
SENATE BILL 6193

State of Washington

54th Legislature

1996 Regular Session

By Senators Roach, Swecker and Schow

Read first time 01/08/96. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to state government organization; amending RCW
2 43.17.020, 43.70.555, and 69.50.520; reenacting and amending RCW
3 43.17.010 and 43.17.020; adding new sections to chapter 41.06 RCW;
4 adding a new section to chapter 74.04 RCW; adding a new section to
5 chapter 43.10 RCW; adding new chapters to Title 43 RCW; creating new
6 sections; repealing RCW 70.190.005, 70.190.010, 70.190.020, 70.190.030,
7 70.190.040, 70.190.050, 70.190.060, 70.190.070, 70.190.080, 70.190.085,
8 70.190.090, 70.190.100, 70.190.110, 70.190.120, 70.190.130, 70.190.140,
9 70.190.150, 70.190.160, 70.190.170, 70.190.180, 70.190.900, 70.190.910,
10 and 70.190.920; and providing an effective date.

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

12 NEW SECTION. **Sec. 1.** The legislature finds that the needs of
13 Washingtonians for social services, public assistance, juvenile
14 rehabilitation, and specialized rehabilitative and medical services are
15 not being effectively served by the department of social and health
16 services. The department has grown too large, and become too unwieldy
17 and unfocused to cope adequately with caseload demands and social and
18 demographic change. Despite the efforts of many employees of the

1 department, egregious incidents have occurred in the lives of the
2 clients the department is supposed to protect and help.

3 The legislature finds that, in the interest of efficient and humane
4 assistance to the state's citizens who are in need, the creation of
5 new, smaller, and more focused agencies will give the provision of
6 welfare, juvenile, and medical and social rehabilitative services an
7 improved focus and accountability.

8 It is the intent of the legislature that the combined biennial
9 budgets of the four new agencies created in this act not exceed ninety
10 percent of the department of social and health services' 1995-97
11 budget, and that future budgets of the new departments be tied to
12 inflation rates.

13 **PART I**

14 **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

15 NEW SECTION. **Sec. 101.** It is the purpose of this chapter to
16 administer and enforce programs relating to juvenile rehabilitation,
17 aging and adult services, and children, youth, and family services.

18 NEW SECTION. **Sec. 102.** As used in this chapter, unless the
19 context indicates otherwise:

20 (1) "Department" means the department of children and family
21 services.

22 (2) "Director" means the director of children and family services.

23 NEW SECTION. **Sec. 103.** There is created a department of state
24 government to be known as the department of children and family
25 services. The department is vested with all powers and duties
26 transferred to it under this chapter and such other powers and duties
27 as may be authorized by law.

28 NEW SECTION. **Sec. 104.** The executive head and appointing
29 authority of the department shall be the director. The director shall
30 be appointed by the governor, with the consent of the senate, and shall
31 serve at the pleasure of the governor. The director shall be paid a
32 salary to be fixed by the governor in accordance with RCW 43.03.040.
33 If a vacancy occurs in the position while the senate is not in session,

1 the governor shall make a temporary appointment until the next meeting
2 of the senate.

3 NEW SECTION. **Sec. 105.** It is the intent of the legislature
4 wherever possible to place the internal affairs of the department under
5 the control of the director in order that the director may institute
6 therein the flexible, alert, and intelligent management of its business
7 that changing contemporary circumstances require. Therefore, whenever
8 the director's authority is not specifically limited by law, the
9 director has complete charge and supervisory powers over the
10 department. The director may create such administrative structures as
11 the director considers appropriate, except as otherwise specified by
12 law. The director may employ such assistants and personnel as may be
13 necessary for the general administration of the department. This
14 employment shall be in accordance with the state civil service law,
15 chapter 41.06 RCW, except as otherwise provided.

16 NEW SECTION. **Sec. 106.** Except as otherwise specified or as
17 federal requirements may differently require, the department may be
18 subdivided into divisions established and organized in accordance with
19 plans prepared by the director and approved by the governor. In
20 preparing such plans, the director shall endeavor to promote efficient
21 public management, to improve programs, and to take full advantage of
22 the economies, both fiscal and administrative, to be gained from the
23 consolidation of functions and agencies under this chapter.

24 NEW SECTION. **Sec. 107.** The director shall appoint a deputy
25 director, a department personnel director, and such assistant directors
26 as may be needed to administer the department. The deputy director
27 shall have charge and general supervision of the department in the
28 absence or disability of the director and, in case of a vacancy in the
29 office of director, shall continue in charge of the department until a
30 successor is appointed and qualified, or until the governor appoints an
31 acting director.

32 NEW SECTION. **Sec. 108.** Any power or duty vested in or transferred
33 to the director by law, or executive order, may be delegated by the
34 director to the deputy director or to any other assistant or

1 subordinate; but the director shall be responsible for the official
2 acts of the officers and employees of the department.

3 NEW SECTION. **Sec. 109.** The director may appoint such advisory
4 committees or councils as may be required by any federal legislation as
5 a condition to the receipt of federal funds by the department. The
6 director may also appoint state-wide committees or councils on such
7 subject matters as are or come within the department's
8 responsibilities. The state-wide committees and councils shall have
9 representation from both major political parties and shall have
10 substantial consumer representation. The committees or councils shall
11 be constituted as required by federal law or as the director may
12 determine. The members of the committees or councils shall hold office
13 as follows: One-third to serve one year; one-third to serve two years;
14 and one-third to serve three years. Upon expiration of the original
15 terms, subsequent appointments shall be for three years except in the
16 case of a vacancy, in which event appointment shall be only for the
17 remainder of the unexpired term for which the vacancy occurs. No
18 member may serve more than two consecutive terms.

