

CHAPTER 115

[Substitute Senate Bill No. 3584]

ARCHIVES AND RECORDS MANAGEMENT DIVISION—SECRETARY OF STATE'S OFFICE

AN ACT Relating to state archives and records; amending section 2, chapter 246, Laws of 1957 and RCW 40.14.020; amending section 43.19.015, chapter 8, Laws of 1965 and RCW 43.19.015; amending section 43.58.070, chapter 8, Laws of 1965 and RCW 43.58.070; adding a new section to chapter 40.14 RCW; creating new sections; providing an effective date; and declaring an emergency.

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

Section 1. Section 2, chapter 246, Laws of 1957 and RCW 40.14.020 are each amended to read as follows:

All public records shall be and remain the property of the state of Washington. They shall be delivered by outgoing officials and employees to their successors and shall be preserved, stored, transferred, destroyed or disposed of, and otherwise managed, only in accordance with the provisions of this chapter. In order to insure the proper management and safeguarding of public records, the ~~((division of archives of the department of general administration is designated as the))~~ division of archives and records management is established in the office of the secretary of state, and, under the administration of the state archivist, who shall have reasonable access to all public records, wherever kept, for purposes of information, surveying, or cataloguing, shall undertake the following functions, duties, and responsibilities:

- (1) To manage the archives of the state of Washington;
- (2) To centralize the archives of the state of Washington, to make them available for reference and scholarship, and to insure their proper preservation;
- (3) To inspect, inventory, catalog, and arrange retention and transfer schedules on all record files of all state departments and other agencies of state government;
- (4) To insure the maintenance and security of all state public records and to establish safeguards against unauthorized removal or destruction;
- (5) To establish and operate such state record centers as may from time to time be authorized by appropriation, for the purpose of preserving, servicing, screening and protecting all state public records which must be preserved temporarily or permanently, but which need not be retained in office space and equipment;
- (6) To gather and disseminate to interested agencies information on all phases of records management and current practices, methods, procedures and devices for efficient and economical management of records;
- (7) To operate a central microfilming bureau which will microfilm, at cost, records approved for filming by the head of the office of origin and the

archivist; to approve microfilming projects undertaken by state departments and all other agencies of state government; and to maintain proper standards for this work;

(8) To maintain necessary facilities for the review of records approved for destruction and for their economical disposition by sale or burning; directly to supervise such destruction of public records as shall be authorized by the terms of this chapter.

Sec. 2. Section 43.19.015, chapter 8, Laws of 1965 and RCW 43.19.015 are each amended to read as follows:

The director of general administration shall have the power and duties of the director of public institutions contained in the following chapters of RCW: Chapter 33.04 RCW concerning savings and loan associations; chapter 39.32 RCW concerning purchase of federal property; (~~chapters 40.08 and 40.12 RCW concerning archives;~~) chapter 43.90 RCW concerning central stores and chapter 73.12 RCW concerning veterans' loan insurance.

Sec. 3. Section 43.58.070, chapter 8, Laws of 1965 and RCW 43.58.070 are each amended to read as follows:

Upon ratification by the state of Oregon and approval by the Congress of the United States of the compact set forth in RCW 43.58.060, the secretary of the Washington-Oregon boundary commission is hereby directed to transmit all records, work sheets, maps, minutes and other papers of said commission to the division of archives and records management of the (~~department of general administration~~) office of the secretary of state.

NEW SECTION. Sec. 4. There is added to chapter 40.14 RCW a new section to read as follows:

The secretary of state and the director of financial management shall jointly establish a schedule of fees and charges governing the services provided by the division of archives and records management to other state agencies, offices, departments, and other entities. The schedule shall be determined such that the fees and charges will provide the division with funds to meet its anticipated expenditures during any allotment period.

There is created the archives and records management account within the general fund, which shall consist of all fees and charges collected under this section. The account shall be appropriated exclusively for use by the secretary of state for the payment of costs and expenses incurred in the operation of the division of archives and records management.

NEW SECTION. Sec. 5. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of general administration and pertaining to the division of archives and records management shall be delivered to the custody of the secretary of state. All cabinets, furniture, office equipment, motor vehicles, and other

tangible property employed by the division of archives and records management of the department of general administration shall be made available to the secretary of state. All funds, credits, or other assets held in connection with the division of archives and records management shall be assigned to the secretary of state.

Any appropriations made to the department of general administration for archives and records management shall, on the effective date of this act, be transferred and credited to the secretary of state.

If any question arises as to the transfer of any personnel, funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 6. All classified employees of the division of archives and records management of the department of general administration are transferred to the jurisdiction of the secretary of state. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the secretary of state to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

NEW SECTION. Sec. 7. All rules and regulations and all pending business before the division of archives and records management of the department of general administration shall be continued and acted upon by the secretary of state. All existing contracts and obligations shall remain in full force and effect and shall be performed by the secretary of state.

NEW SECTION. Sec. 8. The transfer of the powers, duties, functions, and personnel of the division of archives and records management of the department of general administration shall not affect the validity of any act performed by such employee prior to the effective date of this act.

NEW SECTION. Sec. 9. If apportionments of budgeted funds are required because of the transfers directed by sections 5 through 8 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION. Sec. 10. 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 July 1, 1981.

Passed the Senate March 10, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 8, 1981.

Filed in Office of Secretary of State May 8, 1981.

CHAPTER 116

[Senate Bill No. 3589]

RAIL CARRIER RATES—EFFECTIVE DATES

AN ACT Relating to transportation tariffs; amending section 81.28.050, chapter 14, Laws of 1961 and RCW 81.28.050; and amending section 81.80.150, chapter 14, Laws of 1961 as amended by section 11, chapter 115, Laws of 1973 and RCW 81.80.150.

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

Section 1. Section 81.28.050, chapter 14, Laws of 1961 and RCW 81.28.050 are each amended to read as follows:

Unless the commission otherwise orders, no change shall be made in any classification, rate, fare, charge, rule, or regulation filed and published by a common carrier other than a rail carrier, except after thirty days' notice to the commission and to the public published as provided in RCW 81.28.040 which shall plainly state the changes proposed to be made in the schedule then in force, and the time when the changed rate, classification, fare, or charge will go into effect; and all proposed changes shall be shown by printing, filing, and publishing new schedules or shall be plainly indicated upon the schedules in force at the time and kept open to public inspection. In the case of a change proposed by a rail carrier, a proposal resulting in a rate increase or a new rate shall not become effective for twenty days after the notice is published, and a proposal resulting in a rate decrease shall not become effective for ten days after the notice is published. The commission, for good cause shown, may by order allow changes in rates without requiring the (~~thirty days'~~) notice and the publication time periods specified in this section. When any change is made in any rate, fare, charge, classification, rule, or regulation, attention shall be directed to such change by some character on the schedule, such character and its placement to be designated by the commission. The commission may, by order, for good cause shown, allow changes in any rate, fare, charge, classification, rule, or regulation without requiring any character to indicate each and every change to be made.

Sec. 2. Section 81.80.150, chapter 14, Laws of 1961 as amended by section 11, chapter 115, Laws of 1973 and RCW 81.80.150 are each amended to read as follows: