1975 1st ex. sess. and RCW

36.57A.010; amending section 25, chapter 270, Laws of 1975 1st ex. sess. and RCW 36-.57A.150; amending section 11, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.110; amending section 4, chapter 8, Laws of 1971 ex. sess. as last amended by section 6, chapter 144, Laws of 1977 ex. sess. and RCW 38.52.205; amending section 1, chapter 191, Laws of 1974 ex. sess. and RCW 39.29.010; amending section 1, chapter 61, Laws of 1969 ex. sess. and RCW 39.34.130; amending section 2, chapter 61, Laws of 1969 ex. sess. and RCW 39.34.140; amending section 3, chapter 61, Laws of 1969 ex. sess. and RCW 39.34.150; amending section 1, chapter 15, Laws of 1977 ex. sess. and RCW 39.58.150; amending section 6, chapter 150, Laws of 1941 as last amended by section 3, chapter 33, Laws of 1973 and RCW 40.04.100; amending section 2, chapter 232, Laws of 1977 ex. sess. and RCW 40.07.020; amending section 4, chapter 246, Laws of 1957 as amended by section 3, chapter 54, Laws of 1973 and RCW 40.14.040; amending section 6, chapter 246, Laws of 1957 as amended by section 4, chapter 54, Laws of 1973 and RCW 40.14-.060; amending section 2, chapter 208, Laws of 1957 as amended by section 16, chapter 106, Laws of 1973 and RCW 41.04.036; amending section 5, chapter 59, Laws of 1969 as last amended by section 5, chapter 147, Laws of 1973 1st ex. sess. and RCW 41.04.230; amending section 5, chapter 39, Laws of 1970 ex. sess. as last amended by section 4, chapter 136, Laws of 1977 ex. sess. and RCW 41.05.050; amending section 7, chapter 239, Laws of 1969 ex. sess. and RCW 41.06.075; amending section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter 152, Laws of 1977 ex. sess. and RCW 41.06-.150; amending section 16, chapter 1, Laws of 1961 as amended by section 2, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.160; amending section 3, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.163; amending section 5, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.167; amending section 27, chapter 1, Laws of 1961 and RCW 41-.06.270; amending section 2, chapter 239, Laws of 1975 1st ex. sess. and RCW 41.07.020; amending section 38, chapter 274, Laws of 1947 as last amended by section 20, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.370; amending section 13, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.800; amending section 15, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.802; amending section 4, chapter 5, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.801; amending section 5, chapter 5, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.802; amending section 1, chapter 130, Laws of 1891 as last amended by section 1, chapter 59, Laws of 1969 and RCW 42.16.010; amending section 2, chapter 25, Laws of 1967 ex. sess. as amended by section 2, chapter 59, Laws of 1969 and RCW 42.16.011; amending section 4, chapter 25, Laws of 1967 ex. sess. as amended by section 3, chapter 59, Laws of 1969 and RCW 42.16.013; amending section 5, chapter 25, Laws of 1967 ex. sess. as amended by section 4, chapter 59, Laws of 1969 and RCW 42.16.014; amending section 8, chapter 25, Laws of 1967 ex. sess. and RCW 42.16.017; amending and reenacting section 24, chapter 1, Laws of 1973 as last amended by section 1, chapter 104, Laws of 1975-'76 2nd ex. sess. and by section 7, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.240; amending section 3, chapter 60, Laws of 1969 ex. sess. and RCW 42.26.030; amending section 4, chapter 60, Laws of 1969 ex. sess. as amended by section 1, chapter 40, Laws of 1977 and RCW 42-.26.040; amending section 5, chapter 60, Laws of 1969 ex. sess. and RCW 42.26.050; amending section 7, chapter 60, Laws of 1969 ex. sess. and RCW 42.26.070; amending section 8, chapter 60, Laws of 1969 ex. sess. and RCW 42.26.080; amending section 9, chapter 60, Laws of 1969 ex. sess. and RCW 42.26.090; amending section 43.01.050, chapter 8, Laws of 1965 as amended by section 1, chapter 212, Laws of 1967 and RCW 43.01.050; amending section 43.01.090, chapter 8, Laws of 1965 as last amended by section 1, chapter 82, Laws of 1973 1st ex. sess. and RCW 43.01.090; amending section 2, chapter 48, Laws of 1974 ex. sess. and RCW 43.01.140; amending section 43.03.050, chapter 8, Laws of 1965 as last amended by section 1, chapter 312, Laws of 1977 ex. sess. and RCW 43.03.050; amending section 43.03.060, chapter 8, Laws of 1965 as last amended by section 2, chapter 312, Laws of 1977 ex. sess. and RCW 43.03.060; amending section 4, chapter 312, Laws of 1977 ex. sess. and RCW 43.03.065; amending section 2, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.120; amending section 6, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.150; amending section 12, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.210; amending section 43.08.060, chapter 8, Laws of 1965 as amended by section 1, chapter 16, Laws of 1977 and RCW 43.08.060; amending section 43.08.110, chapter 8, Laws of 1965 and RCW 43.08.110; amending and reenacting section 43.09.050, chapter 8, Laws of 1965 as last amended by section 40, chapter 75, Laws of 1977 and by section 7, chapter 144, Laws of 1977 ex. sess. and RCW 43.09.050;

amending section 1, chapter 17, Laws of 1975-'76 2nd ex. sess. and RCW 43.09.310; amending section 43.09.340, chapter 8, Laws of 1965 and RCW 43.09.340; amending section 2, chapter 71, Laws of 1971 ex. sess. as amended by section 2, chapter 146, Laws of 1974 ex. sess. and RCW 43.10.160; amending section 4, chapter 71, Laws of 1971 ex. sess. as amended by section 3, chapter 146, Laws of 1974 ex. sess. and RCW 43.10.180; amending section 5, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.190; amending section 43.19.1902, chapter 8, Laws of 1965 as last amended by section 3, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1902; amending section 6, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1905; amending section 6, chapter 104, Laws of 1967 ex. sess. as amended by section 10, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.1918; amending section 43.19.1921, chapter 8, Laws of 1965 and RCW 43.19.1921; amending section 2, chapter 159, Laws of 1971 ex. sess. and RCW 43.19.500; amending section 10, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.600; amending section 14, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.620; amending section 16, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.630; amending section 1, chapter 86, Laws of 1977 ex. sess. and RCW 43.19.640; amending section 5, chapter 86, Laws of 1977 ex. sess. and RCW 43.19.660; amending section 11, chapter 179, Laws of 1974 ex. sess. and RCW 43.21C.140; amending section 43.30.240, chapter 8, Laws of 1965 and RCW 43.30.240; amending section 1, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.030; amending section 2, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.040; amending section 3, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.050; amending section 4, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.060; amending section 6, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.080; amending section 8, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.100; amending section 5, chapter 128, Laws of 1977 ex. sess. and RCW 43.41.102; amending section 10, chapter 144, Laws of 1977 ex. sess. and RCW 43.41.104; amending section 11, chapter 144, Laws of 1977 ex. sess. and RCW 43.41.106; amending section 5, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.41.130; amending section 15, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.41.140; amending section 13, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.900; amending section 14, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.910; amending section 15, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.920; amending section 16, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.930; amending section 17, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.040; amending section 10, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.901; amending section 12, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.903; amending section 43.62.010, chapter 8, Laws of 1965 as amended by section 121, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.62.010; amending section 43.62.020, chapter 8, Laws of 1965 and RCW 43.62.020; amending section 43.62.030, chapter 8, Laws of 1965 as last amended by section 61, chapter 75, Laws of 1977 and RCW 43.62.030; amending section 43.62.040, chapter 8, Laws of 1965 as amended by section 25, chapter 278, Laws of 1975 1st ex. sess. and RCW 43.62.040; amending section 43.62.050, chapter 8, Laws of 1965 as last amended by section 62, chapter 75, Laws of 1977 and RCW 43.62.050; amending section 7, chapter 74, Laws of 1967 as amended by section 28, chapter 151, Laws of 1977 ex. sess. and RCW 43.63A.070; amending section 1, chapter 53, Laws of 1969 ex. sess. as amended by section 64, chapter 75, Laws of 1977 and RCW 43.63A.085; amending section 43.78.070, chapter 8, Laws of 1965 and RCW 43.78.070; amending section 43.88.020, chapter 8, Laws of 1965 as last amended by section 4, chapter 83, Laws of 1975-'76 2nd ex. sess. and RCW 43.88.020; amending section 10, chapter 239, Laws of 1969 ex. sess. and RCW 43.88.025; amending section 43.88.090, chapter 8, Laws of 1965 as last amended by section 5, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.090; amending section 43.88.110, chapter 8, Laws of 1965 as amended by section 6, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.110; amending section 43.88.160, chapter 8, Laws of 1965 as last amended by section 8, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.160; amending section 1, chapter 248, Laws of 1969 ex. sess. as last amended by section 109, chapter 169, Laws of 1977 ex. sess. and RCW 43.88.195; amending section 4, chapter 41, Laws of 1967 ex. sess. as last amended by section 10, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.205; amending section 1, chapter 23, Laws of 1977 and RCW 43.88.500; amending section 2, chapter 23, Laws of 1977 and RCW 43.88.505; amending section 3, chapter 23, Laws of 1977 and RCW 43.88.510; amending section 4, chapter 23, Laws of 1977 and RCW 43.88.515; amending section 2, chapter 25, Laws of 1977 ex. sess. and RCW 43.88A.020; amending section 3,

chapter 25, Laws of 1977 ex. sess. and RCW 43.88A.030; amending section 4, chapter 25, Laws of 1977 ex. sess. and RCW 43.88A.040; amending section 2, chapter 19, Laws of 1977 ex. sess. and RCW 43.132.020; amending section 3, chapter 19, Laws of 1977 ex. sess. and RCW 43.132.030; amending section 4, chapter 19, Laws of 1977 ex. sess. and RCW 43.132.040; amending section 5, chapter 19, Laws of 1977 ex. sess. and RCW 43.132.050; amending section 6, chapter 36, Laws of 1947 as last amended by section 4, chapter 134, Laws of 1967 ex. sess. and RCW 44.24.060; amending section 9, chapter 265, Laws of 1969 ex. sess. and RCW 44.30.050; amending section 9, chapter 130, Laws of 1965 ex. sess. and RCW 44.33.280; amending section 9, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.050; amending section 39, chapter 3, Laws of 1963 ex. sess. as last amended by section 8, chapter 235, Laws of 1977 ex. sess. and RCW 44.40.040; amending section 9, chapter 373, Laws of 1977 ex. sess. and RCW 44.48.090; amending section 5, chapter 150, Laws of 1967 ex. sess. as last amended by section 4, chapter 218, Laws of 1977 ex. sess. and RCW 44.60.050; amending section 7, chapter 204, Laws of 1963 and RCW 46.38.070; amending section 46.68.110, chapter 12, Laws of 1961 as last amended by section 1, chapter 100, Laws of 1975 1st ex. sess. and RCW 46.68.110; amending section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 14, chapter 317, Laws of 1977 ex. sess. and RCW 47.26.190; amending section 4, chapter 267, Laws of 1975 1st ex. sess. as amended by section 1, chapter 214, Laws of 1977 ex. sess. and RCW 47.26.281; amending section 1, chapter 139, Laws of 1941 as last amended by section 1, chapter 88, Laws of 1974 ex. sess. and RCW 52.36.020; amending section 7, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.055; amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 75, Laws of 1967 ex. sess. and RCW 66.08.180; amending section 7, chapter 175, Laws of 1957 as amended by section 2, chapter 110, Laws of 1977 ex. sess. and RCW 66.08.200; amending section 8, chapter 175, Laws of 1957 as amended by section 3, chapter 110, Laws of 1977 ex. sess. and RCW 66.08.210; amending section 9, chapter 55, Laws of 1933 as last amended by section 81, chapter 75, Laws of 1977 and RCW 67.16.100; amending section 6, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.060; amending section 34, chapter 32, Laws of 1951 as amended by section 3, chapter 175, Laws of 1977 ex. sess. and RCW 70.79.350; amending section 25, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.220; amending section 4, chapter 273, Laws of 1959 as amended by section 11, chapter 189, Laws of 1971 ex. sess. and RCW 72.60.270; amending section 4, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.430; amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 33, chapter 327, Laws of 1977 ex. sess. and RCW 75.08.230; amending section 77.12.280, chapter 36, Laws of 1955 as last amended by section 8, chapter 144, Laws of 1977 ex. sess. and RCW 77.12.280; amending section 4, chapter 164, Laws of 1919 as amended by section 4, chapter 20, Laws of 1963 and RCW 79.44.040; amending section 5, chapter 164, Laws of 1919 as last amended by section 5, chapter 20, Laws of 1963 and RCW 79.44.050; amending section 1, chapter 205, Laws of 1947 as last amended by section 2, chapter 116, Laws of 1971 ex. sess. and RCW 79.44.060; amending section 6, chapter 164, Laws of 1919 as amended by section 7, chapter 20, Laws of 1963 and RCW 79.44.070; amending section 7, chapter 164, Laws of 1919 as amended by section 8, chapter 20, Laws of 1963 and RCW 79.44.080; amending section 12, chapter 164, Laws of 1919 as amended by section 12, chapter 20, Laws of 1963 and RCW 79.44.140; amending section 14, chapter 20, Laws of 1963 and RCW 79.44.180; amending section 82.32.340, chapter 15, Laws of 1961 as last amended by section 4, chapter 89, Laws of 1967 ex. sess. and RCW 82.32.340; amending section 84.48.110, chapter 15, Laws of 1961 as amended by section 11, chapter 95, Laws 1973 and RCW 84.48.110; decodifying RCW 43.101.910; repealing section 12, chapter 144, Laws of 1977 ex. sess. and RCW 43.41.108; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 299, Laws of 1961 as amended by section 1, chapter 42, Laws of 1967 ex. sess. and RCW 3.30.010 are each amended to read as follows:

As used herein:

"City" means an incorporated city or town.

"Department" means the designation of an administrative unit of a justice court established for the orderly and efficient administration of justice court business and may include, without being limited in scope thereby, a unit or units for determining one or more of the following: Traffic cases, violations of city ordinances, violations of state law, criminal cases, civil cases, or jury cases.

"Population" means the latest population of the judicial district of each county as ~~((estimated by the Washington state census board and certified to the board of county commissioners on or before May 1, 1962 and on or before May 1st, 1966 and thereafter as))~~ estimated and certified by the ~~((planning and community affairs agency))~~ office of financial management. The ~~((planning and community affairs agency))~~ office of financial management, on or before May 1, 1970 and on or before May 1st each four years thereafter, shall estimate and certify to the board of county commissioners the population of each judicial district of each county.

Sec. 2. Section 4, chapter 95, Laws of 1895 as last amended by section 1, chapter 144, Laws of 1977 ex. sess. and RCW 4.92.040 are each amended to read as follows:

(1) No execution shall issue against the state on any judgment.

(2) Whenever a final judgment against the state shall have been obtained in an action on a claim arising out of tortious conduct, the clerk shall make and furnish to the ~~((chief fiscal officer of the executive branch))~~ director of financial management a duly certified copy of said judgment and the same shall be paid out of the tort claims revolving fund.

(3) Whenever a final judgment against the state shall have been obtained in any other action, the clerk of the court shall make and furnish to the ~~((chief fiscal officer of the executive branch))~~ director of financial management a duly certified copy of such judgment; the ~~((chief fiscal officer of the executive branch))~~ director of financial management shall thereupon audit the amount of damages and costs therein awarded, and the same shall be paid from appropriations specifically provided for such purposes by law.

(4) On and after September 21, 1977, all claims made to the legislature against the state of Washington for money or property, shall be accompanied by a statement of the facts on which such claim is based and such evidence as the claimant intends to offer in support of the claim and shall be filed with the ~~((chief fiscal officer of the executive branch))~~ director of financial management who shall retain the same as a record. The ~~((chief fiscal officer of the executive branch))~~ director of financial management shall recommend to the legislature whether such claim should be approved or rejected. The legislative committees to whom such claims are referred shall make a transcript or statement of the substance of the evidence given in support of such a claim. If the legislature approves a claim the same shall be paid from appropriations specifically provided for such purpose by law.

Sec. 3. Section 3, chapter 159, Laws of 1963 as last amended by section 2, chapter 144, Laws of 1977 ex. sess. and RCW 4.92.100 are each amended to read as follows:

All claims against the state for damages arising out of tortious conduct shall be presented to and filed with the ~~((chief fiscal officer of the executive branch))~~ director of financial management. All such claims shall be verified and shall accurately describe the conduct and circumstances which brought about the injury or damage, describe the injury or damage, state the time and place the injury or damage occurred, state the names of all persons involved, if known, and shall contain the amount of damages claimed, together with a statement of the actual residence of the claimant at the time of presenting and filing the claim and for a period of six months immediately prior to the time the claim arose. If the claimant is incapacitated from verifying, presenting, and filing his claim or if the claimant is a minor, or is a nonresident of the state, the claim may be verified, presented, and filed on behalf of the claimant by any relative, attorney, or agent representing him.

With respect to the content of such claims this section shall be liberally construed so that substantial compliance will be deemed satisfactory.

Sec. 4. Section 4, chapter 159, Laws of 1963 as amended by section 3, chapter 144, Laws of 1977 ex. sess. and RCW 4.92.110 are each amended to read as follows:

No action shall be commenced against the state for damages arising out of tortious conduct until a claim has first been presented to and filed with the ~~((chief fiscal officer of the executive branch))~~ director of financial management. The requirements of this section shall not affect the applicable period of limitations within which an action must be commenced, but such period shall begin and shall continue to run as if no claim were required.

Sec. 5. Section 10, chapter 159, Laws of 1963 as last amended by section 6, chapter 126, Laws of 1975 1st ex. sess. and RCW 4.92.160 are each amended to read as follows:

Payment of claims and judgments arising out of tortious conduct or pursuant to 42 U.S.C. Sec. 1981 et seq. shall not be made by any agency or department of state government with the exception of the ~~((budget))~~ director of financial management, and he shall authorize and direct the payment of moneys only from the tort claims revolving fund whenever:

(1) The head or governing body of any agency or department of state certifies to him that a claim has been settled under authority of RCW 4.92.140 as herein or hereafter amended; or

(2) The clerk of court has made and forwarded a certified copy of a final judgment in a court of competent jurisdiction and the attorney general certifies that the judgment is final and was entered in an action on a claim arising out of tortious conduct or under and pursuant to 42 U.S.C. Sec. 1981 et seq. Payment of a judgment shall be made to the clerk of the court

for the benefit of the judgment creditors. Upon receipt of payment, the clerk shall satisfy the judgment against the state.

Sec. 6. Section 11, chapter 159, Laws of 1963 as last amended by section 2, chapter 228, Laws of 1977 ex. sess. and RCW 4.92.170 are each amended to read as follows:

Liability for and payment of claims arising out of tortious conduct or under and pursuant to 42 U.S.C. Sec. 1981 et seq. is declared to be a proper charge as part of the normal cost of operating the various agencies and departments of state government whose operations and activities give rise to the liability and a lawful charge against moneys appropriated or available to such agencies and departments.

Within any agency or department the charge shall be apportioned among such appropriated and other available moneys in the same proportion that the moneys finance the activity causing liability. Whenever the operations and activities of more than one agency or department combine to give rise to a single liability, the ~~((budget))~~ director of financial management shall determine the comparative responsibility of each agency or department for the liability.

State agencies shall make reimbursement to the tort claims revolving fund for any payment made from it for the benefit of such agencies. The ~~((budget))~~ director of financial management is authorized and directed to transfer or order the transfer to the revolving fund, from moneys available or appropriated to such agencies, that sum of money which is a proper charge against them. Such amounts may be expended for the purposes for which the tort claims revolving fund was created by RCW 4.92.130 as herein or hereafter amended without further or additional appropriation: PROVIDED, That in any case where reimbursement would seriously disrupt or prevent substantial performance of the operations or activities of the state agency, the ~~((budget))~~ director of financial management may relieve the agency of all or a portion of the obligation to make reimbursement.

The ~~((budget))~~ director of financial management shall report on request to the legislature on the status of the tort claims revolving fund, all payments made therefrom, all reimbursements made thereto, and the identity of agencies and departments of state government whose operations and activities give rise to liability, including those agencies and departments over which he does not have authority to revise allotments under chapter 43.88 RCW.

The ~~((budget))~~ director of financial management may authorize agencies, in accordance with chapter 41.05 RCW to the extent that it is applicable, to purchase insurance to protect and hold personally harmless any officer or employee of the state, or any classes of such officers or employees or for other persons performing services for the state, whether by contract or otherwise, from any action, claim, or proceeding for damages arising out of the performance of duties for, employment with, or the performance of

services on behalf of the state and to hold him harmless from any expenses connected with the defense, settlement or monetary judgment from such actions.

The ~~((budget))~~ director of financial management shall adopt rules and regulations governing the procedures to be followed in making payment from the tort claims revolving fund, in reimbursing the revolving fund and in relieving an agency of its obligation to reimburse.

Sec. 7. Section 4, chapter 213, Laws of 1955 as amended by section 7, chapter 106, Laws of 1973 and RCW 8.04.090 are each amended to read as follows:

In case the state shall require immediate possession and use of the property sought to be condemned, and an order of necessity shall have been granted, and no review has been taken therefrom, the attorney general may stipulate with respondents in accordance with the provisions of this section and RCW 8.04.092 and 8.04.094 for an order of immediate possession and use, and file with the clerk of the court wherein the action is pending, a certificate of the state's requirement of immediate possession and use of the land, which shall state the amount of money offered to the respondents and shall further state that such offer constitutes a continuing tender of such amount. The attorney general shall file a copy of the certificate with the office of ~~((program planning and fiscal))~~ financial management, ~~((who))~~ which forthwith shall issue and deliver to him a warrant payable to the order of the clerk of the court wherein the action is pending in a sum sufficient to pay the amount offered, which shall forthwith be paid into the registry of the court. The court without further notice to respondent shall enter an order granting to the state the immediate possession and use of the property described in the order of necessity, which order shall bind the petitioner to pay the full amount of any final judgment of compensation and damages which may thereafter be awarded for the taking and appropriation of the lands, real estate, premises, or other property described in the petition and for the injury, if any, to the remainder of the lands, real estate, premises, or other property from which they are to be taken by reason of such taking and appropriation, after offsetting against any and all such compensation and damages the special benefits, if any, accruing to such remainder by reason of the appropriation and use by the state of the lands, real estate, premises, or other property described in the petition. The moneys paid into court may at any time after entry of the order of immediate possession, be withdrawn by respondents, by order of the court, as their interests shall appear.

Sec. 8. Section 10, chapter 74, Laws of 1891 as amended by section 8, chapter 106, Laws of 1973 and RCW 8.04.160 are each amended to read as follows:

Whenever the attorney general shall file with the director of ~~((the office of program planning and fiscal))~~ financial management a certificate setting

forth the amount of any award found against the state of Washington under the provisions of RCW 8.04.010 through 8.04.160, together with the costs of said proceeding, and a description of the lands and premises sought to be appropriated and acquired, and the title of the action or proceeding in which said award is rendered, it shall be the duty of the office of (~~(program planning and fiscal)~~) financial management to forthwith issue a warrant upon the state treasury to the order of the attorney general in a sum sufficient to make payment in money of said award and the costs of said proceeding, and thereupon it shall be the duty of said attorney general to forthwith pay to the clerk of said court in money the amount of said award and costs.

Sec. 9. Section 5, chapter 165, Laws of 1969 ex. sess. as last amended by section 1, chapter 307, Laws of 1977 ex. sess. and RCW 13.06.050 are each amended to read as follows:

No county shall be entitled to receive any state funds provided by this chapter until its application is approved, and unless and until the minimum standards prescribed by the department of social and health services are complied with and then only on such terms as are set forth hereafter in this section.

(1) A base commitment rate for each county and for the state as a whole shall be calculated by the department of social and health services. The base commitment rate shall be determined by computing the ratio of the number of juveniles committed to state juvenile correctional institutions plus the number of juveniles who have been convicted of felonies and committed to state correctional institutions after a juvenile court has declined jurisdiction of their cases and remanded them for prosecution in the superior courts, to the county population, such ratio to be expressed in a rate per hundred thousand population, for each of the calendar years 1964 through 1968. The average of these rates for a county for the five year period or the average of the last two years of the period, whichever is higher, shall be the base commitment rate, as certified by the secretary: PROVIDED, That, a county may elect as its base commitment rate the average of the base commitment rates of all counties in the state over the last two years of the period described above. The county and state population shall be that certified as of April 1st of each year by the office of (~~(program planning and fiscal)~~) financial management, such population figures to be provided to the secretary of social and health services not later than June 30th of each year.

(2) An annual commitment rate shall be calculated by the department at the end of each year for each participating county and for the state as a whole, in a like manner as provided in subsection (1). The annual commitment rate shall exclude commitments that fall within the high risk categories as defined by the department.

(3) The amount that may be paid to a county pursuant to this chapter shall be the standard cost of the operation of a special supervision program

based upon workload standards established by the department. Payment shall not exceed five thousand dollars per commitment reduction. The "commitment reduction number" is obtained by subtracting (a) the product of the most recent annual commitment rate and population of the county for the same year from (b) the product of the base commitment rate and population of the county for the same year employed in (a).

(4) The secretary will reimburse a county upon presentation and approval of a valid claim pursuant to the provisions of this chapter based on actual performance in reducing the annual commitment rate from its base commitment rate. Whenever a claim made by a county pursuant to this chapter, covering a prior year, is found to be in error, an adjustment may be made on a current claim without the necessity of applying the adjustment to the allocation for the prior year.

(5) In the event a participating county earns in a payment period less than one-half of the sum paid in the previous payment period because of extremely unusual circumstances claimed by the county and verified by the secretary of the department of social and health services, the secretary may pay to the county a sum not to exceed actual program expenditures, provided, however, that in subsequent periods the county will be paid only the amount earned: PROVIDED, That the amendatory provisions of subsection (5) of this act may be applied to payment periods prior to May 20, 1971.

(6) If the amount received by a county in reimbursement of its expenditures in a calendar year is less than the maximum amount computed under subsection (3) above, the difference may be paid to the county as reimbursement of program costs during the next two succeeding years upon receipt of valid claims for reimbursement of program expenses.

(7) Funds received by participating counties under this chapter shall not be used to replace local funds for existing programs for delinquent juveniles or to develop county institutional programs.

(8) Any county averaging less than thirty commitments annually during either the two year or five year period used to determine the base commitment rate as defined in subsection (1) above may:

(a) apply for subsidies under subsection (1); or

(b) as an alternative, elect to receive from the state the salary of one full time additional probation officer and related employee benefits; or

(c) elect to receive from the state the salary and related employee benefits of one full time additional probation officer and in addition, reimbursement for certain supporting services other than capital outlay and equipment whose total will not exceed a maximum limit established by the secretary of the department of social and health services; or

(d) elect to receive from the state reimbursement for certain supporting services other than capital outlay and equipment whose total cost will not exceed a maximum limit established by the secretary of the department of social and health services.