19 Members of such state advisory committees or councils may be paid
20 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

21 NEW SECTION. **Sec. 110.** In furtherance of the policy of the state
22 to cooperate with the federal government in all of the programs under
23 the jurisdiction of the department, such rules as may become necessary
24 to entitle the state to participate in federal funds may be adopted,
25 unless expressly prohibited by law. Any internal reorganization
26 carried out under the terms of this chapter shall meet federal
27 requirements that are a necessary condition to state receipt of federal
28 funds. Any section or provision of law dealing with the department
29 that may be susceptible to more than one construction shall be
30 interpreted in favor of the construction most likely to comply with
31 federal laws entitling this state to receive federal funds for the
32 various programs of the department. If any law dealing with the
33 department is ruled to be in conflict with federal requirements that
34 are a prescribed condition of the allocation of federal funds to the
35 state, or to any departments or agencies thereof, the conflicting part
36 is declared to be inoperative solely to the extent of the conflict.

1 NEW SECTION. **Sec. 111.** The department shall endeavor to collocate
2 facilities with the departments of public welfare and medical and
3 rehabilitative services, and shall establish procedures for referring
4 clients to those departments if circumstances warrant referral.

5 NEW SECTION. **Sec. 112.** A new section is added to chapter 41.06
6 RCW to read as follows:

7 In addition to the exemptions under RCW 41.06.070, the provisions
8 of this chapter shall not apply in the department of children and
9 family services to the director, the director's personal secretary, the
10 deputy director, all division directors and assistant directors, and
11 one confidential secretary for each of these officers.

12 NEW SECTION. **Sec. 113.** (1) All powers, duties, and functions of
13 the department of social and health services pertaining to juvenile
14 rehabilitation, aging and adult services, and children, youth, and
15 family services are transferred to the department of children and
16 family services. All references to the secretary or the department of
17 social and health services in the Revised Code of Washington shall be
18 construed to mean the director or the department of children and family
19 services when referring to the functions transferred in this section.

20 (2)(a) All reports, documents, surveys, books, records, files,
21 papers, or written material in the possession of the department of
22 social and health services pertaining to the powers, functions, and
23 duties transferred shall be delivered to the custody of the department
24 of children and family services. All cabinets, furniture, office
25 equipment, motor vehicles, and other tangible property employed by the
26 department of social and health services in carrying out the powers,
27 functions, and duties transferred shall be made available to the
28 department of children and family services. All funds, credits, or
29 other assets held in connection with the powers, functions, and duties
30 transferred shall be assigned to the department of children and family
31 services.

32 (b) Any appropriations made to the department of social and health
33 services for carrying out the powers, functions, and duties transferred
34 shall, on the effective date of this section, be transferred and
35 credited to the department of children and family services.

36 (c) Whenever any question arises as to the transfer of any
37 personnel, funds, books, documents, records, papers, files, equipment,

1 or other tangible property used or held in the exercise of the powers
2 and the performance of the duties and functions transferred, the
3 director of financial management shall make a determination as to the
4 proper allocation and certify the same to the state agencies concerned.

5 (3) All employees of the department of social and health services
6 engaged in performing the powers, functions, and duties transferred are
7 transferred to the jurisdiction of the department of children and
8 family services. All employees classified under chapter 41.06 RCW, the
9 state civil service law, are assigned to the department of children and
10 family services to perform their usual duties upon the same terms as
11 formerly, without any loss of rights, subject to any action that may be
12 appropriate thereafter in accordance with the laws and rules governing
13 state civil service.

14 (4) All rules and all pending business before the department of
15 social and health services pertaining to the powers, functions, and
16 duties transferred shall be continued and acted upon by the department
17 of children and family services. All existing contracts and
18 obligations shall remain in full force and shall be performed by the
19 department of children and family services.

20 (5) The transfer of the powers, duties, functions, and personnel of
21 the department of social and health services shall not affect the
22 validity of any act performed before the effective date of this
23 section.

24 (6) If apportionments of budgeted funds are required because of the
25 transfers directed by this section, the director of financial
26 management shall certify the apportionments to the agencies affected,
27 the state auditor, and the state treasurer. Each of these shall make
28 the appropriate transfer and adjustments in funds and appropriation
29 accounts and equipment records in accordance with the certification.

30 (7) Nothing contained in this section may be construed to alter any
31 existing collective bargaining unit or the provisions of any existing
32 collective bargaining agreement until the agreement has expired or
33 until the bargaining unit has been modified by action of the personnel
34 board as provided by law.

35 **PART II**

36 **DEPARTMENT OF PUBLIC WELFARE**

1 NEW SECTION. **Sec. 201.** It is the purpose of this chapter to
2 administer and enforce programs relating to public assistance,
3 including but not limited to general assistance and aid to families
4 with dependent children.

5 NEW SECTION. **Sec. 202.** As used in this chapter, unless the
6 context indicates otherwise:

7 (1) "Department" means the department of public welfare.

8 (2) "Director" means the director of public welfare.

9 NEW SECTION. **Sec. 203.** There is created a department of state
10 government to be known as the department of public welfare. The
11 department is vested with all powers and duties transferred to it under
12 this chapter and such other powers and duties as may be authorized by
13 law.

14 NEW SECTION. **Sec. 204.** The executive head and appointing
15 authority of the department shall be the director. The director shall
16 be appointed by the governor, with the consent of the senate, and shall
17 serve at the pleasure of the governor. The director shall be paid a
18 salary to be fixed by the governor in accordance with RCW 43.03.040.
19 If a vacancy occurs in the position while the senate is not in session,
20 the governor shall make a temporary appointment until the next meeting
21 of the senate.

22 NEW SECTION. **Sec. 205.** It is the intent of the legislature
23 wherever possible to place the internal affairs of the department under
24 the control of the director in order that the director may institute
25 therein the flexible, alert, and intelligent management of its business
26 that changing contemporary circumstances require. Therefore, whenever
27 the director's authority is not specifically limited by law, the
28 director has complete charge and supervisory powers over the
29 department. The director may create such administrative structures as
30 the director considers appropriate, except as otherwise specified by
31 law. The director may employ such assistants and personnel as may be
32 necessary for the general administration of the department. This
33 employment shall be in accordance with the state civil service law,
34 chapter 41.06 RCW, except as otherwise provided.

