CHAPTER 219

[House Bill No. 720]

STATE DATA PROCESSING AUTHORITY

AN ACT Relating to state government; amending section 1, chapter 115,
Laws of 1967 ex. sess. and RCW 43.105.010; amending section
2, chapter 115, Laws of 1967 ex. sess. and RCW 43.105.020;
amending section 6, chapter 115, Laws of 1967 ex. sess. and
RCW 43.105.060; adding new sections to chapter 43.105 RCW;
creating a new section; repealing section 3, chapter 212, Laws
of 1969 ex. sess. and RCW 43.105.015; repealing section 1,
chapter 212, Laws of 1969 ex. sess. and RCW 43.105.031;
repealing section 4, chapter 115, Laws of 1967 ex. sess.,
section 2, chapter 212, Laws of 1969 ex. sess. and RCW
43.105.040; and declaring an emergency.

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

Section 1. Section 1, chapter 115, Laws of 1967 ex. sess. and
RCW 43.105.010 are each amended to read as follows:

It is the purpose of this chapter to provide, through the
((central budget agency)) Washington state data processing authority,
for the efficient and coordinated utilization of data processing
equipment, techniques, and personnel to achieve optimum effectiveness
and economy in collection, storage, interchange, retrieval,
processing, and transmission of information; to authorize
development, implementation, and maintenance of a coordinated
state-wide plan for data processing and data communications systems;
to achieve consolidation of automated data processing resources and
centralization of control over automated data processing; and to
ensure that ((such)) automated data processing systems shall serve
the management and other needs of the legislative, executive, and
judicial branches of state and local government.

NEW SECTION. Sec. 2. There is added to chapter 43.105 RCW a
new section to read as follows:

It is the intention of the legislature that this chapter shall
form the basis for the formulation of a long range state automated
data processing plan to satisfy the requirements of the legislative,
executive, and judicial branches of state government. Each
legislative, executive, and judicial agency of state government shall
study and define its automated data processing requirements in order
that the plan allow for the unique requirements of each branch. All
agencies of state government are required to cooperate with and
support the development and implementation of this plan. To
effectuate this intention, the state data processing authority shall
have the authority to direct and require the submittal of data from
all state agencies, including data from the state auditor, concerning

local government agencies. In addition, the state auditor shall
conduct a fiscal-legal audit of the completion of the tasks for the
authority specified by section 7 of this 1973 amendatory act, and the
legislative budget committee, or its successor, shall conduct a
performance audit of such tasks.

Sec. 3. Section 2, chapter 115, Laws of 1967 ex. sess. and
RCW 43.105.020 are each amended to read as follows:

As used in this chapter, unless the context indicates
otherwise, the following definitions shall apply:

(1) "Authority" means the Washington state data processing
authority created by section 5 of this 1973 amendatory act:

(2) "Automatic data processing" means that method of
processing information using punch card (EAM) and/or electronic (EDP)
equipment and includes data communication devices used in connection
with automatic data processing equipment for the transmission of
data((~~,~~));

((<del>"Committee", unless otherwise indicated in the context,
means the data processing advisory committee created by this
chapter.</del>))

(3) "Local government agencies" includes all municipal and
quasi municipal corporations and political subdivisions, and all
agencies of such corporations and subdivisions authorized to contract
separately((~~,~~));

(4) "Director" means the executive director of the authority:

(5) "State agency" means all offices, departments, agencies,
institutions, and commissions of state government((~~,~~));

(6) "System" means an organized collection of men, machines,
and methods to accomplish a specific objective:

(7) "Applications system" means a computerized system which
accomplishes a specific objective (i.e., a payroll system or an
inventory system).

NEW SECTION. Sec. 4. There is added to chapter 43.105 RCW a
new section to read as follows:

The data processing advisory committee created by section 1,
chapter 212, Laws of 1969 ex. sess. is hereby abolished. The staff
of such committee and the data processing coordinator and his staff
from the office of program planning and fiscal management shall be
transferred to the authority, along with such records, files, data,
materials, equipment, and supplies as they may possess, within ninety
days of the effective date of this 1973 amendatory act.