(9) In the event a county chooses one of the alternative proposals in subsection (8), it will be eligible for reimbursement only so long as the officer and supporting services are wholly used in the performance of probation services to supervision of persons eligible for state commitment and are paid the salary referred to in this section in accordance with a salary schedule adopted by rule of the department and:

(a) if its base commitment rate is below the state average, its annual commitment rate does not exceed the base commitment rate for the entire state; or

(b) if its base commitment rate is above the state average, its annual commitment rate does not in the year exceed by two its own base commitment rate.

(10) Where any county does not have a juvenile probation officer, but obtains such services by agreement with another county or counties, or, where two or more counties mutually provide probation services by agreement for such counties, then under such circumstances the secretary may make the computations and payments under this chapter as though the counties served with probation services were one geographical unit.

Sec. 10. Section 5, chapter 168, Laws of 1971 ex. sess. and RCW 26-.34.050 are each amended to read as follows:

The officers and agencies of this state and its subdivisions having authority to place children are hereby empowered to enter into agreements with appropriate officers or agencies of or in other party states pursuant to paragraph (b) of Article V of the Interstate Compact on the Placement of Children. Any such agreement which contains a financial commitment or imposes a financial obligation on this state or subdivision or agency thereof shall not be binding unless it has the approval in writing of the director of ~~((the office of program planning and fiscal))~~ financial management in the case of the state and of the treasurer in the case of a subdivision of the state.

Sec. 11. Section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 15, Laws of 1972 ex. sess. and RCW 28A-.10.080 are each amended to read as follows:

(1) The state agency may purchase, from any source, by contract, vocational rehabilitation services for handicapped persons, payments for such services to be made subject to procedures and fiscal controls approved by the director of ~~((program planning and fiscal))~~ financial management. The performance of and payment for such services shall be subject to post audit review by the state auditor.

(2) Notwithstanding any other provision of RCW 28A.10.080, 28A.10-.100, 28A.10.105 and 28A.10.110, when the state agency determines that a mentally retarded, severely handicapped, or disadvantaged person can reasonably be expected to benefit from, or in his best interests reasonably requires extended sheltered employment or supervised work furnished by an

approved nonprofit organization, the state agency is authorized to contract with such organization for the furnishing of such sheltered employment or supervised work to such mentally retarded, severely handicapped, or disadvantaged person. The state agency is authorized to expend for or toward the cost of providing such sheltered employment or supervised work a sum or sums not to exceed one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person in order to maintain him as a contributing and self-supporting member of society as an alternative to dependency: PROVIDED, That the state agency is authorized to expend in excess of one thousand five hundred dollars per annum for each such mentally retarded, severely handicapped, or disadvantaged person when federal or other funding becomes available to the state agency for such purpose and such additional expenditures may continue as long as the additional federal or other funding is or becomes available.

(3) The determination of eligibility for such service shall be made for each individual by the state agency. The mentally retarded, severely handicapped and disadvantaged individuals served under this law shall be construed to be poor or infirm within the meaning of the term as used in the state Constitution.

(4) The state agency shall maintain a register of nonprofit organizations which it has inspected and certified as meeting required standards and as qualifying to serve the needs of such mentally retarded, severely handicapped, or disadvantaged persons. Eligibility of such organizations to receive the funds hereinbefore specified shall be based upon standards and criteria promulgated by the state agency.

(5) The state agency is authorized to promulgate such rules and regulations as it may deem necessary or proper to carry out the provisions of this section.

Sec. 12. Section 14, chapter 244, Laws of 1969 ex. sess. as amended by section 5, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.140 are each amended to read as follows:

The basic education allocation for each annual average full time equivalent student shall be determined in accordance with the following procedures:

The governor shall and the superintendent of public instruction may recommend to the legislature a formula based on a ratio of students to staff for the distribution of a basic education allocation for each annual average full time equivalent student enrolled in a common school. The distribution formula shall have the primary objective of equalizing educational opportunities and shall provide appropriate recognition of the following costs among the various districts within the state:

- (1) Certificated staff and their related costs;
- (2) Classified staff and their related costs;
- (3) Nonsalary costs; and

(4) Extraordinary costs of remote and necessary schools and small high schools.

This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature. Commencing with the 1980-81 school year, the formula adopted by the legislature shall reflect a ratio of not less than fifty certificated personnel to one thousand annual average full time equivalent students and one classified person to three certificated personnel. In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous biennium shall remain in effect: **PROVIDED**, That the distribution formula developed pursuant to this section shall be for state apportionment and equalization purposes only and shall not be construed as mandating specific operational functions of local school districts other than those program requirements identified in RCW 28A.58.754. The enrollment of any district shall be the annual average number of full time equivalent students and part time students as provided in RCW 28A.41.145, as now or hereafter amended, enrolled on the first school day of each month. The definition of full time equivalent student shall be determined by rules and regulations of the superintendent of public instruction: **PROVIDED**, That the definition shall be included as part of the superintendent's biennial budget request: **PROVIDED, FURTHER**, That any revision of the present definition shall not take effect until approved by the house appropriations committee and the senate ways and means committee: **PROVIDED, FURTHER**, That the office of (~~program planning and fiscal~~) financial management shall make a monthly review of the superintendent's reported full time equivalent students in the common schools in conjunction with RCW 43.62.050.

Certificated staff shall include those persons employed by a school district in a teaching, instructional, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent: **PROVIDED**, That in exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision: **PROVIDED, FURTHER**, That the hiring of such noncertificated people shall not occur during a labor dispute and such noncertificated people shall not be hired to replace certificated employees during a labor dispute: **PROVIDED, FURTHER**, That the hiring of such noncertificated persons shall be subject to disapproval by the superintendent of public instruction. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining

such circumstances. Annual average full time equivalent certificated classroom teacher's direct classroom contact hours shall be at least twenty-five hours per week. Classroom contact hours shall be exclusive of time required to be spent for preparation, conferences, or any other nonclassroom instruction duties. Classified staff shall include those persons employed by a school district other than certificated staff as defined in this section in a capacity for which certification is not required.

Sec. 13. Section 28A.61.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 101, Laws of 1974 ex. sess. and RCW 28A.61.030 are each amended to read as follows:

The school directors' association shall have the power:

(1) To prepare and adopt, amend and repeal a constitution and rules and regulations, and bylaws for its own organization including county or regional units and for its government and guidance: **PROVIDED**, That action taken with respect thereto is consistent with the provisions of RCW 28A.61.010 through 28A.61.060 or with other provisions of law;

(2) To arrange for and call such meetings of the association or of the officers and committees thereof as are deemed essential to the performance of its duties;

(3) To provide for the payment of travel and subsistence expenses incurred by members and/or officers of the association and association staff while engaged in the performance of duties under direction of the association in the manner provided by RCW 28A.58.310;

(4) To employ an executive secretary and other staff and pay such employees out of the funds of the association;

(5) To conduct studies and disseminate information therefrom relative to increased efficiency in local school board administration;

(6) To buy, sell or exchange such personal and real property as necessary for the efficient operation of the association;

(7) To purchase liability insurance for school directors, which insurance may indemnify said directors against any or all liabilities for personal or bodily injuries and property damage arising from their acts or omissions while performing or while in good faith purporting to perform their official duties as school directors;

(8) Upon request by a local school district board(s) of directors, to make available on a cost reimbursable contract basis (a) specialized services, (b) research information, and (c) consultants to advise and assist district board(s) in particular problem areas: **PROVIDED**, That such services, information, and consultants are not already available from other state agencies, intermediate school districts, or from the information and research services authorized by RCW 28A.58.530: **PROVIDED FURTHER**, That any such contract shall be filed with the office of (~~program planning and fiscal~~) financial management and the legislative budget committee prior to the date any work commences under any such contract.

Sec. 14. Section 2, chapter 279, Laws of 1971 ex. sess. as amended by section 3, chapter 331, Laws of 1977 ex. sess. and RCW 28B.15.031 are each amended to read as follows:

The term "operating fees" as used in this chapter shall include the fees, other than general tuition fees, charged all students registering at the state's colleges and universities but shall not include fees for short courses, marine station work, experimental station work, correspondence or extension courses, and individual instruction and student deposits or rentals, disciplinary and library fines, which colleges and universities shall have the right to impose, laboratory, gymnasium, health, and student activity fees, or fees, charges, rentals, and other income derived from any or all revenue producing lands, buildings and facilities of the colleges or universities heretofore or hereafter acquired, constructed or installed, including but not limited to income from rooms, dormitories, dining rooms, hospitals, infirmaries, housing or student activity buildings, vehicular parking facilities, land, or the appurtenances thereon, or such other special fees as may be established by any college or university board of trustees or regents from time to time. All moneys received as operating fees at any institution of higher education shall be transmitted to the state treasurer within thirty-five days of receipt to be deposited in the state general fund: PROVIDED, That required matching moneys for federal and state financial aid programs may be exempt from such deposit with approval of the director of ~~((the office of program planning and fiscal))~~ financial management.

Sec. 15. Section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 8, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.100 are each amended to read as follows:

The higher education personnel board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

- (1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;
- (2) Certification of names for vacancies, including promotions, with the number of names equal to two more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;
- (3) Examination for all positions in the competitive and noncompetitive service;
- (4) Appointments;
- (5) Probationary periods of six months and rejections therein;
- (6) Transfers;
- (7) Sick leaves and vacations;
- (8) Hours of work;
- (9) Layoffs when necessary and subsequent reemployment, both according to seniority;

(10) Determination of appropriate bargaining units within any institution or related boards: **PROVIDED**, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(11) Certification and decertification of exclusive bargaining representatives: **PROVIDED**, That after certification of an exclusive bargaining representative and upon said representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such condition of employment shall constitute cause for dismissal: **PROVIDED FURTHER**, That no more often than once in each twelve month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: **PROVIDED FURTHER**, That for purposes of this clause membership in the certified exclusive bargaining representative shall be satisfied by the payment of monthly or other periodic dues and shall not require payment of initiation, reinstatement or any other fees or fines and shall include full and complete membership rights: **AND PROVIDED FURTHER**, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but shall be entitled to all the representation rights of a union member;

(12) Agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution or the related board may lawfully exercise discretion;

(13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the institution and the employee organization: **PROVIDED**, That nothing contained herein shall permit or grant to any employee the right to strike or refuse to perform his official duties;

(14) Adoption and revision of comprehensive classification plans for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(15) Allocation and reallocation of positions within the classification plan;

(16) Adoption and revision of salary schedules and compensation plans which reflect the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature and which shall be competitive in the state or the locality in which the institution or related boards are located, such adoption, revision, and implementation subject to approval as to availability of funds by the director of (~~the office of program planning and fiscal~~) financial management in accordance with the provisions of chapter 43.88 RCW, and after consultation with the chief financial officer of each institution or related board for that institution or board, or in the case of community colleges, by the chief financial officer of the state board for community college education for the various community colleges;

(17) Training programs including in-service, promotional, and supervisory;

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and

(19) Providing for veteran's preference as provided by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken higher education service, as defined by the board, the veteran's service in the military not to exceed five years of such service. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran shall be entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" shall not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Sec. 16. Section 11, chapter 36, Laws of 1969 ex. sess. as last amended by section 10, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.110 are each amended to read as follows:

The salary schedules and compensation plans, adopted and revised as provided in RCW 28B.16.100 as now or hereafter amended, shall reflect prevailing rates in other public employment and in private employment in this state or in the locality in which the institution or related board is located. For this purpose salary and fringe benefit surveys shall be undertaken by the board with the assistance of the various personnel officers of the institutions of higher education and on a joint basis with the department of personnel, with one such survey to be conducted each year prior to the convening of each regular session of the state legislature. The results of such salary and fringe benefit survey shall be forwarded with recommended salary adjustments, which recommendations shall be advisory only, to the governor and the director of ~~((the office of program planning and fiscal))~~ financial management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the board to the standing committees for appropriations of the senate and house of representatives.

The board shall furnish the following supplementary data in support of its recommended salary schedule:

(1) A total dollar figure which reflects the recommended increase or decrease in state salaries as a direct result of the specific salary and fringe benefit survey that has been conducted and which is categorized to indicate what portion of the increase or decrease is represented by salary survey data and what portion is represented by fringe benefit survey data;

(2) An additional total dollar figure which reflects the impact of recommended increases or decreases to state salaries based on other factors rather than directly on prevailing rate data obtained through the survey process and which is categorized to indicate the sources of the requests for deviation from prevailing rates and the reasons for the changes;

(3) A list of class codes and titles indicating recommended monthly salary ranges for all state classes under the control of the higher education personnel board with:

(a) Those salary ranges which do not substantially conform to the prevailing rates developed from the salary and fringe benefit survey distinctly marked and an explanation of the reason for the deviation included; and

(b) Those higher education personnel board classes which are substantially the same as classes being used by the department of personnel clearly marked to show the commonality of the classes between the two jurisdictions;

(4) A supplemental salary schedule which indicates the additional salary to be paid state employees for hazardous duties or other considerations requiring extra compensation under specific circumstances. Additional compensation for these circumstances shall not be included in the basic salary schedule but shall be maintained as a separate pay schedule for purposes of full disclosure and visibility; and

(5) A supplemental salary schedule which indicates those cases where the board determines that prevailing rates do not provide similar salaries for positions that require or impose similar responsibilities, judgment, knowledge, skills, and working conditions. This supplementary salary schedule shall contain proposed salary adjustments necessary to eliminate any such dissimilarities in compensation. Additional compensation needed to eliminate such salary dissimilarities shall not be included in the basic salary schedule but shall be maintained as a separate salary schedule for purposes of full disclosure and visibility.

It is the intention of the legislature that requests for funds to support recommendations for salary deviations from the prevailing rate survey data shall be kept to a minimum, and that the requests be fully documented when forwarded by the board. Further, it is the intention of the legislature that the department of personnel and the higher education personnel board jointly determine job classes which are substantially common to both jurisdictions and that basic salaries for these job classes shall be equal based on salary and fringe benefit survey findings.

Sec. 17. Section 11, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.112 are each amended to read as follows:

(1) In the conduct of salary and fringe benefit surveys under RCW 28B.16.110 as now or hereafter amended, it is the intention of the legislature that the surveys be undertaken in a manner consistent with statistically accurate sampling techniques. For this purpose, a comprehensive salary and fringe benefit survey plan shall be submitted to the director of ~~((the office of program planning and fiscal))~~ financial management, employee organizations, the standing committees for appropriations in the senate and house of representatives, and to the legislative budget committee six months before the beginning of each periodic survey required before regular legislative sessions. This comprehensive plan shall include but not be limited to the following:

(a) A complete explanation of the technical, statistical process to be used in the salary and fringe benefit survey including the percentage of accuracy expected from the planned statistical sample chosen for the survey and a definition of the term "prevailing rates" which is to be used in the planned survey;

(b) A comprehensive salary and fringe benefit survey model based on scientific statistical principles which:

(i) Encompasses the interrelationships among the various elements of the survey sample including sources of salary and fringe benefit data by organization type, size, and regional location;

(ii) Is representative of private and public employment in this state;

(iii) Ensures that, wherever practical, data from smaller, private firms are included and proportionally weighted in the survey sample; and

(iv) Indicates the methodology to be used in application of survey data to job classes used by state government;

(c) A prediction of the increase or decrease in total funding requirements expected to result from the pending salary and fringe benefit survey based on consumer price index information and other available trend data pertaining to Washington state salaries and fringe benefits.

(2) Every comprehensive survey plan shall fully consider fringe benefits as an element of compensation in addition to basic salary data. The plans prepared under this section shall be developed jointly by the higher education personnel board in conjunction with the department of personnel established under chapter 41.06 RCW. All comprehensive salary and fringe benefit survey plans shall be submitted on a joint signature basis by the higher education personnel board and the department of personnel. The legislative budget committee shall review and evaluate all survey plans before final implementation.

(3) Interim or special surveys conducted under RCW 28B.16.110 as now or hereafter amended shall conform when possible to the statistical techniques and principles developed for regular periodic surveys under this section.

(4) The term "fringe benefits" as used in this section and in conjunction with salary surveys shall include but not be limited to compensation for:

(a) Leave time, including vacation, holiday, civil, and personal leave;

(b) Employer retirement contributions;

(c) Health and insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and

(d) Stock options, bonuses, and purchase discounts where appropriate.

Sec. 18. Section 20, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.200 are each amended to read as follows:

There is hereby created a fund within the state treasury, designated as the "higher education personnel board service fund," to be used by the board as a revolving fund for the payment of salaries, wages, and operations required for the administration of the provisions of this chapter, the budget for which shall be subject to review and approval and appropriation by the legislature. An amount not to exceed one-half of one percent of the salaries and wages for all positions in the classified service shall be contributed from the operations appropriations of each institution and the state board for community college education and credited to the higher education personnel

board service fund as such allotments are approved pursuant to chapter 43-.88 RCW. Subject to the above limitations, such amount shall be charged against the allotments pro rata, at a rate to be fixed by the ((~~state budget~~)) director of financial management from time to time, which will provide the board with funds to meet its anticipated expenditures during the allotment period.

Moneys from the higher education personnel board service fund shall be disbursed by the state treasurer by warrants on vouchers duly authorized by the board.

Sec. 19. Section 4, chapter 120, Laws of 1973 1st ex. sess. and RCW 28B.17.040 are each amended to read as follows:

(1) The authority shall be governed and all of its corporate powers exercised by a board of directors which shall consist of the nine citizen members of the council, each of whose term as a member of the authority shall be co-terminus with his term as a citizen member of the council, and six additional members, one of which shall be a student financial aid officer, one of which shall be representative of the banking industry, and two of which shall be students enrolled in a Washington post-secondary educational institution, and two of which shall serve at large appointed by the governor, each of whom shall be of full age, a citizen of the United States and a resident of the state. Prior to the appointment of the student representative the governor shall consult with elected student government officers. The six additional members shall have four year terms except for the two students who shall serve for two years: PROVIDED, That the initial terms of the additional members, except for student members, shall be staggered so that terms shall be for one year, two years, three years, and four years respectively: PROVIDED FURTHER, That the initial terms of the student members shall be staggered so that terms shall be for one year and two years respectively: PROVIDED FURTHER, That a student member's term of office shall be terminated if said student member ceases to be enrolled in a post-secondary educational institution during said term of office.

(2) Vacancies shall be filled for the unexpired terms in the same manner as original appointments.

(3) Directors shall receive per diem in lieu of compensation, and travel expenditures, in accordance with standard rates for part time boards, councils and commissions as certified by the ((~~state budget~~)) director of financial management.

(4) The board of directors shall elect from its members each year a chairman and vice chairman who shall serve for terms of one year and who shall be eligible for reelection for successive terms.

(5) A majority of the directors of the authority shall constitute a quorum for the transaction of any business and, unless a greater number is required by the bylaws of the authority, the act of a majority of the directors present at any meeting shall be deemed the act of the board.

(6) The board of directors shall adopt bylaws for the authority, and may appoint such officers and employees as it deems advisable, fix their compensation and prescribe their duties, and may delegate to one or more of its members, or its officers, agents or employees, such powers and duties as it may deem proper.

(7) The board of directors may elect an executive committee of not less than six members who, in intervals between meetings of the board, may transact such business of the authority as the board may from time to time authorize. Unless otherwise provided by the bylaws, a majority of the members of such committee shall constitute a quorum for the transaction of any business and the act of a majority of the members of the executive committee present at any meeting shall be deemed the act of such committee.

Sec. 20. Section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 282, Laws of 1977 ex. sess. and RCW 28B.50.090 are each amended to read as follows:

The college board shall have general supervision and control over the state system of community colleges. In addition to the other powers and duties imposed upon the college board by this chapter, the college board shall be charged with the following powers, duties and responsibilities:

(1) Review the budgets prepared by the community college boards of trustees, prepare a single budget for the support of the state system of community colleges and adult education, and submit this budget to the governor as provided in RCW 43.88.090; the coordinating council shall assist with the preparation of the community college budget that has to do with vocational education programs;

(2) Establish guidelines for the disbursement of funds; and receive and disburse such funds for adult education and maintenance and operation and capital support of the community college districts in conformance with the state and district budgets, and in conformance with chapter 43.88 RCW;

(3) Ensure, through the full use of its authority:

(a) that each community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; and community services of an educational, cultural, and recreational nature; and adult education: **PROVIDED**, That notwithstanding any other provisions of this chapter, a community college shall not be required to offer a program of vocational-technical training, when such a program as approved

by the coordinating council for occupational education is already operating in the district;

(b) that each community college district shall maintain an open-door policy, to the end that no student will be denied admission because of the location of his residence or because of his educational background or ability; that, insofar as is practical in the judgment of the college board, curriculum offerings will be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: PROVIDED, That the administrative officers of a community college may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, he would not be competent to profit from the curriculum offerings of the community college, or would, by his presence or conduct, create a disruptive atmosphere within the community college not consistent with the purposes of the institution;

(4) Prepare a comprehensive master plan for the development of community college education and training in the state; and assist the office of (~~program planning and fiscal~~) financial management in the preparation of enrollment projections to support plans for providing adequate community college facilities in all areas of the state;

(5) Define and administer criteria and guidelines for the establishment of new community colleges or campuses within the existing districts;

(6) Establish criteria and procedures for modifying district boundary lines consistent with the purposes set forth in RCW 28B.50.020 as now or hereafter amended and in accordance therewith make such changes as it deems advisable;

(7) Establish minimum standards to govern the operation of the community colleges with respect to:

(a) qualifications and credentials of instructional and key administrative personnel, except as otherwise provided in the state plan for vocational education,

(b) internal budgeting, accounting, auditing, and financial procedures as necessary to supplement the general requirements prescribed pursuant to chapter 43.88 RCW,

(c) the content of the curriculums and other educational and training programs, and the requirements, degrees and diplomas awarded by the colleges,

(d) standard admission policies;

(8) Establish and administer criteria and procedures for all capital construction including the establishment, installation, and expansion of facilities within the various community college districts;

(9) Encourage innovation in the development of new educational and training programs and instructional methods; coordinate research efforts to this end; and disseminate the findings thereof;

(10) Exercise any other powers, duties and responsibilities necessary to carry out the purposes of this chapter;

(11) Authorize the various community colleges to offer programs and courses in other districts when it determines that such action is consistent with the purposes set forth in RCW 28B.50.020 as now or hereafter amended;

(12) Notwithstanding any other law or statute regarding the sale of state property, sell or exchange and convey any or all interest in any community college real and personal property, except such property as is received by a community college district in accordance with RCW 28B.50.140(8), when it determines that such property is surplus or that such a sale or exchange is in the best interests of the community college system;

(13) Notwithstanding the provisions of subsection (12) of this section, may receive such gifts, grants, conveyances, devises, and bequests of real or personal property from private sources as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs and may sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

The college board shall have the power of eminent domain.

Sec. 21. Section 2, chapter 331, Laws of 1977 ex. sess. and RCW 28B.50.143 are each amended to read as follows:

In order that each community college treasurer appointed in accordance with RCW 28B.50.142 may make vendor payments, the state treasurer will honor warrants drawn by each community college providing for one initial advance on September 1, 1977, of the current biennium and on July 1 of each succeeding biennium from the state general fund in an amount equal to ten percent of each institution's average monthly allotment for such budgeted biennium expenditures as certified by the office of (~~program planning and fiscal~~) financial management, and at the conclusion of each such initial month, and for each succeeding month of any biennium, the state treasurer will reimburse each institution for each expenditure incurred and reported monthly by each community college treasurer in accordance with chapter 43.83 RCW: PROVIDED, That the reimbursement to each institution for actual expenditures incurred in the final month of each biennium shall be less the initial advance.

Sec. 22. Section 9, chapter 277, Laws of 1969 ex. sess. as amended by section 6, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.080 are each amended to read as follows:

By a majority vote of the citizen members, the council shall select a chairman who shall be a citizen member; and, the council shall adopt such bylaws as it sees fit.

The council shall appoint an executive coordinator of services who shall serve at the pleasure of the council. The executive coordinator of services shall be the executive officer of the council and, under the council's supervision, shall administer the provisions of this chapter. In addition, he shall be in charge of the office of the council.

The council may employ and appoint such other assistants and employees as may be required. In addition, the council may appoint deputy coordinators who shall be assistant directors for the purpose of chapter 41.06 RCW, the state civil service act, and any individual filling such a position shall serve at the pleasure of the council.

In fulfilling the duties under this chapter, the council shall make extensive use of those state agencies with responsibility for implementing and supporting postsecondary education plans and policies, e.g., appropriate legislative groups, the postsecondary education institutions, the office of (~~program planning and fiscal~~) financial management, and the state board for community college education. Outside consulting and service agencies may also be employed. The council may compensate these groups and consultants in appropriate ways.

All council funds shall be expended subject to the approval of the chairman. All ~~matter~~ related to payment of compensation and other expenses of the council shall be subject to the state budget and accounting act.

Sec. 23. Section 12, chapter 174, Laws of 1975 1st ex. sess. as amended by section 1, chapter 86, Laws of 1975-'76 2nd ex. sess. and RCW 28C-.04.510 are each amended to read as follows:

The governor is hereby authorized, with the advice of the office of (~~program planning and fiscal~~) financial management to determine to which of the following state agencies those functions of the coordinating council for occupational education not herein transferred to the commission for vocational education shall be transferred: The council on higher education; the department of social and health services; the department of labor and industries; the superintendent of public instruction; the state board for community colleges; the employment security department; the state library, or any educational administrative agency created during the forty-fourth legislative session. The governor has the authority to transfer such personnel, funds, and equipment to the agency he so determines as may be necessary to carry out those functions. The governor shall make a report to the legislature concerning such determinations as he has made by December 1, 1975. All remaining funds of the coordinating council not disposed of or

otherwise provided for in this chapter shall remain within the jurisdiction of the commission.

Sec. 24. Section 35.04.070, chapter 7, Laws of 1965 as amended by section 5, chapter 110, Laws of 1977 ex. sess. and RCW 35.04.070 are each amended to read as follows:

For the purpose of the type of incorporation provided for in this chapter, the population shall be determined as follows:

A count shall be made by the legislative authority of each county in which a portion of the proposed corporation is located to determine the population and number of housing units in that area at the time of the incorporation. The count shall be made under the direction of, and certified by, the office of (~~((program planning and fiscal))~~) financial management. The population so determined shall constitute the official population of the proposed corporation and subtracted from the official population of the unincorporated area of each of the counties in which the proposed corporation is located.

Sec. 25. Section 35.13.260, chapter 7, Laws of 1965 as last amended by section 1, chapter 31, Laws of 1975 1st ex. sess. and RCW 35.13.260 are each amended to read as follows:

Whenever any territory is annexed to a city or town, a certificate as hereinafter provided shall be submitted in triplicate to the office of (~~((pro-gram planning and fiscal))~~) financial management, hereinafter in this section referred to as "the office", within thirty days of the effective date of annexation specified in the relevant ordinance. After approval of the certificate, the office shall retain the original copy in its files, and transmit the second copy to the department of (~~((highways))~~) transportation and return the third copy to the city or town. Such certificates shall be in such form and contain such information as shall be prescribed by the office. A copy of the complete ordinance containing a legal description and a map showing specifically the boundaries of the annexed territory shall be attached to each of the three copies of the certificate. The certificate shall be signed by the mayor and attested by the city clerk. Upon request, the office shall furnish certification forms to any city or town.