1 NEW SECTION. **Sec. 206.** Except as otherwise specified or as
2 federal requirements may differently require, the department may be
3 subdivided into divisions established and organized in accordance with
4 plans prepared by the director and approved by the governor. In
5 preparing such plans, the director shall endeavor to promote efficient
6 public management, to improve programs, and to take full advantage of
7 the economies, both fiscal and administrative, to be gained from the
8 consolidation of functions and agencies under this chapter.

9 NEW SECTION. **Sec. 207.** The director shall appoint a deputy
10 director, a department personnel director, and such assistant directors
11 as may be needed to administer the department. The deputy director
12 shall have charge and general supervision of the department in the
13 absence or disability of the director and, in case of a vacancy in the
14 office of director, shall continue in charge of the department until a
15 successor is appointed and qualified, or until the governor appoints an
16 acting director.

17 NEW SECTION. **Sec. 208.** Any power or duty vested in or transferred
18 to the director by law, or executive order, may be delegated by the
19 director to the deputy director or to any other assistant or
20 subordinate; but the director shall be responsible for the official
21 acts of the officers and employees of the department.

22 NEW SECTION. **Sec. 209.** The director may appoint such advisory
23 committees or councils as may be required by any federal legislation as
24 a condition to the receipt of federal funds by the department. The
25 director may also appoint state-wide committees or councils on such
26 subject matters as are or come within the department's
27 responsibilities. The state-wide committees and councils shall have
28 representation from both major political parties and shall have
29 substantial consumer representation. The committees or councils shall
30 be constituted as required by federal law or as the director may
31 determine. The members of the committees or councils shall hold office
32 as follows: One-third to serve one year; one-third to serve two years;
33 and one-third to serve three years. Upon expiration of the original
34 terms, subsequent appointments shall be for three years except in the
35 case of a vacancy, in which event appointment shall be only for the

1 remainder of the unexpired term for which the vacancy occurs. No
2 member may serve more than two consecutive terms.

3 Members of such state advisory committees or councils may be paid
4 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

5 NEW SECTION. **Sec. 210.** In furtherance of the policy of the state
6 to cooperate with the federal government in all of the programs under
7 the jurisdiction of the department, such rules as may become necessary
8 to entitle the state to participate in federal funds may be adopted,
9 unless expressly prohibited by law. Any internal reorganization
10 carried out under the terms of this chapter shall meet federal
11 requirements that are a necessary condition to state receipt of federal
12 funds. Any section or provision of law dealing with the department
13 that may be susceptible to more than one construction shall be
14 interpreted in favor of the construction most likely to comply with
15 federal laws entitling this state to receive federal funds for the
16 various programs of the department. If any law dealing with the
17 department is ruled to be in conflict with federal requirements that
18 are a prescribed condition of the allocation of federal funds to the
19 state, or to any departments or agencies thereof, the conflicting part
20 is declared to be inoperative solely to the extent of the conflict.

21 NEW SECTION. **Sec. 211.** The department shall endeavor to collocate
22 facilities with the departments of children and family services and
23 medical and rehabilitative services, and shall establish procedures for
24 referring clients to those departments if circumstances warrant
25 referral.

26 NEW SECTION. **Sec. 212.** A new section is added to chapter 41.06
27 RCW to read as follows:

28 In addition to the exemptions under RCW 41.06.070, the provisions
29 of this chapter shall not apply in the department of public welfare to
30 the director, the director's personal secretary, the deputy director,
31 all division directors and assistant directors, and one confidential
32 secretary for each of these officers.

33 NEW SECTION. **Sec. 213.** (1) All powers, duties, and functions of
34 the department of social and health services pertaining to public
35 assistance, including but not limited to general assistance and aid to

1 families with dependent children, are transferred to the department of
2 public welfare. All references to the secretary or the department of
3 social and health services in the Revised Code of Washington shall be
4 construed to mean the director or the department of public welfare when
5 referring to the functions transferred in this section.

6 (2)(a) All reports, documents, surveys, books, records, files,
7 papers, or written material in the possession of the department of
8 social and health services pertaining to the powers, functions, and
9 duties transferred shall be delivered to the custody of the department
10 of public welfare. All cabinets, furniture, office equipment, motor
11 vehicles, and other tangible property employed by the department of
12 social and health services in carrying out the powers, functions, and
13 duties transferred shall be made available to the department of public
14 welfare. All funds, credits, or other assets held in connection with
15 the powers, functions, and duties transferred shall be assigned to the
16 department of public welfare.

17 (b) Any appropriations made to the department of social and health
18 services for carrying out the powers, functions, and duties transferred
19 shall, on the effective date of this section, be transferred and
20 credited to the department of public welfare.

21 (c) Whenever any question arises as to the transfer of any
22 personnel, funds, books, documents, records, papers, files, equipment,
23 or other tangible property used or held in the exercise of the powers
24 and the performance of the duties and functions transferred, the
25 director of financial management shall make a determination as to the
26 proper allocation and certify the same to the state agencies concerned.

27 (3) All employees of the department of social and health services
28 engaged in performing the powers, functions, and duties transferred are
29 transferred to the jurisdiction of the department of public welfare.
30 All employees classified under chapter 41.06 RCW, the state civil
31 service law, are assigned to the department of public welfare to
32 perform their usual duties upon the same terms as formerly, without any
33 loss of rights, subject to any action that may be appropriate
34 thereafter in accordance with the laws and rules governing state civil
35 service.

36 (4) All rules and all pending business before the department of
37 social and health services pertaining to the powers, functions, and
38 duties transferred shall be continued and acted upon by the department
39 of public welfare. All existing contracts and obligations shall remain

1 in full force and shall be performed by the department of public
2 welfare.

