

## CHAPTER 83

[Senate Bill No. 3040]

STATE BUDGET AND ACCOUNTING—EMERGENCY  
EXPENDITURES—DEFICIENCIES—FISCAL YEAR

AN ACT Relating to budget and accounting; amending section 43.88.020, chapter 8, Laws of 1965 as last amended by section 2, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.020; adding new sections to chapter 43.88 RCW; repealing section 43.86.090, chapter 8, Laws of 1965 and RCW 43.86.090; repealing section 43.86.100, chapter 8, Laws of 1965 and RCW 43.86.100; repealing section 43.86.130, chapter 8, Laws of 1965 and RCW 43.86.130; repealing section 43.86.140, chapter 8, Laws of 1965 and RCW 43.86.140; defining crimes; and providing penalties.

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

NEW SECTION. Section 1. There is added to chapter 43.88 RCW a new section to read as follows:

Whenever an emergency shall arise necessitating an expenditure for the preservation of peace, health or safety, or for the carrying on of the necessary work required by law of any state agency for which insufficient or no appropriations have been made, the head of such agency shall submit to the governor, duplicate copies of a sworn statement, setting forth the facts constituting the emergency and the estimated amount of money required therefor. If the governor approves such estimate in whole or in part, the governor shall indorse on each copy of the statement the governor's approval, together with a statement of the amount approved as an allocation from any appropriation available for allocation for emergency purposes and transmit one copy to the head of the agency thereby authorizing the emergency expenditures.

NEW SECTION. Sec. 2. There is added to chapter 43.88 RCW a new section to read as follows:

It shall be unlawful for any agency head or disbursing officer to incur any deficiency and any appointive officer or employee violating the provisions of this section shall be subject to summary removal.

NEW SECTION. Sec. 3. There is added to chapter 43.88 RCW a new section to read as follows:

Any officer or employee violating, or wilfully refusing or failing to comply with, any provision of this chapter shall be guilty of a misdemeanor.

Sec. 4. Section 43.88.020, chapter 8, Laws of 1965 as last amended by section 2, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.020 are each amended to read as follows:

(1) "Budget" shall mean a proposed plan of expenditures for a given period or purpose and the proposed means for financing these expenditures;

(2) "Budget document" shall mean a formal, written statement offered by the governor to the legislature, as provided in RCW 43.88.030.

(3) "Director of program planning and fiscal management" shall mean the official appointed by the governor to serve at the governor's pleasure and to whom the governor may delegate necessary authority to carry out the governor's duties

as provided in this chapter. The director of program planning and fiscal management shall be head of the office of program planning and fiscal management which shall be in the office of the governor.

(4) "Agency" shall mean and include every state office, officer, each institution, whether educational, correctional or other, and every department, division, board and commission, except as otherwise provided in this chapter.

(5) "Public funds", for purposes of this chapter, shall mean all moneys, including cash, checks, bills, notes, drafts, stocks and bonds, whether held in trust or for operating purposes and collected or disbursed under law, whether or not such funds are otherwise subject to legislative appropriation.

(6) "Regulations" shall mean the policies, standards and requirements, stated in writing, designed to carry out the purposes of this chapter, as issued by the governor or his designated agent, and which shall have the force and effect of law.

(7) "Ensuing biennium" shall mean the fiscal biennium beginning on July 1st of the same year in which a regular session of the legislature is held pursuant to Article II, section 12 of the Constitution and which biennium next succeeds the current biennium.

(8) "Dedicated fund" means a fund in the state treasury, or a separate account or fund in the general fund in the state treasury, that by law is dedicated, appropriated or set aside for a limited object or purpose; but "dedicated fund" shall not include a revolving fund or a trust fund.

(9) "Revolving fund" means a fund in the state treasury, established by law, from which is paid the cost of goods or services furnished to or by a state agency, and which is replenished through charges made for such goods or services or through transfers from other accounts or funds.

(10) "Trust fund" means a fund in the state treasury in which designated persons or classes of persons have a vested beneficial interest or equitable ownership, or which was created or established by a gift, grant, contribution, devise, or bequest that limits the use of the fund to designated objects or purposes.

(11) "Administrative expenses" means expenditures for: (a) Salaries, wages, and related costs of personnel and (b) operations and maintenance including but not limited to costs of supplies, materials, services, and equipment.

(12) "Fiscal year" means the year beginning July 1st and ending the following June 30th.

NEW SECTION. Sec. 5. The following acts or parts of acts are each hereby repealed:

- (1) Section 43.86.090, chapter 8, Laws of 1965 and RCW 43.86.090;
- (2) Section 43.86.100, chapter 8, Laws of 1965 and RCW 43.86.100;
- (3) Section 43.86.130, chapter 8, Laws of 1965 and RCW 43.86.130; and
- (4) Section 43.86.140, chapter 8, Laws of 1965 and RCW 43.86.140.

Passed the Senate February 5, 1976.

Passed the House March 1, 1976.

Approved by the Governor March 6, 1976.

Filed in Office of Secretary of State March 6, 1976.