The resident population of the annexed territory shall be determined by, or under the direction of, the mayor of the city or town. Such population determination shall consist of an actual enumeration of the population which shall be made in accordance with practices and policies, and subject to the approval of, the office. The population shall be determined as of the effective date of annexation as specified in the relevant ordinance.

Until an annexation certificate is filed and approved as provided herein, such annexed territory shall not be considered by the office in determining the population of such city or town.

Upon approval of the annexation certificate, the office shall forward to each state official or department responsible for making allocations or payments to cities or towns, a revised certificate reflecting the increase in population due to such annexation. Upon and after the date of the commencement of the next quarterly period, the population determination indicated in such revised certificate shall be used as the basis for the allocation and payment of state funds to such city or town.

For the purposes of this section, each quarterly period shall commence on the first day of the months of January, April, July, and October. Whenever a revised certificate is forwarded by the office thirty days or less prior to the commencement of the next quarterly period, the population of the annexed territory shall not be considered until the commencement of the following quarterly period.

Sec. 26. Section 35.18.020, chapter 7, Laws of 1965 and RCW 35.18-.020 are each amended to read as follows:

The number of councilmen shall be in proportion to the population of the city or town indicated in its petition for incorporation and thereafter shall be in proportion to its population as last determined by the ((~~state census board~~)) office of financial management as follows:

(1) A city or town having not more than two thousand inhabitants, five councilmen;

(2) A city having more than two thousand, seven councilmen.

All councilmen shall be elected at large or from such wards or districts as may be established by ordinance, and shall serve for a term of four years and until their successors are elected and qualified: **PROVIDED, HOWEVER,** That at the first election, the following shall apply:

(a) At the first election, one councilman shall be nominated and elected from each ward or such other existing district of said city as may have been established for the election of members of the legislative body of the city and the remaining councilmen shall be elected at large; but if there are no such wards or districts in the city, or at an initial election for the incorporation of a community, the councilmen shall be elected at large.

(b) In cities electing five councilmen, the candidates having the three highest number of votes shall be elected for a four year term and the other two for a two year term and until their successors are elected and qualified.

(c) In cities electing seven councilmen, the candidates having the four highest number of votes shall be elected for a four year term and the other three for a two year term and until their successors are elected and qualified.

(d) In determining the candidates receiving the highest number of votes, only the candidate receiving the highest number of votes in each ward, as well as the councilman-at-large or councilmen-at-large, are to be considered. When a municipality has qualified for an increase in the number of

councilmen from five to seven by virtue of the next succeeding (~~((state census board))~~) office of financial management population determination after the majority of the voters thereof have approved operation under the council-manager plan, at the first election when two additional councilmen are to be elected, one of the two additional councilmen receiving the highest number of votes shall be elected for a four year term and the other additional councilman shall be elected for a two year term.

If a vacancy in the council occurs, the remaining members shall appoint a person to fill such office only until the next regular general municipal election at which a person shall be elected to serve for the remainder of the unexpired term.

In the event such population determination as provided in this section requires an increase in the number of councilmen, the city or town council shall fill the additional councilmanic positions by appointment not later than thirty days following the release of said population determination, and the appointee shall hold office only until the next regular city or town election at which a person shall be elected to serve for the remainder of the unexpired term: PROVIDED, That should said population determination result in a decrease in the number of councilmen, said decrease shall not take effect until the next regular city or town election.

Sec. 27. Section 35.21.600, chapter 7, Laws of 1965 as amended by section 6, chapter 47, Laws of 1965 ex. sess. and RCW 35.21.600 are each amended to read as follows:

Any city of ten thousand or more population shall have all power to conduct its affairs consistent with and subject to state law, including the power to frame a charter for its own government in accordance with RCW 35.22.030 through 35.22.200, as now or hereafter amended. "Population" means the number of residents as shown by the figures released for the most recent official state, federal, or county census, or population determination made under the direction of the (~~((state census board))~~) office of financial management. Once any city has ten thousand or more population, any subsequent decrease in population below ten thousand shall not affect any powers theretofore acquired under this section.

Sec. 28. Section 12, chapter 277, Laws of 1977 ex. sess. and RCW 35.58.020 are each amended to read as follows:

As used herein:

(1) "Metropolitan municipal corporation" means a municipal corporation of the state of Washington created pursuant to this chapter, or a county which has by ordinance or resolution assumed the rights, powers, functions, and obligations of a metropolitan municipal corporation pursuant to the provisions of (~~((this 1977 amendatory act))~~) chapter 36.56 RCW.

(2) "Metropolitan area" means the area contained within the boundaries of a metropolitan municipal corporation, or within the boundaries of an area proposed to be organized as such a corporation.

- (3) "City" means an incorporated city or town.
- (4) "Component city" means an incorporated city or town within a metropolitan area.
- (5) "Component county" means a county, all or part of which is included within a metropolitan area.
- (6) "Central city" means the city with the largest population in a metropolitan area.
- (7) "Central county" means the county containing the city with the largest population in a metropolitan area.
- (8) "Special district" means any municipal corporation of the state of Washington other than a city, county, or metropolitan municipal corporation.
- (9) "Metropolitan council" means the legislative body of a metropolitan municipal corporation, or the legislative body of a county which has by ordinance or resolution assumed the rights, powers, functions, and obligations of a metropolitan municipal corporation pursuant to the provisions of ~~((this 1977 amendatory act))~~ chapter 36.56 RCW.
- (10) "City council" means the legislative body of any city or town.
- (11) "Population" means the number of residents as shown by the figures released for the most recent official state, federal, or county census, or population determination made under the direction of the ~~((state census board))~~ office of financial management.
- (12) "Metropolitan function" means any of the functions of government named in RCW 35.58.050.
- (13) "Authorized metropolitan function" means a metropolitan function which a metropolitan municipal corporation shall have been authorized to perform in the manner provided in this chapter.
- (14) "Metropolitan public transportation" or "metropolitan transportation" for the purposes of this chapter shall mean the transportation of packages, passengers and their incidental baggage by means other than by chartered bus, sightseeing bus, or any other motor vehicle not on an individual fare-paying basis, together with the necessary passenger terminals and parking facilities or other properties necessary for passenger and vehicular access to and from such people-moving systems: PROVIDED, That nothing in this chapter shall be construed to prohibit a metropolitan municipal corporation from leasing its buses to private certified carriers or to prohibit the metropolitan municipal corporation from providing school bus service for the transportation of pupils.
- (15) "Pollution" has the meaning given in RCW 90.48.020.

Sec. 29. Section 35A.04.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.04.080 are each amended to read as follows:

In determining the number of inhabitants within the boundaries established for the proposed noncharter code city, the population shall be determined as follows:

An actual enumeration shall be made by, or under the direction of, the board of county commissioners of each county in which a portion of the proposed corporation is located, in accordance with practices and policies, and subject to the approval, of the ~~((state census board))~~ office of financial management; and the population so determined shall constitute the official population of the proposed corporation.

Sec. 30. Section 35A.04.160, chapter 119, Laws of 1967 ex. sess. and RCW 35A.04.160 are each amended to read as follows:

After incorporation all purposes essential to the maintenance, operation, and administration of the corporation whenever any action is required or may be performed by any county officer or board, such action shall be performed by the respective officer or board of the county of that part of the noncharter code city in which the largest number of inhabitants reside as of the date of the incorporation thereof, except as provided in RCW 35A.04.150 and 35A.04.170; and all costs incurred shall be borne proportionately by each county in that ratio which the number of inhabitants residing in that part of each county forming a part of the noncharter code city bears to the total number of inhabitants residing within the whole of the noncharter code city. For the purposes of this section the number of inhabitants residing in a portion of a county involved in this incorporation proceeding shall be determined by the figures released at the most recent state or federal census or by a determination of the ~~((state census board))~~ office of financial management.

Sec. 31. Section 35A.05.120, chapter 119, Laws of 1967 ex. sess. and RCW 35A.05.120 are each amended to read as follows:

If the majority vote at an election under this chapter is in favor of consolidation, the costs of such election shall be borne by the new noncharter code city formed by such consolidation. If the majority vote at such election was against consolidation, the costs of election shall be borne proportionately by each corporation affected, in that ratio which the number of inhabitants residing in such corporation bear to the total number of inhabitants residing in the total area in which the election was held, as shown by the figures released at the most recent state or federal census or by a determination of the ~~((state census board))~~ office of financial management.

Sec. 32. Section 35A.08.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.08.020 are each amended to read as follows:

For the purposes of this chapter, the population of a city shall be the number of residents shown by the figures released for the most recent official state or federal census, by a population determination made under the direction of the ~~((state census board))~~ office of financial management, or by a city census conducted in the following manner:

(1) The legislative authority of any such city may provide by ordinance for the appointment by the mayor thereof, of such number of persons as may be designated in the ordinance to make an enumeration of all persons residing within the corporate limits of the city. The enumerators so appointed, before entering upon their duties, shall take an oath for the faithful performance thereof and within five days after their appointment proceed, within their respective districts, to make an enumeration of all persons residing therein, with their names and places of residence.

(2) Immediately upon the completion of the enumeration, the enumerators shall make return thereof upon oath to the legislative authority of the city, who at its next meeting or as soon thereafter as practicable, shall canvass and certify the returns.

(3) If it appears therefrom that the whole number of persons residing within the corporate limits of the city is ten thousand or more, the mayor and clerk under the corporate seal of the city shall certify the number so ascertained to the secretary of state, who shall file it in his office. This certificate when so filed shall be conclusive evidence of the population of the city.

Sec. 33. Section 35A.12.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.010 are each amended to read as follows:

The government of any noncharter code city or charter code city electing to adopt the mayor-council plan of government authorized by this chapter shall be vested in an elected mayor and an elected council. The council of a noncharter code city having less than twenty-five hundred inhabitants shall consist of five members; when there are twenty-five hundred or more inhabitants, the council shall consist of seven members. The number of inhabitants shall be determined by the most recent official state or federal census or determination by the ~~((state census board))~~ office of financial management. A charter adopted under the provisions of this title, incorporating the mayor-council plan of government set forth in this chapter, may provide for an uneven number of councilmen not exceeding eleven.

Sec. 34. Section 35A.13.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.13.010 are each amended to read as follows:

The councilmen shall be the only elective officers of a code city electing to adopt the council-manager plan of government authorized by this chapter, except where statutes provide for an elective police judge. The council shall appoint an officer whose title shall be "city manager" who shall be the chief executive officer and head of the administrative branch of the city government. The city manager shall be responsible to the council for the proper administration of all affairs of the code city. The council of a noncharter code city having less than twenty-five hundred inhabitants shall consist of five members; when there are twenty-five hundred or more inhabitants the council shall consist of seven members. The number of inhabitants shall be determined by the most recent official state or federal census

or determination by the ~~((state census board))~~ office of financial management. A charter adopted under the provisions of this title, incorporating the council-manager plan of government set forth in this chapter may provide for an uneven number of councilmen not exceeding eleven.

Sec. 35. Section 35A.14.700, chapter 119, Laws of 1967 ex. sess. as amended by section 2, chapter 31, Laws of 1975 1st ex. sess. and RCW 35A.14.700 are each amended to read as follows:

Whenever any territory is annexed to a code city, a certificate as hereinafter provided shall be submitted in triplicate to the office of ~~((program planning and fiscal))~~ financial management, hereinafter in this section referred to as "the office", within thirty days of the effective date of annexation specified in the relevant ordinance. After approval of the certificate, the office shall retain the original copy in its files, and transmit the second copy to the department of ~~((highways))~~ transportation and return the third copy to the code city. Such certificates shall be in such form and contain such information as shall be prescribed by the office. A copy of the complete ordinance containing a legal description and a map showing specifically the boundaries of the annexed territory shall be attached to each of the three copies of the certificate. The certificate shall be signed by the mayor and attested by the city clerk. Upon request, the office shall furnish certification forms to any code city.

Upon approval of the annexation certificate, the office shall forward to each state official or department responsible for making allocations or payments to cities or towns, a revised certificate reflecting the increase in population due to such annexation. Upon and after the date of the commencement of the next quarterly period, the population determination indicated in such revised certificate shall be used as the basis for the allocation and payment of state funds to such city or town.

For the purposes of this section, each quarterly period shall commence on the first day of the months of January, April, July, and October. Whenever a revised certificate is forwarded by the office thirty days or less prior to the commencement of the next quarterly period, the population of the annexed territory shall not be considered until the commencement of the following quarterly period.

The resident population of the annexed territory shall be determined by, or under the direction of, the mayor of the code city. Such population determination shall consist of an actual enumeration of the population which shall be made in accordance with practices and policies, and subject to the approval of the office. The population shall be determined as of the effective date of annexation as specified in the relevant ordinance.

Until an annexation certificate is filed and approved as provided herein, such annexed territory shall not be considered by the office in determining the population of such code city.

Sec. 36. Section 35A.44.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.44.010 are each amended to read as follows:

The population of code cities shall be determined by specific purposes in accordance with any express provision of state law relating thereto. Where no express provision is made, the provisions of chapter 43.62 RCW relating to the (~~state census board,~~) office of financial management and the provisions of RCW 35.13.260 shall govern.

Sec. 37. Section 36.13.030, chapter 4, Laws of 1963 as amended by section 1, chapter 110, Laws of 1977 ex. sess. and RCW 36.13.030 are each amended to read as follows:

For the purpose of making a county census, the legislative authority of any county may employ one or more suitable persons. The census shall be conducted in accordance with standard census definitions and procedures as specified by the office of (~~program planning and fiscal~~) financial management.

Sec. 38. Section 36.38.020, chapter 4, Laws of 1963 as amended by section 21, chapter 278, Laws of 1975 1st ex. sess. and RCW 36.38.020 are each amended to read as follows:

In addition to the provisions levying and fixing the amount of tax, the ordinance may contain any or all of the following provisions:

- (1) A provision defining the words and terms used therein;
- (2) A provision requiring the price (exclusive of the tax to be paid by the person paying for admission) at which every admission ticket or card is sold to be conspicuously and indelibly printed or written on the face or back of that part of the ticket which is to be taken up by the management of the place for which an admission charge is exacted, and making the violation of such provision a misdemeanor punishable by fine of not exceeding one hundred dollars;
- (3) Provisions fixing reasonable exemptions from such tax;
- (4) Provisions allowing as an offset against the tax, the amount of like taxes levied, fixed, and collected within their jurisdiction by incorporated cities and towns in the county;
- (5) A provision requiring persons receiving payments for admissions taxed under said ordinance to collect the amount of the tax from the persons making such payments;
- (6) A provision to the effect that the tax imposed by said ordinance shall be deemed to be held in trust by the person required to collect the same until paid to the county treasurer, and making it a misdemeanor for any person receiving payment of the tax and appropriating or converting the same to his own use or to any use other than the payment of the tax as provided in said ordinance to the extent that the amount of such tax is not available for payment on the due date for filing returns as provided in said ordinance;

(7) A provision that in case any person required by the ordinance to collect the tax imposed thereby fails to collect the same, or having collected the tax fails to pay the same to the county treasurer in the manner prescribed by the ordinance, whether such failure is the result of such person's own acts or the result of acts or conditions beyond such person's control, such person shall nevertheless be personally liable to the county for the amount of the tax;

(8) Provisions fixing the time when the taxes imposed by the ordinance shall be due and payable to the county treasurer; requiring persons receiving payments for admissions to make periodic returns to the county treasurer on such forms and setting forth such information as the county treasurer may specify; requiring such return to show the amount of tax upon admissions for which such person is liable for specified preceding periods, and requiring such person to sign and transmit the same to the county treasurer together with a remittance for the amount;

(9) A provision requiring taxpayers to file with the county treasurer verified annual returns setting forth such additional information as he may deem necessary to determine tax liability correctly;

(10) A provision to the effect that whenever a certificate of registration, if required by the ordinance, is obtained for operating or conducting temporary places of amusement by persons who are not the owners, lessees, or custodians of the building, lot or place where the amusement is to be conducted, or whenever the business is permitted to be conducted without the procurement of a certificate, the tax imposed shall be returned and paid as provided in the ordinance by such owner, lessee, or custodian, unless paid by the person conducting the place of amusement;

(11) A provision requiring the applicant for a temporary certificate of registration, if required by the ordinance, to furnish with the application therefor, the name and address of the owner, lessee, or custodian of the premises upon which the amusement is to be conducted, and requiring the county treasurer to notify such owner, lessee, or custodian of the issuance of any such temporary certificate, and of the joint liability for such tax;

(12) A provision empowering the county treasurer to declare the tax upon temporary or itinerant places of amusement to be immediately due and payable and to collect the same, when he believes there is a possibility that the tax imposed under the ordinance will not be otherwise paid;

(13) Any or all of the applicable general administrative provisions contained in RCW 82.32.010 through 82.32.340 and 82.32.380, and the amendments thereto, except that unless otherwise indicated by the context of said sections, in all provisions so incorporated in such ordinance (a) the term "county treasurer" (of the county enacting said ordinance) shall be substituted for each reference made in said sections to the "department," the "department of revenue," "any employee of the department," or "director of the department of revenue"; (b) the name of the county enacting such

ordinance shall be substituted for each reference made in said sections to the "state" or to the "state of Washington"; (c) the term "this ordinance" shall be substituted for each reference made in said sections to "this chapter"; (d) the name of the county enacting said ordinance shall be substituted for each reference made in said sections to "Thurston county"; and (e) the term "board of county commissioners" shall be substituted for each reference made in said sections to the "director of (~~program planning and fiscal~~) financial management."

Sec. 39. Section 1, chapter 167, Laws of 1974 ex. sess. and RCW 36.57.010 are each amended to read as follows:

For the purposes of this chapter and RCW 82.14.047 the following definitions shall apply:

(1) "Authority" means the county transportation authority created pursuant to this chapter and RCW 82.14.047.

(2) "Population" means the number of residents as shown by the figures released for the most recent official state, federal, or county census, or population determination made by the office of (~~program planning and fiscal~~) financial management.

(3) "Public transportation function" means the transportation of passengers and their incidental baggage by means other than by chartered bus, sightseeing bus, together with the necessary passenger terminals and parking facilities or other properties necessary for passenger and vehicular access to and from such people-moving systems: PROVIDED, That nothing shall prohibit an authority from leasing its buses to private certified carriers or prohibit the county from providing school bus service.

Sec. 40. Section 11, chapter 270, Laws of 1975 1st ex. sess. and RCW 36.57A.010 are each amended to read as follows:

For the purposes of this chapter the following definitions shall apply:

(1) "Public transportation benefit area" means a municipal corporation of the state of Washington created pursuant to this chapter.

(2) "Public transportation benefit area authority" or "authority" means the legislative body of a public transportation benefit area.

(3) "City" means an incorporated city or town.

(4) "Component city" means an incorporated city or town within a public transportation benefit area.

(5) "City council" means the legislative body of any city or town.

(6) "County legislative body" means the board of county commissioners or the county council.

(7) "Population" means the number of residents as shown by the figures released for the most recent official state, federal, or county census, or population determination made by the office of (~~program planning and fiscal~~) financial management.

(8) "Public transportation service" means the transportation of packages, passengers and their incidental baggage by means other than by chartered bus, sight-seeing bus, together with the necessary passenger terminals and parking facilities or other properties necessary for passenger and vehicular access to and from such people moving systems: PROVIDED, That nothing shall prohibit an authority from leasing its buses to private certified carriers or prohibit the authority from providing school bus service.

(9) "Public transportation improvement conference" or "conference" shall mean the body established pursuant to RCW 36.57A.020 which shall be authorized to establish, subject to the provisions of RCW 36.57A.030, a public transportation benefit area pursuant to the provisions of this chapter.

Sec. 41. Section 25, chapter 270, Laws of 1975 1st ex. sess. and RCW 36.57A.150 are each amended to read as follows:

Counties that have established a county transportation authority pursuant to chapter 36.57 RCW and public transportation benefit areas that have been established pursuant to this chapter are eligible to receive a one-time advanced financial support payment from the state to assist in the development of the initial comprehensive transit plan required by RCW 36.57.070 and 36.57A.060. The amount of this support payment is established at one dollar per person residing within each county or public transportation benefit area, as determined by the office of ~~((program planning and fiscal))~~ financial management, but no single payment shall exceed fifty thousand dollars. Repayment of an advanced financial support payment shall be made to the public transportation account in the general fund or, if such account does not exist, to the general fund by each agency within two years of the date such advanced payment was received. Such repayment shall be waived within two years of the date such advanced payment was received if the voters in the appropriate counties or public transportation benefit areas do not elect to levy and collect taxes enabled under authority of this ~~((1975 amendatory act))~~ chapter and RCW 35.95.040 and 82.14.045. The state department of transportation or, if such department does not exist, the planning and community affairs agency shall provide technical assistance in the preparation of local transit plans, and administer the advanced financial support payments authorized by this section.

Sec. 42. Section 11, chapter 120, Laws of 1965 ex. sess. and RCW 36.78.110 are each amended to read as follows:

All expenses incurred by the board including salaries of employees shall be paid upon voucher forms provided by the ~~((central budget agency))~~ office of financial management or pursuant to a regular payroll signed by the chairman of the board and by the county road administration engineer. All expenses of the board shall be paid out of that portion of the motor vehicle fund allocated to the counties and withheld for use by the ~~((state highway~~

~~commission))~~ department of transportation and the county road administration board under the provisions of RCW 46.68.120(1), as now or hereafter amended.

Sec. 43. Section 4, chapter 8, Laws of 1971 ex. sess. as last amended by section 6, chapter 144, Laws of 1977 ex. sess. and RCW 38.52.205 are each amended to read as follows:

All claims against the state for property damages or indemnification therefor arising from emergency service related activities will be presented to and filed with the ~~((chief fiscal officer of the executive branch))~~ director of financial management. Contents of all such claims shall conform to the tort claim filing requirements found in RCW 4.92.100 as now or hereafter amended.

Sec. 44. Section 1, chapter 191, Laws of 1974 ex. sess. and RCW 39.29.010 are each amended to read as follows:

On and after July 24, 1974 all personal service contracts, including renewals and amendments of existing contracts, entered into by any state officer or activity of the executive and judicial branches of state government, including state agencies, departments, offices, divisions, boards, commissions, and educational, correctional and other types of institutions, shall be filed with the office of ~~((program planning and fiscal))~~ financial management and the legislative budget committee at least ten days prior to the date any work commences under such contracts regardless of the source of funds. The director of ~~((the office of program planning and fiscal))~~ financial management may exempt on a limited basis specific classes of personal service contracts involving activities of the executive and judicial branches after preparation of documented justification and consultation with the legislative budget committee: PROVIDED, That approval of the exemption is granted prior to commencement of the contract work.

In special emergency cases when work commencement is clearly a major and overriding factor and immediate contract action is mandatory, filing may be delayed for personal service contracts involving executive and judicial branches by the director of ~~((the office of program planning and fiscal))~~ financial management after consultation with the legislative auditor: PROVIDED, That such filing shall be made prior to commencement of the contract work with documented justification for the filing delay.

Standing and other committees of the legislature and officers or employees of the legislative branch shall file personal service contracts with the legislative budget committee and the office of ~~((program planning and fiscal))~~ financial management in accordance with the ten day time limitation set forth in this section. This requirement conforms with legislative intent that all personal service contracts negotiated within state government shall be subject to periodic and centralized legislative review. Requests by legislative committees or personnel for either exemptions or delays in filing individual personal service contracts shall be forwarded to the legislative budget

committee for review and maintenance of a central control file for use in preparation of summary reports on personal service contracts as directed by the legislature. Filing of personal service contracts delayed for emergency purposes shall be made not more than five days after commencement of the contract work involved.

Sec. 45. Section 1, chapter 61, Laws of 1969 ex. sess. and RCW 39.34-.130 are each amended to read as follows:

Except as otherwise provided by law, the full costs of a state agency incurred in providing services or furnishing materials to or for another agency under chapter 39.34 RCW or any other statute shall be charged to the agency contracting for such services or materials and shall be repaid and credited to the fund or appropriation against which the expenditure originally was charged. Amounts representing a return of expenditures from an appropriation shall be considered as returned loans of services or of goods, supplies or other materials furnished, and may be expended as part of the original appropriation to which they belong without further or additional appropriation. Such interagency transactions shall be subject to regulation by the ((~~budget~~)) director of financial management, including but not limited to provisions for the determination of costs, prevention of interagency contract costs beyond those which are fully reimbursable, disclosure of reimbursements in the governor's budget and such other requirements and restrictions as will promote more economical and efficient operations of state agencies.

Except as otherwise provided by law, this section shall not apply to the furnishing of materials or services by one agency to another when other funds have been provided specifically for that purpose pursuant to law.

Sec. 46. Section 2, chapter 61, Laws of 1969 ex. sess. and RCW 39.34-.140 are each amended to read as follows:

The ((~~budget~~)) director of financial management may establish procedures whereby some or all payments between state agencies may be made by transfers upon the accounts of the state treasurer in lieu of making such payments by warrant or check. Such procedures, when established, shall include provision for corresponding entries to be made in the accounts of the affected agencies.

Sec. 47. Section 3, chapter 61, Laws of 1969 ex. sess. and RCW 39.34-.150 are each amended to read as follows:

State agencies are authorized to advance funds to defray charges for materials to be furnished or services to be rendered by other state agencies. Such advances shall be made only upon the approval of the ((~~budget~~)) director of financial management, or his order made pursuant to an appropriate regulation requiring advances in certain cases. An advance shall be made from the fund or appropriation available for the procuring of such services or materials, to the state agency which is to perform the services or

furnish the materials, in an amount no greater than the estimated charges therefor.

Sec. 48. Section 1, chapter 15, Laws of 1977 ex. sess. and RCW 39.58-.150 are each amended to read as follows:

Notwithstanding any provision of law to the contrary, the state treasurer or any county, city, or other municipal treasurer may receive, disburse, or transfer public funds under the treasurer's jurisdiction by means of wire or other electronic communication in accordance with accounting standards which shall be established prior to July 1, 1977, by the state auditor under RCW 43.09.200 with regard to municipal treasurers or by the office of (~~(program planning and fiscal)~~) financial management under RCW 43.88-.160 in the case of the state treasurer to safeguard and insure accountability for the funds involved.

Sec. 49. Section 6, chapter 150, Laws of 1941 as last amended by section 3, chapter 33, Laws of 1973 and RCW 40.04.100 are each amended to read as follows:

The supreme court reports and the court of appeals reports shall be distributed by the state law librarian as follows:

(1) Each supreme court justice and court of appeals judge is entitled to receive one copy of each volume containing an opinion signed by him.

(2) The state law librarian shall retain such copies as are necessary of each for the benefit of the state law library, the supreme court and its subsidiary offices; and the court of appeals and its subsidiary offices; he shall provide one copy each for the official use of the attorney general and for each assistant attorney general maintaining his office in the attorney general's suite; three copies for the office of prosecuting attorney, in class A counties; two copies for such office in first class counties, and one copy for each other prosecuting attorney; one for each United States district court room and every superior court room in this state if regularly used by a judge of such courts; one copy for the use of each state department maintaining a separate office at the state capitol; one copy to the office of (~~(program planning and fiscal)~~) financial management, and one copy to the division of inheritance tax and escheats; one copy each to the United States supreme court, to the United States district attorney's offices at Seattle and Spokane, to the office of the United States attorney general, the library of the circuit court of appeals of the ninth circuit, the Seattle public library, the Tacoma public library, the Spokane public library, the University of Washington library, and the Washington State University library; three copies to the Library of Congress; and, for educational purposes, twelve copies to the University of Washington law library, two copies to the University of Puget Sound law library, and two copies to the Gonzaga University law school library and to such other accredited law school libraries as are hereafter established in this state; six copies to the King county law library; and one copy to each county law library organized pursuant to law in

class AA counties, class A counties and in counties of the first, second and third class.

