

authority of the commission in connection with the commemoration and celebration of the 1989 Washington state centennial, or any facsimile thereof, or any combination or simulation thereof tending to suggest official connection with the centennial or centennial activities, shall be guilty of a gross misdemeanor.

(3) Enforcement action under subsection (1) or (2) of this section is authorized only with respect to logos, emblems, symbols, slogans, or marks for which notice of adoption by the commission has been published in the Washington state register.

(4) This act shall not be construed to prevent the commission from seeking such other remedies as it may be entitled to under applicable state or federal trademark or copyright registration laws with respect to any symbol or mark.

Passed the House February 14, 1986.

Passed the Senate March 5, 1986.

Approved by the Governor March 31, 1986.

Filed in Office of Secretary of State March 31, 1986.

CHAPTER 158

[Senate Bill No. 4452]

LEGISLATIVE BUDGET COMMITTEE—CERTAIN DUTIES DELETED

AN ACT Relating to the deletion of statutory duties of the legislative budget committee; amending RCW 2.56.120, 7.68.160, 28A.61.070, 28B.16.112, 40.07.050, 41.06.163, 41.06.167, 43.03.260, 43.19.19052, 43.19.200, 43.19.650, 43.19.660, 43.52.378, 43.52.510, 43.52.618, 43.88A.030, 43.105.016, 43.132.040, 43.132.050, 46.08.066, 67.70.050, 74.04.630, and 82.01.135; amending section 715, chapter 373, Laws of 1985 (uncodified); and repealing RCW 28A.97-.100 and 41.60.130.

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

Sec. 1. Section 604, chapter 258, Laws of 1984 and RCW 2.56.120 are each amended to read as follows:

(1) The office of the administrator for the courts, in cooperation with appropriate legislative committees and legislative staff, shall establish a procedure for the provision of judicial impact notes on the effect legislative bills will have on the workload and administration of the courts of this state. The administrator for the courts and the office of financial management shall coordinate the development of judicial impact notes with the preparation of fiscal notes under chapters 43.88A and 43.132 RCW.

(2) The administrator for the courts shall provide a judicial impact note on any legislative proposal at the request of any legislator. The note shall be provided to the requesting legislator and copies filed with the appropriate legislative committees in accordance with subsection (3) of this section when the proposed legislation is introduced in either house.

(3) When a judicial impact note is prepared and approved by the administrator for the courts, copies of the note shall be filed with:

- (a) The chairperson of the committee to which the bill was referred upon introduction in the house of origin;
- (b) The senate committee on ways and means;
- (c) The house of representatives committee on ways and means;
- (d) The senate judiciary committee;
- (e) The house of representatives judiciary committee; and
- (f) ~~((The legislative budget committee; and~~
- ~~(g)))~~ The office of financial management.

(4) This section shall not prevent either house of the legislature from acting on any bill before it as otherwise provided by the state Constitution, by law, and by the rules and joint rules of the senate and house of representatives, nor shall the lack of any judicial impact note as provided in this section or any error in the accuracy thereof affect the validity of any measure otherwise duly passed by the legislature.

Sec. 2. Section 16, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.160 are each amended to read as follows:

Any person who has been injured as a result of a "criminal act" as herein defined on or after January 1, 1972 up to the effective date of this 1973 act, who would otherwise be eligible for benefits under this chapter, may for a period of ninety days from the effective date of this 1973 act, file a claim for benefits with the department on a form provided by the department. The department shall investigate and review such claims, and, within two hundred ten days of the effective date of this 1973 act, shall report to ~~((the legislative budget committee and))~~ the governor its findings and recommendations as to such claims, along with a statement as to what special legislative relief, if any, the department recommends should be provided.

Sec. 3. Section 4, chapter 187, Laws of 1983 and RCW 28A.61.070 are each amended to read as follows:

The association shall contract with the department of personnel for the department of personnel to audit in odd-numbered years the association's staff classifications and employees' salaries. The association shall give copies of the audit reports to the office of financial management ~~((, the legislative budget committee,))~~ and the committees of each house of the legislature dealing with common schools.

