

cumstances other than those to which it is held invalid shall not be affected thereby.

Passed the House February 25, 1957.

Passed the Senate February 23, 1957.

Approved by the Governor March 2, 1957.

CHAPTER 38.

[Sub. H. B. 68.]

STATE DEPARTMENT OF NATURAL RESOURCES.

AN ACT relating to state government; providing for administration of laws pertaining to the natural resources of the state; establishing a new department of natural resources consisting of a board, an administrator and a supervisor; abolishing certain offices, departments, boards, commissions and committees; transferring powers, duties and functions of the abolished agencies and others to the new department; prescribing the powers, duties and functions of the board, administrator and the supervisor; providing for the financing of the new agency; and declaring an emergency.

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

SECTION 1. The purpose of this act is to provide for more effective and efficient management of the forest and land resources in the state by consolidating into a department of natural resources certain powers, duties and functions of the division of forestry of the department of conservation and development, the board of state land commissioners, the state forest board, all state sustained yield forest committees, director of conservation and development, state capitol committee, director of licenses, secretary of state, tax commission and commissioner of public lands.

Purpose
of act.

SEC. 2. For the purpose of this act, except where a different interpretation is required by the context:

Definitions.

(1) "Department" means the department of natural resources;

"Department."

"Board."

(2) "Board" means the board of natural resources;

"Administrator."

(3) "Administrator" means the administrator of the department of natural resources;

"Supervisor."

(4) "Supervisor" means the supervisor of natural resources;

"Agency,"
"state agency."

(5) "Agency" and "state agency" means any branch, department, or unit of the state government, however designated or constituted;

"Commissioner."

(6) "Commissioner" means the commissioner of public lands.

Department created.

SEC. 3. The department of natural resources is hereby created, to consist of a board of natural resources, an administrator and a supervisor.

Board of natural resources—Composition.

SEC. 4. The board shall consist of five members: The governor, the superintendent of public instruction, the commissioner of public lands, the dean of the college of forestry of the University of Washington and the director of the institute of agricultural sciences of the State College of Washington.

Administrator of department.

SEC. 5. The commissioner of public lands shall be the administrator of the department.

Supervisor of natural resources—Appointment.

SEC. 6. The supervisor shall be appointed by the administrator with the advice and consent of the board. He shall serve at the pleasure of the administrator.

Powers, duties, functions of certain state agencies transferred to department—Agencies abolished.

SEC. 7. The department shall exercise the powers, duties and functions of the following state agencies, and the said agencies are hereby abolished and all of their powers, duties and functions are transferred to the department of natural resources: The division of forestry of the department of conservation and development, the board of state land commissioners, the state forest board and all state sustained yield forest committees.

SEC. 8. The department shall exercise the powers, duties and functions of the director of conservation

and development with respect to forestry powers, duties and functions as set forth in RCW 43.21.020, 43.21.030 and Title 76 RCW, and such powers, duties and functions are hereby transferred to the department.

Functions of director of conservation and development transferred.

SEC. 9. The department shall exercise the powers, duties and functions of the state capitol committee with respect to capitol building lands and resources thereon as set forth in RCW 79.24.010 through 79.24.090, and such powers, duties and functions are hereby transferred to the department.

Functions of state capitol committee transferred.

SEC. 10. The department shall exercise the powers, duties and functions of the director of licenses and all other state agencies with respect to the harvesting and export of Christmas trees, as set forth in chapter 19.12 RCW, and such powers, duties and functions are hereby transferred to the department.

Functions of director of licenses transferred.

SEC. 11. The department shall exercise all of the powers, duties and functions of the secretary of state with respect to: (1) Booming companies, under the provisions of chapter 76.28 RCW; (2) log driving companies, under the provisions of chapter 76.32 RCW; (3) log marks and brands, under the provisions of chapter 76.36 RCW, and such powers, duties and functions are hereby transferred to the department.

Functions of secretary of state transferred.