(3) The state law librarian is likewise authorized to exchange copies of the supreme court reports and the court of appeals reports for similar reports of other states, territories, and/or governments, or for other legal materials, and to make such other and further distribution as in his judgment seems proper.

Sec. 50. Section 2, chapter 232, Laws of 1977 ex. sess. and RCW 40.07.020 are each amended to read as follows:

The terms defined in this section shall have the meanings indicated when used in this chapter.

(1) "Director" means the director of (~~(the office of program planning and fiscal)~~) financial management.

(2) "State agency" includes every state office, department, division, bureau, board, commission, committee, higher education institution, community college, and agency of the state and all subordinate subdivisions of such agencies in the executive branch financed in whole or in part from funds held in the state treasury, but does not include the offices of executive officials elected on a state-wide basis, agricultural commodity commissions, the legislature, the judiciary, or agencies of the legislative or judicial branches of state government.

(3) (a) "State publication" means publications of state agencies and shall include any annual and biennial reports, any special report required by law, state agency newsletters, periodicals and magazines, and other printed informational material intended for general dissemination to the public or to the legislature.

(b) "State publication" may include such other state agency printed informational material as the director may prescribe by rule or regulation, in the interest of economy and efficiency, after consultation with the governor, the state librarian, and any state agencies affected.

(c) "State publication" does not include:

(i) Business forms, preliminary draft reports, working papers, or copies of testimony and related exhibit material prepared solely for purposes of a presentation to a committee of the state legislature;

(ii) Typewritten correspondence and interoffice memoranda, and staff memoranda and similar material prepared exclusively as testimony or exhibits in any proceeding in the courts of this state, the United States, or before any administrative entity;

(iii) Any notices of intention to adopt rules under RCW 34.04.025(1)(a) as now existing or hereafter amended;

(iv) Publications relating to a multistate program financed by more than one state or by federal funds or private subscriptions; or

(v) News releases sent exclusively to the news media.

(4) "Print" includes all forms of reproducing multiple copies with the exception of typewritten correspondence and interoffice memoranda.

Sec. 51. Section 4, chapter 246, Laws of 1957 as amended by section 3, chapter 54, Laws of 1973 and RCW 40.14.040 are each amended to read as follows:

Each department or other agency of the state government shall designate a records officer to supervise its records program and to represent the office in all contacts with the records committee, hereinafter created, and the division of archives and records management. The records officer shall:

(1) Coordinate all aspects of the records management program.

(2) Inventory, or manage the inventory, of all public records at least once during a biennium for disposition scheduling and transfer action, in accordance with procedures prescribed by the state archivist and state records committee: PROVIDED, That essential records shall be inventoried and processed in accordance with chapter 40.10 RCW at least annually.

(3) Consult with any other personnel responsible for maintenance of specific records within his state organization regarding records retention and transfer recommendations.

(4) Analyze records inventory data, examine and compare divisional or unit inventories for duplication of records, and recommend to the state archivist and state records committee minimal retentions for all copies commensurate with legal, financial and administrative needs.

(5) Approve all records inventory and destruction requests which are submitted to the state records committee.

(6) Review established records retention schedules at least annually to insure that they are complete and current.

(7) Exercise internal control over the acquisition of filming and file equipment.

(8) Report annually all savings resulting from records disposition actions to his management, the state archivist and the office of (~~(program planning and fiscal)~~) financial management.

If a particular agency or department does not wish to transfer records at a time previously scheduled therefor, the records officer shall, within thirty days, notify the archivist and request a change in such previously set schedule, including his reasons therefor.

Sec. 52. Section 6, chapter 246, Laws of 1957 as amended by section 4, chapter 54, Laws of 1973 and RCW 40.14.060 are each amended to read as follows:

Official public records shall not be destroyed until they are either photographed, microphotographed, photostated, or reproduced on film, or until they are seven years old, except on a showing of the department of origin, as approved by the records committee, that the retention of such records for a minimum of seven years is both unnecessary and uneconomical, particularly

where lesser federal retention periods for records generated by the state under federal programs are involved: **PROVIDED**, That any lesser term of retention than seven years must have the additional approval of the director of ~~((the budget))~~ financial management, the state auditor and the attorney general, except where records have federal retention guidelines the state records committee may adjust the retention period accordingly: **PROVIDED**, **FURTHER**, That an automatic reduction of retention periods from ten to seven years as provided for in this 1973 amendatory section for official public records shall not be made as to records on existing record retention schedules but the same shall be reviewed individually by the state records committee for approval or disapproval of the change to a retention period of seven years.

Recommendations for the destruction or disposition of office files and memoranda shall be submitted to the records committee upon approved forms prepared by the records officer of the agency concerned and the archivist. The committee shall determine the period of time that any office file or memorandum shall be preserved and may authorize the division of archives and records management to arrange for its destruction or disposition.

Sec. 53. Section 2, chapter 208, Laws of 1957 as amended by section 16, chapter 106, Laws of 1973 and RCW 41.04.036 are each amended to read as follows:

Any official of the state or of any of its political subdivisions authorized to disburse funds in payment of salaries or wages of public officers or employees is authorized, upon written request of the officer or employee, to deduct each month from the salary or wages of the officer or employee the amount of money designated by the officer or employee for payment to the United Fund.

The moneys so deducted shall be paid over promptly to the United Fund designated by the officer or employee. Subject to any regulations prescribed by the office of ~~((program planning and fiscal))~~ financial management, the official authorized to disburse the funds in payment of salaries or wages may prescribe any procedures necessary to carry out RCW 41.04.035 and 41.04.036.

Sec. 54. Section 5, chapter 59, Laws of 1969 as last amended by section 5, chapter 147, Laws of 1973 1st ex. sess. and RCW 41.04.230 are each amended to read as follows:

Any official of the state authorized to disburse funds in payment of salaries and wages of public officers or employees is authorized, upon written request of the officer or employee, to deduct each month from the salaries or wages of the officers or employees, the amount of money designated by the officer or employee for payment of the following:

(1) Credit union deductions: **PROVIDED**, That the credit union is organized solely for public employees: **AND PROVIDED FURTHER**, That twenty-five or more employees of a single state agency or a total of one

hundred or more state employees of several agencies have authorized such a deduction for payment to the same credit union.

(2) Parking fee deductions: **PROVIDED**, That payment is made for parking facilities furnished by the agency or by the department of general administration.

(3) U.S. savings bond deductions: **PROVIDED**, That a person within the particular agency shall be appointed to act as trustee. The trustee will receive all contributions; purchase and deliver all bond certificates; and keep such records and furnish such bond or security as will render full accountability for all bond contributions.

(4) Board, lodging or uniform deductions when such board, lodging and uniforms are furnished by the state, or deductions for academic tuitions or fees or scholarship contributions payable to the employing institution.

(5) Dues and other fees deductions: **PROVIDED**, That the deduction is for payment of membership dues to any professional organization formed primarily for public employees or college and university professors: **AND PROVIDED, FURTHER**, That twenty-five or more employees of a single state agency, or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same professional organization.

(6) Labor or employee organization dues may be deducted in the event that a payroll deduction is not provided under a collective bargaining agreement under the provisions of RCW 41.06.150: **PROVIDED**, That twenty-five or more officers or employees of a single agency, or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same labor or employee organization: **PROVIDED, FURTHER**, That labor or employee organizations with five hundred or more members in state government may have payroll deduction for employee benefit programs.

(7) Accident and casualty premiums to a single insurer: **PROVIDED**, That twenty-five or more officers or employees of a single agency, or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to that insurer.

(8) Insurance contributions to the trustee of contracts for payment of premiums under contracts authorized by the state employees' insurance board.

Deductions from salaries and wages of public officers and employees other than those enumerated in this section or by other law, may be authorized by the ((budget)) director of financial management for purposes clearly related to state employment or goals and objectives of the agency.

The authority to make deductions from the salaries and wages of public officers and employees as provided for in this section shall be in addition to such other authority as may be provided by law: **PROVIDED**, That the state or any department, division, or separate agency of the state shall not

be liable to any insurance carrier or contractor for the failure to make or transmit any such deduction.

Sec. 55. Section 5, chapter 39, Laws of 1970 ex. sess. as last amended by section 4, chapter 136, Laws of 1977 ex. sess. and RCW 41.05.050 are each amended to read as follows:

(1) Every department, division, or separate agency of state government, and such county, municipal, or other political subdivisions as are covered by this chapter, shall provide contributions to insurance and health care plans for its employees and their dependents, the content of such plans to be determined by the state employees insurance board. Such contributions, which shall be paid by the county, the municipality, or other political subdivision for their employees, shall include an amount determined by the state employee's insurance board to pay the administrative expenses of the board and the salaries and wages and expenses of the benefits supervisor and other necessary personnel: **PROVIDED**, That this administrative service charge for state employees shall not result in an employer contribution in excess of the amount authorized by the governor and the legislature as prescribed in RCW 41.05.050(2), and that the sum of an employee's insurance premiums and administrative service charge in excess of such-employer contribution shall be paid by the employee. All such contributions will be paid into the state employees insurance fund to be expended in accordance with RCW 41.05.030.

(2) The contributions of any department, division, or separate agency of the state government, and such county, municipal, or other political subdivisions as are covered by this chapter, shall be set by the state employees insurance board, subject to the approval of the governor for availability of funds as specifically appropriated by the legislature for that purpose: **PROVIDED**, That nothing herein shall be a limitation on employees employed under chapter 47.64 RCW: **PROVIDED FURTHER**, That provision for school district personnel shall not be made under this chapter.

(3) The trustee with the assistance of the department of personnel shall annually survey private industry and public employers in the state of Washington to determine the average employer contribution for group insurance programs under the jurisdiction of the state employees insurance board. Such survey shall be reported to the board for its use in setting the amount of the recommended employer contribution to the employee insurance benefit program covered by this chapter. The board shall transmit a recommendation for the amount of the employer contribution to the governor and the director of ~~((the office of program planning and fiscal))~~ financial management for inclusion in the proposed budgets submitted to the legislature.

Sec. 56. Section 7, chapter 239, Laws of 1969 ex. sess. and RCW 41.06.075 are each amended to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the office of ((~~program planning and fiscal~~)) financial management to the director, his confidential secretary, not to exceed two deputy directors and not to exceed seven assistant directors.

Sec. 57. Section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.150 are each amended to read as follows:

The board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;

(2) Certification of names for vacancies, including departmental promotions, with the number of names equal to two more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;

(3) Examinations for all positions in the competitive and noncompetitive service;

(4) Appointments;

(5) Probationary periods of six months and rejections therein;

(6) Transfers;

(7) Sick leaves and vacations;

(8) Hours of work;

(9) Layoffs when necessary and subsequent reemployment, both according to seniority;

(10) Determination of appropriate bargaining units within any agency: **PROVIDED**, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(11) Certification and decertification of exclusive bargaining representatives: **PROVIDED**, That after certification of an exclusive bargaining representative and upon said representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment shall constitute cause for dismissal: **PROVIDED FURTHER**, That no more often than once in each twelve month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to

rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause membership in the certified exclusive bargaining representative shall be satisfied by the payment of monthly or other periodic dues and shall not require payment of initiation, reinstatement, or any other fees or fines and shall include full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union sponsored insurance programs, and such employee shall not be a member of the union but shall be entitled to all the representation rights of a union member;

(12) Agreements between agencies and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion;

(13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: PROVIDED, That nothing contained herein shall permit or grant to any employee the right to strike or refuse to perform his official duties;

(14) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(15) Allocation and reallocation of positions within the classification plan;

(16) Adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units, such adoption and revision subject to approval by the director of ~~((the office of program planning and fiscal))~~ financial management in accordance with the provisions of chapter 43.88 RCW;

(17) Training programs, including in-service, promotional and supervisory;

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and

(19) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to

their unbroken state service, as defined by the board, the veteran's service in the military not to exceed five years. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran shall be entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section "veteran" shall not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Sec. 58. Section 16, chapter 1, Laws of 1961 as amended by section 2, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.160 are each amended to read as follows:

In preparing classification and salary schedules as set forth in RCW 41.06.150 as now or hereafter amended the department of personnel shall give full consideration to prevailing rates in other public employment and in private employment in this state. For this purpose the department shall undertake salary and fringe benefit surveys to be planned and conducted on a joint basis with the higher education personnel board, with one such survey to be conducted each year prior to the convening of each regular session of the state legislature. The results of each salary and fringe benefit survey shall be forwarded with a recommended state salary schedule to the governor and director of ~~((the office of program planning and fiscal))~~ financial management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the department of personnel to the standing committees for appropriations of the senate and house of representatives.

The department shall furnish the following supplementary data in support of its recommended salary schedule:

(1) A total dollar figure which reflects the recommended increase or decrease in state salaries as a direct result of the specific salary and fringe benefit survey that has been conducted and which is categorized to indicate what portion of the increase or decrease is represented by salary survey data and what portion is represented by fringe benefit survey data;

(2) An additional total dollar figure which reflects the impact of recommended increases or decreases to state salaries based on other factors rather than directly on prevailing rate data obtained through the survey process

and which is categorized to indicate the sources of the requests for deviation from prevailing rates and the reasons for the changes;

(3) A list of class codes and titles indicating recommended monthly salary ranges for all state classes under the control of the department of personnel with:

(a) Those salary ranges which do not substantially conform to the prevailing rates developed from the salary and fringe benefit survey distinctly marked and an explanation of the reason for the deviation included; and

(b) Those department of personnel classes which are substantially the same as classes being used by the higher education personnel board clearly marked to show the commonality of the classes between the two jurisdictions;

(4) A supplemental salary schedule which indicates the additional salary to be paid state employees for hazardous duties or other considerations requiring extra compensation under specific circumstances. Additional compensation for these circumstances shall not be included in the basic salary schedule but shall be maintained as a separate pay schedule for purposes of full disclosure and visibility; and

(5) A supplemental salary schedule which indicates those cases where the board determines that prevailing rates do not provide similar salaries for positions that require or impose similar responsibilities, judgment, knowledge, skills, and working conditions. This supplementary salary schedule shall contain proposed salary adjustments necessary to eliminate any such dissimilarities in compensation. Additional compensation needed to eliminate such salary dissimilarities shall not be included in the basic salary schedule but shall be maintained as a separate salary schedule for purposes of full disclosure and visibility.

It is the intention of the legislature that requests for funds to support recommendations for salary deviations from the prevailing rate survey data shall be kept to a minimum, and that the requests be fully documented when forwarded by the department of personnel. Further, it is the intention of the legislature that the department of personnel and the higher education personnel board jointly determine job classes which are substantially common to both jurisdictions and that basic salaries for these job classes shall be equal based on salary and fringe benefit survey findings.

Sec. 59. Section 3, chapter 152, Laws of 1977 ex. sess. and RCW 41-.06.163 are each amended to read as follows:

(1) In the conduct of salary and fringe benefit surveys under RCW 41-.06.160 as now or hereafter amended, it is the intention of the legislature that the surveys be undertaken in a manner consistent with statistically accurate sampling techniques. For this purpose, a comprehensive salary and fringe benefit survey plan shall be submitted to the director of (~~the office of program planning and fiscal~~) financial management, employee organizations, the standing committees for appropriations of the senate and house of

representatives, and to the legislative budget committee six months before the beginning of each periodic survey required before regular legislative sessions. This comprehensive plan shall include but not be limited to the following:

(a) A complete explanation of the technical, statistical process to be used in the salary and fringe benefit survey including the percentage of accuracy expected from the planned statistical sample chosen for the survey and a definition of the term "prevailing rates" which is to be used in the planned survey;

(b) A comprehensive salary and fringe benefit survey model based on scientific statistical principles which:

(i) Encompasses the interrelationships among the various elements of the survey sample including sources of salary and fringe benefit data by organization type, size, and regional location;

(ii) Is representative of private and public employment in this state;

(iii) Ensures that, wherever practical, data from smaller, private firms are included and proportionally weighted in the survey sample; and

(iv) Indicates the methodology to be used in application of survey data to job classes used by state government;

(c) A prediction of the increase or decrease in total funding requirements expected to result from the pending salary and fringe benefit survey based on consumer price index information and other available trend data pertaining to Washington state salaries and fringe benefits.

(2) Every comprehensive survey plan shall fully consider fringe benefits as an element of compensation in addition to basic salary data. The plans prepared under this section shall be developed jointly by the department of personnel in conjunction with the higher education personnel board established under chapter 28B.16 RCW. All comprehensive salary and fringe benefit survey plans shall be submitted on a joint signature basis by the department of personnel and the higher education personnel board. The legislative budget committee shall review and evaluate all survey plans before final implementation.

(3) Interim or special surveys conducted under RCW 41.06.160 as now or hereafter amended shall conform when possible to the statistical techniques and principles developed for regular periodic surveys under this section.

(4) The term "fringe benefits" as used in this section and in conjunction with salary surveys shall include but not be limited to compensation for:

(a) Leave time, including vacation, holiday, civil, and personal leave;

(b) Employer retirement contributions;

(c) Health and insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and

(d) Stock options, bonuses, and purchase discounts where appropriate.

Sec. 60. Section 5, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.167 are each amended to read as follows:

The department of personnel shall undertake salary and fringe benefit surveys for officers of the Washington state patrol, with one survey to be conducted each year prior to the convening of each regular session of the state legislature. The results of each such survey shall be forwarded, after review and concurrence by the chief of the Washington state patrol, to the governor and director of (~~the office of program planning and fiscal~~) financial management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the department of personnel to the legislative budget committee and the standing committees for appropriations of the senate and house of representatives. The office of (~~program planning and fiscal~~) financial management shall analyze the survey results and conduct investigations which may be necessary to arbitrate differences between interested parties regarding the accuracy of collected survey data and the use of such data for salary adjustment.

Surveys conducted by the department of personnel for the Washington state patrol shall be undertaken in a manner consistent with statistically accurate sampling techniques, including comparisons of weighted averages of salaries. This service performed by the department of personnel shall be on a reimbursable basis in accordance with the provisions of RCW 41.06.080 as now existing or hereafter amended.

A comprehensive salary and fringe benefits survey plan shall be submitted jointly by the department of personnel and the Washington state patrol to the director of (~~the office of program planning and fiscal~~) financial management, the committee on ways and means of the senate, the committee on appropriations of the house of representatives and to the legislative budget committee six months before the beginning of each periodic survey. The legislative budget committee shall review and evaluate the survey plan before final implementation.

Sec. 61. Section 27, chapter 1, Laws of 1961 and RCW 41.06.270 are each amended to read as follows:

A disbursing officer shall not pay any employee holding a position covered by this chapter unless the employment is in accordance with this chapter or the rules, regulations and orders issued hereunder. The board and the (~~state budget~~) director of financial management shall jointly establish procedures for the certification of payrolls.

Sec. 62. Section 2, chapter 239, Laws of 1975 1st ex. sess. and RCW 41.07.020 are each amended to read as follows:

The department of personnel is authorized to administer, maintain, and operate the central personnel-payroll system and to provide its services for any state agency designated jointly by the director of the department of

personnel and the director of ~~((the office of program planning and fiscal))~~ financial management.

The system shall be operated through state data processing centers. State agencies shall convert personnel and payroll processing to the central personnel-payroll system as soon as administratively and technically feasible as determined by the office of ~~((program planning and fiscal))~~ financial management and the department of personnel. It is the intent of the legislature to provide, through the central personnel-payroll system, for uniform reporting to the office of ~~((program planning and fiscal))~~ financial management and to the legislature regarding salaries and related costs, and to reduce present costs of manual procedures in personnel and payroll record keeping and reporting.

Sec. 63. Section 38, chapter 274, Laws of 1947 as last amended by section 20, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.370 are each amended to read as follows:

(1) The department shall ascertain and report to each employer the amount it shall provide for pension benefits for the ensuing biennium or fiscal year whichever is applicable to the said employer's operations. The amount to be so provided shall be computed by applying the rates of contribution as established by RCW 41.40.361 or 41.40.650 to an estimate of the total compensation earnable of all the said employer's members during the period for which provision is to be made.

(2) Beginning April 1, 1949, or October 1, 1977, as the case may be, the amount to be collected as the employer's contribution for pension benefits shall be computed by applying the applicable rates established by RCW 41.40.361 or 41.40.650 to the total compensation earnable of employer's members as shown on the current payrolls of the said employer. The department shall bill each said employer at the end of each month for the amount due for that month and the same shall be paid as are its other obligations: PROVIDED, That the department may, at its discretion, establish a system of billing based upon calendar year quarters in which event the said billing shall be at the end of each such quarter and shall be based upon the employer's payrolls for that quarter.

(3) In the event of failure, for any reason, of an employer other than a political subdivision of the state to have remitted amounts due for membership service of any of the employer's members rendered during a prior biennium, the department shall bill such employer through the director of ~~((the office of program planning and fiscal))~~ financial management for such employer's contribution. Such billing shall be paid by the employer as, and the same shall be, a proper charge against any moneys available or appropriated to such employer for payment of current biennial payrolls. If any such employer shall fail or refuse to honor such a billing, the director of ~~((the office of program planning and fiscal))~~ financial management shall cause the same to be paid from any funds appropriated to the director of

~~((the office of program planning and fiscal))~~ financial management for such purposes.

Sec. 64. Section 13, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.800 are each amended to read as follows:

If apportionments of budgeted funds are required because of the transfers herein authorized, the director of ~~((the office of program planning and fiscal))~~ financial management shall certify such apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustment in funds and appropriation accounts and equipment records in accordance with such certification.

Sec. 65. Section 15, chapter 105, Laws of 1975-'76 2nd ex. sess. and RCW 41.50.802 are each amended to read as follows:

All reports, documents, surveys, books, records, files, papers, or other writings relating to the administration of the powers, duties, and functions transferred by this chapter shall be made available to the department and to the state actuary.

All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed in carrying out the powers, duties, and functions transferred by this chapter shall be made available to the department.

All funds, credits, or other assets held in connection with powers, duties, and functions transferred by this chapter shall be assigned to the department.

Any appropriations made to any committee, division, board, or any other state agency for the purpose of carrying out the powers, duties, and functions transferred by this chapter shall, in the manner prescribed by the director of ~~((the office of program planning and fiscal))~~ financial management, be transferred and credited to the department for the purpose of carrying out such transferred powers, duties, and functions.

Sec. 66. Section 4, chapter 5, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.801 are each amended to read as follows:

All reports, documents, surveys, books, records, files, papers, or other writings in the possession of the marine employee commission, the office of the superintendent of public instruction, the state board for community college education, and the department of labor and industries and pertaining to the functions transferred to the commission by chapter 296, Laws of 1975 1st ex. sess. shall by January 1, 1976, be delivered to the custody of the commission. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed in carrying out the functions transferred by chapter 296, Laws of 1975 1st ex. sess. shall by January 1, 1976, be transferred to the commission.

Any appropriation or portion thereof remaining as of January 1, 1976, and which is made to an agency for the purpose of carrying out functions transferred from such agency pursuant to chapter 296, Laws of 1975 1st ex.

sess., shall, by January 1, 1976, be transferred and credited to the commission for the purpose of carrying out such functions. This paragraph shall not affect the transfer of moneys prior to January 1, 1976, pursuant to section 67, chapter ((+69+269)) 269, Laws of 1975 1st ex. sess.

Whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the performance of the functions transferred under chapter 296, Laws of 1975 1st ex. sess., the director of ((~~program planning and fiscal~~)) financial management or his successor shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

Sec. 67. Section 5, chapter 5, Laws of 1975-'76 2nd ex. sess. and RCW 41.58.802 are each amended to read as follows:

Where transfers of budgeted funds or equipment are required under this act, the director of ((~~program planning and fiscal~~)) financial management shall certify such transfers to the agencies affected, the state auditor and the state treasurer all of whom shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with such certification.

Sec. 68. Section 1, chapter 130, Laws of 1891 as last amended by section 1, chapter 59, Laws of 1969 and RCW 42.16.010 are each amended to read as follows:

The salaries of all state officers and employees shall be paid monthly on the last day of each month unless the ((~~budget~~)) director of financial management shall establish different dates in accordance with RCW 42.16.017: PROVIDED, That the ((~~budget~~)) director of financial management may adopt or authorize adoption of semimonthly or more frequent payment schedules for state agencies, in his discretion: AND PROVIDED FURTHER, That schedules for the payment of compensation more often than semimonthly may be adopted only upon the written requests of state agencies, and only for the purpose of conforming state payment schedules for classes of employees in specific trades or occupations to customary schedules prevailing in private industries.

Sec. 69. Section 2, chapter 25, Laws of 1967 ex. sess. as amended by section 2, chapter 59, Laws of 1969 and RCW 42.16.011 are each amended to read as follows:

A state payroll revolving fund and an agency payroll revolving fund are created in the state treasury, for the payment of compensation to employees and officers of the state and distribution of all amounts withheld therefrom pursuant to law and amounts authorized by employees to be withheld pursuant to law; also for the payment of the state's contributions for retirement and insurance and other employee benefits: PROVIDED, That the utilization of the state payroll revolving fund shall be optional except for agencies

whose payrolls are prepared under a centralized system established pursuant to regulations of the ((budget)) director of financial management: PROVIDED FURTHER, That the utilization of the agency payroll revolving fund shall be optional for agencies whose operations are funded in whole or part other than by funds appropriated from the state treasury.

Sec. 70. Section 4, chapter 25, Laws of 1967 ex. sess. as amended by section 3, chapter 59, Laws of 1969 and RCW 42.16.013 are each amended to read as follows:

The state treasurer shall make such transfers to the state payroll revolving fund in the amounts to be disbursed as certified by the respective agencies: PROVIDED, That if the payroll is prepared on behalf of an agency from data authenticated and certified by the agency under a centralized system established pursuant to regulation of the ((budget)) director of financial management, the state treasurer shall make the transfer upon the certification of the head of the agency preparing the centralized payroll or his designee.

Sec. 71. Section 5, chapter 25, Laws of 1967 ex. sess. as amended by section 4, chapter 59, Laws of 1969 and RCW 42.16.014 are each amended to read as follows:

Disbursements from the revolving funds created by RCW 42.16.010 through 42.16.017 shall be by warrant in accordance with the provisions of RCW 43.88.160: PROVIDED, That when the payroll is prepared under a centralized system established pursuant to regulations of the ((budget)) director of financial management, disbursements on behalf of the agency shall be certified by the head of the agency preparing the centralized payroll or his designee: PROVIDED FURTHER, That disbursements from a centralized paying agency representing amounts withheld, and/or contributions, for payment to any individual payee on behalf of several agencies, may be by single warrant representing the aggregate amounts payable by all such agencies to such payee. The procedure for disbursement and certification of these aggregate amounts shall be established by the ((budget)) director of financial management.