3 (5) The transfer of the powers, duties, functions, and personnel of
4 the department of social and health services shall not affect the
5 validity of any act performed before the effective date of this
6 section.

7 (6) If apportionments of budgeted funds are required because of the
8 transfers directed by this section, the director of financial
9 management shall certify the apportionments to the agencies affected,
10 the state auditor, and the state treasurer. Each of these shall make
11 the appropriate transfer and adjustments in funds and appropriation
12 accounts and equipment records in accordance with the certification.

13 (7) Nothing contained in this section may be construed to alter any
14 existing collective bargaining unit or the provisions of any existing
15 collective bargaining agreement until the agreement has expired or
16 until the bargaining unit has been modified by action of the personnel
17 board as provided by law.

18 **PART III**

19 **DEPARTMENT OF MEDICAL AND REHABILITATIVE SERVICES**

20 NEW SECTION. **Sec. 301.** It is the purpose of this chapter to
21 administer and enforce programs relating to medical health and
22 rehabilitation and medical assistance.

23 NEW SECTION. **Sec. 302.** As used in this chapter, unless the
24 context indicates otherwise:

25 (1) "Department" means the department of medical and rehabilitative
26 services.

27 (2) "Director" means the director of medical and rehabilitative
28 services.

29 NEW SECTION. **Sec. 303.** There is created a department of state
30 government to be known as the department of medical and rehabilitative
31 services. The department is vested with all powers and duties
32 transferred to it under this chapter and such other powers and duties
33 as may be authorized by law.

1 NEW SECTION. **Sec. 304.** The executive head and appointing
2 authority of the department shall be the director. The director shall
3 be appointed by the governor, with the consent of the senate, and shall
4 serve at the pleasure of the governor. The director shall be paid a
5 salary to be fixed by the governor in accordance with RCW 43.03.040.
6 If a vacancy occurs in the position while the senate is not in session,
7 the governor shall make a temporary appointment until the next meeting
8 of the senate.

9 NEW SECTION. **Sec. 305.** It is the intent of the legislature
10 wherever possible to place the internal affairs of the department under
11 the control of the director in order that the director may institute
12 therein the flexible, alert, and intelligent management of its business
13 that changing contemporary circumstances require. Therefore, whenever
14 the director's authority is not specifically limited by law, the
15 director has complete charge and supervisory powers over the
16 department. The director may create such administrative structures as
17 the director considers appropriate, except as otherwise specified by
18 law. The director may employ such assistants and personnel as may be
19 necessary for the general administration of the department. This
20 employment shall be in accordance with the state civil service law,
21 chapter 41.06 RCW, except as otherwise provided.

22 NEW SECTION. **Sec. 306.** Except as otherwise specified or as
23 federal requirements may differently require, the department may be
24 subdivided into divisions established and organized in accordance with
25 plans prepared by the director and approved by the governor. In
26 preparing such plans, the director shall endeavor to promote efficient
27 public management, to improve programs, and to take full advantage of
28 the economies, both fiscal and administrative, to be gained from the
29 consolidation of functions and agencies under this chapter.

30 NEW SECTION. **Sec. 307.** The director shall appoint a deputy
31 director, a department personnel director, and such assistant directors
32 as may be needed to administer the department. The deputy director
33 shall have charge and general supervision of the department in the
34 absence or disability of the director and, in case of a vacancy in the
35 office of director, shall continue in charge of the department until a

1 successor is appointed and qualified, or until the governor appoints an
2 acting director.

3 NEW SECTION. **Sec. 308.** Any power or duty vested in or transferred
4 to the director by law, or executive order, may be delegated by the
5 director to the deputy director or to any other assistant or
6 subordinate; but the director shall be responsible for the official
7 acts of the officers and employees of the department.

8 NEW SECTION. **Sec. 309.** The director may appoint such advisory
9 committees or councils as may be required by any federal legislation as
10 a condition to the receipt of federal funds by the department. The
11 director may also appoint state-wide committees or councils on such
12 subject matters as are or come within the department's
13 responsibilities. The state-wide committees and councils shall have
14 representation from both major political parties and shall have
15 substantial consumer representation. The committees or councils shall
16 be constituted as required by federal law or as the director may
17 determine. The members of the committees or councils shall hold office
18 as follows: One-third to serve one year; one-third to serve two years;
19 and one-third to serve three years. Upon expiration of the original
20 terms, subsequent appointments shall be for three years except in the
21 case of a vacancy, in which event appointment shall be only for the
22 remainder of the unexpired term for which the vacancy occurs. No
23 member may serve more than two consecutive terms.

24 Members of such state advisory committees or councils may be paid
25 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

26 NEW SECTION. **Sec. 310.** In furtherance of the policy of the state
27 to cooperate with the federal government in all of the programs under
28 the jurisdiction of the department, such rules as may become necessary
29 to entitle the state to participate in federal funds may be adopted,
30 unless expressly prohibited by law. Any internal reorganization
31 carried out under the terms of this chapter shall meet federal
32 requirements that are a necessary condition to state receipt of federal
33 funds. Any section or provision of law dealing with the department
34 that may be susceptible to more than one construction shall be
35 interpreted in favor of the construction most likely to comply with
36 federal laws entitling this state to receive federal funds for the

1 various programs of the department. If any law dealing with the
2 department is ruled to be in conflict with federal requirements that
3 are a prescribed condition of the allocation of federal funds to the
4 state, or to any departments or agencies thereof, the conflicting part
5 is declared to be inoperative solely to the extent of the conflict.

6 NEW SECTION. **Sec. 311.** The department shall endeavor to collocate
7 facilities with the departments of children and family services and
8 public welfare, and shall establish procedures for referring clients to
9 those departments if circumstances warrant referral.

