

CHAPTER 7.

[Engrossed House Bill No. 20.]

BUDGET ACT—CITIES OVER 300,000.

AN ACT relating to budgets in cities over three hundred thousand population; adding a new chapter to chapter 7, Laws of 1965 and to Title 35 RCW; repealing sections 35.32.010 through 35.32.210, chapter 7, Laws of 1965, and RCW 35.32.010 through 35.32.210; and providing penalties.

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

Section 1. There is added to chapter 7, Laws of 1965 and to Title 35 RCW a new chapter to read as set forth in sections 2 through 12 of this act.

New chapter.

Sec. 2. This chapter shall be known and may be cited as the budget act for cities over three hundred thousand population.

Short title.

Sec. 3. In each city of over three hundred thousand population, there shall be enacted annually by the legislative authority a budget covering all functions or programs of such city: *Provided*, That the provisions of this chapter shall not apply to any municipal transportation system managed by a separate commission, the making of expenditures from proceeds of general obligation and revenue bond sales, or the expenditure of moneys derived from grants, gifts, bequests or devises for specified purposes.

Cities and towns. Budget act—Cities over 300,000—Annual budget.

Sec. 4. There shall be a budget director, appointed by the mayor without regard to civil service rules and regulations and subject to confirmation by a majority of the members of the city council, who shall be in charge of the city budget office and, under the direction of the mayor, shall be responsible for preparing the budget and supervising its execution. The budget director may be removed by the mayor upon filing with the city council a statement of his reasons therefor.

Budget director, appointment, duties.

Cities and towns. Annual budget, preparation—Estimates of expenditures and revenues, basis—Copies.

Sec. 5. The heads of all departments, divisions or agencies of the city government, including the library department, and departments headed by commissions or elected officials shall submit to the mayor estimates of revenues and necessary expenditures for the ensuing fiscal year in such detail, in such form and at such time as the mayor shall prescribe.

The budget director shall assemble all estimates of revenues; necessary departmental expenditures; interest and redemption requirements for any city debt; and other pertinent budgetary information as may be required by uniform regulations of the state auditor; and, under the direction of the mayor, prepare a proposed budget for presentation to the city council.

The revenue estimates shall be based primarily on the collection experience of the first six months of the current fiscal year and the last six months of the preceding fiscal year and shall not include revenue from any source in excess of the amount so collected unless it shall be reasonably anticipated that such excess amounts will in fact be realized. The estimated revenues shall be only from sources previously established by law, and the estimated expenditures in the proposed budget shall, in no event, exceed such estimated revenues: *Provided*, That the mayor may recommend expenditures exceeding the estimated revenues when accompanied by proposed legislation to raise at least an equivalent amount of additional revenue.

The mayor shall submit the proposed budget to the city council not later than ninety days prior to the beginning of the ensuing fiscal year.

The budget director shall cause sufficient copies of the proposed budget to be prepared and made available to all interested persons and shall cause a sum-

mary of the proposed budget to be published at least once in the city official newspaper.

Sec. 6. The city council shall forthwith consider the proposed budget submitted by the mayor and shall cause such public hearings to be scheduled on two or more days to allow all interested persons to be heard. Such hearings shall be announced by public notice published in the city official newspaper as well as provided to general news media.

City council, consideration of proposed budget—Hearings—Notice—Alteration.

The city council may insert new expenditure allowances, increase or decrease expenditure allowances recommended by the mayor, or revise estimates of revenues subject to the same restrictions as are herein imposed on the mayor; but may not adopt a budget in which the total expenditure allowances exceed the total estimated revenues for the ensuing fiscal year.

Sec. 7. Not later than thirty days prior to the beginning of the ensuing fiscal year the city council shall, by ordinance adopt the budget submitted by the mayor as modified by the city council.

City council—Adoption of budget—Re-appropriations—Transfers between allowances.

The expenditure allowances as set forth in the enacted budget shall constitute the budget appropriations for the ensuing fiscal year. The city council by ordinance may, during the fiscal year covered by the enacted budget, abrogate or decrease any unexpended allowance contained within the budget and reappropriate such unexpended allowances for other functions or programs. Transfers between allowances in the budget of any department, division or agency may be made upon approval by the budget director pursuant to such regulations as may be prescribed by ordinance.