All payments to employees or other payees, from the revolving funds created by RCW 42.16.010 through 42.16.017, whether certified by an agency or by the ((budget)) director of financial management on behalf of such agency, shall be made wherever possible by a single warrant reflecting on its face the amount charged to each revolving fund.

Sec. 72. Section 8, chapter 25, Laws of 1967 ex. sess. and RCW 42.16.017 are each amended to read as follows:

To facilitate payroll preparation and accounting, or to implement the provisions of RCW 42.16.010 through 42.16.017, the ((budget)) director of

financial management may adopt customary and necessary procedures including the establishment of pay dates at reasonable times following periods in which payment is earned.

Sec. 73. Section 24, chapter 1, Laws of 1973 as last amended by section 1, chapter 104, Laws of 1975-'76 2nd ex. sess. and by section 7, chapter 112, Laws of 1975-'76 2nd ex. sess. and RCW 42.17.240 are each amended and reenacted to read as follows:

(1) Every elected official (except president, vice president and precinct committeemen), every chief executive state officer as specified in RCW 43.17.020, as now or hereafter amended, the director of ~~((the office of program planning and fiscal))~~ financial management, the director of the department of personnel, and every member appointed to the state board for community college education, office of community development, data processing authority, state finance committee, department of fisheries, forest practices board, forest practices appeals board, gambling commission, game commission, department of game, each professional staff member of the office of the governor, and each professional staff member of the legislature, higher education personnel board, state highway commission, horse racing commission, human rights commission, board of industrial insurance appeals, liquor control board, interagency commission for outdoor recreation, parks and recreation commission, personnel board, board of prison terms and paroles, public disclosure commission, public employees' retirement system, public pension commission, University of Washington board of regents, Washington State University board of regents, board of tax appeals, teachers' retirement system, Central Washington ~~((State College))~~ University board of trustees, Eastern Washington ~~((State College))~~ University board of trustees, Evergreen State College board of trustees, Western Washington ~~((State College))~~ University board of trustees, board of trustees of each community college, and the utilities and transportation commission, and each chief executive officer of the various state boards, authorities, commissions, councils, and other political agencies enumerated in this section in addition to those specified in RCW 43.17.020 shall after January 1st and before January 31st of each year; and every candidate, and every person appointed to fill a vacancy in an elective office (except for the offices of president, vice president, and precinct committeeman) shall, within two weeks of becoming a candidate, and every person appointed to the appointive positions enumerated herein shall, within two weeks of being so appointed, or being appointed to such elective office, file with the commission a written statement sworn as to its truth and accuracy stating for himself and all members of his immediate family, for the preceding twelve months: PROVIDED, That no individual shall be required to file more than once in any calendar year:

(a) Occupation, name of employer, and business address; and

(b) Each bank or savings account or insurance policy in which any such person or persons owned a direct financial interest which exceeded five thousand dollars at any time during such period; each other item of intangible personal property in which any such person or persons owned a direct financial interest, the value of which exceeded five hundred dollars during such period; and the name, address, nature of entity, nature and highest value of each such direct financial interest during the reporting period; and

(c) The name and address of each creditor to whom the value of five hundred dollars or more was owed; the original amount of each debt to each such creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each such debt; and the security given, if any, for each such debt: PROVIDED, That debts arising out of a "retail installment transaction" as defined in chapter 63.14 RCW (Retail Installment Sales Act) need not be reported; and

(d) Every public or private office, directorship and position as trustee held; and

(e) All persons for whom any legislation, or any rule, rate, or standard has been prepared, promoted, or opposed for current or deferred compensation: PROVIDED, That for the purposes of this subsection, "compensation" shall not include payments made to an elected official by the governmental entity for which such person serves as an elected official for his service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid; and

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of five hundred dollars or more; the value of such compensation; and the consideration given or performed in exchange for such compensation; and

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and with respect to each such entity: (i) With respect to a governmental unit in which the elected official holds any elective office, if such entity has received compensation in any form during the preceding twelve months from such governmental unit, the value of such compensation and the consideration given or performed in exchange for such compensation; (ii) The name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which such entity has received compensation in any form in the amount of two thousand five hundred dollars or more during the

preceding twelve months and the consideration given or performed in exchange for such compensation: **PROVIDED**, That the term "compensation" for purposes of this subsection (1)(g)(ii) shall not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing such service: **PROVIDED, FURTHER**, That with respect to any bank or commercial lending institution in which is held any such office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of such bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by such bank or commercial lending institution from the governmental entity for which the individual is an elected official or candidate, or all interest paid by a borrower on loans from and all interest paid to a depositor by such bank or commercial lending institution if such interest exceeds six hundred dollars; and

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for such interest; and

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for such interest, and the name and address of the person furnishing such consideration; and

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds two thousand five hundred dollars in which a direct financial interest was held: **PROVIDED**, That if a description of such property has been included in a report previously filed, such property may be listed, for purposes of this provision, by reference to such previously filed report; and

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds five thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm or enterprise a ten percent or greater ownership interest was held; and

(1) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall by rule prescribe.

(2) Where an amount is required to be reported under subsection (1), paragraphs (a) through (k) of this section, it shall be sufficient to comply with such requirement to report whether the amount is less than one thousand dollars, at least one thousand dollars but less than five thousand dollars, at least five thousand dollars but less than ten thousand dollars, at least ten thousand dollars but less than twenty-five thousand dollars, or twenty-five thousand dollars or more. An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection shall be interpreted to prevent any person from filing more information or more detailed information than required.

(3) All persons reporting under this section shall not be required to file the statements required to be filed with the secretary of state under RCW 42.21.060.

Sec. 74. Section 3, chapter 60, Laws of 1969 ex. sess. and RCW 42.26-.030 are each amended to read as follows:

The ~~((budget))~~ director of financial management shall adopt such regulations as may be necessary or desirable to implement the provisions of this chapter relating to the establishment of an agency vendor payment revolving fund.

Sec. 75. Section 4, chapter 60, Laws of 1969 ex. sess. as amended by section 1, chapter 40, Laws of 1977 and RCW 42.26.040 are each amended to read as follows:

The state treasurer is authorized to advance moneys from treasury funds to state agencies for the purpose of establishing petty cash accounts. Any agency may petition the office of ~~((program planning and fiscal))~~ financial management for the establishment of a petty cash account. The maximum amount of such accounts shall be based on the special needs of the petitioning agency and shall be subject to approval by the office of ~~((program planning and fiscal))~~ financial management. The amount so advanced shall be reflected in the state treasurer's accounts as an amount due from the agency to the fund or account from which the advance was made.

Sec. 76. Section 5, chapter 60, Laws of 1969 ex. sess. and RCW 42.26-.050 are each amended to read as follows:

The agency requesting a petty cash account or an increase in the amount of petty cash advanced under the provisions of this chapter shall submit its request to the ~~((budget))~~ director of financial management in the form and detail prescribed by him. The agency's written request and the approval authorized by this chapter shall be the only documentation or certification required as a condition precedent to the issuance of such warrant.

A copy of his approval shall be forwarded by the ((budget)) director of financial management to the state treasurer.

Sec. 77. Section 7, chapter 60, Laws of 1969 ex. sess. and RCW 42.26-.070 are each amended to read as follows:

The head of the agency or an employee designated by him shall have full responsibility as custodian for the petty cash account and its proper use under this chapter and applicable regulations of the ((budget)) director of financial management. The custodian of the petty cash account shall be covered by a surety bond in the full amount of the account at all times and all advances to it, conditioned upon the proper accounting for and legal expenditure of all such funds, in addition to other conditions required by law.

Sec. 78. Section 8, chapter 60, Laws of 1969 ex. sess. and RCW 42.26-.080 are each amended to read as follows:

If a post audit by the state auditor discloses the amount of the petty cash account of any agency under this chapter to be excessive or the use of the account to be in violation of requirements governing its operation, the ((budget)) director of financial management may require the return of the account or of the excessive amount to the state treasury for credit to the fund from which the advance was made.

Sec. 79. Section 9, chapter 60, Laws of 1969 ex. sess. and RCW 42.26-.090 are each amended to read as follows:

The ((budget)) director of financial management shall adopt such regulations as may be necessary or desirable to implement the provisions of this chapter. Such regulation shall include but not be limited to, (1) defining limitations on the use of petty cash, and (2) providing accounting and reporting procedures for operation of the petty cash account.

Sec. 80. Section 43.01.050, chapter 8, Laws of 1965 as amended by section 1, chapter 212, Laws of 1967 and RCW 43.01.050 are each amended to read as follows:

Each state officer or other person, other than county treasurer, who is authorized by law to collect or receive moneys which are required by statute to be deposited in the state treasury shall transmit to the state treasurer each day, all such moneys collected by him on the preceding day: PROVIDED, That the state treasurer may in his discretion grant exceptions where such daily transfers would not be administratively practical or feasible. In the event that remittances are not accompanied by a statement designating source and fund the state treasurer shall deposit these moneys in the state treasury in a fund hereby created to be known as the "undistributed receipts fund". These moneys shall be retained in said fund until such time as the transmitting agency provides a statement in duplicate of the source from which each item of money was derived and the fund into which it is to be transmitted. The ((budget)) director of financial management in accordance with RCW 43.88.160 shall promulgate regulations designed to

assure orderly and efficient administration of this fund. In the event moneys are deposited in this fund that constitute overpayments, refunds may be made by the remitting agency without virtue of a legislative appropriation.

Sec. 81. Section 43.01.090, chapter 8, Laws of 1965 as last amended by section 1, chapter 82, Laws of 1973 1st ex. sess. and RCW 43.01.090 are each amended to read as follows:

The director of general administration may assess a charge against each state board, commission, agency, office, department, activity, or other occupant or user for payment of a proportion of costs for occupancy of buildings, structures, or facilities including but not limited to all costs of operating and maintaining such buildings, structures, or facilities and the repair, remodeling, or furnishing thereof and for the rendering of any service or the furnishing or providing of any supplies, equipment, or materials.

The director of general administration may recover the full costs including appropriate overhead charges of the foregoing by billing either quarterly or semiannually as determined by the director including but not limited to transfers upon accounts and advancements into the general administration facilities and services revolving fund. Rates shall be established by the director of general administration after consultation with the director of ~~((the office of program planning and fiscal))~~ financial management. The director of general administration may allot, provide, or furnish any of such facilities, structures, services, equipment, supplies, or materials to any other public service type occupant or user at such rates or charges as are equitable and reasonably reflect the actual costs of the services provided: PROVIDED, HOWEVER, That the legislature, its duly constituted committees, interim committees and other committees shall be exempted from the provisions of this section. Billings shall be adjusted at intervals of not to exceed six months to reflect any change in actual costs relative to whatever estimates may have been made for budget purposes.

Upon receipt of such bill, each entity, occupant, or user shall cause a warrant or check in the amount thereof to be drawn in favor of the department of general administration which shall be deposited in the state treasury to the credit of the general administration facilities and services revolving fund established in RCW 43.19.500 unless the director of ~~((the office of program planning and fiscal))~~ financial management has authorized another method for payment of costs.

Sec. 82. Section 2, chapter 48, Laws of 1974 ex. sess. and RCW 43.01-.140 are each amended to read as follows:

Within one hundred twenty days after the close of each fiscal biennium, the office of ~~((program planning and fiscal))~~ financial management shall prepare a report which indicates as accurately as possible the total operating expenditures of each commission, committee, agency or department on a per capita basis for the two immediately preceding fiscal biennia. The report shall be based on population figures prepared by the office of ~~((program~~

~~planning and fiscal~~)) financial management and shall be distributed to each member of the legislature and to at least one newspaper of general circulation in each county of this state.

Sec. 83. Section 43.03.050, chapter 8, Laws of 1965 as last amended by section 1, chapter 312, Laws of 1977 ex. sess. and RCW 43.03.050 are each amended to read as follows:

(1) The director of (~~(the office of program planning and fiscal)~~) financial management shall prescribe reasonable allowances to cover reasonable and necessary subsistence and lodging expenses for elective and appointive officials and state employees while engaged on official business away from their designated posts of duty. The director of (~~(the office of program planning and fiscal)~~) financial management may prescribe and regulate the allowances provided in lieu of subsistence and lodging expenses and may prescribe the conditions under which reimbursement for subsistence and lodging may be allowed. The schedule of allowances adopted by the office of (~~(program planning and fiscal)~~) financial management may include special allowances for foreign travel and other travel involving higher than usual costs for subsistence and lodging.

(2) Those persons appointed to serve without compensation on any state board, commission, or committee, if entitled to payment of travel expenses, shall be paid pursuant to special per diem rates prescribed in accordance with subsection (1) of this section by the office of (~~(program planning and fiscal)~~) financial management.

(3) The initial schedule of allowances prescribed by the director under the terms of this section and any subsequent increases in any maximum allowance or special allowances for areas of higher than usual costs shall be subject to legislative approval.

Sec. 84. Section 43.03.060, chapter 8, Laws of 1965 as last amended by section 2, chapter 312, Laws of 1977 ex. sess. and RCW 43.03.060 are each amended to read as follows:

(1) Whenever it becomes necessary for an elective or appointive official or employee of the state to travel away from his designated post of duty while engaged on official business, and it is found to be more advantageous and economical to the state that travel be by a privately-owned vehicle rather than a common carrier or a state-owned or operated vehicle, a mileage rate not to exceed the rate established by the director of (~~(the office of program planning and fiscal)~~) financial management shall be allowed. The maximum rate established by the director shall be based on the estimated cost of using a privately-owned vehicle on state business.

(2) The director of (~~(the office of program planning and fiscal)~~) financial management may prescribe and regulate the specific mileage rate or other allowance for the use of privately-owned vehicles or common carriers on official business and the conditions under which reimbursement of transportation costs may be allowed: PROVIDED, That reimbursement or other

payment for transportation expenses of any employee or appointive official of the state shall be based on the method deemed most advantageous and economical to the state.

(3) The initial maximum mileage rate established by the director of ~~((the office of program planning and fiscal))~~ financial management pursuant to this section and any subsequent changes thereto shall be subject to legislative approval.

Sec. 85. Section 4, chapter 312, Laws of 1977 ex. sess. and RCW 43.03.065 are each amended to read as follows:

The allowances prescribed pursuant to RCW 43.03.050 as now or hereafter amended may be paid as reimbursements to individuals for subsistence and lodging expenses during official travel. Alternatively, amounts not exceeding those allowances may be paid directly to appropriate suppliers of subsistence and lodging, when more economical and advantageous to the state, under general rules and regulations adopted by the director of ~~((the office of program planning and fiscal))~~ financial management with the advice of the state auditor. Payments to suppliers for subsistence and lodging expenses of individuals in travel status shall not result in a cost to the state in excess of what would be payable by way of reimbursements to the individuals involved.

Sec. 86. Section 2, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.120 are each amended to read as follows:

Any state office, commission, department or institution may also pay the moving expenses of a new employee, necessitated by his acceptance of state employment, pursuant to mutual agreement with such employee in advance of his employment: PROVIDED, That if such employee is in the classified service as defined in chapter 41.06 RCW, that said employee has been duly certified from an eligible register. No such offer or agreement for such payment shall be made to a prospective member of the classified service, prior to such certification, except through appropriate public announcement by the department of personnel, or other corresponding personnel agency as provided by chapter 41.06 RCW. Payment for all expenses authorized by RCW 43.03.060, 43.03.110 through 43.03.210 including moving expenses of new employees, exempt or classified, and others, shall be subject to reasonable regulations promulgated by the ~~((budget))~~ director of financial management, including regulations defining allowable moving costs: PROVIDED, That, if the new employee terminates or causes termination of his employment with the state within one year of the date of employment, the state shall be entitled to reimbursement for the moving costs which have been paid and may withhold such sum as necessary therefor from any amounts due the employee.

Sec. 87. Section 6, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.150 are each amended to read as follows:

Whenever it becomes necessary for an elective or appointive official or employee of the state to travel and to incur expenses for which reimbursement may be made, it shall be the policy of the state to make reasonable allowances to such officers and employees in advance of expenditure, on request of such officer or employee, under appropriate rules and regulations prescribed by the ((~~budget~~)) director of financial management.

Sec. 88. Section 12, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.210 are each amended to read as follows:

The ((~~budget~~)) director of financial management may prescribe rules and regulations to assist in carrying out the purposes of RCW 43.03.150 through 43.03.210 including regulation of travel by officers and employees and the conditions under which per diem and mileage shall be paid, so as to improve efficiency and conserve funds and to insure proper use and accountability of travel advances strictly in the public interest and for public purposes only.

Sec. 89. Section 43.08.060, chapter 8, Laws of 1965 as amended by section 1, chapter 16, Laws of 1977 and RCW 43.08.060 are each amended to read as follows:

All persons required by law to pay any moneys into the state treasury, or to transmit any public funds to the state treasurer on state accounts, shall, at the time of making such payments or transmissions specify the amount and date of such payment, and for what particular fund or account.

For all sums of money so paid the state treasurer shall forthwith give duplicate receipts in accordance with the rules and regulations promulgated by the office of ((~~program planning and fiscal~~)) financial management as authorized by RCW 43.88.160(1).

Sec. 90. Section 43.08.110, chapter 8, Laws of 1965 and RCW 43.08.110 are each amended to read as follows:

The fiscal agent shall issue the necessary receipts for all moneys collected, and such receipts shall show the date when paid, the amount, from whom received, and on what account the money was collected.

One or more copies of such receipt shall be given to the persons from whom the money was received, and one copy shall be given to the ((~~budget~~)) director of financial management.

Sec. 91. Section 43.09.050, chapter 8, Laws of 1965 as last amended by section 40, chapter 75, Laws of 1977 and by section 7, chapter 144, Laws of 1977 ex. sess. and RCW 43.09.050 are each amended and reenacted to read as follows:

The auditor shall:

(1) Except as otherwise specifically provided by law, audit the accounts of all collectors of the revenue and other holders of public money required by law to pay the same into the treasury;

(2) In his discretion, inspect the books of any person charged with the receipt, safekeeping, and disbursement of public moneys;

(3) Inform the attorney general in writing of the necessity for him to direct prosecutions in the name of the state for all official delinquencies in relation to the assessment, collection, and payment of the revenue, against all persons who, by any means, become possessed of public money or property, and fail to pay over or deliver the same, and against all debtors of the state;

(4) Give information in writing to the legislature, whenever required, upon any subject relating to the financial affairs of the state, or touching any duties of his office;

(5) Report to the ~~((chief fiscal officer of the executive branch))~~ director of financial management in writing the names of all persons who have received any moneys belonging to the state, and have not accounted therefor;

(6) Authenticate with his official seal papers issued from his office;

(7) Make his official report annually on or before the 31st of December.

Sec. 92. Section 1, chapter 17, Laws of 1975-'76 2nd ex. sess. and RCW 43.09.310 are each amended to read as follows:

The state auditor, through the division of departmental audits, shall make a post-audit of every state department at such reasonable periodic intervals as he shall determine but in each case an audit shall be conducted every two years: PROVIDED, That for any state department whose biennial appropriation is less than six hundred thousand dollars, such interval may exceed two years, but shall not exceed five years. A report shall be made of each post-audit upon completion thereof, and one copy shall be transmitted to the governor, one to the director of ~~((the office of program planning and fiscal))~~ financial management, one to the attorney general, one to the state department audited, one to the legislative budget committee, one each to the standing committees on ways and means of the house and senate, one to the chief clerk of the house, one to the secretary of the senate, and at least one shall be kept on file in the office of the state auditor.

Sec. 93. Section 43.09.340, chapter 8, Laws of 1965 and RCW 43.09-.340 are each amended to read as follows:

The governor may, from time to time, provide for a post-audit of the books, accounts, and records of the state auditor, and the funds under his control, to be made either by independent qualified public accountants or the director of ~~((budget))~~ financial management, as he may determine. The expense of making such audit shall be paid from appropriations made therefor from the general fund.

Sec. 94. Section 2, chapter 71, Laws of 1971 ex. sess. as amended by section 2, chapter 146, Laws of 1974 ex. sess. and RCW 43.10.160 are each amended to read as follows:

The amounts to be disbursed from the legal services revolving fund from time to time shall be transferred thereto by the state treasurer from funds appropriated to any and all agencies for legal services or administrative expenses on a quarterly basis. Agencies operating in whole or in part from nonappropriated funds shall pay into the legal services revolving fund such funds as will fully reimburse funds appropriated to the attorney general for any legal services provided activities financed by nonappropriated funds.

The director of ~~((the office of program planning and fiscal))~~ financial management shall allot all such funds to the attorney general for the operation of his office, pursuant to appropriation, in the same manner as appropriated funds are allocated to other agencies headed by elected officers under chapter 43.88 RCW.

Sec. 95. Section 4, chapter 71, Laws of 1971 ex. sess. as amended by section 3, chapter 146, Laws of 1974 ex. sess. and RCW 43.10.180 are each amended to read as follows:

The attorney general shall keep such records as are necessary to facilitate proper allocation of costs to funds and agencies served and the director of ~~((the office of program planning and fiscal))~~ financial management shall prescribe appropriate accounting procedures to accurately allocate costs to funds and agencies served. Billings shall be adjusted in line with actual costs incurred at intervals not to exceed six months.

Sec. 96. Section 5, chapter 71, Laws of 1971 ex. sess. and RCW 43.10-.190 are each amended to read as follows:

In cases where there are unanticipated demands for legal services or where there are insufficient funds on hand or available for payment through the legal services revolving fund or in other cases of necessity, the attorney general may request payment for legal services directly from agencies for whom the services are performed to the extent that revenues or other funds are available. Upon approval by the director of ~~((the office of program planning and fiscal))~~ financial management the agency shall make the requested payment. The payment may be made on either an advance or reimbursable basis as approved by the director of ~~((the office of program planning and fiscal))~~ financial management.

Sec. 97. Section 43.19.1902, chapter 8, Laws of 1965 as last amended by section 3, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19-.1902 are each amended to read as follows:

There is hereby created a state supply management advisory board which shall consist of twelve members as follows: The director of general administration as chairman, and a representative from each of the following eight state agencies, who shall be appointed by the governor based upon recommendations of the head of the agency from which the selection is made; the department of ~~((highways))~~ transportation, the department of

social and health services, the department of natural resources, the University of Washington, Washington State University, the state board for community college education, the superintendent of public instruction, and the office of (~~(program planning and fiscal)~~) financial management. In addition, three members shall be appointed by the governor to the board from the private sector: PROVIDED, That special care shall be exercised to select private sector representatives without a conflict of interest involving sale, lease or rental of property, material, supplies, equipment, commodities, or services to the state of Washington. Members of the board shall serve without additional compensation and at the pleasure of the governor, but shall be reimbursed for subsistence, lodging, and travel expenses as provided in chapter 43.03 RCW, as now or hereafter amended. Board members from the private sector shall be reimbursed from appropriated funds allocated to the division of purchasing. All other board members shall be reimbursed from funds appropriated for their respective agencies. Seven members of the board shall constitute a quorum. The board shall meet upon call of the chairman and shall adopt rules and regulations for the conduct of its business. The chairman may appoint special committees for the study of specific subjects, which special committees may include representatives of such other state agencies as may be deemed appropriate.

Sec. 98. Section 6, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19.19052 are each amended to read as follows:

Initial policy determinations for the functions described in RCW 43.19-.1905 shall be developed and published within the 1975-77 biennium by the director, after consultation with the supply management advisory board for guidance and compliance by all state agencies, including educational institutions, involved in purchasing and material control. Modifications to these initial supply management policies established during the 1975-77 biennium shall be instituted by the director, after consultation with the advisory board, in future biennia as required to maintain an efficient and up-to-date state supply management system. The director shall transmit to the governor and the legislature in June 1976 and June 1977 a progress report which indicates the degree of accomplishment of each of these assigned duties, and which summarizes specific achievements obtained in increased effectiveness and dollar savings or cost avoidance within the overall state purchasing and material control system. The second progress report in June 1977 shall include a comprehensive supply management plan which includes the recommended organization of a state-wide purchasing and material control system and development of an orderly schedule for implementing such recommendation. In the interim between these annual progress reports, the director shall furnish periodic reports to the office of (~~(program planning and fiscal)~~) financial management and the legislative budget committee for review of progress being accomplished in achieving increased efficiencies and dollar savings or cost avoidance.

It is the intention of the legislature that measurable improvements in the effectiveness and economy of supply management in state government shall be achieved during the 1975-77 biennium, and each biennium thereafter. All agencies, departments, offices, divisions, boards, and commissions and educational, correctional, and other types of institutions are required to cooperate with and support the development and implementation of improved efficiency and economy in purchasing and material control. To effectuate this legislative intention, the director, in consultation with the supply management advisory board, and through the state purchasing and material control director, shall have the authority to direct and require the submittal of data from all state organizations concerning purchasing and material control matters.

Sec. 99. Section 6, chapter 104, Laws of 1967 ex. sess. as amended by section 10, chapter 21, Laws of 1975-'76 2nd ex. sess. and RCW 43.19-.1918 are each amended to read as follows:

All of the powers and duties relating to the maintenance of inventory records of supplies, materials, equipment, and other property including state equipment as provided in RCW 43.19.1917 shall be performed in coordination with the director of (~~((program planning and fiscal))~~) financial management to assure establishment of standard state-wide accounting policies and regulations for such records.

Sec. 100. Section 43.19.1921, chapter 8, Laws of 1965 and RCW 43-.19.1921 are each amended to read as follows:

The director of general administration, through the division of purchasing, shall:

(1) Establish and maintain warehouses hereinafter referred to as "central stores" for the centralized storage and distribution of such supplies, equipment, and other items of common use in order to effect economies in the purchase of supplies and equipment for state agencies. To provide central stores warehouse facilities the division of purchasing may, by arrangement with the state agencies, utilize any surplus available state owned space, and may acquire other needed warehouse facilities by lease or purchase of the necessary premises;

(2) Provide for the central salvage, maintenance, repair, and servicing of equipment, furniture, or furnishings used by state agencies, and also by means of such a service provide an equipment pool for effecting sales and exchanges of surplus and unused property by and between state agencies. Funds derived from the sale and exchange of property shall be placed to the account of the appropriate state agency on the central stores accounts but such funds may not be expended through central stores without prior approval of the (~~((central budget agency))~~) office of financial management.

Sec. 101. Section 2, chapter 159, Laws of 1971 ex. sess. and RCW 43-.19.500 are each amended to read as follows:

There is hereby created a fund within the state treasury designated as the "department of general administration facilities and services revolving fund". Such revolving fund shall be used by the department of general administration for the payment of certain costs, expenses, and charges, as hereinafter specified, incurred by it in the operation and administration of the department in the rendering of services, the furnishing or supplying of equipment, supplies and materials, and for providing or allocating facilities, including the operation, maintenance, rehabilitation, or furnishings thereof to other agencies, offices, departments, activities, and other entities enumerated in RCW 43.01.090.

The schedule of services, facilities, equipment, supplies, materials, maintenance, rehabilitation, furnishings, operations, and administration to be so financed and recovered shall be determined jointly by the director of general administration and the director of (~~the office of program planning and fiscal~~) financial management, in amounts which, together with any other income or appropriation, will provide the department of general administration with funds to meet its anticipated expenditures during any allotment period.