10 NEW SECTION. **Sec. 312.** A new section is added to chapter 41.06
11 RCW to read as follows:

12 In addition to the exemptions under RCW 41.06.070, the provisions
13 of this chapter shall not apply in the department of medical and
14 rehabilitative services to the director, the director's personal
15 secretary, the deputy director, all division directors and assistant
16 directors, and one confidential secretary for each of these officers.

17 NEW SECTION. **Sec. 313.** (1) All powers, duties, and functions of
18 the department of social and health services pertaining to medical
19 health and rehabilitation and medical assistance are transferred to the
20 department of medical and rehabilitative services. All references to
21 the secretary or the department of social and health services in the
22 Revised Code of Washington shall be construed to mean the director or
23 the department of medical and rehabilitative services when referring to
24 the functions transferred in this section.

25 (2)(a) All reports, documents, surveys, books, records, files,
26 papers, or written material in the possession of the department of
27 social and health services pertaining to the powers, functions, and
28 duties transferred shall be delivered to the custody of the department
29 of medical and rehabilitative services. All cabinets, furniture,
30 office equipment, motor vehicles, and other tangible property employed
31 by the department of social and health services in carrying out the
32 powers, functions, and duties transferred shall be made available to
33 the department of medical and rehabilitative services. All funds,
34 credits, or other assets held in connection with the powers, functions,
35 and duties transferred shall be assigned to the department of medical
36 and rehabilitative services.

1 (b) Any appropriations made to the department of social and health
2 services for carrying out the powers, functions, and duties transferred
3 shall, on the effective date of this section, be transferred and
4 credited to the department of medical and rehabilitative services.

5 (c) Whenever any question arises as to the transfer of any
6 personnel, funds, books, documents, records, papers, files, equipment,
7 or other tangible property used or held in the exercise of the powers
8 and the performance of the duties and functions transferred, the
9 director of financial management shall make a determination as to the
10 proper allocation and certify the same to the state agencies concerned.

11 (3) All employees of the department of social and health services
12 engaged in performing the powers, functions, and duties transferred are
13 transferred to the jurisdiction of the department of medical and
14 rehabilitative services. All employees classified under chapter 41.06
15 RCW, the state civil service law, are assigned to the department of
16 medical and rehabilitative services to perform their usual duties upon
17 the same terms as formerly, without any loss of rights, subject to any
18 action that may be appropriate thereafter in accordance with the laws
19 and rules governing state civil service.

20 (4) All rules and all pending business before the department of
21 social and health services pertaining to the powers, functions, and
22 duties transferred shall be continued and acted upon by the department
23 of medical and rehabilitative services. All existing contracts and
24 obligations shall remain in full force and shall be performed by the
25 department of medical and rehabilitative services.

26 (5) The transfer of the powers, duties, functions, and personnel of
27 the department of social and health services shall not affect the
28 validity of any act performed before the effective date of this
29 section.

30 (6) If apportionments of budgeted funds are required because of the
31 transfers directed by this section, the director of financial
32 management shall certify the apportionments to the agencies affected,
33 the state auditor, and the state treasurer. Each of these shall make
34 the appropriate transfer and adjustments in funds and appropriation
35 accounts and equipment records in accordance with the certification.

36 (7) Nothing contained in this section may be construed to alter any
37 existing collective bargaining unit or the provisions of any existing
38 collective bargaining agreement until the agreement has expired or

1 until the bargaining unit has been modified by action of the personnel
2 board as provided by law.

3 **PART IV**

4 **DEPARTMENT OF CENTRALIZED SERVICES**

5 NEW SECTION. **Sec. 401.** It is the purpose of this chapter to
6 centralize support services for the departments of children and family
7 services, public welfare, and medical and rehabilitative services.

8 NEW SECTION. **Sec. 402.** As used in this chapter, unless the
9 context indicates otherwise:

10 (1) "Department" means the department of centralized services.

11 (2) "Director" means the director of centralized services.

12 NEW SECTION. **Sec. 403.** There is created a department of state
13 government to be known as the department of centralized services. The
14 department is vested with all powers and duties transferred to it under
15 this chapter and such other powers and duties as may be authorized by
16 law.

17 NEW SECTION. **Sec. 404.** The executive head and appointing
18 authority of the department shall be the director. The director shall
19 be appointed by the governor, with the consent of the senate, and shall
20 serve at the pleasure of the governor. The director shall be paid a
21 salary to be fixed by the governor in accordance with RCW 43.03.040.
22 If a vacancy occurs in the position while the senate is not in session,
23 the governor shall make a temporary appointment until the next meeting
24 of the senate.

25 NEW SECTION. **Sec. 405.** It is the intent of the legislature
26 wherever possible to place the internal affairs of the department under
27 the control of the director in order that the director may institute
28 therein the flexible, alert, and intelligent management of its business
29 that changing contemporary circumstances require. Therefore, whenever
30 the director's authority is not specifically limited by law, the
31 director has complete charge and supervisory powers over the
32 department. The director may create such administrative structures as
33 the director considers appropriate, except as otherwise specified by

1 law. The director may employ such assistants and personnel as may be
2 necessary for the general administration of the department. This
3 employment shall be in accordance with the state civil service law,
4 chapter 41.06 RCW, except as otherwise provided.

5 NEW SECTION. **Sec. 406.** Except as otherwise specified or as
6 federal requirements may differently require, the department may be
7 subdivided into divisions established and organized in accordance with
8 plans prepared by the director and approved by the governor. In
9 preparing such plans, the director shall endeavor to promote efficient
10 public management, to improve programs, and to take full advantage of
11 the economies, both fiscal and administrative, to be gained from the
12 consolidation of functions and agencies under this chapter.

13 NEW SECTION. **Sec. 407.** The director shall appoint a deputy
14 director, a department personnel director, and such assistant directors
15 as may be needed to administer the department. The deputy director
16 shall have charge and general supervision of the department in the
17 absence or disability of the director and, in case of a vacancy in the
18 office of director, shall continue in charge of the department until a
19 successor is appointed and qualified, or until the governor appoints an
20 acting director.

