

this section shall not render such employee ineligible for simultaneous membership and participation in the pension systems for public employees which are provided for by chapters 41.26, 41.32 and 41.40 RCW.

NEW SECTION. Sec. 2. 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 April 14, 1973.

Passed the Senate April 13, 1973.

Approved by the Governor April 23, 1973.

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CHAPTER 100

[House Bill No. 324]

STATE BUDGET--SUBMISSION,
ACCOUNTING CHANGES

AN ACT Relating to the budget and accounting system; amending section 43.88.010, chapter 8, Laws of 1965 and RCW 43.88.010; amending section 43.88.020, chapter 8, Laws of 1965 as amended by section 9, chapter 239, Laws of 1969 ex. sess. and RCW 43.88.020; amending section 43.88.030, chapter 8, Laws of 1965 and RCW 43.88.030; amending section 43.88.060, chapter 8, Laws of 1965 and RCW 43.88.060; amending section 43.88.080, chapter 8, Laws of 1965 and RCW 43.88.080; amending section 43.88.090, chapter 8, Laws of 1965 and RCW 43.88.090; amending section 43.88.120, chapter 8, Laws of 1965 and RCW 43.88.120; amending section 43.88.180, chapter 8, Laws of 1965 and RCW 43.88.180; and adding new sections to chapter 8, Laws of 1965 and to chapter 43.88 RCW.

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

Section 1. Section 43.88.010, chapter 8, Laws of 1965 and RCW 43.88.010 are each amended to read as follows:

It is the purpose of this chapter to establish an effective budget and accounting system for all activities of the state government; to prescribe the powers and duties of the governor as these relate to securing such fiscal controls as will promote effective budget administration; and to prescribe the responsibilities of agencies of the executive branch of the state government.

It is the intent of the legislature that the powers conferred by this chapter, as amended, shall be exercised by the executive in

cooperation with the legislature and its standing, special, and interim committees in its status as a separate and coequal branch of state government.

Sec. 2. Section 43.88.020, chapter 8, Laws of 1965 as amended by section 9, chapter 239, Laws of 1969 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 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 management shall be head of the office of program planning and fiscal 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.

Sec. 3. Section 43.88.030, chapter 8, Laws of 1965 and RCW 43.88.030 are each amended to read as follows:

(1) The budget document or documents shall consist of ((the following parts:

Part I shall contain)) the governor's budget message which shall be explanatory of the budget and shall contain an outline of the proposed financial policies of the state for the ensuing fiscal period and shall describe in connection therewith the important features of the budget. The message shall set forth the reasons for salient changes from the previous fiscal period in expenditure and revenue items and shall explain any major changes in financial policy. Attached to the budget message shall be such supporting schedules, exhibits and other explanatory material in respect to both current operations and capital improvements as the governor shall deem to be useful to the legislature.

((Part I)) The budget document or documents shall also contain:

((As to revenues:

{1}) (a) ((Anticipated)) Revenues classified by fund and source((;

{2) Comparisons between revenues actually received during) for the immediately past fiscal period, those received or anticipated for the current fiscal period, and those anticipated for the ensuing ((period)) biennium;

((3)) (b) Cash surplus or deficit, by fund, to the extent provided by RCW 43.88.040 and 43.88.050;

(c) Such additional information dealing with expenditures, revenues, work load, performance and personnel as the legislature may direct by law or concurrent resolution;

((4)) (d) Such additional information dealing with revenues and expenditures as the governor shall deem pertinent and useful to the legislature((+));

((As to expenditures:

{1}) (a) Tabulations showing expenditures classified by fund, function, activity and object((;

{2} Cash deficit, by fund, to the extent provided by RCW 43.88.050.

{3} Such additional information dealing with expenditures as the governor shall deem pertinent and useful to the legislature).

((Part II shall embrace the)) {2} The budget document or documents shall include detailed estimates of all anticipated revenues applicable to proposed operating or capital expenditures((, Part II)) and shall also include all proposed operating or capital expenditures. The total of anticipated revenues shall equal or exceed the total of proposed applicable expenditures((: PROVIDED, That this requirement shall not prevent the liquidation of any deficit existing on the effective date of this chapter. This part)). The budget document or documents shall further include:

((1)) a) Interest, amortization and redemption charges on the state debt;

((2)) b) Payments of all reliefs, judgments and claims;

((3)) c) Other statutory expenditures;

((4)) d) Expenditures incident to the operation for each agency ((in such form as the governor shall determine));

((5)) e) Revenues derived from agency operations;

((6)) f) Expenditures and revenues shall be given in comparative form showing those incurred or received for the immediately past fiscal period and those anticipated for the current biennium and next ensuing ((periods;)) biennium.

((7) Such other information as the governor shall deem useful to the legislature in gaining an understanding of revenues and expenditures.

Part III shall consist of:)) {3} A separate budget document or schedule may be submitted consisting of:

((1)) a) Expenditures incident to current or pending capital projects and to proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts proposed to be raised therefor by the issuance of bonds during the fiscal period;

((2)) b) A capital program consisting of proposed capital projects for at least the two fiscal periods succeeding the next fiscal period. The capital program shall include for each proposed project a statement of the reason or purpose for the project along with an estimate of its cost;

((3)) c) Such other information bearing upon capital projects as the governor shall deem to be useful to the legislature;

d) Such other information relating to capital improvement projects as the legislature may direct by law or concurrent resolution.

