

CHAPTER 71

[Senate Bill No. 2398]

STATE OFFICERS AND EMPLOYEES—ADVANCE EXPENSE
DEFRAYMENT—LOST WARRANT REPLACEMENT

AN ACT Relating to state government; amending section 8, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.170; amending section 10, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.190; amending section 43.08.064, chapter 8, Laws of 1965 as last amended by section 2, chapter 77, Laws of 1975-'76 2nd ex. sess. and RCW 43.08.064; and amending section 43.08.066, chapter 8, Laws of 1965 as last amended by section 1, chapter 74, Laws of 1972 ex. sess. and RCW 43.08.066.

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

Section 1. Section 8, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.170 are each amended to read as follows:

The head of any state department may issue an advance warrant on the request of any officer or employee for the purpose of defraying his anticipated reimbursable expenses while traveling on business of such state department away from his designated post of duty, except expenses in connection with the use of a personal automobile. The amount of such advance shall not exceed the amount of such reasonably anticipated expenses of the officer or employee to be necessarily incurred in the course of such business of the state for a period of not to exceed ~~((thirty))~~ ninety days. Department heads shall establish written policies prescribing a reasonable amount for which such warrants may be written.

Sec. 2. Section 10, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.190 are each amended to read as follows:

To protect the state from any losses on account of advances made as provided in RCW 43.03.150 through 43.03.210, the state shall have a prior lien against and a right to withhold any and all funds payable or to become payable by the state to such officer or employee to whom such advance has been given as provided in RCW 43.03.150 through 43.03.210, up to the amount of such advance and interest at the rate of ten percent per annum, until such time as repayment or justification has been made. ~~((No advance of any kind may be made to any officer or employee under RCW 43.03.150 through 43.03.210, at any time when he is delinquent in accounting for or repaying a prior advance under RCW 43.03.150 through 43.03.210.))~~

Sec. 3. Section 43.08.064, chapter 8, Laws of 1965 as last amended by section 2, chapter 77, Laws of 1975-'76 2nd ex. sess. and RCW 43.08.064 are each amended to read as follows:

In case of the loss or destruction of a state warrant for the payment of money, or any bond or other instrument or evidence of indebtedness, issued by any state officer, or agency, such officer, or such agency through its appropriate officer may issue or cause to be issued a duplicate in lieu thereof,

bearing the same number, class, or designation in all respects and for the same amount as the original, except that the word duplicate shall plainly appear upon the face of the new instrument in such a manner as to clearly identify it as a duplicate instrument. The duplicate instrument so issued shall be subject in all other respects to the same provisions of law as the original instrument(~~(: PROVIDED, That the requirements of RCW 43.08.066(2) shall not be applicable to instruments received by officers or employees of the state for payment of salary or wages or as other compensation for work performed nor shall those requirements be applicable to instruments received by former employees or their beneficiaries for the payment of pension benefits)~~)).

Sec. 4. Section 43.08.066, chapter 8, Laws of 1965 as last amended by section 1, chapter 74, Laws of 1972 ex. sess. and RCW 43.08.066 are each amended to read as follows:

Before a duplicate instrument is issued, the state treasurer or other issuing officer shall require the person making application for its issue(~~(:~~

~~(+))~~ to file in his office a written affidavit specifically alleging on oath that he is the proper owner, payee, or legal representative of such owner or payee of the original instrument, giving the date of issue, the number, amount, and for what services or claim or purpose the original instrument or series of instruments of which it is a part was issued, and that the same has been lost or destroyed, and has not been paid, or has not been received by him(~~(:~~

~~(2) To give a bond, in twice the face amount of the original instrument, with one or more sufficient sureties, conditioned to save harmless the state, its paying agent or any trustee under the terms of the instrument from the payment of the original instrument, and the payment of all costs and charges on account thereof: PROVIDED, That the proper owner, payee, or legal representative thereof and sureties shall not be liable where the payment of the original warrant resulted from forgery or fraud by others, not aided or abetted by such proper owner, payee or legal representative thereof or sureties, or occurred as a result of their negligence: PROVIDED FURTHER, That this subsection shall not apply to instruments received by virtue of or under the public assistance laws or employment security laws): PROVIDED ((FURTHER)), That in the event that an original and its duplicate instrument ((issued without bond under this proviso)) are both presented for payment as a result of forgery or fraud, the ((department of social and health services or the department of employment security, as the case may be;)) issuing officer shall be the state agency responsible for endeavoring to recover any losses suffered by the state.~~

Passed the Senate April 16, 1979.

Passed the House April 11, 1979.

Approved by the Governor April 26, 1979.

Filed in Office of Secretary of State April 26, 1979.