21 NEW SECTION. **Sec. 408.** Any power or duty vested in or transferred
22 to the director by law, or executive order, may be delegated by the
23 director to the deputy director or to any other assistant or
24 subordinate; but the director shall be responsible for the official
25 acts of the officers and employees of the department.

26 NEW SECTION. **Sec. 409.** The director may appoint such advisory
27 committees or councils as may be required by any federal legislation as
28 a condition to the receipt of federal funds by the department. The
29 director may also appoint state-wide committees or councils on such
30 subject matters as are or come within the department's
31 responsibilities. The state-wide committees and councils shall have
32 representation from both major political parties and shall have
33 substantial consumer representation. The committees or councils shall
34 be constituted as required by federal law or as the director may
35 determine. The members of the committees or councils shall hold office

1 as follows: One-third to serve one year; one-third to serve two years;
2 and one-third to serve three years. Upon expiration of the original
3 terms, subsequent appointments shall be for three years except in the
4 case of a vacancy, in which event appointment shall be only for the
5 remainder of the unexpired term for which the vacancy occurs. No
6 member may serve more than two consecutive terms.

7 Members of such state advisory committees or councils may be paid
8 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

9 NEW SECTION. **Sec. 410.** In furtherance of the policy of the state
10 to cooperate with the federal government in all of the programs under
11 the jurisdiction of the department, such rules as may become necessary
12 to entitle the state to participate in federal funds may be adopted,
13 unless expressly prohibited by law. Any internal reorganization
14 carried out under the terms of this chapter shall meet federal
15 requirements that are a necessary condition to state receipt of federal
16 funds. Any section or provision of law dealing with the department
17 that may be susceptible to more than one construction shall be
18 interpreted in favor of the construction most likely to comply with
19 federal laws entitling this state to receive federal funds for the
20 various programs of the department. If any law dealing with the
21 department is ruled to be in conflict with federal requirements that
22 are a prescribed condition of the allocation of federal funds to the
23 state, or to any departments or agencies thereof, the conflicting part
24 is declared to be inoperative solely to the extent of the conflict.

25 NEW SECTION. **Sec. 411.** A new section is added to chapter 41.06
26 RCW to read as follows:

27 In addition to the exemptions under RCW 41.06.070, the provisions
28 of this chapter shall not apply in the department of centralized
29 services to the director, the director's personal secretary, the deputy
30 director, all division directors and assistant directors, and one
31 confidential secretary for each of these officers.

32 NEW SECTION. **Sec. 412.** (1) All powers, duties, and functions of
33 the department of social and health services pertaining to the
34 following support services for the departments of children and family
35 services, public welfare, and medical and rehabilitative services are
36 transferred to the department of centralized services: Management

1 services, including budget and computer services; research and
2 planning; legislative and community relations; and constituent
3 relations. All references to the secretary or the department of social
4 and health services in the Revised Code of Washington shall be
5 construed to mean the director or the department of centralized
6 services when referring to the functions transferred in this section.

7 (2)(a) All reports, documents, surveys, books, records, files,
8 papers, or written material in the possession of the department of
9 social and health services pertaining to the powers, functions, and
10 duties transferred shall be delivered to the custody of the department
11 of centralized services. All cabinets, furniture, office equipment,
12 motor vehicles, and other tangible property employed by the department
13 of social and health services in carrying out the powers, functions,
14 and duties transferred shall be made available to the department of
15 centralized services. All funds, credits, or other assets held in
16 connection with the powers, functions, and duties transferred shall be
17 assigned to the department of centralized services.

18 (b) Any appropriations made to the department of social and health
19 services for carrying out the powers, functions, and duties transferred
20 shall, on the effective date of this section, be transferred and
21 credited to the department of centralized services.

22 (c) Whenever any question arises as to the transfer of any
23 personnel, funds, books, documents, records, papers, files, equipment,
24 or other tangible property used or held in the exercise of the powers
25 and the performance of the duties and functions transferred, the
26 director of financial management shall make a determination as to the
27 proper allocation and certify the same to the state agencies concerned.

28 (3) All employees of the department of social and health services
29 engaged in performing the powers, functions, and duties transferred are
30 transferred to the jurisdiction of the department of centralized
31 services. All employees classified under chapter 41.06 RCW, the state
32 civil service law, are assigned to the department of centralized
33 services to perform their usual duties upon the same terms as formerly,
34 without any loss of rights, subject to any action that may be
35 appropriate thereafter in accordance with the laws and rules governing
36 state civil service.

37 (4) All rules and all pending business before the department of
38 social and health services pertaining to the powers, functions, and
39 duties transferred shall be continued and acted upon by the department

1 of centralized services. All existing contracts and obligations shall
2 remain in full force and shall be performed by the department of
3 centralized services.

4 (5) The transfer of the powers, duties, functions, and personnel of
5 the department of social and health services shall not affect the
6 validity of any act performed before the effective date of this
7 section.

8 (6) If apportionments of budgeted funds are required because of the
9 transfers directed by this section, the director of financial
10 management shall certify the apportionments to the agencies affected,
11 the state auditor, and the state treasurer. Each of these shall make
12 the appropriate transfer and adjustments in funds and appropriation
13 accounts and equipment records in accordance with the certification.

14 (7) Nothing contained in this section may be construed to alter any
15 existing collective bargaining unit or the provisions of any existing
16 collective bargaining agreement until the agreement has expired or
17 until the bargaining unit has been modified by action of the personnel
18 board as provided by law.