Sec. 8. Every city having a population of over three hundred thousand may maintain an emergency fund, which fund balance shall not exceed one and one-half mills on each dollar of assessed valuation. Such fund shall be maintained by an an-

Emergency fund—Limitation—Authorized uses—Appropriations.

Cities and towns. Budgets in cities over 300,000.

nual budget allowance. When the necessity therefor arises transfers may be made to the emergency fund from any tax-supported fund except bond interest and redemption funds.

The city council by an ordinance approved by two-thirds of all of its members may authorize the expenditure of sufficient money from the emergency fund to meet the expenses or obligations:

(1) Caused by fire, flood, explosion, storm, earthquake, epidemic, riot, insurrection, act of God, act of the public enemy or any other such happening that could not have been anticipated; or

(2) For the immediate preservation of order or public health or for the restoration to a condition of usefulness of public property the usefulness of which has been destroyed by accident; or

(3) In settlement of approved claims for personal injuries or property damages, exclusive of claims arising from the operation of a public utility owned by the city; or

(4) To meet mandatory expenditures required by laws enacted since the last budget was adopted.

The city council by an ordinance approved by three-fourths of all its members may appropriate from the emergency fund, an amount sufficient to meet the actual necessary expenditures of the city for which insufficient or no appropriations have been made due to causes which could not reasonably have been foreseen at the time of the making of the budget.

An ordinance authorizing an emergency expenditure shall become effective immediately upon being approved by the mayor or upon being passed over his veto as provided by the city charter.

Expenditures for public utilities, exemption.

Sec. 9. Notwithstanding the provisions of this chapter, the public utilities owned by a city having a population of over three hundred thousand supported wholly by revenues derived from sources

other than taxation, may make expenditures for utility purposes not contemplated in the annual budget, as the legislative authority by ordinance shall allow.

Sec. 10. The whole or any part of any appropriation provided in the budget for operating and maintenance expenses of any department or activity remaining unexpended or unencumbered at the close of the fiscal year shall automatically lapse, except any such appropriation as the city council shall continue by ordinance. The whole or any part of any appropriation provided in the budget for capital or betterment outlays of any department or activity remaining unexpended or unencumbered at the close of the fiscal year shall remain in full force and effect and shall be held available for the following year, except any such appropriation as the city council by ordinance may have abandoned.

Annual budget
—Operating
and maintenance
expenses, lapse—
Capital out-
lays, carry-
over.

Sec. 11. There shall be no orders, authorizations, allowances, contracts or payments made or attempted to be made in excess of the expenditure allowances authorized in the final budget as adopted or modified as provided in this chapter, and any such attempted excess expenditure shall be void and shall never be the foundation of a claim against the city.

Budget pro-
visions man-
datory—
Violations,
effect, liability
of public
officers.

Any public officials authorizing, auditing, allowing, or paying any claims or demands against the city in violation of the provisions of this chapter shall be jointly and severally liable to the city in person and upon their official bonds to the extent of any payments upon such claims or demands.

Any person violating any of the provisions of this chapter, in addition to any other liability or penalty provided therefor, shall be guilty of a misdemeanor.

Severability. Sec. 12. 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.

Repeal. Sec. 13. Sections 35.32.010 through 35.32.210, chapter 7, Laws of 1965 and RCW 35.32.010 through 35.32.210 are each hereby repealed.

Passed the House January 14, 1967.

Passed the Senate February 3, 1967.

Approved by the Governor February 10, 1967.

CHAPTER 8.

[Senate Bill No. 436.]

APPROPRIATION—LEGISLATIVE EXPENSE AND MEMBERS' SUBSISTENCE—
LEGISLATIVE COUNCIL AND BUDGET COMMITTEE.

AN ACT relating to the expenses and costs of the legislature including subsistence payments and expenses of members; making appropriations therefor; and declaring an emergency.

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

Appropriation.
Legislative
expenses.

Section 1. There is hereby appropriated out of the state general fund to the legislature the sum of eight hundred fifty-four thousand and seventy-five dollars (\$854,075), or so much thereof as may be necessary for the purpose of paying the expenses, except printing, of the legislature, including reimbursement to members upon vouchers duly presented and certified by them of not to exceed one hundred fifty dollars in each three month period of the legislative interim as partial reimbursement for and in lieu of actual expenses incurred by them incident to their performance of legislative duties for which