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**SUBSTITUTE HOUSE BILL 2366**

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**State of Washington**

**57th Legislature**

**2002 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Ogden, Woods, Romero, Skinner and Chase; by request of Secretary of State)

Read first time 02/07/2002. Referred to Committee on .

1 AN ACT Relating to funding and expenditures of the secretary of  
2 state; amending RCW 43.07.037, 40.14.020, and 42.17.710; adding new  
3 sections to chapter 43.07 RCW; and adding a new section to chapter  
4 42.52 RCW.

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

6 **Sec. 1.** RCW 43.07.037 and 1996 c 253 s 105 are each amended to  
7 read as follows:

8 (1) The secretary of state ((and the council)) may solicit and  
9 accept gifts, grants, conveyances, bequests, and devises, of real or  
10 personal property, or both, in trust or otherwise, and sell, lease,  
11 exchange, invest, or expend these donations or the proceeds, rents,  
12 profits, and income from the donations except as limited by the donor's  
13 terms.

14 (2) Moneys received under the authority of this section may be used  
15 only for the following purposes:

16 (a) Conducting oral histories;

17 (b) Archival activities; and

18 (c) International trade hosting and missions.

1       (3) Moneys received under the authority of this section must be  
2 deposited in the oral history, archives, and international trade  
3 account established in section 2 of this act.

4       (4) The secretary of state shall adopt rules to govern and protect  
5 the receipt and expenditure of the proceeds.

6       NEW SECTION. Sec. 2. A new section is added to chapter 43.07 RCW  
7 to read as follows:

8       The oral history, archives, and international trade account is  
9 created in the custody of the state treasurer. All moneys received  
10 under RCW 43.07.037 must be deposited in the account. Expenditures  
11 from the account may be made only for the purposes of the oral history  
12 program in RCW 43.07.220 and section 3 of this act, the archives  
13 program under RCW 40.14.020, and international trade hosting and  
14 missions. Only the secretary of state or the secretary of state's  
15 designee may authorize expenditures from the account. An appropriation  
16 is not required for expenditures, but the account is subject to  
17 allotment procedures under chapter 43.88 RCW.

18       NEW SECTION. Sec. 3. A new section is added to chapter 43.07 RCW  
19 to read as follows:

20       The secretary of state may fund oral history activities through  
21 donations as provided in RCW 43.07.037. The activities may include,  
22 but not be limited to, conducting interviews, preparing and indexing  
23 transcripts, publishing transcripts and photographs, and presenting  
24 displays and programs. Donations that do not meet the criteria of the  
25 oral history program may not be accepted. The secretary of state shall  
26 adopt rules necessary to implement this section.

27       **Sec. 4.** RCW 40.14.020 and 1995 c 326 s 1 are each amended to read  
28 as follows:

29       All public records shall be and remain the property of the state of  
30 Washington. They shall be delivered by outgoing officials and  
31 employees to their successors and shall be preserved, stored,  
32 transferred, destroyed or disposed of, and otherwise managed, only in  
33 accordance with the provisions of this chapter. In order to insure the  
34 proper management and safeguarding of public records, the division of  
35 archives and records management is established in the office of the  
36 secretary of state. The state archivist, who shall administer the

1 division and have reasonable access to all public records, wherever  
2 kept, for purposes of information, surveying, or cataloguing, shall  
3 undertake the following functions, duties, and responsibilities:

4 (1) To manage the archives of the state of Washington;

5 (2) To centralize the archives of the state of Washington, to make  
6 them available for reference and scholarship, and to insure their  
7 proper preservation;

8 (3) To inspect, inventory, catalog, and arrange retention and  
9 transfer schedules on all record files of all state departments and  
10 other agencies of state government;

11 (4) To insure the maintenance and security of all state public  
12 records and to establish safeguards against unauthorized removal or  
13 destruction;

14 (5) To establish and operate such state record centers as may from  
15 time to time be authorized by appropriation, for the purpose of  
16 preserving, servicing, screening and protecting all state public  
17 records which must be preserved temporarily or permanently, but which  
18 need not be retained in office space and equipment;

19 (6) To adopt rules under chapter 34.05 RCW:

20 (a) Setting standards for the durability and permanence of public  
21 records maintained by state and local agencies;

22 (b) Governing procedures for the creation, maintenance,  
23 transmission, cataloging, indexing, storage, or reproduction of  
24 photographic, optical, electronic, or other images of public documents  
25 or records in a manner consistent with current standards, policies, and  
26 procedures of the department of information services for the  
27 acquisition of information technology;

28 (c) Governing the accuracy and durability of, and facilitating  
29 access to, photographic, optical, electronic, or other images used as  
30 public records; or

31 (d) To carry out any other provision of this chapter;

32 (7) To gather and disseminate to interested agencies information on  
33 all phases of records management and current practices, methods,  
34 procedures, techniques, and devices for efficient and economical  
35 management and preservation of records;

36 (8) To operate a central microfilming bureau which will microfilm,  
37 at cost, records approved for filming by the head of the office of  
38 origin and the archivist; to approve microfilming projects undertaken

1 by state departments and all other agencies of state government; and to  
2 maintain proper standards for this work;

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

7 (10) To assist and train state and local agencies in the proper  
8 methods of creating, maintaining, cataloging, indexing, transmitting,  
9 storing, and reproducing photographic, optical, electronic, or other  
10 images used as public records;

11 (11) To solicit, accept, and expend donations as provided in RCW  
12 43.07.037 for the purpose of the archive program. These purposes  
13 include, but are not limited to, acquisition, accession,  
14 interpretation, and display of archival materials. Donations that do  
15 not meet the criteria of the archive program may not be accepted.

16 **Sec. 5.** RCW 42.17.710 and 1993 c 2 s 11 are each amended to read  
17 as follows:

18 (1) During the period beginning on the thirtieth day before the  
19 date a regular legislative session convenes and continuing thirty days  
20 past the date of final adjournment, and during the period beginning on  
21 the date a special legislative session convenes and continuing through  
22 the date that session adjourns, no state official or a person employed  
23 by or acting on behalf of a state official or state legislator may  
24 solicit or accept contributions to a public office fund, to a candidate  
25 or authorized committee, or to retire a campaign debt.

26 (2) This section does not apply to activities authorized in RCW  
27 43.03.037.

28 NEW SECTION. **Sec. 6.** A new section is added to chapter 42.52 RCW  
29 to read as follows:

30 This chapter does not prohibit the secretary of state or his or her  
31 designee from soliciting and accepting contributions to the oral  
32 history, archives, and international trade account under RCW 43.07.037.

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