Sec. 4. Section 11, chapter 152, Laws of 1977 ex. sess. as amended by section 17, chapter 151, Laws of 1979 and RCW 28B.16.112 are each amended to read as follows:

(1) In the conduct of salary and fringe benefit surveys under RCW 28B.16.110 as now or hereafter amended, it is the intention of the legislature that the surveys be undertaken in a manner consistent with statistically accurate sampling techniques. For this purpose, a comprehensive salary and fringe benefit survey plan shall be submitted to the director of financial

management, employee organizations, and the standing committees for appropriations in the senate and house of representatives(~~(, and to the legislative budget committee)~~) six months before the beginning of each periodic survey required before regular legislative sessions. This comprehensive plan shall include but not be limited to the following:

(a) A complete explanation of the technical, statistical process to be used in the salary and fringe benefit survey including the percentage of accuracy expected from the planned statistical sample chosen for the survey and a definition of the term "prevailing rates" which is to be used in the planned survey;

(b) A comprehensive salary and fringe benefit survey model based on scientific statistical principles which:

(i) Encompasses the interrelationships among the various elements of the survey sample including sources of salary and fringe benefit data by organization type, size, and regional location;

(ii) Is representative of private and public employment in this state;

(iii) Ensures that, wherever practical, data from smaller, private firms are included and proportionally weighted in the survey sample; and

(iv) Indicates the methodology to be used in application of survey data to job classes used by state government;

(c) A prediction of the increase or decrease in total funding requirements expected to result from the pending salary and fringe benefit survey based on consumer price index information and other available trend data pertaining to Washington state salaries and fringe benefits.

(2) Every comprehensive survey plan shall fully consider fringe benefits as an element of compensation in addition to basic salary data. The plans prepared under this section shall be developed jointly by the higher education personnel board in conjunction with the department of personnel established under chapter 41.06 RCW. All comprehensive salary and fringe benefit survey plans shall be submitted on a joint signature basis by the higher education personnel board and the department of personnel. (~~The legislative budget committee shall review and evaluate all survey plans before final implementation.~~)

(3) Interim or special surveys conducted under RCW 28B.16.110 as now or hereafter amended shall conform when possible to the statistical techniques and principles developed for regular periodic surveys under this section.

(4) The term "fringe benefits" as used in this section and in conjunction with salary surveys shall include but not be limited to compensation for:

(a) Leave time, including vacation, holiday, civil, and personal leave;

(b) Employer retirement contributions;

(c) Health and insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and

(d) Stock options, bonuses, and purchase discounts where appropriate.

Sec. 5. Section 5, chapter 232, Laws of 1977 ex. sess. and RCW 40.07.050 are each amended to read as follows:

Neither the public printer nor any state agency shall print or authorize for printing any state publication that has been determined by the director to be inconsistent with RCW 40.07.030 except to the extent this requirement may conflict with the laws of the United States or any rules or regulations lawfully promulgated under those laws. A copy of any state publication printed without the approval of the director under the exceptions authorized in this section shall be filed with the director with a letter of transmittal citing the federal statute, rule, or regulation requiring the publication. ~~((The director shall submit a report of such exceptions, as filed, to the legislative budget committee at least annually.))~~

Sec. 6. Section 3, chapter 152, Laws of 1977 ex. sess. as amended by section 59, chapter 151, Laws of 1979 and RCW 41.06.163 are each amended to read as follows:

(1) In the conduct of salary and fringe benefit surveys under RCW 41.06.160 as now or hereafter amended, it is the intention of the legislature that the surveys be undertaken in a manner consistent with statistically accurate sampling techniques. For this purpose, a comprehensive salary and fringe benefit survey plan shall be submitted to the director of financial management, employee organizations, and the standing committees for appropriations of the senate and house of representatives ~~((and to the legislative budget committee))~~ six months before the beginning of each periodic survey required before regular legislative sessions. This comprehensive plan shall include but not be limited to the following:

(a) A complete explanation of the technical, statistical process to be used in the salary and fringe benefit survey including the percentage of accuracy expected from the planned statistical sample chosen for the survey and a definition of the term "prevailing rates" which is to be used in the planned survey;

