

It should additionally be noted that the standard for determining whether a voluntarily admitted person should be detained for evaluation is significantly less than the standard for detention of involuntarily detained persons. I would urge the Legislature to change this standard to bring it into conformity with the balance of the act and eliminate detrimental inconsistencies." Veto
Message

CHAPTER 146

[Engrossed Senate Bill No. 2329]

LEGAL SERVICES REVOLVING FUND

AN ACT Relating to state government; amending section 1, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.150; amending section 2, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.160; amending section 4, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.180; repealing section 5, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.190 and providing an effective date.

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

Section 1. Section 1, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.150 are each amended to read as follows:

A legal services revolving fund is hereby created in the state treasury for the purpose of a centralized funding ~~((and))~~, accounting, and distribution of the actual costs of the legal services provided to agencies of the state government by the attorney general.

Sec. 2. Section 2, chapter 71, Laws of 1971 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 ~~((or other))~~ basis ~~((as required by the director of the office of program planning and fiscal management))~~. Agencies operating in whole or in part from nonappropriated funds shall pay into the legal services revolving fund such funds as ~~((are allocated for legal services in such amounts as are agreed by the agency and))~~ will fully reimburse funds appropriated to the attorney general ~~((and at such times as are designated by the director of the office of program planning and fiscal management))~~ for any legal services provided activities financed by nonappropriated funds.

The director of the office of program planning and fiscal 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. 3. Section 4, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.180 are each amended to read as follows:

((Any balance in the legal services revolving fund at the close of the biennium shall lapse and shall be credited to the agencies or funds from which the balance was originally derived in inverse proportion to the use of the legal services revolving fund on behalf of such funds or agencies by the attorney general;)) The attorney general shall keep such records as are necessary to facilitate proper ((crediting)) allocation of costs to funds and agencies served and the director of the office of program planning and fiscal management shall prescribe appropriate accounting procedures((- Funds which are derived from sources other than appropriated funds shall not revert but shall be kept in the legal services revolving fund and credited to the accounts of the agencies or funds from which they were originally derived)) 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.

V- NEW SECTION. Sec. 4. Section 5, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.190 are each repealed.

NEW SECTION. Sec. 5. This act shall take effect on July 1, 1974 for costs, billings and charges affecting the 1975 fiscal year and subsequent biennia.

Passed the Senate January 21, 1974.

Passed the House February 6, 1974.

Approved by the Governor February 14, 1974, with the exception of Section 4 which is vetoed.

Filed in Office of Secretary of State February 26, 1974.

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

"I am returning herewith without my approval as to one item Senate Bill 2329 entitled:

Veto
Message

"AN ACT Relating to state government."

This bill provides for certain changes in the procedures governing the legal services revolving fund. Section four would repeal the authority currently granted which allows disbursements from the fund in excess of the amount appropriated at the request of an agency requiring additional legal services and upon the approval of the Office of Program Planning and Fiscal Management. The difficulty with such a repeal is that it is not at all clear that the additional payments from an agency's appropriated funds to the revolving fund would constitute an unanticipated receipt for the purpose of exceeding the revolving funds appropriation through that process. If it were determined that such inter-agency reimbursement were not an unanticipated receipt, the needed flexibility provided for currently would be lost. Accordingly I have vetoed that item consisting of section four.

With exception of that item noted above, I have approved Senate Bill 2329."