SEC. 12. The department shall exercise the powers, duties and functions of the director of licenses and the tax commission of the state of Washington with respect to log patrols, as set forth in chapter 76.40 RCW, and such powers, duties and functions are hereby transferred to the department.

Functions of director of licenses and tax commission transferred.

SEC. 13. The department shall exercise all of the powers, duties and functions now vested in the commissioner of public lands and such powers, duties and functions are hereby transferred to the department.

Functions of commissioner of public lands transferred.

Proviso.

ment: *Provided*, That nothing herein contained shall effect his ex officio membership on any committee provided by law.

Functions relating to sustained yield forests.

SEC. 14. All sustained yield forests established by RCW 79.52.010 shall be managed and administered by the department of natural resources.

Powers and duties of board.

SEC. 15. The board shall:

(1) Perform all the duties relating to appraisal, appeal, approval and hearing functions heretofore performed by the board of state land commissioners, the state forest board and the capitol committee to the extent such functions are transferred to the department;

(2) Establish policies to insure that the acquisition, management and disposition of all lands and resources within the department's jurisdiction are based on sound principles designed to achieve the maximum effective development and use of such lands and resources consistent with laws applicable thereto;

(3) Constitute the board of appraisers provided for in article 16, section 2 of the state Constitution;

(4) Constitute the commission on harbor lines provided for in article 15, section 1 of the state Constitution as amended;

Proviso.

(5) Hold regular monthly meetings at such times as it may determine, and such special meetings as may be called by the chairman or majority of the board membership upon written notice to all members thereof: *Provided*, That the board may dispense with any regular meetings, except that the board shall not dispense with two consecutive regular meetings;

(6) Adopt and enforce such rules and regulations as may be deemed necessary and proper for carrying out the powers, duties and functions imposed upon it by this act;

(7) Employ and fix the compensation of such technical, clerical and other personnel as may be deemed necessary for the performance of its duties;

Personnel.

(8) Appoint such advisory committees as it may deem appropriate to advise and assist it to more effectively discharge its responsibilities. The members of such committees shall receive no compensation, but shall be entitled to reimbursement for actual and necessary expenses in attending committee meetings on the same basis as state officers and employees generally;

Advisory committees.

(9) Meet and organize within thirty days after effective date of this act and on the third Monday of each January following a state general election at which the elected ex officio members of the board are elected. The board shall select its own chairman. The commissioner of public lands shall be the secretary of the board. The board may select a vice chairman from among its members. In the absence of the chairman and vice chairman at a meeting of the board, the members shall elect a chairman pro tem. No action shall be taken by the board except by the agreement of at least three members. The department and the board shall maintain its principal office at the capital;

Organization.

(10) Be entitled to reimbursement individually for necessary travel and other expenses incurred in the discharge of their official duties on the same basis as is provided by law for state officers and employees generally.

Expenses.

SEC. 16. The administrator shall have responsibility for performance of all the powers, duties and functions of the department except those specifically assigned to the board. In the performance of his powers, duties and functions, the administrator shall conform to policies established by the board, and may employ and fix the compensation of such per-

Powers and duties of administrator—
Personnel.

sonnel as may be required to perform the duties of his office.

Powers and duties of supervisor.

SEC. 17. The supervisor shall:

(1) Be charged with the direct supervision of the department's activities as delegated to him by the administrator;

(2) Perform his duties in conformance with the policies established by the board;

(3) Organize the department, with approval of the administrator, into such subordinate divisions as he may deem appropriate for the conduct of its operations;

Personnel.

(4) Employ and fix the compensation of such technical, clerical and other personnel as may be required to carry on activities under his supervision;

(5) Delegate by order any of his powers, duties and functions to one or more deputies or assistants as he may desire;

Bond.

(6) Furnish before entering upon his duties a surety bond payable to the state in such amount as may be determined by the board, conditioned for the faithful performance of his duties and for his accounting of all moneys and property of the state that may come into his possession or under his control by virtue of his office.

Oaths.

SEC. 18. The supervisor and his duly authorized deputies may administer oaths.

Validation of acts of other agencies.

SEC. 19. Neither the abolishment or transfer of any agency, nor any transfer of powers, duties and functions, as provided in this act, shall effect the validity of any act performed by such agency or any officer or employee thereof prior to the taking effect of this act.

Administrator's reports—
Recommending legislation.

SEC. 20. The administrator shall submit to the governor and to the legislature, on or before the last day of December immediately preceding each reg-

ular session of the legislature and at other times when required by the governor, a written report of the work of the department, including a statement of the expenditures thereof, with such recommendations for legislation as the department may deem advisable for the better management of the lands, forests, and other natural resources of the state.

SEC. 21. When any officer, member, or employee of an agency abolished by provisions of this act is, under provisions of existing law, designated as a member ex officio of another board, commission, committee, or other agency, and no provision is made in this act with respect to a substitute, the administrator shall designate the officer or other person to serve hereafter in that capacity.

Administrator
to designate
substitutes.

SEC. 22. Upon the taking effect of this act and the organization of the department, the responsible head of each agency abolished or transferred in whole or in part to the department by this act, shall deliver to the department all books, documents, records, papers, files, or other writings, all cabinets, furniture, office equipment, motor vehicles, and other tangible property and all funds in its custody or under its control, used or held in the exercise of the powers and the performance of the duties and functions so transferred, along with all pending business before such agency: *Provided*, That, if the books, documents, records, papers, files and other writings pertaining to a function transferred by this act to the department from agencies not abolished by this act are considered by the head of the agency from which such transfer is made to be essential to the performance of duties retained by such agency, the agency head may deliver to the department certified copies of such books, documents, records, papers, files and other writings.

Transfer of
property and
records of
agencies
herein
abolished.

Proviso.

SEC. 23. The appropriations made to the various agencies abolished by this act shall be transferred

Transfer of
appropriations
of agencies
abolished.

to and made available to the department of natural resources. Appropriations for the exercise of powers, duties and functions transferred to the department from agencies that are not abolished by this act shall be transferred to and made available to the department in accordance with the provisions of section 24 of this act.

Director of budget to determine apportionment on transfers.

SEC. 24. The transfer of equipment, funds and appropriations from agencies that are not abolished by this act to the department, as provided in sections 22 and 23 of this act, shall be accomplished in accordance with apportionments among the several agencies by the director of the budget, 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 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.

Savings clause.

SEC. 25. Nothing in this act shall be interpreted as changing existing law with respect to:

(1) Property given to a state agency on restrictive conveyance with provision for reversion to the grantor or for the vesting of title in another if and when such property is not used by the agency concerned for the stipulated purposes;

(2) Land or other property acquired by any state agency for highway purposes.

Facilities and services available to other agencies.

SEC. 26. Upon request by any state agency vested by law with the authority to acquire or manage real property, the department shall make available to such agency the facilities and services of the depart-

ment of natural resources with respect to such acquisition or management, upon condition that such agency reimburse the department for the cost of such services.

SEC. 27. All employees of the department of natural resources shall be governed by any merit system which is now or may hereafter be enacted by law governing such employment.

Employee's merit system.

SEC. 28. If any provision of this act, or its application to any person or circumstance is held invalid the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Severability.

SEC. 29. 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.

Emergency.

Passed the House February 16, 1957.

Pased the Senate February 25, 1957.

Approved by the Governor March 6, 1957.

CHAPTER 39.

[H. B. 119.]

CEMETERY DISTRICTS

AN ACT relating to cemetery districts; and amending section 13, chapter 6, Laws of 1947 and RCW 68.16.130.

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

SECTION 13, chapter 6, Laws of 1947 and RCW 68.16.130 are each amended to read as follows:

RCW 68.16.130 amended.

(1) A cemetery district organized under this chapter shall have power to acquire, establish, maintain, manage, improve and operate cemeteries and conduct any and all of the businesses of a cemetery

Powers to do cemetery business.