(b) A comprehensive salary and fringe benefit survey model based on scientific statistical principles which:

(i) Encompasses the interrelationships among the various elements of the survey sample including sources of salary and fringe benefit data by organization type, size, and regional location;

(ii) Is representative of private and public employment in this state;

(iii) Ensures that, wherever practical, data from smaller, private firms are included and proportionally weighted in the survey sample; and

(iv) Indicates the methodology to be used in application of survey data to job classes used by state government;

(c) A prediction of the increase or decrease in total funding requirements expected to result from the pending salary and fringe benefit survey

based on consumer price index information and other available trend data pertaining to Washington state salaries and fringe benefits.

(2) Every comprehensive survey plan shall fully consider fringe benefits as an element of compensation in addition to basic salary data. The plans prepared under this section shall be developed jointly by the department of personnel in conjunction with the higher education personnel board established under chapter 28B.16 RCW. All comprehensive salary and fringe benefit survey plans shall be submitted on a joint signature basis by the department of personnel and the higher education personnel board. (~~The legislative budget committee shall review and evaluate all survey plans before final implementation.~~)

(3) Interim or special surveys conducted under RCW 41.06.160 as now or hereafter amended shall conform when possible to the statistical techniques and principles developed for regular periodic surveys under this section.

(4) The term "fringe benefits" as used in this section and in conjunction with salary surveys shall include but not be limited to compensation for:

- (a) Leave time, including vacation, holiday, civil, and personal leave;
- (b) Employer retirement contributions;
- (c) Health and insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and
- (d) Stock options, bonuses, and purchase discounts where appropriate.

Sec. 7. Section 5, chapter 152, Laws of 1977 ex. sess. as last amended by section 3, chapter 94, Laws of 1985 and RCW 41.06.167 are each amended to read as follows:

The department of personnel shall undertake comprehensive salary and fringe benefit surveys for officers of the Washington state patrol, with such surveys to be conducted in the year prior to the convening of every other one hundred five day regular session of the state legislature. In the year prior to the convening of each one hundred five day regular session during which a comprehensive salary and fringe benefit survey is not conducted, the department shall conduct a trend salary and fringe benefit survey. This survey shall measure average salary and fringe benefit movement which has occurred since the last comprehensive salary and fringe benefit survey was conducted. The results of each comprehensive and trend survey shall be completed and forwarded by September 30, after review and concurrence by the chief of the Washington state patrol, to the governor and director of financial management for their use in preparing budgets to be submitted to the succeeding legislature. A copy of the data and supporting documentation shall be furnished by the department of personnel to (~~the legislative budget committee and~~) the standing committees for appropriations of the senate and house of representatives. The office of financial management shall analyze the survey results and conduct investigations which may be

necessary to arbitrate differences between interested parties regarding the accuracy of collected survey data and the use of such data for salary adjustment.

Surveys conducted by the department of personnel for the Washington state patrol shall be undertaken in a manner consistent with statistically accurate sampling techniques, including comparisons of weighted averages of salaries. This service performed by the department of personnel shall be on a reimbursable basis in accordance with the provisions of RCW 41.06-.080 as now existing or hereafter amended.

A comprehensive salary and fringe benefits survey plan shall be submitted jointly by the department of personnel and the Washington state patrol to the director of financial management, the committee on ways and means of the senate, and the committee on appropriations of the house of representatives (~~and to the legislative budget committee~~) six months before the beginning of each periodic survey. (~~The legislative budget committee shall review and evaluate the survey plan before final implementation.~~)

The first comprehensive salary and fringe benefit survey required by this section shall be completed and forwarded to the governor and the director of financial management by September 30, 1986. The first trend salary and fringe benefit survey required by this section shall be completed and forwarded to the governor and the director of financial management by September 30, 1988.

Sec. 8. Section 113, chapter 287, Laws of 1984 and RCW 43.03.260 are each amended to read as follows:

The office of financial management shall review the compensation levels established for the various boards and commissions by RCW 43.03.220, 43.03.230, 43.03.240, and 43.03.250. The conclusions of the review, together with any proposed legislation, shall be submitted to (~~the legislative budget committee and~~) the appropriate standing committees of the legislature by December 1, 1988, and every four years thereafter.

Sec. 9. Section 6, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 98, chapter 151, Laws of 1979 and RCW 43.19.19052 are each amended to read as follows:

Initial policy determinations for the functions described in RCW 43.19.1905 shall be developed and published within the 1975-77 biennium by the director, after consultation with the supply management advisory board for guidance and compliance by all state agencies, including educational institutions, involved in purchasing and material control. Modifications to these initial supply management policies established during the 1975-77 biennium shall be instituted by the director, after consultation with the advisory board, in future biennia as required to maintain an efficient and up-to-date state supply management system. The director shall transmit to the governor and the legislature in June 1976 and June 1977 a progress report

which indicates the degree of accomplishment of each of these assigned duties, and which summarizes specific achievements obtained in increased effectiveness and dollar savings or cost avoidance within the overall state purchasing and material control system. The second progress report in June 1977 shall include a comprehensive supply management plan which includes the recommended organization of a state-wide purchasing and material control system and development of an orderly schedule for implementing such recommendation. In the interim between these annual progress reports, the director shall furnish periodic reports to the office of financial management (~~and the legislative budget committee~~) for review of progress being accomplished in achieving increased efficiencies and dollar savings or cost avoidance.

It is the intention of the legislature that measurable improvements in the effectiveness and economy of supply management in state government shall be achieved during the 1975-77 biennium, and each biennium thereafter. All agencies, departments, offices, divisions, boards, and commissions and educational, correctional, and other types of institutions are required to cooperate with and support the development and implementation of improved efficiency and economy in purchasing and material control. To effectuate this legislative intention, the director, in consultation with the supply management advisory board, and through the state purchasing and material control director, shall have the authority to direct and require the submittal of data from all state organizations concerning purchasing and material control matters.

Sec. 10. Section 43.19.200, chapter 8, Laws of 1965 as last amended by section 2, chapter 102, Laws of 1984 and RCW 43.19.200 are each amended to read as follows:

(1) The governing authorities of the state's educational institutions, the elective state officers, the supreme court, the court of appeals, the administrative and other departments of the state government, and all appointive officers of the state, shall prepare estimates of the supplies required for the proper conduct and maintenance of their respective institutions, offices, and departments, covering periods to be fixed by the director, and forward them to the director in accordance with his directions. No such authorities, officers, or departments, or any officer or employee thereof, may purchase any article for the use of their institutions, offices, or departments, except in case of emergency purchases as provided in subsection (2) of this section.

(2) The authorities, officers, and departments enumerated in subsection (1) of this section may make emergency purchases in response to unforeseen circumstances beyond the control of the agency which present a real, immediate, and extreme threat to the proper performance of essential functions or which may reasonably be expected to result in excessive loss or

damage to property, bodily injury, or loss of life. When an emergency purchase is made, the agency head shall submit written notification of the purchase, within three days of the purchase, to the director of general administration. This notification shall contain a description of the purchase, description of the emergency and the circumstances leading up to the emergency, and an explanation of why the circumstances required an emergency purchase.

(3) Purchases made for the state's educational institutions, the offices of the elective state officers, the supreme court, the court of appeals, the administrative and other departments of the state government, and the offices of all appointive officers of the state, shall be paid for out of the moneys appropriated for supplies, material, and service of the respective institutions, offices, and departments.

(4) The director of general administration shall submit, on an annual basis, the written notifications required by subsection (2) of this section to ~~((the legislative budget committee and))~~ the director of financial management. ~~((The legislative budget committee shall review these notifications for compliance with legislative intent.))~~

Sec. 11. Section 3, chapter 86, Laws of 1977 ex. sess. and RCW 43.19.650 are each amended to read as follows:

The director of general administration, through the printing and duplicating management center, shall hereafter approve or take such other action as is deemed necessary regarding the purchase or acquisition of any printing, microfilm, or other duplicating equipment, other than typewriters, by any official or agency of the state.