The director of general administration may promulgate rules and regulations governing the provisions of RCW 43.01.090 and this section and the relationships and procedures between the department of general administration and such other entities.

Sec. 102. Section 10, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.600 are each amended to read as follows:

(1) On or after July 1, 1975, any passenger motor vehicles currently owned or hereafter acquired by any state agency, except vehicles acquired from federal granted funds and over which the federal government retains jurisdiction and control, may be purchased by or transferred to the department of general administration with the consent of the state agency concerned. The director of general administration may accept vehicles subject to the provisions of RCW 43.19.560 through 43.19.630, 43.41.130 and 43.41.140 prior to July 1, 1975, if he deems it expedient to accomplish an orderly transition.

(2) The department, in cooperation with the office of (~~program planning and fiscal~~) financial management, shall study and ascertain current and prospective needs of state agencies for passenger motor vehicles and shall recommend transfer to a state motor pool or other appropriate disposition of any vehicle found not to be required by a state agency.

(3) The automotive policy board shall direct the transfer of passenger motor vehicles from a state agency to a state motor pool or other disposition as appropriate, based on a study under subsection (2) of this section, or after a public hearing if a finding is made based on testimony and data

therein submitted that the economy, efficiency, or effectiveness of state government would be improved by such a transfer or other disposition of passenger motor vehicles. Any dispute over the accuracy of testimony and data submitted as to the benefits in state governmental economy, efficiency, and effectiveness to be gained by such transfer shall be resolved by a majority vote of the automotive policy board established by RCW 43.19.580.

Sec. 103. Section 14, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.620 are each amended to read as follows:

The director of general administration, through the supervisor of motor transport, shall adopt, promulgate, and enforce such regulations as may be deemed necessary to accomplish the purpose of RCW 43.19.560 through 43.19.630, 43.41.130 and 43.41.140. Such regulations, in addition to other matters, shall provide authority for any agency director or his delegate to approve the use on official state business of personally owned or commercially owned rental passenger motor vehicles. Before such an authorization is made, it must first be reasonably determined that state owned passenger vehicles or other suitable transportation is not available at the time or location required or that the use of such other transportation would not be conducive to the economical, efficient, and effective conduct of business.

Such regulations shall be consistent with and shall carry out the objectives of the general policies and guidelines adopted by the office of (~~program planning and fiscal~~) financial management pursuant to RCW 43.41.130, after approval by the automotive policy board.

Sec. 104. Section 16, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.630 are each amended to read as follows:

RCW 43.19.560 through 43.19.620, 43.41.130 and 43.41.140 shall not be construed to prohibit a state officer or employee from using his personal motor vehicle on state business and being reimbursed therefor, where permitted under state travel policies, rules, and regulations promulgated by the office of (~~program planning and fiscal~~) financial management after concurrence of the automotive policy board, and where such use is in the interest of economic, efficient, and effective management and performance of official state business.

Sec. 105. Section 1, chapter 86, Laws of 1977 ex. sess. and RCW 43.19.640 are each amended to read as follows:

It is the intent of RCW 43.19.640 through 43.19.665 that the current activities of the printing and duplicating committee, presently fragmented within the department of general administration, the office of the public printer, and the office of (~~program planning and fiscal~~) financial management, be consolidated as an organizational entity, within the department of general administration, which shall expire on June 30, 1981.

Sec. 106. Section 5, chapter 86, Laws of 1977 ex. sess. and RCW 43.19.660 are each amended to read as follows:

The operation of the printing and duplicating management center shall be financed by the director of the department of general administration from moneys appropriated by the legislature.

The director of the department of general administration shall be responsible for establishing realistic fees to be charged for services rendered by the printing and duplicating management center. The director of ~~((the office of program planning and fiscal))~~ financial management shall approve any fees prior to their implementation. All fees and charges collected for services rendered by the printing and duplicating management center shall be deposited in the general fund. It is the intent of RCW 43.19.640 through 43.19.665 that the fees paid by the agencies and the savings experienced from the activities of the printing and duplicating management center shall more than offset the operating costs of the center.

The director of the department of general administration shall, in December of each calendar year, submit a report of all reported savings by each agency for the year to the senate committee on ways and means, the house committee on appropriations, and the legislative budget committee.

Sec. 107. Section 11, chapter 179, Laws of 1974 ex. sess. and RCW 43-.21C.140 are each amended to read as follows:

Each state agency, political subdivision, municipal and public corporation, and county shall review all actions taken to implement this chapter (the state environmental policy act) and may submit a report of such actions to the office of ~~((program planning and fiscal))~~ financial management, which shall compile and analyze such data and prepare a report which shall be submitted to the forty-fifth regular session of the legislature. In addition information on the cost of implementation and administration of the act shall be included in such report including the cost of preparation of all detailed statements since May 5, 1974.

Sec. 108. Section 43.30.240, chapter 8, Laws of 1965 and RCW 43.30-.240 are each amended to read as follows:

The transfer of equipment, funds and appropriations from agencies that are not abolished by this chapter to the department, as provided in RCW 43.30.220 and 43.30.230, shall be accomplished in accordance with apportionments among the several agencies by the director of ~~((the budget))~~ financial management, who shall have due consideration to the total of the appropriations to the several agencies, the size and nature of the functions to be transferred and the feasibility of segregating such equipment to the various functions. The director of ~~((the budget))~~ financial management shall certify such apportionments to the agencies affected and to the state auditor, the state treasurer and department of general administration, each of whom shall make the appropriate transfers and adjustments in their funds and appropriation accounts and equipment records in accordance with such certification.

Sec. 109. Section 1, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.030 are each amended to read as follows:

The legislature finds that the need for long-range state program planning and for the short-range planning carried on through the budget process, complement each other. The biennial budget submitted to the legislature must be considered in the light of the longer-range plans and goals of the state. The effectiveness of the short-range plan presented as budget proposals, cannot be measured without being aware of these longer-range goals. Thus efficient management requires that the planning and fiscal activities of state government be integrated into a unified process. It is the purpose of this chapter to bring these functions together in a new division of the office of the governor to be called the office of (~~((program planning and fiscal))~~) financial management.

Sec. 110. Section 2, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.040 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

(1) "Office" means the office of (~~((program planning and fiscal))~~) financial management.

(2) "Director" means the director of (~~((program planning and fiscal))~~) financial management.

Sec. 111. Section 3, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.050 are each amended to read as follows:

There is created in the office of the governor, the office of (~~((program planning and fiscal))~~) financial management which shall be composed of the present central budget agency and the state planning, program management, and population and research divisions of the present planning and community affairs agency. Any powers, duties and functions assigned to the central budget agency, or any state planning, program management, or population and research functions assigned to the present planning and community affairs agency by the 1969 legislature, shall be transferred to the office of (~~((program planning and fiscal))~~) financial management.

Sec. 112. Section 4, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.060 are each amended to read as follows:

The executive head of the office of (~~((program planning and fiscal))~~) financial management shall be the director, who shall be appointed by the governor with the consent of the senate, and who shall serve at the pleasure of the governor. He shall be paid a salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. If a vacancy occurs in his position while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the office. The director may delegate such of his powers, duties and functions to other officers and employees

of the department as he may deem necessary to the fulfillment of the purposes of this chapter.

Sec. 113. Section 6, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.080 are each amended to read as follows:

The director may appoint such deputy directors and assistant directors as shall be needed to administer the office of (~~(program planning and fiscal)~~) financial management. The officers appointed under this section and exempt from the provisions of the state civil service law by the terms of RCW 41.06.075, shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law.

Sec. 114. Section 8, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.100 are each amended to read as follows:

The director of (~~(program planning and fiscal)~~) financial management shall:

(1) Supervise and administer the activities of the office of (~~(program planning and fiscal)~~) financial management.

(2) Exercise all the powers and perform all the duties prescribed by law with respect to the administration of the state budget and accounting system.

(3) Advise the governor and the legislature with respect to matters affecting program management and planning.

(4) Make efficiency surveys of all state departments and institutions, and the administrative and business methods pursued therein, examine into the physical needs and industrial activities thereof, and make confidential reports to the governor, recommending necessary betterments, repairs, and the installation of improved and more economical administrative methods, and advising such action as will result in a greater measure of self-support and remedies for inefficient functioning.

The director may enter into contracts on behalf of the state to carry out the purposes of this chapter; he may act for the state in the initiation of or participation in any multi-governmental agency program relative to the purposes of this chapter; and he may accept gifts and grants, whether such grants be of federal or other funds.

Sec. 115. Section 5, chapter 128, Laws of 1977 ex. sess. and RCW 43-.41.102 are each amended to read as follows:

Subject to a specific appropriation for that purpose, the director of (~~(the office of program planning and fiscal)~~) financial management is hereby authorized and directed to contract with the United States bureau of census for collection and tabulation of block statistics in any or all cities and towns.

Sec. 116. Section 10, chapter 144, Laws of 1977 ex. sess. and RCW 43-.41.104 are each amended to read as follows:

Upon receipt of information from the state auditor as provided in RCW 43.09.050(5) as now or hereafter amended, the ~~((chief fiscal officer of the executive branch))~~ director of financial management shall require all persons who have received any moneys belonging to the state and have not accounted therefor, to settle their accounts and make payment thereof.

Sec. 117. Section 11, chapter 144, Laws of 1977 ex. sess. and RCW 43.41.106 are each amended to read as follows:

The ~~((chief fiscal officer of the executive branch))~~ director of financial management may, in his discretion, require any person presenting an account for settlement to be sworn before him, and to answer, orally or in writing, as to any facts relating to it.

***Sec. 118. Section 5, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.41.130 are each amended to read as follows:**

The director of ~~((the office of program planning and fiscal))~~ financial management, after consultation with other interested or affected state agencies and approval of the automotive policy board established pursuant to RCW 43.19.580, shall establish overall policies governing the acquisition, operation, management, maintenance, repair, and disposal of, all passenger motor vehicles owned or operated by any state agency. Such policies shall include but not be limited to a definition of what constitutes authorized use of a state owned or controlled passenger motor vehicle and other motor vehicles on official state business. Any use other than such defined use shall be considered as personal use.

***Sec. 118. was vetoed, see message at end of chapter.**

Sec. 119. Section 15, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.41.140 are each amended to read as follows:

Pursuant to policies and regulations promulgated by the office of ~~((program planning and fiscal))~~ financial management after consultation with and approval by the automotive policy board, an elected state officer or his delegate or a state agency director or his delegate may permit employee commuting in a state owned or leased vehicle only if such travel is on official business, as determined in accordance with RCW 43.41.130, and is determined to be economical and advantageous to the state.

Sec. 120. Section 13, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.900 are each amended to read as follows:

All employees of the central budget agency and of the state planning, program management, and population and research divisions of the planning and community affairs agency, as well as any other employees of the planning and community affairs agency engaged in duties pertaining to the functions transferred by this chapter, shall be transferred to the jurisdiction of the office of ~~((program planning and fiscal))~~ financial management. All employees classified under chapter 41.06 RCW, the state civil service law, shall be assigned to the department to perform their usual duties upon the

same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing the state merit system.

Sec. 121. Section 14, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.910 are each amended to read as follows:

All reports, documents, surveys, books, records, files, papers or other writings in the possession of the central budget agency and the planning and community affairs agency relating to the functions transferred by this chapter, shall be delivered to the custody of the office of (~~((program planning and fiscal))~~) financial management. All cabinets, furniture, office equipment, motor vehicles and other tangible property employed in carrying out the functions transferred by this chapter shall be made available to the office. All funds, credits or other assets held in connection with the functions herein transferred shall be assigned to the office.

Sec. 122. Section 15, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.920 are each amended to read as follows:

All state officials required to maintain contacts with or provide services to the central budget agency or the planning and community affairs agency in connection with any of the functions transferred by this chapter, shall continue to maintain contacts with and provide services to the office of (~~((program planning and fiscal))~~) financial management, unless this or any concurrent act of the 1969 legislature shall indicate otherwise.

Sec. 123. Section 16, chapter 239, Laws of 1969 ex. sess. and RCW 43-.41.930 are each amended to read as follows:

Any appropriations heretofore made to the planning and community affairs agency or the central budget agency for the purpose of carrying out the powers, duties and functions transferred by this chapter shall on August 11, 1969 be transferred and credited to the office of (~~((program planning and fiscal))~~) financial management for the purpose of carrying out such transferred powers, duties and functions.

Sec. 124. Section 17, chapter 195, Laws of 1977 ex. sess. and RCW 43-.51A.040 are each amended to read as follows:

Prior to July 1, 1977:

(1) All reports, documents, surveys, books, records, files, and papers or other writings in the possession of the Washington state parks and recreation commission and pertaining to the functions affected by this 1977 amendatory act, shall be delivered to the custody of the preservation officer; and

(2) All funds, credits, appropriations, or other assets held in connection with the functions affected and transferred by this 1977 amendatory act shall be transferred to or assigned to the office: **PROVIDED**, That whenever any question arises as to the transfer of any funds, including unexpended

balances within any accounts, the director of (~~((program planning and fiscal))~~) financial management, or the director's designee, shall make a determination as to the proper allocation and certify the same to the concerned state agencies. If apportionments of budgeted funds are required because of the transfers authorized, the director of (~~((program planning and fiscal))~~) financial management shall certify such apportionments to the agencies affected, the state auditor, and the state treasurer. Each agency shall make the appropriate transfer and adjustments in funds and appropriation accounts in accordance with such certification.

Sec. 125. Section 10, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.901 are each amended to read as follows:

All reports, documents, surveys, books, records, files, papers, or other writings in the possession of all departments and agencies of state government concerned with veterans services, and pertaining to the functions affected by this chapter, shall be delivered to the custody of the department of veterans affairs. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed in carrying out the powers and duties transferred by this chapter shall be made available to the department. All funds, credits, or other assets held in connection with the functions transferred by this chapter shall be assigned to the department.

Any appropriations made to the department of social and health services or other departments or agencies affected by this chapter for the purpose of carrying out the powers and duties transferred by this chapter, shall on June 25, 1976, be transferred and credited to the department of veterans affairs for the purpose of carrying out such transferred powers and duties.

Whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred under this chapter, the director of (~~((program planning and fiscal))~~) financial management or successor thereto shall make a determination as to the proper allocation and certify the same to the state departments and agencies concerned.

Sec. 126. Section 12, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.903 are each amended to read as follows:

If apportionments of budgeted funds are required because of the transfers authorized by this chapter, the director of (~~((program planning and fiscal))~~) financial management shall certify such apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with such certification.

Sec. 127. Section 43.62.010, chapter 8, Laws of 1965 as amended by section 121, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.62-.010 are each amended to read as follows:

If the state or any of its political subdivisions, or other agencies, use the population studies services of the ((board)) office of financial management or the successor thereto, the state, its political subdivision, or other agencies utilizing such services shall pay for the cost of rendering such services. Expenditures shall be paid out of funds allocated to cities and towns under RCW 82.44.150, as derived from section 5, chapter 152, Laws of 1945, and shall be paid from said fund before any allocations or payments are made to cities and towns under said act.

Sec. 128. Section 43.62.020, chapter 8, Laws of 1965 and RCW 43.62-.020 are each amended to read as follows:

Whenever cities and towns of the state are, by law, allocated and entitled to be paid any funds or state moneys from any source, and the allocation and payment is required to be made on a populations basis, notwithstanding the provisions of any other law to the contrary, all such allocations shall be made on the basis of the population of the respective cities and towns as last determined by the ((state census board)) office of financial management: PROVIDED, That the regular federal decennial census figures released for cities and towns shall be considered by the ((board)) office of financial management in determining the population of cities and towns.

Sec. 129. Section 43.62.030, chapter 8, Laws of 1965 as last amended by section 61, chapter 75, Laws of 1977 and RCW 43.62.030 are each amended to read as follows:

The office of ((program planning and fiscal)) financial management shall annually as of April 1st, determine the populations of all cities and towns of the state; and on or before July 1st of each year, shall file with the secretary of state a certificate showing its determination as to the populations of cities and towns of the state. A copy of such certificate shall be forwarded by the agency to each state official or department responsible for making allocations or payments, and on and after January 1st next following the date when such certificate or certificates are filed, the population determination shown in such certificate or certificates shall be used as the basis for the allocation and payment of state funds, to cities and towns until the next January 1st following the filing of successive certificates by the agency: PROVIDED, That whenever territory is annexed to a city or town, the population of the annexed territory shall be added to the population of the annexing city or town upon the effective date of the annexation as specified in the relevant ordinance, and upon approval of the agency as provided in RCW 35.13.260, as now or hereafter amended, a revised certificate reflecting the determination of the population as increased from such annexation shall be forwarded by the agency to each state official or department responsible for making allocations or payments, and upon and after the date

of the commencement of the next quarterly period, the population determination indicated in such revised certificate shall be used as the basis for allocation and payment of state funds to such city or town until the next annual population determination becomes effective: PROVIDED FURTHER, That whenever any city or town becomes incorporated subsequent to the determination of such population, the populations of such cities and towns as shown in the records of incorporation filed with the secretary of state shall be used in determining the amount of allocation and payments, and the agency shall so notify the proper state officials or departments, and such cities and towns shall be entitled to participate in allocations thereafter made: PROVIDED FURTHER, That in case any incorporated city or town disincorporates subsequent to the filing of such certificate or certificates, the agency shall promptly notify the proper state officials or departments thereof, and such cities and towns shall cease to participate in allocations thereafter made, and all credit accrued to such incorporated city or town shall be distributed to the credit of the remaining cities and towns. The secretary of state shall promptly notify the agency of the incorporation of each new city and town and of the disincorporation of any cities or towns.

For the purposes of this section, each quarterly period shall commence on the first day of the months of January, April, July, and October. Whenever a revised certificate due to an annexation is forwarded by the agency thirty days or less prior to the commencement of the next quarterly period, the population of the annexed territory shall not be considered until the commencement of the following quarterly period.

Sec. 130. Section 43.62.040, chapter 8, Laws of 1965 as amended by section 25, chapter 278, Laws of 1975 1st ex. sess. and RCW 43.62.040 are each amended to read to follows:

The department of revenue or any other state officer or officials of cities, towns, or counties shall upon request of the ~~((board))~~ office of financial management furnish such information, aid, and assistance as may be required by the ~~((board))~~ office of financial management in the performance of its ~~((duties))~~ population studies. The action of the ~~((board))~~ office of financial management in determining the population shall be final and conclusive.

Sec. 131. Section 43.62.050, chapter 8, Laws of 1965 as last amended by section 62, chapter 75, Laws of 1977 and RCW 43.62.050 are each amended to read as follows:

The office of ~~((program planning and fiscal))~~ financial management shall develop and maintain student enrollment forecasts of Washington schools, including both public and private, elementary schools, junior high schools, high schools, colleges, and universities. A current report of such forecasts shall be submitted to the standing committees on ways and means of the house and the senate on or before the fifteenth day of November of each even-numbered year.

Sec. 132. Section 7, chapter 74, Laws of 1967 as amended by section 28, chapter 151, Laws of 1977 ex. sess. and RCW 43.63A.070 are each amended to read as follows:

The planning and community affairs agency shall have the following planning functions and responsibilities:

(1) Provide technical assistance to the governor and the legislature in identifying long range goals for the state;

(2) Prepare a state comprehensive plan as the state's long range public declaration of intent in developmental policy, for programming its facilities and services and for guidance of private activities and public programs at all levels of government. Plan elements may include but shall not be limited to transportation, scenic highways, public facilities, recreation, open spaces, natural resources, patterns of urban and rural development, and quality of the natural and man-made environment: PROVIDED, That plan elements relating to transportation shall be in accord with the state-wide transportation policies and plans developed by the transportation commission pursuant to RCW 47.01.071;

(3) Provide assistance and coordination to other state agencies for preparation of agency plans and programs;

(4) Provide general coordination and review of plans in functional areas of state government as may be necessary for receipt of federal or state funds;

(5) Participate with other states or subdivisions thereof in interstate planning, and assist cities, counties, municipal corporations, governmental conferences or councils, and regional planning commissions to participate with other states or their subdivisions in planning;

(6) Assist the office of (~~((program planning and fiscal))~~) financial management in capital improvement programming and other programming activities;

(7) Encourage educational and research programs that further planning and community development, and provide administrative and technical services therefor.

Sec. 133. Section 1, chapter 53, Laws of 1969 ex. sess. as amended by section 64, chapter 75, Laws of 1977 and RCW 43.63A.085 are each amended to read as follows:

The office of (~~((program planning and fiscal))~~) financial management shall provide by administrative regulation for the maintenance of an inventory of all state owned or controlled land resources by all state agencies owning or controlling land. That office shall cooperate with the state departments and agencies charged with administering state owned and/or controlled land resources to assist them in developing and maintaining land resources inventories that will permit their respective inventories to be summarized into meaningful reports for the purposes of providing executive agencies with information for planning, budgeting, and managing state

owned or administered land resources and to provide the legislature, its members, committees, and staff with data needed for formulation of public policy.

Such departments or agencies shall maintain and make available such summary inventory information as may be prescribed by the rules and regulations of the office of ~~((program planning and fiscal))~~ financial management. That office shall give each affected department or agency specific written notice of hearings for consideration, adoption, or modification of such rules and regulations. All information submitted to that office as provided herein shall be a matter of public record and shall be available from said agency upon request.

Sec. 134. Section 43.78.070, chapter 8, Laws of 1965 and RCW 43.78-.070 are each amended to read as follows:

The public printer shall use the state printing plant upon the following conditions, to wit:

(1) He shall do the public printing, and charge therefor the fees as provided by law. He may print the Washington Reports for the publishers thereof under a contract approved in writing by the governor.

(2) The gross income of the public printer shall be deposited in an account designated "state printing plant revolving fund" in depositaries approved by the state treasurer, and shall be disbursed by the public printer by check and only as follows:

First, in payment of the actual cost of labor, material, supplies, replacements, repairs, water, light, heat, telephone, rent, and all other expenses necessary in the operation of the plant: PROVIDED, That no machinery shall be purchased except on written approval of the governor;

Second, in payment of the cost of reasonable insurance upon the printing plant, payable to the state and of all fidelity bonds required by law of the public printer;

Third, in payment to the public printer of a salary which shall be fixed by the governor in accordance with the provisions of RCW 43.03.040;

Fourth, in remitting the balance to the state treasurer for the general fund: PROVIDED, That a reasonable sum to be determined by the governor, the public printer, and the director of ~~((budget))~~ financial management shall be retained in the fund for working capital for the public printer.

Sec. 135. Section 43.88.020, chapter 8, Laws of 1965 as last amended by section 4, chapter 83, Laws of 1975-'76 2nd ex. sess. and RCW 43.88-.020 are each amended to read as follows:

(1) "Budget" shall mean a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures;

(2) "Budget document" shall mean a formal, written statement offered by the governor to the legislature, as provided in RCW 43.88.030.

(3) "Director of ~~((program planning and fiscal))~~ financial management" shall mean the official appointed by the governor to serve at the governor's

pleasure and to whom the governor may delegate necessary authority to carry out the governor's duties as provided in this chapter. The director of ~~((program planning and fiscal))~~ financial management shall be head of the office of ~~((program planning and fiscal))~~ financial management which shall be in the office of the governor.

(4) "Agency" shall mean and include every state office, officer, each institution, whether educational, correctional or other, and every department, division, board and commission, except as otherwise provided in this chapter.

(5) "Public funds", for purposes of this chapter, shall mean all moneys, including cash, checks, bills, notes, drafts, stocks and bonds, whether held in trust or for operating purposes and collected or disbursed under law, whether or not such funds are otherwise subject to legislative appropriation.

(6) "Regulations" shall mean the policies, standards and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the governor or his designated agent, and which shall have the force and effect of law.

(7) "Ensuing biennium" shall mean the fiscal biennium beginning on July 1st of the same year in which a regular session of the legislature is held pursuant to Article II, section 12 of the Constitution and which biennium next succeeds the current biennium.

(8) "Dedicated fund" means a fund in the state treasury, or a separate account or fund in the general fund in the state treasury, that by law is dedicated, appropriated or set aside for a limited object or purpose; but "dedicated fund" shall not include a revolving fund or a trust fund.

(9) "Revolving fund" means a fund in the state treasury, established by law, from which is paid the cost of goods or services furnished to or by a state agency, and which is replenished through charges made for such goods or services or through transfers from other accounts or funds.

(10) "Trust fund" means a fund in the state treasury in which designated persons or classes of persons have a vested beneficial interest or equitable ownership, or which was created or established by a gift, grant, contribution, devise, or bequest that limits the use of the fund to designated objects or purposes.

(11) "Administrative expenses" means expenditures for: (a) Salaries, wages, and related costs of personnel and (b) operations and maintenance including but not limited to costs of supplies, materials, services, and equipment.

(12) "Fiscal year" means the year beginning July 1st and ending the following June 30th.

Sec. 136. Section 10, chapter 239, Laws of 1969 ex. sess. and RCW 43-.88.025 are each amended to read as follows:

Unless the context clearly requires a different interpretation, whenever "~~((budget))~~ director" is used in this chapter, it shall mean the director of

~~((program planning and fiscal))~~ financial management created in RCW 43.41.060.

Sec. 137. Section 43.88.090, chapter 8, Laws of 1965 as last amended by section 5, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.090 are each amended to read as follows:

For purposes of developing his budget proposals to the legislature, the governor shall have the power, and it shall be his duty, to require from proper agency officials such detailed estimates and other information in such form and at such times as he shall direct. The estimates for the legislature and the judiciary shall be transmitted to the governor and shall be included in the budget. Estimates for the legislature and for the supreme court shall be included in the budget without revision. Copies of all such estimates shall be transmitted to the standing committees on ways and means of the house and senate at the same time as they are filed with the governor and the office of ~~((program planning and fiscal))~~ financial management. In the year of the gubernatorial election, the governor shall invite the governor-elect or his designee to attend all hearings provided in RCW 43.88.100; and the governor shall furnish the governor-elect or his designee with such information as will enable him to gain an understanding of the state's budget requirements. The governor-elect or his designee may ask such questions during the hearings and require such information as he deems necessary and may make recommendations in connection with any item of the budget which, with the governor-elect's reasons therefor, shall be presented to the legislature in writing with the budget document. Copies of all such estimates and other required information shall also be submitted to the standing committees on ways and means of the house and senate.

Sec. 138. Section 43.88.110, chapter 8, Laws of 1965 as amended by section 6, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.110 are each amended to read as follows:

Subdivisions (1) and (2) of this section set forth the expenditure programs and the allotment and reserve procedures to be followed by the executive branch.

(1) Before the beginning of the fiscal period, all agencies shall submit to the governor a statement of proposed agency expenditures at such times and in such form as may be required by him. The statement of proposed expenditures shall show, among other things, the requested allotments of appropriations for the ensuing fiscal period for the agency concerned for such periods as may be determined by the ~~((budget))~~ director of financial management for the entire fiscal period. The governor shall review the requested allotments in the light of the agency's plan of work and, with the advice of the ~~((budget))~~ director of financial management, he may revise or alter agency allotments: PROVIDED, That revision of allotments shall not be

made for agencies headed by elective officials. The aggregate of the allotments for any agency shall not exceed the total of appropriations available to the agency concerned for the fiscal period.