NEW SECTION. Sec. 5. There is added to chapter 43.105 RCW a
new section to read as follows:

There is hereby created the Washington state data processing
authority consisting of eleven members appointed by the governor, and
serving at his pleasure, as follows: Two members who are directors

or agency supervisors in state government; the lieutenant governor; the state commissioner of public lands; the state auditor; the state superintendent of public instruction; the code reviser; one member representing higher education; and three members representing the private sector. The governor shall make such appointments within thirty days after the effective date of this 1973 amendatory act.

Members of the authority shall not be compensated for service on the authority but shall be reimbursed for subsistence, lodging, and travel expenses as provided in chapter 43.03 RCW, as now or hereafter amended.

The authority shall elect a chairman from among its members and shall appoint an executive director within sixty days after the effective date of this 1973 amendatory act, subject to confirmation by a majority vote of the senate.

NEW SECTION. Sec. 6. There is added to chapter 43.105 RCW a new section to read as follows:

The authority shall have the following powers and duties:

(1) To study, organize, and/or develop automated data processing systems to serve interagency and intraagency needs of state agencies, to provide services of said nature, and to require the development of interagency automated data processing systems;

(2) To examine the desirability of removing common application systems, such as the payroll application system, from the individual agencies and assigning such functions to a single state agency;

(3) To make contracts, and to hire employees and consultants necessary or convenient for the purposes of this chapter, and fix their compensation; to enter into appropriate agreements for the utilization of state agencies and, where deemed feasible by the state data processing authority, of local government agencies, and their facilities, services, and personnel in developing and coordinating plans and systems, or other purposes of this chapter; to contract with any and all other governmental agencies for any purpose of this chapter including but not limited to mutual furnishing or utilization of facilities and services or for interagency, intergovernmental, or interstate cooperation in the field of data processing and communications;

(4) To develop and publish standards to implement the purposes of this chapter, including but not limited to standards for the coordinated acquisition and maintenance of data processing equipment and services, requirements for the furnishing of information and data concerning existing data processing systems by state offices, departments, and agencies and local government agencies, where deemed feasible by the state date processing authority, and standards and regulations to establish and maintain the confidential nature of information insofar as such confidentiality may be necessary for

individual privacy and the protection of private rights in connection with data proccessing and communications;

(5) To purchase, lease, rent, or otherwise acquire and maintain automatic data processing equipment, or to delegate to other agencies and institutions of state government, under appropriate standards, the authority to purchase, lease, rent, or otherwise acquire and maintain automatic data processing equipment: PROVIDED, That in exercising such authority due consideration and effect shall be given to the overall purpose of this chapter and the statutory obligations, total management, and needs of each agency: PROVIDED, FURTHER, That, agencies and institutions of state government are expressly prohibited from acquiring data processing equipment without such delegation of authority. The acquisition of automatic data processing equipment is exempt, as provided in RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.210;

(6) To require the consolidation of computing resources into central data processing service center or to establish central data processing service centers;

(7) To develop and maintain all state-wide or interagency data processing policies, standards, and procedures;

(8) To delegate to a single agency the responsibility for maintaining interagency applications systems;

(9) To provide to state agencies such automatic data processing technical training as is necessary or convenient to implement standardization of automatic data processing techniques;

(10) To carry out the tasks assigned in section 7 of this 1973 amendatory act and to report periodically and as requested by the legislature to the legislature on its progress;

(11) To enact such rules and regulations as may be necessary to carry out the purposes of this chapter.