The staff of the printing and duplicating management center shall develop a copier, duplicating, printing, and microfilm plan for the state, shall monitor implementation of the plan, shall recommend any necessary changes in the plan to the director, and shall develop and promulgate status reports to the governor ~~((, the legislative budget committee,))~~ and to the pertinent executive branch agencies.

Sec. 12. Section 5, chapter 86, Laws of 1977 ex. sess. as amended by section 106, chapter 151, Laws of 1979 and RCW 43.19.660 are each amended to read as follows:

The operation of the printing and duplicating management center shall be financed by the director of the department of general administration from moneys appropriated by the legislature.

The director of the department of general administration shall be responsible for establishing realistic fees to be charged for services rendered by the printing and duplicating management center. The director of financial management shall approve any fees prior to their implementation. All fees and charges collected for services rendered by the printing and duplicating management center shall be deposited in the general fund. It is the intent of RCW 43.19.640 through 43.19.665 that the fees paid by the

agencies and the savings experienced from the activities of the printing and duplicating management center shall more than offset the operating costs of the center.

The director of the department of general administration shall, in December of each calendar year, submit a report of all reported savings by each agency for the year to the senate committee on ways and means((;)) and the house committee on appropriations((, and the legislative budget committee)).

Sec. 13. Section 1, chapter 220, Laws of 1979 ex. sess. as last amended by section 8, chapter 43, Laws of 1982 1st ex. sess. and RCW 43.52.378 are each amended to read as follows:

The executive board of any operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement issued pursuant to chapter 80.50 RCW shall appoint an administrative auditor. The administrative auditor shall be deemed an officer under chapter 42.23 RCW. The appointment of the administrative auditor shall be in addition to the appointment of the auditor for the issuance of warrants and other purposes as provided in RCW 43.52.375. The executive board shall retain a qualified firm or firms to conduct performance audits which is in fact independent and does not have any interest, direct or indirect, in any contract with the operating agency other than its employment hereunder. No member or employee of any such firm shall be connected with the operating agency as an officer, employee, or contractor. The administrative auditor and the firm or firms shall be independently and directly responsible to the executive board of the operating agency. The executive board shall require a firm to conduct continuing audits of the methods, procedures and organization used by the operating agency to control costs, schedules, productivity, contract amendments, project design and any other topics deemed desirable by the executive board. The executive board may also require a firm to analyze particular technical aspects of the operating agency's projects and contract amendments. The firm or firms shall provide advice to the executive board in its management and control of the operating agency. At least once each year, the firm or firms shall prepare and furnish a report of its actions and recommendations to the executive board for the purpose of enabling it to attain the highest degree of efficiency in the management and control of any thermal power project under construction or in operation. The administrative auditor shall assist the firm or firms in the performance of its duties. The administrative auditor and the firm or firms shall consult regularly with the executive board and furnish any information or data to the executive board which the administrative auditor, firm, or executive board deems helpful in accomplishing the purpose above stated. The administrative auditor shall perform such other duties as the executive board shall prescribe to accomplish the purposes of this section.

~~((In addition to the powers and duties conferred by chapter 44.28 RCW, the legislative budget committee shall evaluate such management audits as to adequacy and effectiveness of procedure and shall consult with and make reports and recommendations to the executive board. The operating agency shall reimburse the legislative budget committee for all costs of furnishing such services.))~~

The operating agency shall file a copy of each firm's reports, ~~((and the legislative budget committee shall file a copy of each of its reports or recommendations in a timely manner.))~~ prepared in accordance with this section, with the respective chairmen of the senate and house energy and utilities committees in a timely manner. Upon the concurrent request of the chairmen of the senate or house energy and utilities committees, the operating agency shall report to the committees on a quarterly basis.

Sec. 14. Section 5, chapter 173, Laws of 1981 and RCW 43.52.510 are each amended to read as follows:

The administrative auditor shall file with the executive board or executive committee of the operating agency a quarterly report relating to compliance by the operating agency with RCW 43.52.490 through 43.52.505. The administrative auditor shall also file copies of the report ~~((with the legislative budget committee, which shall file a copy of each report))~~ with the respective chairpersons of the energy and utilities committees of the senate and house of representatives under RCW 43.52.378.