{4} No change affecting the comparability of agency or program

information relating to expenditures, revenues, workload, performance and personnel shall be made in the format of any budget document presented to a regular legislative session in an odd-numbered year relative to the format of the budget document which was presented to the previous regular session of the legislature in an odd-numbered year without prior legislative concurrence. Prior legislative concurrence shall consist of (a) a favorable majority vote on the proposal by the standing committees on ways and means of both houses if the legislature is in session or (b) a favorable majority vote on the proposal by members of the legislative budget committee if the legislature is not in session.

Sec. 4. Section 43.88.060, chapter 8, Laws of 1965 and RCW 43.88.060 are each amended to read as follows:

((Within five calendar days after the convening of the legislature)) The governor shall submit the budget document ((unless such time is extended by the legislature)) for the 1975-77 biennium and each succeeding biennium to the legislature no later than the twentieth day of December in the year preceding the session during which the budget is to be considered. The governor shall also submit a budget bill or bills which for purposes of this chapter is defined to mean the appropriations proposed by the governor as set forth in the budget document. Such representatives of agencies as have been designated by the governor for this purpose shall, when requested, by either house of the legislature, appear to be heard with respect to the budget document and the budget bill or bills and to supply such additional information as may be required.

Sec. 5. Section 43.88.080, chapter 8, Laws of 1965 and RCW 43.88.080 are each amended to read as follows:

Adoption of the omnibus appropriation((; or budget;)) bill or bills by the legislature shall constitute adoption of the budget and the making of appropriations therefor. ((The)) A budget for state government shall be finally adopted not later than thirty calendar days prior to the beginning of the ((fiscal period)) ensuing biennium.

Sec. 6. Section 43.88.090, chapter 8, Laws of 1965 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 legislative budget committee at

the same time as they are filed with the governor and the office of program planning and fiscal 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 legislative budget committee. The governor shall also invite the legislative budget committee to designate one or more persons to be present at all hearings provided in RCW 43.88.100. The designees of the legislative budget committee may also ask such questions during the hearings and require such information as they deem necessary.

Sec. 7. Section 43.88.120, chapter 8, Laws of 1965 and RCW 43.88.120 are each amended to read as follows:

Before the beginning of any fiscal period, any agency engaged in the collection of revenues shall submit to the governor statements of revenue estimates for the ensuing biennium at such times and in such form as may be required by him. A copy of such revenue estimates shall be filed with the legislative budget committee at the same time.

Sec. 8. Section 43.88.180, chapter 8, Laws of 1965 and RCW 43.88.180 are each amended to read as follows:

Appropriations shall not be required for refunds, as provided in RCW 43.88.170, nor in the case of payments other than for administrative expenses or capital improvements to be made from trust funds specifically created by law to discharge awards, claims, annuities and other liabilities of the state. ((A trust fund is defined for purposes of this chapter as a fund consisting of resources received and held by an agency as trustee, to be expended or invested in accordance with the provisions of the trust;)) Said trust funds shall include, but shall not be limited to, the accident fund, medical aid fund, retirement system fund, Washington state patrol retirement fund and unemployment trust fund. ((Nor shall)) Appropriations may be required in the case of public service enterprises defined for the purposes of this section as proprietary functions conducted by an agency of the state. ((It shall not be necessary for)) An appropriation ((to be made)) may be required to permit payment of obligations by revolving funds, as provided in RCW 43.88.190.

NEW SECTION. Sec. 9. There is added to chapter 8, Laws of 1965 and to chapter 43.88 RCW a new section to read as follows:

Any changes in accounting methods and practices or in statutes affecting expenditures or revenues for the ensuing biennium relative to the then current fiscal period which the governor may wish to recommend shall be clearly and completely explained in the text of the budget document, in a special appendix thereto, or in an alternative budget document. This explanatory material shall include, but need not be limited to, estimates of revenues and expenditures based on the same accounting practices and methods and existing statutes relating to revenues and expenditure effective for the then current fiscal period, together with alternative estimates required by any changes in accounting methods and practices and by any statutory changes the governor may wish to recommend.

NEW SECTION. Sec. 10. There is added to chapter 8, Laws of 1965 and to chapter 43.88 RCW a new section to read as follows:

If any provision of this 1973 amendatory 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.

Passed the House April 12, 1973.

Passed the Senate April 8, 1973.

Approved by the Governor April 23, 1973.

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CHAPTER 101

[House Bill No. 346]

JUVENILE DETENTION--

COURT RESPONSIBILITY

AN ACT Relating to detention of juveniles; amending section 2, chapter 302, Laws of 1961 and RCW 13.04.053; and amending section 17, chapter 172, Laws of 1967 and RCW 74.13.031.

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

Section 1. Section 2, chapter 302, Laws of 1961 and RCW 13.04.053 are each amended to read as follows:

Whenever any child is taken into custody, the parent or guardian must be immediately notified. Such requirement may be waived by the court in cases where the parent or guardian cannot be located.

No child shall be held in detention or shelter longer than seventy-two hours excluding Sundays and holidays, unless a petition as provided for in RCW 13.04.060 has been filed. No child may be