(2) Except for agencies headed by elective officials, approved allotments may be revised during the course of the fiscal period in accordance with the regulations issued pursuant to this chapter. If at any time during the fiscal period the governor shall ascertain that available revenues for the applicable period will be less than the respective appropriations, he shall revise the allotments concerned so as to prevent the making of expenditures in excess of available revenues. To the same end, and with the exception stated in this section for allotments involving agencies headed by elective officials the governor is authorized to withhold and to assign to, and to remove from, a reserve status any portion of an agency appropriation which in the governor's discretion is not needed for the allotment. No expenditures shall be made from any portion of an appropriation which has been assigned to a reserve status except as provided in this section.

(3) It is expressly provided that all agencies shall be required to maintain accounting records and to report thereon in the manner prescribed in this chapter and under the regulations issued pursuant to this chapter.

Sec. 139. Section 43.88.160, chapter 8, Laws of 1965 as last amended by section 8, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.160 are each amended to read as follows:

This section sets forth the major fiscal duties and responsibilities of officers and agencies of the executive branch. The regulations issued by the governor pursuant to this chapter shall provide for a comprehensive, orderly basis for fiscal management and control, including efficient accounting and reporting therefor, for the executive branch of the state government and may include, in addition, such requirements as will generally promote more efficient public management in the state.

(1) Governor; director of (~~((program planning and fiscal))~~) financial management. The governor, through his director of (~~((program planning and fiscal))~~) financial management, shall devise and supervise a modern and complete accounting system for each agency to the end that all revenues, expenditures, receipts, disbursements, resources and obligations of the state shall be properly and systematically accounted for. The accounting system shall include the development of accurate, timely records and reports of all financial affairs of the state. The system shall also provide for comprehensive central accounts in the office of (~~((program planning and fiscal))~~) financial management. The director of (~~((program planning and fiscal))~~) financial management may require such financial, statistical and other reports as he deems necessary from all agencies covering any period.

In addition, the director of (~~((program planning and fiscal))~~) financial management, as agent of the governor, shall:

(a) Make surveys and analyses of agencies with the object of determining better methods and increased effectiveness in the use of manpower and materials; and he shall authorize expenditures for employee training to the end that the state may benefit from training facilities made available to state employees;

(b) Report to the governor with regard to duplication of effort or lack of coordination among agencies;

(c) Review any pay and classification plans, and changes thereunder, developed by any agency for their fiscal impact: **PROVIDED**, That none of the provisions of this subsection shall affect merit systems of personnel management now existing or hereafter established by statute relating to the fixing of qualifications requirements for recruitment, appointment, or promotion of employees of any agency. He shall advise and confer with agencies including appropriate standing committees of the legislature as may be designated by the speaker of the house and the president of the senate regarding the fiscal impact of such plans and may amend or alter said plans, except that for the following agencies no amendment or alteration of said plans may be made without the approval of the agency concerned: Agencies headed by elective officials.

(d) Fix the number and classes of positions or authorized man years of employment for each agency and during the fiscal period amend the determinations previously fixed by him except that he shall not be empowered to fix said number or said classes for the following: Agencies headed by elective officials;

(e) Promulgate regulations to effectuate provisions contained in subsections (a) through (d) hereof.

(2) The treasurer shall:

(a) Receive, keep and disburse all public funds of the state not expressly required by law to be received, kept and disbursed by some other persons: **PROVIDED**, That this subsection shall not apply to those public funds of the institutions of higher learning which are not subject to appropriation;

(b) Disburse public funds under his supervision or custody by warrant or check;

(c) Keep a correct and current account of all moneys received and disbursed by him, classified by fund or account;

(d) Perform such other duties as may be required by law or by regulations issued pursuant to this law.

It shall be unlawful for the treasurer to issue any warrant or check for public funds in the treasury except upon forms duly prescribed by the director of ((~~program planning and fiscal~~)) financial management. Said forms shall provide for authentication and certification by the agency head or his designee that the services have been rendered or the materials have been furnished; or, in the case of payments for periodic maintenance services to be performed on state owned equipment, that a written contract for such

periodic maintenance services is currently in effect and copies thereof are on file with the office of (~~(program planning and fiscal)~~) financial management; and the treasurer shall not be liable under his surety bond for erroneous or improper payments so made: PROVIDED, That when services are lawfully paid for in advance of full performance by any private individual or business entity other than as provided for by RCW 42.24.035, such individual or entity other than central stores rendering such services shall make a cash deposit or furnish surety bond coverage to the state as shall be fixed in an amount by law, or if not fixed by law, then in such amounts as shall be fixed by the director of the department of general administration but in no case shall such required cash deposit or surety bond be less than an amount which will fully indemnify the state against any and all losses on account of breach of promise to fully perform such services: AND PROVIDED FURTHER, That no payments shall be made in advance for any equipment maintenance services to be performed more than three months after such payment. Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract. The responsibility for recovery of erroneous or improper payments made under this section shall lie with the agency head or his designee in accordance with regulations issued pursuant to this chapter.

(3) The state auditor shall:

(a) Report to the legislature the results of current post audits that have been made of the financial transactions of each agency; to this end he may, in his discretion, examine the books and accounts of any agency, official or employee charged with the receipt, custody or safekeeping of public funds. The current post audit of each agency may include a section on recommendations to the legislature as provided in subsection (3)(c) of this section.

(b) Give information to the legislature, whenever required, upon any subject relating to the financial affairs of the state.

(c) Make his official report on or before the thirty-first of December which precedes the meeting of the legislature. The report shall be for the last complete fiscal period and shall include at least the following:

Determinations as to whether agencies, in making expenditures, complied with the laws of this state: PROVIDED, That nothing in this act shall be construed to grant the state auditor the right to perform performance audits. A performance audit for the purpose of this act shall be the examination of the effectiveness of the administration, its efficiency and its adequacy in terms of the programs of departments or agencies as previously approved by the legislature. The authority and responsibility to conduct such an examination shall be vested in the legislative budget committee as prescribed in RCW 44.28.085 as now or hereafter amended.

(d) Be empowered to take exception to specific expenditures that have been incurred by any agency or to take exception to other practices related

in any way to the agency's financial transactions and to cause such exceptions to be made a matter of public record, including disclosure to the agency concerned and to the director of ~~((program planning and fiscal))~~ financial management. It shall be the duty of the director of ~~((program planning and fiscal))~~ financial management to cause corrective action to be taken promptly, such action to include, as appropriate, the withholding of funds as provided in RCW 43.88.110.

(e) Shall promptly report any irregularities to the attorney general.

(4) The legislative budget committee may:

(a) Make post audits of the financial transactions of any agency and management surveys and program reviews as provided for in RCW 44.28-.085 as now or hereafter amended. To this end the committee may in its discretion examine the books, accounts, and other records of any agency, official, or employee.

(b) Give information to the legislature or any legislative committee whenever required upon any subject relating to the performance and management of state agencies.

(c) Make a report to the legislature which shall include at least the following:

(i) Determinations as to the extent to which agencies in making expenditures have complied with the will of the legislature and in this connection, may take exception to specific expenditures or financial practices of any agencies; and

(ii) Such plans as it deems expedient for the support of the state's credit, for lessening expenditures, for promoting frugality and economy in agency affairs and generally for an improved level of fiscal management.

Sec. 140. Section 1, chapter 248, Laws of 1969 ex. sess. as last amended by section 109, chapter 169, Laws of 1977 ex. sess. and RCW 43.88.195 are each amended to read as follows:

After August 11, 1969, no state agency, state institution, state institution of higher education, which shall include all state universities, regional universities, The Evergreen State College, and community colleges, shall establish any new accounts or funds which are to be located outside of the state treasury: PROVIDED, That the office of ~~((program planning and fiscal))~~ financial management shall be authorized to grant permission for the establishment of such an account or fund outside of the state treasury only when the requesting agency presents compelling reasons of economy and efficiency which could not be achieved by placing such funds in the state treasury. When the director of ~~((the office of program planning and fiscal))~~ financial management authorizes the creation of such fund or account, he shall forthwith give written notice of the fact to the standing committees on ways and means of the house and senate.

Sec. 141. Section 4, chapter 41, Laws of 1967 ex. sess. as last amended by section 10, chapter 293, Laws of 1975 1st ex. sess. and RCW 43.88.205 are each amended to read as follows:

(1) Whenever an agency makes application, enters into a contract or agreement, or submits state plans for participation in, and for grants of federal funds under any federal law, the agency making such application shall at the time of such action, give notice in such form and manner as the director of ((~~program planning and fiscal~~)) financial management may prescribe, or the chairman of the legislative budget committee, standing committees on ways and means of the house and senate, the chief clerk of the house, or the secretary of the senate may request.

(2) Whenever any such application, contract, agreement, or state plan is amended, such agency shall notify each such officer of such action in the same manner as prescribed or requested pursuant to subsection (1) of this section.

(3) Such agency shall promptly furnish such progress reports in relation to each such application, contract, agreement, or state plan as may be requested following the date of the filing of the application, contract, agreement, or state plan; and shall also file with each such officer a final report as to the final disposition of each such application, contract, agreement, or state plan if such is requested.

Sec. 142. Section 1, chapter 23, Laws of 1977 and RCW 43.88.500 are each amended to read as follows:

The legislature finds that members of boards, commissions, councils, and committees in state government make a valuable contribution to the public welfare.

Nevertheless, the legislature also finds that the continued proliferation of both statutory and nonstatutory groups of this nature without effective, periodic review of existing groups can result in wasteful duplication of effort, fragmentation of administrative authority, lack of accountability, plus an excessive and frequently hidden financial burden on the state.

The legislature further finds that effective legislative oversight and review of boards, commissions, councils, and committees is frustrated by a lack of current and reliable information on the status and activities of such groups.

The legislature declares that legislative oversight and overall accountability in state government can be significantly improved by creating in the office of ((~~program planning and fiscal~~)) financial management a central clearinghouse for information on boards, commissions, councils, and committees.

Sec. 143. Section 2, chapter 23, Laws of 1977 and RCW 43.88.505 are each amended to read as follows:

(1) The director of ((~~program planning and fiscal~~)) financial management shall compile, and revise within ninety days after the beginning of

each biennium, a current list of all permanent and temporary, statutory and nonstatutory boards, commissions, councils, committees, and other groups of similar nomenclature that are established by the executive, legislative, or judicial branches of state government and whose members are eligible to receive travel expenses for their meetings in accordance with RCW 43.03-.050 and 43.03.060 as now existing or hereafter amended.

(2) Such list shall include but not be limited to any such group which:

(a) Functions primarily in an advisory, planning, or coordinating capacity;

(b) Performs advertising, research, promotional, or marketing services for a specific business, industry, or occupation; or

(c) Performs licensing, regulatory, or quasi-judicial functions, adopts rules, or has responsibility for the administration or policy direction of a state agency or program.

(3) Such list shall contain the following information for each board, commission, council, committee, or other group of similar nomenclature:

(a) The legal authorization for the creation of the group;

(b) The number of members on the group, the appointing authority, and the agency to which the group reports;

(c) The number of meetings held during the preceding biennium;

(d) A brief summary of the primary responsibilities of the group;

(e) The total estimated cost of operating the group during the preceding biennium and the estimated cost of the group during the ensuing biennium. Such cost data shall include the estimated administrative expenses of the group as well as the estimated cost to an agency of providing full time equivalent or part time supporting staff to the group; and

(f) The source of funding for the group.

Sec. 144. Section 3, chapter 23, Laws of 1977 and RCW 43.88.510 are each amended to read as follows:

Not later than ninety days after the beginning of each biennium, the director of ((~~program planning and fiscal~~)) financial management shall submit the compiled list of boards, commissions, councils, and committees, together with the information on each such group, that is required by RCW 43.88.505 to:

(1) The speaker of the house and the president of the senate for distribution to the appropriate standing committees; and

(2) The legislative budget committee.

Sec. 145. Section 4, chapter 23, Laws of 1977 and RCW 43.88.515 are each amended to read as follows:

(1) In order to facilitate the compilation of data required by RCW 43.88.505, each agency of the executive, legislative, and judicial branches of state government shall submit to the director of ((~~program planning and fiscal~~)) financial management a current list of the permanent and temporary, statutory and nonstatutory boards, commissions, councils, committees,

and other groups of similar nomenclature that report to, or are involved in the operation of, the agency and whose members are eligible to receive travel expenses for their meetings in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(2) Such list shall contain the administrative and cost information for each group that is prescribed in RCW 43.88.505(3).

(3) The director of (~~((program planning and fiscal))~~) financial management shall establish guidelines and a format for agencies to follow in submitting information on boards, commissions, councils, and committees.

Sec. 146. Section 2, chapter 25, Laws of 1977 ex. sess. and RCW 43.88A.020 are each amended to read as follows:

The office of (~~((program planning and fiscal))~~) financial management shall, in cooperation with appropriate legislative committees and legislative staff, establish a procedure for the provision of fiscal notes on the expected impact of bills and resolutions which increase or decrease or tend to increase or decrease state government revenues or expenditures. Such fiscal notes shall indicate by fiscal year the impact for the remainder of the biennium in which the bill or resolution will first take effect as well as a cumulative forecast of the fiscal impact for the succeeding four fiscal years.

In establishing the fiscal impact called for pursuant to this chapter, the office of (~~((program planning and fiscal))~~) financial management shall coordinate the development of fiscal notes with all state agencies affected.

Sec. 147. Section 3, chapter 25, Laws of 1977 ex. sess. and RCW 43.88A.030 are each amended to read as follows:

When a fiscal note is prepared and approved as to form, accuracy, and completeness by the office of (~~((program planning and fiscal))~~) financial management, which depicts the expected fiscal impact of a bill or resolution, copies shall be filed immediately with:

(1) The chairperson of the committee to which the bill or resolution was referred upon introduction in the house of origin;

(2) The senate committee on ways and means, or its successor;

(3) The house committees on revenue and appropriations, or their successors; and

(4) The legislative budget committee.

Whenever possible, such fiscal note shall be provided prior to or at the time the bill or resolution is first heard by the committee of reference in the house of origin.

Sec. 148. Section 4, chapter 25, Laws of 1977 ex. sess. and RCW 43.88A.040 are each amended to read as follows:

The office of (~~((program planning and fiscal))~~) financial management shall also provide a fiscal note on any legislative proposal at the request of any legislator. Such fiscal note shall be returned to the requesting legislator,

and copies shall be filed with the appropriate legislative committees pursuant to RCW 43.88A.030 at the time such proposed legislation is introduced in either house.

Sec. 149. Section 2, chapter 19, Laws of 1977 ex. sess. and RCW 43.132.020 are each amended to read as follows:

The director of (~~the office of program planning and fiscal~~) financial management or the director's designee shall, in cooperation with appropriate legislative committees and legislative staff, establish a mechanism for the determination of the fiscal impact of proposed legislation which if enacted into law would directly or indirectly increase or decrease revenues received or expenditures incurred by counties, cities, towns, or any other political subdivisions of the state. The office of (~~program planning and fiscal~~) financial management shall, when requested by a member of the state legislature, report in writing as to such fiscal impact and said report shall be known as a "fiscal note".

Such fiscal notes shall indicate by fiscal year the total impact on the subdivisions involved for the first two years the legislation would be in effect and also a cumulative six year forecast of the fiscal impact. Where feasible and applicable, the fiscal note also shall indicate the fiscal impact on each individual county or on a representative sampling of cities, towns, or other political subdivisions.

A fiscal note as defined in this section shall be provided only upon request of any member of the state legislature. A legislator also may request that such a fiscal note be revised to reflect the impact of proposed amendments or substitute bills. Fiscal notes shall be completed within seventy-two hours of the request unless a longer time period is allowed by the requesting legislator. In the event a fiscal note has not been completed within seventy-two hours of a request, a daily report shall be prepared for the requesting legislator by the director of the office of (~~program planning and fiscal~~) financial management which report summarizes the progress in preparing the fiscal note. If the request is referred to the director of the planning and community affairs agency, the daily report shall also include the date and time such referral was made.

Sec. 150. Section 3, chapter 19, Laws of 1977 ex. sess. and RCW 43.132.030 are each amended to read as follows:

The director of (~~the office of program planning and fiscal~~) financial management is hereby empowered to designate the director of the planning and community affairs agency or its statutory successor as the official responsible for the preparation of fiscal notes authorized and required by this chapter. It is the intent of the legislature that when necessary the resources of other state agencies, appropriate legislative staffs, and the various associations of local government may be employed in the development of such fiscal notes.

Sec. 151. Section 4, chapter 19, Laws of 1977 ex. sess. and RCW 43-.132.040 are each amended to read as follows:

When a fiscal note is prepared and approved as to form and completeness by the director of (~~(the office of program planning and fiscal)~~) financial management, the director shall transmit copies immediately to:

- (1) The requesting legislator;
- (2) With respect to proposed legislation held by the senate, the chairperson of the committee which holds or has acted upon the proposed legislation, the chairperson of the ways and means committee, the chairperson of the local government committee, and the secretary of the senate;
- (3) With respect to proposed legislation held by the house of representatives, the chairperson of the committee which holds or has acted upon the proposed legislation, the chairpersons of the revenue and taxation and appropriations committees, the chairperson of the local government committee, and the chief clerk of the house of representatives; and
- (4) The legislative budget committee.

Sec. 152. Section 5, chapter 19, Laws of 1977 ex. sess. and RCW 43-.132.050 are each amended to read as follows:

The office of (~~(program planning and fiscal)~~) financial management and the legislative budget committee may make additional copies of the fiscal note available to members of the legislature and others on request.

At the request of any member of the senate or house of representatives, whichever is considering the proposed legislation, and unless it is prohibited by the rules of the body, copies of the fiscal note or a synopsis thereof shall be placed on the members' desks at the time the proposed legislation takes its place on the second reading calendar.

Whenever proposed legislation accompanied by such a fiscal note is passed by either the senate or the house of representatives, the fiscal note shall be transmitted with the bill to the other house.

Sec. 153. Section 6, chapter 36, Laws of 1947 as last amended by section 4, chapter 134, Laws of 1967 ex. sess. and RCW 44.24.060 are each amended to read as follows:

The members of the council shall be reimbursed for their expenses incurred while attending sessions of the council or meetings of any committees of the council or while engaged on other council business authorized by the council in accordance with the provisions of RCW 44.04.120. All expenses incurred by the council, including salaries of employees, shall be paid upon voucher forms as provided by the (~~(budget)~~) director of financial management and signed by the chairman or vice chairman of the council and attested by the secretary of said council, or by an alternate for the secretary who shall be a member of and selected by the executive committee, and the authority of said chairman and secretary to sign vouchers shall continue until their successors are selected. Vouchers may be drawn upon funds appropriated generally by the legislature for legislative expenses or

upon any special appropriation which may be provided by the legislature for the expenses of the council.

Sec. 154. Section 9, chapter 265, Laws of 1969 ex. sess. and RCW 44-.30.050 are each amended to read as follows:

The members of the committee shall be reimbursed for their expenses incurred while attending sessions of the committee or meetings of any subcommittee of the committee or while engaged in other committee business authorized by the committee in accordance with standard legislative per diem and travel rates. All expenses incurred by the committee including salaries of the employees shall be paid upon voucher forms as provided by the office of (~~program planning and fiscal~~) financial management and signed by the chairman of the committee, and approved by the secretary of the committee. The authority of said chairman and secretary to sign vouchers shall continue until their successors are selected. Vouchers may be drawn upon funds appropriated for the expenses of the committee.

Sec. 155. Section 9, chapter 130, Laws of 1965 ex. sess. and RCW 44-.33.280 are each amended to read as follows:

The members of the committee shall be reimbursed for their expenses incurred while attending sessions of the committee or meetings of any subcommittee of the committee or while engaged in other committee business authorized by the committee to the extent of twenty-five dollars per day plus ten cents per mile in going and coming from committee sessions or subcommittee meetings or for travel on other committee business authorized by the committee. All expenses incurred by the committee including salaries of the employees shall be paid upon voucher forms as provided by the (~~central budget agency~~) office of financial management and signed by the chairman of the committee and approved by the secretary of the committee and the authority of said chairman or said chairman and secretary to sign vouchers shall continue until their successors are selected. Vouchers may be drawn upon funds appropriated for the expenses of the committee.

Sec. 156. Section 9, chapter 260, Laws of 1969 ex. sess. and RCW 44-.39.050 are each amended to read as follows:

All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon voucher forms as provided by the director of (~~program planning and fiscal~~) financial management and signed by the chairman of the committee. Vouchers may be drawn upon funds appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the committee.

Sec. 157. Section 39, chapter 3, Laws of 1963 ex. sess. as last amended by section 8, chapter 235, Laws of 1977 ex. sess. and RCW 44.40.040 are each amended to read as follows:

The members of the legislative transportation committee and the house and senate transportation committees shall receive allowances while attending meetings of the committees or subcommittees and while engaged in other authorized business of the committees as provided in RCW 44.04.120 as now or hereafter amended. All expenses incurred by the committee, and the house and senate transportation committees, including salaries of employees of the legislative transportation committee, shall be paid upon voucher forms as provided by the office of (~~((program planning and fiscal))~~) financial management and signed by the chairman or vice chairman or authorized designee of the chairman of the committee, and the authority of said chairman or vice chairman to sign vouchers shall continue until their successors are selected. Vouchers may be drawn upon funds appropriated for the expenses of the committee.

Sec. 158. Section 9, chapter 373, Laws of 1977 ex. sess. and RCW 44.48.090 are each amended to read as follows:

The committee shall have the following powers:

(1) To have timely access, upon written request of the administrator, to all machine readable, printed, and other data of state agencies relative to expenditures, budgets, and related fiscal matters;

(2) To suggest changes relative to state accounting and reporting systems to the office of (~~((program planning and fiscal))~~) financial management or its successor and to require timely written responses to such suggestions; and

(3) To enter into contracts; and when entering into any contract for computer access, make necessary provisions relative to the scheduling of computer time and usage in recognition of the unique requirements and priorities of the legislative process.

Sec. 159. Section 5, chapter 150, Laws of 1967 ex. sess. as last amended by section 4, chapter 218, Laws of 1977 ex. sess. and RCW 44.60.050 are each amended to read as follows:

The boards may meet as frequently as they deem necessary, whether or not the legislature is in session. Each board shall hold at least one public hearing each year at which the public will be permitted to testify only on matters relating to present or proposed legislative ethics codes, rules, and laws, as well as the functions and operations of the board. For attendance at meetings during the interim or in attending to other business of his board during the interim, each legislative member shall be entitled to the allowances provided for in RCW 44.04.120, and each lay member shall be entitled to travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended from funds appropriated for that purpose.

All expenses incurred by a board or any member thereof shall be paid upon voucher forms as provided by the (~~((budget))~~) director of financial management and signed by the chairman of the board or his designee:

PROVIDED, That vouchers for the expenses of the joint board shall be signed and attested by the chairman of the joint board.

Sec. 160. Section 7, chapter 204, Laws of 1963 and RCW 46.38.070 are each amended to read as follows:

Pursuant to Article VI(a) of the compact, the vehicle equipment safety commission shall submit its budgets to the ~~((budget))~~ director of financial management.

Sec. 161. Section 46.68.110, chapter 12, Laws of 1961 as last amended by section 1, chapter 100, Laws of 1975 1st ex. sess. and RCW 46.68.110 are each amended to read as follows:

Funds credited to the incorporated cities and towns of the state as set forth in subdivision (1) of RCW 46.68.100 shall be subject to deduction and distribution as follows:

(1) One and one-half percent of such sums shall be deducted monthly as such sums are credited and set aside for the use of the ~~((state-highway commission))~~ department of transportation for the supervision of work and expenditures of such incorporated cities and towns on the city and town streets thereof, including the supervision and administration of federal-aid programs for which the ~~((highway commission))~~ department of transportation has responsibility: PROVIDED, That any moneys so retained and not expended shall be credited in the succeeding biennium to the incorporated cities and towns in proportion to deductions herein made;

(2) The balance remaining to the credit of incorporated cities and towns after such deduction shall be apportioned monthly as such funds accrue among the several cities and towns within the state ratably on the basis of the population last determined by the ~~((state-census-board))~~ office of financial management.

Sec. 162. Section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 14, chapter 317, Laws of 1977 ex. sess. and RCW 47.26.190 are each amended to read as follows:

(1) At the beginning of each biennium the urban arterial board shall establish apportionment percentages for the five regions defined in RCW 47.26.050 in the manner prescribed in RCW 47.26.060 for that biennium, except calculations of needs shall be based upon a projection of needs for the ensuing six year period as determined by the ~~((state-highway commission))~~ department of transportation. Except as otherwise provided in subsection (3) of this section, such apportionment percentages shall be used once each calendar quarter by the urban arterial board to apportion funds credited to the urban arterial trust account which are available for expenditure for urban arterial projects. The funds so apportioned shall remain apportioned until expended on construction projects in accordance with rules and regulations of the urban arterial board.

(2) All amounts credited to the urban arterial trust account, except those provided for in subsection (3) of this section and except proceeds from the sale of first authorization bonds and any funds that may be required to repay such bonds or the interest thereon when due, after apportionment to each region, shall be divided on the basis of relative population established at the beginning of each biennium by the office of ~~((program planning and fiscal))~~ financial management between (a) the group of cities and that portion of those counties within federally approved urban areas and (b) the group of incorporated cities outside the boundaries of federally approved urban areas. Within each region, funds divided between the groups identified under (a) and (b) above shall then be allocated by the urban arterial board to incorporated cities and counties, as the case may be, for the construction of specific urban arterial projects in accordance with the procedures set forth in RCW 47.26.240.

(3) At the beginning of each biennium the urban arterial board shall establish apportionment percentages for each of the five regions for the apportionment of the proceeds from the sale of fifteen million dollars of series II bonds authorized by RCW 47.26.420, as now or hereafter amended, in the ratio which the population of the incorporated cities and towns lying outside the boundaries of federally approved urban areas of each region bears to the total population of all incorporated cities and towns of the state lying outside the boundaries of federally approved urban areas, as such populations are determined at the beginning of each biennium by the office of ~~((program planning and fiscal))~~ financial management. Such apportionment percentages shall be used once each calendar quarter by the urban arterial board to apportion funds credited to the urban arterial trust account which are available for expenditure for urban arterial projects. The funds so apportioned shall remain apportioned until expended on construction projects in accordance with rules and regulations of the urban arterial board. Funds apportioned to each region shall be allocated by the urban arterial board to incorporated cities lying outside the boundaries of federally approved urban areas, for the construction of specific urban arterial projects in accordance with the procedures set forth in RCW 47.26.240.

Sec. 163. Section 4, chapter 267, Laws of 1975 1st ex. sess. as amended by section 1, chapter 214, Laws of 1977 ex. sess. and RCW 47.26.281 are each amended to read as follows:

Urban arterial trust funds initially authorized by the state urban arterial board in the 1967-69 biennium for specific projects in cities over three hundred thousand population, as last determined by the office of ~~((program planning and fiscal))~~ financial management, shall remain obligated to such projects for the period through June 30, 1978, unless such project is earlier withdrawn or abandoned by the sponsoring city. This continued obligation of urban arterial trust funds shall be terminated for any project if the sponsoring city earlier provides written notice of withdrawal or abandonment of

the project to the urban arterial board or if the city acts to expend any other funds, exclusive of the required matching funds, which have heretofore been allocated or set aside to pay a part of the costs of such project.