19 **PART V**

20 **OFFICE OF SPECIAL INVESTIGATIONS**

21 NEW SECTION. **Sec. 501.** A new section is added to chapter 74.04
22 RCW to read as follows:

23 All investigations of fraud under this title shall be conducted by
24 the office of the attorney general.

25 NEW SECTION. **Sec. 502.** A new section is added to chapter 43.10
26 RCW to read as follows:

27 (1) All powers, duties, and functions of the department of social
28 and health services pertaining to the office of special investigations
29 are transferred to the office of the attorney general. All references
30 to the secretary or the department of social and health services in the
31 Revised Code of Washington pertaining to the office of special
32 investigations shall be construed to mean the attorney general or the
33 office of the attorney general when referring to the functions
34 transferred in this section.

35 (2)(a) All reports, documents, surveys, books, records, files,
36 papers, or written material in the possession of the department of

1 social and health services pertaining to the powers, functions, and
2 duties transferred shall be delivered to the custody of the office of
3 the attorney general. All cabinets, furniture, office equipment, motor
4 vehicles, and other tangible property employed by the department of
5 social and health services in carrying out the powers, functions, and
6 duties transferred shall be made available to the office of the
7 attorney general. All funds, credits, or other assets held in
8 connection with the powers, functions, and duties transferred shall be
9 assigned to the office of the attorney general.

10 (b) Any appropriations made to the department of social and health
11 services for carrying out the powers, functions, and duties transferred
12 shall, on the effective date of this section, be transferred and
13 credited to the office of the attorney general.

14 (c) Whenever any question arises as to the transfer of any
15 personnel, funds, books, documents, records, papers, files, equipment,
16 or other tangible property used or held in the exercise of the powers
17 and the performance of the duties and functions transferred, the
18 director of financial management shall make a determination as to the
19 proper allocation and certify the same to the state agencies concerned.

20 (3) All employees of the department of social and health services
21 engaged in performing the powers, functions, and duties transferred are
22 transferred to the jurisdiction of the office of the attorney general.
23 All employees classified under chapter 41.06 RCW, the state civil
24 service law, are assigned to the office of the attorney general to
25 perform their usual duties upon the same terms as formerly, without any
26 loss of rights, subject to any action that may be appropriate
27 thereafter in accordance with the laws and rules governing state civil
28 service.

29 (4) All rules and all pending business before the department of
30 social and health services pertaining to the powers, functions, and
31 duties transferred shall be continued and acted upon by the office of
32 the attorney general. All existing contracts and obligations shall
33 remain in full force and shall be performed by the office of the
34 attorney general.

35 (5) The transfer of the powers, duties, functions, and personnel of
36 the department of social and health services shall not affect the
37 validity of any act performed before the effective date of this
38 section.

1 (6) If apportionments of budgeted funds are required because of the
2 transfers directed by this section, the director of financial
3 management shall certify the apportionments to the agencies affected,
4 the state auditor, and the state treasurer. Each of these shall make
5 the appropriate transfer and adjustments in funds and appropriation
6 accounts and equipment records in accordance with the certification.

7 (7) Nothing contained in this section may be construed to alter any
8 existing collective bargaining unit or the provisions of any existing
9 collective bargaining agreement until the agreement has expired or
10 until the bargaining unit has been modified by action of the personnel
11 board as provided by law.

12 **PART VI**

13 **FAMILY POLICY COUNCIL**

14 NEW SECTION. **Sec. 601.** The following acts or parts of acts are
15 each repealed:

- 16 (1) RCW 70.190.005 and 1994 sp.s. c 7 s 301 & 1992 c 198 s 1;
- 17 (2) RCW 70.190.010 and 1995 c 399 s 200 & 1992 c 198 s 3;
- 18 (3) RCW 70.190.020 and 1994 sp.s. c 7 s 315 & 1992 c 198 s 4;
- 19 (4) RCW 70.190.030 and 1994 sp.s. c 7 s 316 & 1992 c 198 s 5;
- 20 (5) RCW 70.190.040 and 1993 c 336 s 901;
- 21 (6) RCW 70.190.050 and 1994 sp.s. c 7 s 207;
- 22 (7) RCW 70.190.060 and 1994 sp.s. c 7 s 303;
- 23 (8) RCW 70.190.070 and 1994 sp.s. c 7 s 304;
- 24 (9) RCW 70.190.080 and 1994 sp.s. c 7 s 305;
- 25 (10) RCW 70.190.085 and 1994 c 299 s 5;
- 26 (11) RCW 70.190.090 and 1994 sp.s. c 7 s 306;
- 27 (12) RCW 70.190.100 and 1994 sp.s. c 7 s 307;
- 28 (13) RCW 70.190.110 and 1994 sp.s. c 7 s 308;
- 29 (14) RCW 70.190.120 and 1994 sp.s. c 7 s 309;
- 30 (15) RCW 70.190.130 and 1994 sp.s. c 7 s 310;
- 31 (16) RCW 70.190.140 and 1994 sp.s. c 7 s 324;
- 32 (17) RCW 70.190.150 and 1994 sp.s. c 7 s 312;
- 33 (18) RCW 70.190.160 and 1994 sp.s. c 7 s 314;
- 34 (19) RCW 70.190.170 and 1994 sp.s. c 7 s 320;
- 35 (20) RCW 70.190.180 and 1994 sp.s. c 7 s 604;
- 36 (21) RCW 70.190.900 and 1994 sp.s. c 7 s 317 & 1992 c 198 s 11;
- 37 (22) RCW 70.190.910 and 1992 c 198 s 20; and

1 (23) RCW 70.190.920 and 1992 c 198 s 21.

2 **PART VII**

3 **GENERAL AND MISCELLANEOUS PROVISIONS**

4 **Sec. 701.** RCW 43.17.010 and 1993 sp.s. c 2 s 16, 1993 c 472 s 17,
5 and 1993 c 280 s 18 are each reenacted and amended to read as follows:

6 There shall be departments of the state government which shall be
7 known as (1) the department of (~~social and health~~) centralized
8 services, (2) the department of ecology, (3) the department of labor
9 and industries, (4) the department of agriculture, (5) the department
10 of fish and wildlife, (6) the department of transportation, (7) the
11 department of licensing, (8) the department of general administration,
12 (9) the department of community, trade, and economic development, (10)
13 the department of veterans affairs, (11) the department of revenue,
14 (12) the department of retirement systems, (13) the department of
15 corrections, (~~and~~) (14) the department of health, (~~and~~) (15) the
16 department of financial institutions, (16) the department of children
17 and family services, (17) the department of public welfare, and (18)
18 the department of medical and rehabilitative services, which shall be
19 charged with the execution, enforcement, and administration of such
20 laws, and invested with such powers and required to perform such
21 duties, as the legislature may provide.