Sec. 15. Section 7, chapter 44, Laws of 1982 1st ex. sess. and RCW 43.52.618 are each amended to read as follows:

(1) Except as provided otherwise in this chapter, a joint operating agency shall purchase any item or items of materials, equipment or supplies, the estimated cost of which is in excess of five thousand dollars exclusive of sales tax, or order work for construction of generating projects and associated facilities, the estimated cost of which is in excess of ten thousand dollars exclusive of sales tax, by contract in accordance with RCW 54.04.070 and 54.04.080, which require sealed bids for contracts.

(2) When a joint operating agency chooses to use one or more of the exceptions to sealed bid contracting specified in this chapter, the agency shall certify to the senate and house committees on energy and utilities ~~((and the legislative budget committee))~~ in writing within thirty days after the contract is signed, that such contract is in the public interest, state the reason or reasons why, and indicate the estimated cost savings or schedule improvement to the project compared to contracting for the same material, supplies, equipment or work through completion of work as contracted, including termination costs, or through sealed bids.

Sec. 16. Section 3, chapter 25, Laws of 1977 ex. sess. as last amended by section 1, chapter 112, Laws of 1979 ex. sess. and RCW 43.88A.030 are each amended to read as follows:

When a fiscal note is prepared and approved as to form, accuracy, and completeness by the office of financial management, which depicts the expected fiscal impact of a bill or resolution, copies shall be filed immediately with:

- (1) The chairperson of the committee to which the bill or resolution was referred upon introduction in the house of origin;
- (2) The senate committee on ways and means, or its successor; and
- (3) The house committees on revenue and appropriations, or their successors(~~(; and~~
- (4) ~~The legislative budget committee~~)).

Whenever possible, such fiscal note shall be provided prior to or at the time the bill or resolution is first heard by the committee of reference in the house of origin.

When a fiscal note has been prepared for a bill or resolution, a copy of the fiscal note shall be placed in the bill books or otherwise attached to the bill or resolution and shall remain with the bill or resolution throughout the legislative process insofar as possible.

Sec. 17. Section 2, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.016 are each amended 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 RCW 43.105.043(~~(; and the legislative budget committee, or its successor, shall conduct a performance audit of such tasks~~)).

Sec. 18. Section 4, chapter 19, Laws of 1977 ex. sess. as amended by section 151, chapter 151, Laws of 1979 and RCW 43.132.040 are each amended to read as follows:

When a fiscal note is prepared and approved as to form and completeness by the director of financial management, the director shall transmit copies immediately to:

- (1) The requesting legislator;

(2) With respect to proposed legislation held by the senate, the chairperson of the committee which holds or has acted upon the proposed legislation, the chairperson of the ways and means committee, the chairperson of the local government committee, and the secretary of the senate; and

(3) With respect to proposed legislation held by the house of representatives, the chairperson of the committee which holds or has acted upon the proposed legislation, the chairpersons of the revenue and taxation and appropriations committees, the chairperson of the local government committee, and the chief clerk of the house of representatives(~~(and~~

~~(4) The legislative budget committee~~)).

Sec. 19. Section 5, chapter 19, Laws of 1977 ex. sess. as amended by section 152, chapter 151, Laws of 1979 and RCW 43.132.050 are each amended to read as follows:

The office of financial management (~~(and the legislative budget committee)~~) may make additional copies of the fiscal note available to members of the legislature and others on request.

At the request of any member of the senate or house of representatives, whichever is considering the proposed legislation, and unless it is prohibited by the rules of the body, copies of the fiscal note or a synopsis thereof shall be placed on the members' desks at the time the proposed legislation takes its place on the second reading calendar.

Whenever proposed legislation accompanied by such a fiscal note is passed by either the senate or the house of representatives, the fiscal note shall be transmitted with the bill to the other house.

Sec. 20. Section 2, chapter 169, Laws of 1975 1st ex. sess. as last amended by section 14, chapter 163, Laws of 1982 and RCW 46.08.066 are each amended to read as follows:

(1) Except as provided in subsection (3) of this section, the department of licensing is authorized to issue confidential motor vehicle license plates to units of local government and to agencies of the federal government for law enforcement purposes only.