NEW SECTION. Sec. 7. There is added to chapter 43.105 RCW a new section to read as follows:

The authority shall complete the following tasks within the number of days after the effective date of this 1973 amendatory act allotted for each task contingent upon the funding of the authority:

(1) Task 1: Preparation of an organization and staffing plan; to be accomplished within one hundred five days;

(2) Task 2: Staffing of the authority; consisting of the transfer of the data processing advisory committee's staff and the data processing coordinator and his staff to the authority within ninety days; and additional staffing to be accomplished within one hundred fifty days;

(3) Task 3: Formulation, publication, and implementation of automatic data processing language standards; to be accomplished within two hundred forty days;

(4) Task 4: Formulation and implementation of standards for resources utilization reporting, including hardware, software, and personnel; to be accomplished within two hundred seventy days;

(5) Task 5: Formulation and implementation of system development standards; to be accomplished within two hundred seventy days;

(6) Task 6: Evaluation of (a) the regional educational computer network study authorized by the council of presidents of the institutions of higher education and (b) the comprehensive plan for computing in the community colleges adopted by the board of community college education; both to be accomplished within three hundred days;

(7) Task 7: Development of a short range resource plan, including a supplemental budget request; to be accomplished within three hundred days;

(8) Task 8: Formulation of agency requirements reporting standards; to be accomplished within three hundred thirty days;

(9) Task 9: Taking inventory of local government automated data processing resources; to be accomplished within three hundred thirty days;

(10) Task 10: Presentation of a preliminary report on the status of automated data processing of the institutions of higher education and of Olympia based state agencies with recommendations for consolidation of such resources of the Olympia based state agencies; to be accomplished within three hundred thirty days;

(11) Task 11: Presentation of a progress report on the definition of standard common business identifiers; to be accomplished within three hundred sixty days;

(12) Task 12: Presentation of a report on policies and procedures for confidentiality and privacy of data; to be accomplished within three hundred sixty days;

(13) Task 13: Presentation of a preliminary progress report to the governor and to the legislature; to be accomplished within three hundred sixty days;

(14) Task 14: Summarization of consolidated agencies and institutions automated data processing requirements; to be accomplished within three hundred ninety days;

(15) Task 15: Presentation of a budget plan and request for the 1975-1977 fiscal biennium; to be accomplished within four hundred eighty days;

(16) Task 16: Development of an internal performance measurement and auditing system; to be accomplished within five hundred ten days;

(17) Task 17: Development of a standard plan for data center operation; to be accomplished within five hundred forty days;

(18) Task 18: Definition of common application systems; to be

accomplished within five hundred forty days; and

(19) Task 19: Transmittal to the governor and to the legislature, a Washington state comprehensive data processing plan, which includes the recommended organization of all data processing related functions, a recommendation whether the authority should be phased out and all state data processing functions transferred to a single state agency, and development of an orderly plan for implementation of such recommendations; to the governor to be accomplished within five hundred seventy-five days. The legislative budget committee shall report to the legislature ten days prior to the first legislative session in 1974 and yearly thereafter regarding the progress being made by the authority in fulfilling the mandates and directives of this act.

NEW SECTION. Sec. 8. There is added to chapter 43.105 RCW a new section to read as follows:

The executive director of the authority shall be responsible for carrying into effect the authority's orders and rules and regulations. The director shall also be authorized to employ such staff as is necessary, including but not limited to two assistant executive directors and a confidential secretary. The director shall be paid such salary as shall be deemed reasonable by the state committee on salaries.

Sec. 9. Section 6, chapter 115, Laws of 1967 ex. sess. and RCW 43.105.060 are each amended to read as follows:

State and local government agencies are authorized to enter into any contracts with the ((budget director, as representative of the governor,)) authority or its successor which may be necessary or desirable to effectuate the purposes and policies of this chapter or for maximum utilization of facilities and services which are the subject of this chapter.

NEW SECTION. Sec. 10. 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.

NEW SECTION. Sec. 11. This 1973 amendatory 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.

NEW SECTION. Sec. 12. The following acts or parts of acts are each hereby repealed:

(1) Section 3, chapter 212, Laws of 1969 ex. sess. and RCW 43.105.015;

(2) Section 1, chapter 212, Laws of 1969 ex. sess. and RCW 43.105.031; and

(3) Section 4, chapter 115, Laws of 1967 ex. sess., section 2,

chapter 212, Laws of 1969 ex. sess. and RCW 43.105.040.

Passed the House April 13, 1973.

Passed the Senate April 13, 1973.

Approved by the Governor April 25, 1973, with the exception of an item in section 5 which is vetoed.

Filed in Office of Secretary of State April 26, 1973.

Note: Governor's explanation of partial veto is as follows:

"I am filing herewith to be transmitted to the House Veto Message of Representatives at the next session of the Legislature, without my approval as to one item, House Bill 720, entitled:

"AN ACT Relating to state government."

House Bill 720 provides for the creation of the Washington State Data Processing Authority. It is the purpose of this act to provide for the coordinated utilization of data processing equipment within state government. I am prepared to support this measure as part of the continuing efforts of the Legislature and the Executive to address the issues of effective and efficient use of data processing equipment.

Section 5 of House Bill 720 creates an eleven-member Data Processing Authority appointed by the Governor and to serve at his pleasure. However, that section then proceeds to describe who some of the members of the authority shall be. Not only is this language ambiguous, but the four state elected officials designated as members of the Data Processing Authority do not effectively represent these state agencies having the major data processing workloads. Accordingly, I have vetoed that item in section 5 which specifically designates the members to be appointed to the authority.

In recognition of the concerns and interests of elected officials, I intend to appoint the Lieutenant Governor to the Data Processing Authority. In addition, I intend to appoint the Code Reviser to represent legislative data processing activities and a representative for higher education. The remaining positions on the authority will be assigned to five representatives of state government and three representatives from the private sector.

With the exception of this item, the remainder of

the bill is approved."

CHAPTER 220

[House Bill No. 901]

DIRECTOR, DEPARTMENT OF FISHERIES--

POWERS AND DUTIES

AN ACT Relating to food fish and shellfish; and amending section
75.12.010, chapter 12, Laws of 1955 as amended by section 13,
chapter 283, Laws of 1971 ex. sess. and RCW 75.12.010.

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

NEW SECTION. Section 1. The preservation of the fishing
industry and food fish and shellfish resources of the state of
Washington is vital to the state's economy, and effective measures
and remedies are necessary to prevent the depletion of these
resources.

Sec. 2. Section 75.12.010, chapter 12, Laws of 1955 as
amended by section 13, chapter 283, Laws of 1971 ex. sess. and RCW
75.12.010 are each amended to read as follows:

It shall be unlawful to fish for, catch, or take any species
of salmon for commercial purposes, except as hereinafter provided,
within the waters of the Straits of Juan de Fuca, Puget Sound and
waters connected therewith within the state of Washington described
as lying to the southerly, easterly and southeasterly of a line
described as follows:

Commencing at a concrete monument on Angeles Point in Clallam
county, state of Washington, near the mouth of the Elwha River on
which is inscribed "Angeles Point Monument" in the latitude 48° 9'3"
[north, longitude 123° 33'01" west of Greenwich Meridian; thence
running east on a line 81°] 30' true from said point across the
flashlight and bell buoy off Partridge Point and thence continued to
where said line intersects longitude 122° 40' west; thence north on
said line to where said line intersects the southerly shore of
Sinclair Island at high tide; thence along the southerly shore of
said island to the most easterly point thereof; thence north 46° east
true to the line of high tide at Carter Point, the most southerly
point of Lummi Island; thence northwesterly along the westerly shore
line at high tide of said Lummi Island to where said shore line at
high tide intersects line of longitude 122° 40' west; thence north on
said line to where said line intersects the mainland at the line of
high tide; including within said area the southerly portion of Hale
Passage, Bellingham Bay, Padilla Bay, Fidalgo Bay, Guemes Channel,
Skagit Bay, Similk Bay, Saratoga Passage, Holmes Harbor, Possession
Sound, Admiralty Inlet, Hood Canal, Puget Sound, and all inlets,
passages, waters, waterways, and the tributaries thereof: PROVIDED,