22 **Sec. 702.** RCW 43.17.020 and 1993 sp.s. c 2 s 17, 1993 c 472 s 18,
23 and 1993 c 280 s 19 are each reenacted and amended to read as follows:

24 There shall be a chief executive officer of each department to be
25 known as: (1) The (~~secretary of social and health~~) director of
26 centralized services, (2) the director of ecology, (3) the director of
27 labor and industries, (4) the director of agriculture, (5) the director
28 of fish and wildlife, (6) the secretary of transportation, (7) the
29 director of licensing, (8) the director of general administration, (9)
30 the director of community, trade, and economic development, (10) the
31 director of veterans affairs, (11) the director of revenue, (12) the
32 director of retirement systems, (13) the secretary of corrections,
33 (~~and~~) (14) the secretary of health, (~~and~~) (15) the director of
34 financial institutions, (16) the director of children and family
35 services, (17) the director of public welfare, and (18) the director of
36 medical and rehabilitative services.

1 Such officers, except the secretary of transportation, shall be
2 appointed by the governor, with the consent of the senate, and hold
3 office at the pleasure of the governor. The secretary of
4 transportation shall be appointed by the transportation commission as
5 prescribed by RCW 47.01.041.

6 **Sec. 703.** RCW 43.17.020 and 1995 1st sp.s. c 2 s 2 are each
7 amended to read as follows:

8 There shall be a chief executive officer of each department to be
9 known as: (1) The (~~secretary of social and health~~) director of
10 centralized services, (2) the director of ecology, (3) the director of
11 labor and industries, (4) the director of agriculture, (5) the director
12 of fish and wildlife, (6) the secretary of transportation, (7) the
13 director of licensing, (8) the director of general administration, (9)
14 the director of community, trade, and economic development, (10) the
15 director of veterans affairs, (11) the director of revenue, (12) the
16 director of retirement systems, (13) the secretary of corrections,
17 (~~and~~) (14) the secretary of health, (~~and~~) (15) the director of
18 financial institutions, (16) the director of children and family
19 services, (17) the director of public welfare, and (18) the director of
20 medical and rehabilitative services.

21 Such officers, except the secretary of transportation and the
22 director of fish and wildlife, shall be appointed by the governor, with
23 the consent of the senate, and hold office at the pleasure of the
24 governor. The secretary of transportation shall be appointed by the
25 transportation commission as prescribed by RCW 47.01.041. The director
26 of fish and wildlife shall be appointed by the fish and wildlife
27 commission as prescribed by RCW 77.04.055.

28 NEW SECTION. **Sec. 704.** On the effective date of this section, the
29 office of diversity initiatives in the department of social and health
30 services and all of the office's functions shall be abolished.

31 **Sec. 705.** RCW 43.70.555 and 1994 sp.s. c 7 s 204 are each amended
32 to read as follows:

33 The department(~~(, in consultation with the family policy council~~
34 ~~created in chapter 70.190 RCW,~~)) shall establish, by rule, standards
35 for local health departments and networks to use in assessment,
36 performance measurement, policy development, and assurance regarding

1 social development to prevent health problems caused by risk factors
2 empirically linked to: Violent criminal acts by juveniles, teen
3 substance abuse, teen pregnancy and male parentage, teen suicide
4 attempts, dropping out of school, child abuse or neglect, and domestic
5 violence. The standards shall be based on the standards set forth in
6 the public health services improvement plan as required by RCW
7 43.70.550.

8 The department(~~(, in consultation with the family policy council,)~~)
9 shall review the definitions of at-risk children and youth, protective
10 factors, and risk factors contained in RCW 70.190.010 and make any
11 suggested recommendations for change to the legislature by January 1,
12 1995.

13 **Sec. 706.** RCW 69.50.520 and 1995 2nd sp.s. c 18 s 920 are each
14 amended to read as follows:

15 The violence reduction and drug enforcement account is created in
16 the state treasury. All designated receipts from RCW 9.41.110(7),
17 66.24.210(4), 66.24.290(3), 69.50.505(h)(1), 82.08.150(5),
18 82.24.020(2), 82.64.020, and section 420, chapter 271, Laws of 1989
19 shall be deposited into the account. Expenditures from the account may
20 be used only for funding services and programs under chapter 271, Laws
21 of 1989 and chapter 7, Laws of 1994 sp. sess., including state
22 incarceration costs. After July 1, 1997, at least seven and one-half
23 percent of expenditures from the account shall be used for providing
24 grants to community networks (~~(under chapter 70.190 RCW by the family~~
25 ~~policy council)~~)).

26 NEW SECTION. **Sec. 707.** Part headings used in this act do not
27 constitute any part of the law.

28 NEW SECTION. **Sec. 708.** Sections 101 through 111 and 113 of this
29 act shall constitute a new chapter in Title 43 RCW.

30 NEW SECTION. **Sec. 709.** Sections 201 through 211 and 213 of this
31 act shall constitute a new chapter in Title 43 RCW.

32 NEW SECTION. **Sec. 710.** Sections 301 through 311 and 313 of this
33 act shall constitute a new chapter in Title 43 RCW.

1 NEW SECTION. **Sec. 711.** Sections 401 through 410 and 412 of this
2 act shall constitute a new chapter in Title 43 RCW.

3 NEW SECTION. **Sec. 712.** Section 703 of this act shall take effect
4 July 1, 1996.

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