(2) Except as provided in subsections (3) and (4) of this section the use of confidential plates on vehicles owned or operated by the state of Washington by any officer or employee thereof, shall be limited to confidential, investigative, or undercover work of state law enforcement agencies, confidential public health work, and confidential public assistance fraud or support investigations.

(3) Any state official elected on a state-wide basis shall be provided on request with one set of confidential plates for use on official business. When necessary for the personal security of any other public officer, or public employee, the chief of the Washington state patrol may recommend that the director issue confidential plates for use on an unmarked publicly owned or controlled vehicle of the appropriate governmental unit for the conduct of official business for the period of time that the personal security of such

state official, public officer, or other public employee may require. The office of the state treasurer may use an unmarked state owned or controlled vehicle with confidential plates where required for the safe transportation of either state funds or negotiable securities to or from the office of the state treasurer.

(4) The director of licensing may issue rules and regulations governing applications for, and the use of, such plates by law enforcement and other public agencies. ~~((The legislative auditor shall periodically examine or require filing of a current listing of the total number of such plates issued to any law enforcement or other public agency. Reports on the utilization of such plates shall be submitted to the legislative budget committee and to the legislature.))~~

Sec. 21. Section 5, chapter 7, Laws of 1982 2nd ex. sess. as amended by section 2, chapter 375, Laws of 1985 and RCW 67.70.050 are each amended to read as follows:

There is created the office of director of the state lottery. The director shall be appointed by the governor with the consent of the senate. The director shall serve at the pleasure of the governor and shall receive such salary as is determined by the governor, but in no case may the director's salary be more than ninety percent of the salary of the governor. The director shall:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules of the commission.

(2) Appoint such deputy and assistant directors as may be required to carry out the functions and duties of his office: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such deputy and assistant directors.

(3) Appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed by this chapter: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover audit or investigative work or security operations but shall apply to other employees appointed by the director, except as provided for in subsection (2) of this section.

(4) In accordance with the provisions of this chapter and the rules of the commission, license as agents to sell or distribute lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent, in such amount as provided in the rules of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules of the commission. License fees may be established by the commission, and, if established, shall be deposited in the state lottery account created by RCW 67.70.230.

(5) Confer regularly as necessary or desirable with the commission on the operation and administration of the lottery; make available for inspection by the commission, upon request, all books, records, files, and other information and documents of the lottery; and advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery.

(6) Subject to the applicable laws relating to public contracts, enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission: PROVIDED, That nothing in this chapter authorizes the director to enter into public contracts for the regular and permanent administration of the lottery after the initial development and implementation.

(7) Certify quarterly to the state treasurer(~~(, the legislative budget committee,)~~) and the commission a full and complete statement of lottery revenues, prize disbursements, and other expenses for the preceding quarter.

(8) Publish quarterly reports showing the total lottery revenues, prize disbursements, and other expenses for the preceding quarter, and make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements, and other expenses, to the governor and the legislature, and including such recommendations for changes in this chapter as the director deems necessary or desirable.

(9) Report immediately to the governor and the legislature any matters which require immediate changes in the laws of this state in order to prevent abuses and evasions of this chapter or rules promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery.

(10) Carry on a continuous study and investigation of the lottery throughout the state: (a) For the purpose of ascertaining any defects in this chapter or in the rules issued thereunder by reason whereof any abuses in the administration and operation of the lottery or any evasion of this chapter or the rules may arise or be practiced, (b) for the purpose of formulating recommendations for changes in this chapter and the rules promulgated thereunder to prevent such abuses and evasions, (c) to guard against the use of this chapter and the rules issued thereunder as a cloak for the carrying on of professional gambling and crime, and (d) to insure that this chapter and rules shall be in such form and be so administered as to serve the true purposes of this chapter.

(11) Make a continuous study and investigation of: (a) The operation and the administration of similar laws which may be in effect in other states or countries, (b) any literature on the subject which from time to time may

be published or available, (c) any federal laws which may affect the operation of the lottery, and (d) the reaction of the citizens of this state to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this chapter.