After June 30, 1975, no additional urban arterial trust funds shall be expended for conceptual or feasibility studies of any project initially authorized prior to June 30, 1969 in a city of over three hundred thousand population, but such limitation shall not apply to the cost of preparing final plans, specifications and estimates or other contract documents required to advertise the project for competitive bids for its construction.

Sec. 164. Section 1, chapter 139, Laws of 1941 as last amended by section 1, chapter 88, Laws of 1974 ex. sess. and RCW 52.36.020 are each amended to read as follows:

Wherever a fire protection district has been organized which includes within its area or is adjacent to, buildings and equipment, except those leased to a nontax exempt person or organization, owned by the legislative or administrative authority of a state agency or institution or a municipal corporation, the agency or institution or municipal corporation involved shall contract with such district for fire protection services necessary for the protection and safety of personnel and property pursuant to the provisions of chapter 39.34 RCW, as now or hereafter amended: PROVIDED, That nothing in this section shall be construed to require that any state agency, institution, or municipal corporation contract for services which are performed by the staff and equipment of such state agency, institution, or municipal corporation: PROVIDED FURTHER, That nothing in this section shall apply to state agencies or institutions or municipal corporations which are receiving fire protection services by contract from another municipality, city, town or other entities: AND PROVIDED FURTHER, That school districts shall receive fire protection services from the fire protection districts in which they are located without the necessity of executing a contract for such fire protection services: PROVIDED FURTHER, That prior to September 1, 1974 the superintendent of public instruction, the insurance commissioner, the director of ~~((program planning and fiscal))~~ financial management, and the executive director of the Washington fire commissioners association, or their designees, shall develop criteria to be used by the insurance commissioner in establishing uniform rates governing payments to fire districts by school districts for fire protection services. On or before September 1, 1974, the insurance commissioner shall establish such rates to be payable by school districts on or before January 1st of each year commencing January 1, 1975, payable July 1, 1975: AND PROVIDED FURTHER, That beginning with the 1975-77 biennium and in each biennium thereafter the superintendent of public instruction shall present in his budget submittal to the governor an amount sufficient to reimburse affected school districts for the moneys necessary to pay the costs of the uniform rates established by the insurance commissioner.

Sec. 165. Section 7, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.055 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025, the department of revenue shall instruct the state treasurer to distribute the amount collected as follows:

(a) Fifty percent to the state general fund for the support of schools; and

(b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district shall receive a percentage of the amount for distribution to counties, cities, fire protection districts and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share shall be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population shall be calculated in accordance with data to be provided by the office of (~~program planning and fiscal~~) financial management.

Sec. 166. Section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 75, Laws of 1967 ex. sess. and RCW 66.08.180 are each amended to read as follows:

Moneys in the liquor revolving fund shall be distributed by the board at least once every three months in accordance with RCW 66.08.190, 66.08.200 and 66.08.210: PROVIDED, That the board shall reserve from distribution such amount not exceeding five hundred thousand dollars as may be necessary for the proper administration of this title: AND PROVIDED FURTHER, That all license fees, penalties and forfeitures derived under this act from class H licenses or class H licensees shall every three months be disbursed by the board to the University of Washington and to Washington State University for medical and biological research only, in such proportions as shall be determined by the board after consultation with the heads of said state institutions: AND PROVIDED FURTHER, That when the allocations in any biennium to the University of Washington and Washington State University shall amount to a total of one million dollars, the entire allocation for the remainder of the biennium shall be transferred to the general fund to be used by the department of social and health services solely to carry out the purposes of RCW 70.96.085, as now or hereafter amended: AND PROVIDED FURTHER, That twenty percent of the total amount derived from license fees pursuant to RCW 66.24.320, 66.24.330, 66.24.340, 66.24.350, 66.24.360, and 66.24.370, as such sections are now or hereafter amended, shall be transferred to the general fund to be

used by the department of social and health services solely to carry out the purposes of RCW 70.96.085, as now or hereafter amended. The ~~((budget))~~ director of financial management shall prescribe suitable accounting procedure to insure that the funds transferred to the general fund to be used by the department of social and health services and appropriated are separately accounted for.

Sec. 167. Section 7, chapter 175, Laws of 1957 as amended by section 2, chapter 110, Laws of 1977 ex. sess. and RCW 66.08.200 are each amended to read as follows:

With respect to the ten percent share coming to the counties, the computations for distribution shall be made by the state agency responsible for collecting the same as follows:

The share coming to each eligible county shall be determined by a division among the eligible counties according to the relation which the population of the unincorporated area of such eligible county, as last determined by the office of ~~((program planning and fiscal))~~ financial management, bears to the population of the total combined unincorporated areas of all eligible counties, as determined by the office of ~~((program planning and fiscal))~~ financial management: PROVIDED, That no county in which the sale of liquor is forbidden in the unincorporated area thereof as the result of an election shall be entitled to share in such distribution. "Unincorporated area" means all that portion of any county not included within the limits of incorporated cities and towns.

When a special county census has been conducted for the purpose of determining the population base of a county's unincorporated area for use in the distribution of liquor funds, the census figure shall become effective for the purpose of distributing funds as of the official census date once the census results have been certified by the office of ~~((program planning and fiscal))~~ financial management and officially submitted to the office of the secretary of state.

Sec. 168. Section 8, chapter 175, Laws of 1957 as amended by section 3, chapter 110, Laws of 1977 ex. sess. and RCW 66.08.210 are each amended to read as follows:

With respect to the forty percent share coming to the incorporated cities and towns, the computations for distribution shall be made by the state agency responsible for collecting the same as follows:

The share coming to each eligible city or town shall be determined by a division among the eligible cities and towns within the state ratably on the basis of population as last determined by the office of ~~((program planning and fiscal))~~ financial management: AND PROVIDED, That no city or town in which the sale of liquor is forbidden as the result of an election shall be entitled to any share in such distribution.

Sec. 169. Section 9, chapter 55, Laws of 1933 as last amended by section 81, chapter 75, Laws of 1977 and RCW 67.16.100 are each amended to read as follows:

In addition to the license fees required by this chapter the licensee shall pay to the commission five percent of the gross receipts of all parimutuel machines at each race meet, which sums shall be paid daily to the commission.

All sums paid to the commission, together with all sums collected for license fees under the provisions of this chapter, shall be disposed of by the commission as follows: Twenty percent thereof shall be retained by the commission for the payment of the salaries of its members, secretary, clerical, office, and other help and all expenses incurred in carrying out the provisions of this chapter. No salary, wages, expenses, or compensation of any kind shall be paid by the state in connection with the work of the commission. Of the remaining eighty percent, forty-seven percent shall, on the next business day following the receipt thereof, be paid to the state treasurer to be deposited in the general fund, and three percent shall, on the next business day following the receipt thereof, be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the "state trade fair fund" which shall be maintained as a separate and independent fund, and made available to the director of commerce and economic development for the sole purpose of assisting state trade fairs. The remaining thirty percent shall be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the "fair fund," which shall be maintained as a separate and independent fund outside of the state treasury, and made available to the director of agriculture for the sole purpose of assisting fairs in the manner provided in Title 15 RCW. Any moneys collected or paid to the commission under the terms of this chapter and not expended at the close of the fiscal biennium shall be paid to the state treasurer and be placed in the general fund. The commission may, with the approval of the office of ((~~program planning and fiscal~~)) financial management, retain any sum required for working capital.

Sec. 170. Section 6, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.060 are each amended to read as follows:

(1) As a condition of eligibility for such financial assistance as may be provided by or through the state of Washington exclusively for the construction and/or modernization of jails, all jail construction and/or substantial remodeling projects shall be submitted by the governing unit to the commission for review. The commission shall submit the projects to the office of ((~~program planning and fiscal~~)) financial management, pursuant to subsection (3) of this section, if they comply with the physical plant standards adopted by the commission, pursuant to the provisions of RCW

70.48.050(5). Notice of rejection because of noncompliance to said standards shall be given within forty-five days after receipt by the commission of the submitted project.

(2) If the projects are approved, the department shall oversee the construction and remodeling to the extent necessary to assure compliance with the standards adopted and approved pursuant to RCW 70.48.050(7).

(3) The commission shall develop estimates of the costs of the capital construction grants for each biennium required under the provisions of this chapter. The estimates shall be subject to the review of the secretary and shall be submitted to the office of (~~((program planning and fiscal))~~) financial management consistent with the provisions of chapter 43.88 RCW.

Sec. 171. Section 34, chapter 32, Laws of 1951 as amended by section 3, chapter 175, Laws of 1977 ex. sess. and RCW 70.79.350 are each amended to read as follows:

The chief inspector shall give an official receipt for all fees required by chapter 70.79 RCW and shall transfer all sums so received to the treasurer of the state of Washington as ex officio custodian thereof and by him, as such custodian, shall place said sums in a special fund hereby created (~~((by this 1977 amendatory act to be))~~) and designated as the "pressure systems safety fund". Said funds by him shall be paid out upon vouchers duly and regularly issued therefor and approved by the director of the department of labor and industries. The treasurer, as ex officio custodian of said fund, shall keep an accurate record of any payments into said fund, and of all disbursements therefrom. Said fund shall be used exclusively to defray only the expenses of administering chapter 70.79 RCW by the chief inspector as authorized by law and the expenses incident to the maintenance of his office. The fund shall be charged with its pro rata share of the cost of administering said fund which is to be determined by the director of (~~((the office of program planning and fiscal))~~) financial management and by the director of the department of labor and industries.

Sec. 172. Section 25, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.220 are each amended to read as follows:

The transfer of equipment, funds and appropriations from agencies that are not abolished by this act to the department of social and health services, as provided in the office of (~~((program planning and fiscal))~~) financial management, shall be accomplished in accordance with apportionments among the several agencies by the director of (~~((the office of program planning and fiscal))~~) financial management, who shall have due consideration to the total of the appropriations to the several agencies, the size and nature of the functions to be transferred and the feasibility of segregating such equipment to the various functions. The director of (~~((the office of program planning and fiscal))~~) financial management shall certify such apportionments to the agencies affected and to the state auditor, the state treasurer and department of general administration, each of whom shall make the appropriate

transfers and adjustments in their funds and appropriation accounts and equipment records in accordance with such certification.

Sec. 173. Section 4, chapter 273, Laws of 1959 as amended by section 11, chapter 189, Laws of 1971 ex. sess. and RCW 72.60.270 are each amended to read as follows:

At such times as the moneys in the institutional industries revolving fund exceed such amount as shall be necessary for the efficient operation of the institutional industries program to be determined by periodic audits of the director of (~~(budget)~~) financial management, the excess shall be forwarded and paid over by the secretary to the state treasurer for deposit in the general fund of the state treasury.

Sec. 174. Section 4, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.430 are each amended to read as follows:

(1) All powers, duties, and functions of the department of social and health services relating to state services for the blind are transferred to the commission, along with all facilities, buildings, desks, equipment, files, furniture, supplies, contracts, personnel, records, reports, documents, books, papers, or other writings within the department of social and health services which pertain to such powers, duties, and functions and which are presently vested with state services for the blind or as vested in the department of social and health services in the name of services for the blind as administered under RCW 74.16.170, 74.16.181, 74.16.183, 74.16.190, 74.16.300, and chapter 74.17 RCW.

(2) All appropriations and funds allocated to the department of social and health services and/or to any other department for such services to the blind as are set forth in subsection (1) of this section are transferred to the commission.

(3) All transfer of funds and/or any tangible property, under subsections (1) and (2) of this section, shall be executed as efficiently and expeditiously as possible. Whenever any question arises with respect to the transfers referred to herein, the director of (~~(program planning and fiscal)~~) financial management shall make a determination as to the proper allocation and verify the same to the affected state agencies.

Sec. 175. Section 75.08.230, chapter 12, Laws of 1955 as last amended by section 33, chapter 327, Laws of 1977 ex. sess. and RCW 75.08.230 are each amended to read as follows:

All license fees, taxes, fines, and moneys realized from the sale of property seized or confiscated under the provisions of this title, and all bail moneys forfeited under prosecutions instituted under the provisions of this title, and all moneys realized from the sale of any of the property, real or personal, heretofore or hereafter acquired for the state and under the control of the department, such moneys as are realized from the sale of food fish or shellfish caught or taken during test fishing operations conducted by

the department for the purpose of food fish or shellfish resource evaluation studies, all moneys collected for damages and injuries to any such property, and all moneys collected for rental or concessions from such property, shall be paid into the state treasury general fund unless otherwise provided by law: **PROVIDED**, That salmon taken in test fishing operations shall not be sold except during a season open to commercial fishing in the district wherein test fishing is being conducted: **PROVIDED FURTHER**, That fifty percent of all money received as fines together with all of the costs shall be retained by the county in which the fine was collected.

All fines collected shall be remitted monthly by the justice of the peace or by the clerk of the court collecting the same to the county treasurer of the county in which the same shall be collected, and the county treasurer shall at least once a month remit fifty percent of the same to the state treasurer and at the same time shall furnish a statement to the director showing the amount of fines so remitted and from whom collected: **PROVIDED**, That in instances wherein any portion of a fine assessed by a court is suspended, deferred, or otherwise not collected, the entire amount collected shall be remitted by the county treasurer to the state treasurer and shall be credited to the general fund: **PROVIDED FURTHER**, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Proceeds from the sale of food fish or shellfish taken in test fishing conducted by the department, to the extent that these proceeds may exceed estimates thereof in the budget approved by the legislature, may be allocated by the office of (~~(program planning and fiscal)~~) financial management as unanticipated receipts under such procedures as are adopted by the legislature for the allocation of such receipts to reimburse the department for any unanticipated costs for test fishing operations in excess of any allowance therefor in the budget as approved by the legislature.

Proceeds of all sales of salmon and all sales of salmon eggs by the department, to the extent these proceeds may exceed estimates in the budget as approved by the legislature, may be allocated by the office of (~~(program planning and fiscal)~~) financial management as unanticipated receipts under such procedures as the legislature may adopt for the allocation of such receipts.

Such allocations shall be made only for the purpose of meeting department obligations in regards to hatchery operations partially or wholly financed by sources other than state general revenues or for purposes of processing human consumable salmon for disposal as may be provided by law.

Sec. 176. Section 77.12.280, chapter 36, Laws of 1955 as last amended by section 8, chapter 144, Laws of 1977 ex. sess. and RCW 77.12.280 are each amended to read as follows:

No payment of any such claim shall be made in excess of one thousand dollars, and in the event any claim is not adjusted, compromised, or settled and paid by the commission for a sum up to such amount, and within one year from the filing of such claim the same may be filed with the ~~((chief fiscal officer of the executive branch))~~ director of financial management. Contents of all such claims shall conform to the tort claim filing requirements found in RCW 4.92.100 as now or hereafter amended. The ~~((chief fiscal officer of the executive branch))~~ director of financial management shall recommend to the legislature whether such claims should be approved or rejected. If the legislature approves a claim the same shall be paid from appropriations specifically provided for such purpose by law. The payment of any claim by the commission shall be full and final payment upon such claim.

In the event that any valid claim for damages as provided for in RCW 77.12.270 has been refused or has not been compromised, adjusted, settled and paid by the commission within one hundred and twenty days of the filing of the claim for damages with the commission as provided for in RCW 77.12.290, either the claimant or the commission may serve upon the other personally or by registered mail a notice of an intention to arbitrate; said notice shall contain the name of a person, selected as one arbitrator. Within ten days of receiving such a notice to arbitrate the person upon whom such notice was served shall serve personally or by registered mail upon the other party the name of an arbitrator. The two arbitrators, within seven days of the naming of the second arbitrator shall select a third arbitrator, said arbitrator not to be an employee or commissioner of the state game department. In the event that the two arbitrators as selected by the parties to the dispute cannot agree upon a third arbitrator, either party to the dispute may petition the superior court in the county in which the claim arose, asking said court to select the third arbitrator and upon receiving such a petition the court shall appoint a third arbitrator. Any filing fee or court costs arising from the foregoing petition shall be shared equally by the claimant and the department of game.

The award of the arbitrators shall be advisory only; it shall be written and filed with the department of game at its office in Seattle, King county, Washington, not later than ninety days following the naming of the third arbitrator.

In the event that the parties arbitrate no payment shall be made by the commission until the arbitrators shall have made their advisory award. The payment of any claim by the commission shall be full and final payment of the claim.

In the event that any claim is not adjusted, compromised, settled and paid through arbitration or otherwise within one year from the filing of said claim the same may be filed with the ~~((chief fiscal officer of the executive branch))~~ director of financial management. Contents of all such claims shall

conform to the tort claim filing requirements found in RCW 4.92.100 as now or hereafter amended. The ~~((chief fiscal officer of the executive branch))~~ director of financial management shall recommend to the legislature whether such claims should be approved or rejected. If the legislature approves a claim the same shall be paid from appropriations specifically provided for such purpose by law.

Sec. 177. Section 4, chapter 164, Laws of 1919 as amended by section 4, chapter 20, Laws of 1963 and RCW 79.44.040 are each amended to read as follows:

Notice of the intention to make such improvement, together with the estimate of the amount to be charged to each lot, tract or parcel of land, or other property owned by the state to be assessed for said improvement, shall be forwarded by registered or certified mail to the ~~((budget))~~ director of financial management and to the chief administrative officer of the agency of state government occupying, using, or having jurisdiction over such lands at least thirty days prior to the date fixed for hearing on the resolution or petition initiating said improvement. Such assessing district, shall not have jurisdiction to order such improvement as to the interest of the state in harbor areas and state tidelands until the written consent of the commissioner of public lands to the making of such improvement shall have been obtained, unless other means be provided for paying that portion of the cost which would otherwise be levied on the interest of the state of Washington in and to said tidelands, and nothing herein shall prevent the city from assessing the proportionate cost of said improvement against any leasehold, contractual or possessory interest in and to any tideland or harbor area owned by the state: PROVIDED, HOWEVER, That in the case of tidelands and harbor areas within the boundaries of any port district, notice of intention to make such improvement shall also be forwarded to the commissioners of said port district.

Sec. 178. Section 5, chapter 164, Laws of 1919 as last amended by section 5, chapter 20, Laws of 1963 and RCW 79.44.050 are each amended to read as follows:

Upon the approval and confirmation of the assessment roll for any local improvement ordered by the proper authorities of any assessing district, the treasurer of such assessing district shall certify and forward to the ~~((budget))~~ director of financial management and to the chief administrative officer of the agency of state government occupying, using, or having jurisdiction over the lands, in accordance with such rules and regulations as the ~~((budget))~~ director of financial management may provide, a statement of all the lots or parcels of land held or owned by the state and charged on such assessment roll for the cost of such improvement, separately describing each such lot or parcel of the state's land, with the amount of the local assessment charged against it, or the proportionate amount assessed against the fee simple interest of the state, in case said land has been leased. The chief

administrative officer upon receipt of such statement shall cause a proper record to be made in his office of the cost of such improvement upon the lands occupied, used, or under the jurisdiction of his agency.

No penalty shall be provided or enforced against the state, and the interest upon such assessments shall be computed and paid at the rate paid by other property situated in the same improvement district.

Sec. 179. Section 1, chapter 205, Laws of 1947 as last amended by section 2, chapter 116, Laws of 1971 ex. sess. and RCW 79.44.060 are each amended to read as follows:

When the chief administrative officer of an agency of state government is satisfied that an assessing district has complied with all the conditions precedent to the levy of assessments for district purposes, pursuant to this chapter against state lands occupied, used, or under the jurisdiction of his agency, he shall pay them, together with any interest thereon from any funds specifically appropriated to his agency therefor or from any funds of his agency which under existing law have been or are required to be expended to pay assessments on a current basis. In all other cases, the chief administrative officer shall certify to the ~~((budget))~~ director of financial management that the assessment is one properly chargeable to the state. The ~~((budget))~~ director of financial management shall pay such assessments from funds available or appropriated to him for this purpose.

Except as provided in RCW 79.44.190 no lands of the state shall be subject to a lien for unpaid assessments, nor shall the interest of the state in any land be sold for unpaid assessments where assessment liens attached to the lands prior to state ownership.

Sec. 180. Section 6, chapter 164, Laws of 1919 as amended by section 7, chapter 20, Laws of 1963 and RCW 79.44.070 are each amended to read as follows:

When any assessing district has made or caused to be made an assessment against such leasehold, contractual or possessory interest for any such local improvement, the treasurer of said assessing district shall immediately give notice to the ~~((budget))~~ director of financial management and to the chief administrative officer of the agency having jurisdiction over the lands. Said assessment shall become a lien against the leasehold, contractual or possessory interest in the same manner as the assessments on other property, and its collection may be enforced against such interests as provided by law for the enforcement of other local improvement assessments: PROVIDED, That said assessment shall not be made payable in installments unless the owner of such leasehold, contractual or possessory interest shall first file with such treasurer a satisfactory bond guaranteeing the payment of such installments as they become due.

Sec. 181. Section 7, chapter 164, Laws of 1919 as amended by section 8, chapter 20, Laws of 1963 and RCW 79.44.080 are each amended to read as follows:

Whenever any assessing district shall have foreclosed the lien of any such delinquent assessments, as provided by law, and shall have obtained title to such leasehold, contractual or possessory interest, the ((budget)) director of financial management and the chief administrative officer of the agency having jurisdiction over the lands shall be notified by registered or certified mail of such action and furnished a statement of all assessments against such leasehold, contractual or possessory interest, and the chief administrative officer or ((budget)) director of financial management shall cause the amount of such assessments to be paid as provided in RCW 79.44.060, and upon the receipt of an assignment from such assessing district, the chief administrative officer shall cancel such lease or contract: PROVIDED, HOWEVER, That unless the assessing district making said local improvement and levying said special assessment shall have used due diligence in the foreclosure thereof, the chief administrative officer and the ((budget)) director of financial management shall not be required to pay any sum in excess of what they deem to be the special benefits accruing to the state's reversionary interest in said property: AND PROVIDED FURTHER, That if such delinquent assessment or installment shall be against a leasehold interest in fresh water harbor areas within a port district, the chief administrative officer shall notify the commissioners of said port district of the receipt of such assignment, and said commissioners shall forthwith cancel such lease.

Sec. 182. Section 12, chapter 164, Laws of 1919 as amended by section 12, chapter 20, Laws of 1963 and RCW 79.44.140 are each amended to read as follows:

The provisions of this chapter shall apply to all local improvements initiated after June 11, 1919, including assessments to pay the cost and expense of taking and damaging property by the power of eminent domain, as provided by law: PROVIDED, That in case of eminent domain assessments, it shall not be necessary to forward notice of the intention to make such improvement, but the eminent domain commissioners, authorized to make such assessment, shall, at the time of filing the assessment roll with the court in the manner provided by law, forward by registered or certified mail to the ((budget)) director of financial management and to the chief administrative officer of the agency using, occupying or having jurisdiction over the lands a notice of such assessment, and of the day fixed by the court for the hearing thereof: PROVIDED, That no assessment against the state's interest in tidelands or harbor areas shall be binding against the state if the commissioner of public lands shall file a disapproval of the same in court before judgment confirming the roll.

Sec. 183. Section 14, chapter 20, Laws of 1963 and RCW 79.44.180 are each amended to read as follows:

The ((budget)) director of financial management shall adopt rules and regulations:

(1) Governing the preparation, certification, and submission of all notices and statements required by chapter 79.44 RCW as now or hereafter amended;

(2) Authorizing and prescribing additional reports, records, and information necessary to achieve budgetary objectives in accordance with chapter 43.88 RCW and any appropriation hereafter made;

(3) Assuring the payment of all assessments properly chargeable to the state; and

(4) Protecting the state against illegal or inequitable assessments.

Sec. 184. Section 82.32.340, chapter 15, Laws of 1961 as last amended by section 4, chapter 89, Laws of 1967 ex. sess. and RCW 82.32.340 are each amended to read as follows:

Any tax or penalty which the department of revenue deems to be uncollectible, may be transferred from accounts receivable, subject to approval by the director of ((budget)) financial management, to a suspense account and cease to be accounted an asset: PROVIDED, That any item transferred shall continue to be a debt due the state from the taxpayer and may at any time within twelve years from the filing of a warrant covering such amount with the clerk of the superior court be transferred back to accounts receivable for the purpose of collection: PROVIDED FURTHER, The department of revenue may charge off as finally uncollectible any tax or penalty which it deems uncollectible at any time after twelve years from the date of the filing of a warrant covering such tax and penalty with the clerk of the superior court after the department of revenue and the attorney general are satisfied that there are no available and lawful means by which such tax or penalty may thereafter be collected.

After any tax or penalty has been charged off as finally uncollectible under the provisions of this section, the department of revenue may destroy any or all files and records pertaining to the liability of any taxpayer for such tax or penalty.

The department of revenue, subject to the approval of the state records committee, may at the expiration of five years after the close of any taxable year, destroy any or all files and records pertaining to the tax liability of any taxpayer for such taxable year, who has fully paid all taxes, penalties and interest for such taxable year, or any preceding taxable year for which such taxes, penalties and interest have been fully paid. In the event that such files and records are reproduced on film pursuant to RCW 40.20.020 for use in accordance with RCW 40.20.030, the original files and records may be destroyed immediately after reproduction and such reproductions

may be destroyed at the expiration of the above five year period, subject to the approval of the state records committee.

Sec. 185. Section 84.48.110, chapter 15, Laws of 1961 as amended by section 11, chapter 95, Laws 1973 and RCW 84.48.110 are each amended to read as follows:

Within three days after the receipt of the record of the proceedings of the state board of equalization, the office of (~~program planning and fiscal~~) financial management shall transmit to each county assessor a transcript of the proceedings of the board, specifying the amount to be levied and collected on said assessment books for state purposes for such year, and in addition thereto it shall certify to each county assessor the amount due to each state fund and unpaid from such county for the seventh preceding year, and such delinquent state taxes shall be added to the amount levied for the current year. The office of (~~program planning and fiscal~~) financial management shall close the account of each county for the seventh preceding year and charge the amount of such delinquency to the tax levy of the current year. All taxes collected on and after the first day of July last preceding such certificate, on account of delinquent state taxes for the seventh preceding year shall belong to the county and by the county treasurer be credited to the current expense fund of the county in which collected.

NEW SECTION. Sec. 186. RCW 43.101.910 is hereby decodified.

NEW SECTION. Sec. 187. Section 12, chapter 144, Laws of 1977 ex. sess. and RCW 43.41.108 are each hereby repealed.

NEW SECTION. Sec. 188. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 21, 1979.

Passed the Senate March 8, 1979.

Approved by the Governor March 29, 1979, with the exception of Section 118, which is vetoed.

Filed in Office of Secretary of State March 29, 1979.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to one section House Bill No. 848 entitled:

"AN ACT Relating to state government;"

Section 118 of the bill amends RCW 43.41.130 to change reference to "The director of the office of program planning and fiscal management" to "The director of financial management." Because section 12 of Substitute House Bill No. 96, chapter 111, Laws of 1979, approved by me on March 26, 1979, made that same change in reference and made other substantive changes in RCW 43.41.130, section 118 of House Bill No. 848 is therefore unnecessary.

With the exception of section 118 which I have vetoed, the remainder of House Bill No. 848 is approved."