(12) Have all enforcement powers granted in chapter 9.46 RCW.

(13) Perform all other matters and things necessary to carry out the purposes and provisions of this chapter.

Sec. 22. Section 4, chapter 10, Laws of 1973 2nd ex. sess. and RCW 74.04.630 are each amended to read as follows:

The department shall enter into contractual agreements with the United States department of health, education and welfare, consistent with the provisions of Public Laws 92-603 and 93-66, and to be effective January 1, 1974, for the purpose of enabling the secretary of the department of health, education and welfare to perform administrative functions of state supplementation to the national supplemental security income program and the determination of medicaid eligibility on behalf of the state. The department is authorized to transfer and make payments of state funds to the secretary of the department of health, education and welfare as required by Public Laws 92-603 and 93-66: **PROVIDED, HOWEVER,** That such agreements shall be submitted for review and comment to the social and health services committees of the senate and house of representatives (~~(, and shall be subject to authorization and/or ratification by the legislative budget committee; and such agreements shall not bind the state unless and until such authorization and/or ratification is given. PROVIDED FURTHER, HOWEVER, That if the authorization and ratification is not given,))~~). The department of social and health services shall administer the state supplemental program as established in RCW 74.04.620.

Sec. 23. Section 5, chapter 138, Laws of 1984 and RCW 82.01.135 are each amended to read as follows:

(1) To promote the free flow of information and to promote legislative input in the preparation of forecasts, immediate access to all information relating to economic and revenue forecasts shall be available to the economic and revenue forecast work group, hereby created. Revenue collection information shall be available to the economic and revenue forecast work group the first business day following the conclusion of each collection period. The economic and revenue forecast work group shall consist of one staff member selected by the executive head or chairperson of each of the following agencies or committees:

- (a) Department of revenue;
- (b) Office of financial management;
- (c) ~~((Legislative budget committee;~~
- ~~(d)))~~ Legislative evaluation and accountability program committee;
- ~~((e)))~~ (d) Ways and means committee of the senate; and
- ~~((f)))~~ (e) Ways and means committee of the house of representatives.

(2) The economic and revenue forecast work group shall provide technical support to the economic and revenue forecast council. Meetings of the economic and revenue forecast work group may be called by any member of the group for the purpose of assisting the economic and revenue forecast council, reviewing the state economic and revenue forecasts, or reviewing monthly revenue collection data or for any other purpose which may assist the economic and revenue forecast council.

Sec. 24. Section 715, chapter 373, Laws of 1985 (uncodified) is amended to read as follows:

To carry out effectively, efficiently, and economically the provisions of this act, each agency shall establish a start date and completion date on each project which has an estimated total cost which exceeds five hundred thousand dollars and for which a start or completion date is not specified in this act. This information shall be furnished to the office of financial management ~~((and the legislative auditor))~~ no later than the date the allotment request is filed with the office of financial management. If a project cannot start on or before the indicated start date or be completed by the indicated completion date, the director of the agency shall document and file with the office of financial management ~~((and the legislative budget committee))~~ the reason for the delay and indicate the new start and/or completion date(s). ~~((The legislative auditor shall review these filings and report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.~~

~~As a result of these filings, agency directors may be required to appear before the legislative budget committee for further explanation of a project delay:))~~

NEW SECTION. Sec. 25. The following acts or parts of acts are each repealed:

(1) Section 3, chapter 174, Laws of 1979 ex. sess., section 8, chapter 87, Laws of 1980 and RCW 28A.97.100; and

(2) Section 5, chapter 167, Laws of 1982 and RCW 41.60.130.

Passed the Senate February 11, 1986.

Passed the House March 7, 1986.

Approved by the Governor March 31, 1986.

Filed in Office of Secretary of State March 31, 1986.

CHAPTER 159

[Substitute Senate Bill No. 4639]

COUNTY BOARD OF COMMISSIONERS—STATE SENATOR OR REPRESENTATIVE—VACANCIES—FILLING PROCEDURES

AN ACT Relating to vacancies in elective office; amending RCW 36.32.070; and adding new sections to chapter 42.12 RCW; and providing an effective date.