

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2366**

57th Legislature  
2002 Regular Session

Passed by the House February 15, 2002  
Yeas 98 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate March 5, 2002  
Yeas 44 Nays 4

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**President of the Senate**

Approved

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2366** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**



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**SUBSTITUTE HOUSE BILL 2366**

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Passed Legislature - 2002 Regular Session

**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  
13 donor's terms.

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

16            (a) Conducting oral histories;

17            (b) Archival activities; and

1        (c) International trade hosting and missions.

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

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

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

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

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

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

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

30        All public records shall be and remain the property of the state  
31 of Washington. They shall be delivered by outgoing officials and  
32 employees to their successors and shall be preserved, stored,

1 transferred, destroyed or disposed of, and otherwise managed, only in  
2 accordance with the provisions of this chapter. In order to insure  
3 the proper management and safeguarding of public records, the  
4 division of archives and records management is established in the  
5 office of the secretary of state. The state archivist, who shall  
6 administer the division and have reasonable access to all public  
7 records, wherever kept, for purposes of information, surveying, or  
8 cataloguing, shall undertake the following functions, duties, and  
9 responsibilities:

- 10 (1) To manage the archives of the state of Washington;
- 11 (2) To centralize the archives of the state of Washington, to  
12 make them available for reference and scholarship, and to insure  
13 their proper preservation;
- 14 (3) To inspect, inventory, catalog, and arrange retention and  
15 transfer schedules on all record files of all state departments and  
16 other agencies of state government;
- 17 (4) To insure the maintenance and security of all state public  
18 records and to establish safeguards against unauthorized removal or  
19 destruction;
- 20 (5) To establish and operate such state record centers as may  
21 from time to time be authorized by appropriation, for the purpose of  
22 preserving, servicing, screening and protecting all state public  
23 records which must be preserved temporarily or permanently, but which  
24 need not be retained in office space and equipment;
- 25 (6) To adopt rules under chapter 34.05 RCW:
  - 26 (a) Setting standards for the durability and permanence of public  
27 records maintained by state and local agencies;
  - 28 (b) Governing procedures for the creation, maintenance,  
29 transmission, cataloging, indexing, storage, or reproduction of  
30 photographic, optical, electronic, or other images of public  
31 documents or records in a manner consistent with current standards,  
32 policies, and procedures of the department of information services  
33 for the acquisition of information technology;

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

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

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

9 (8) To operate a central microfilming bureau which will  
10 microfilm, at cost, records approved for filming by the head of the  
11 office of origin and the archivist; to approve microfilming projects  
12 undertaken by state departments and all other agencies of state  
13 government; and to maintain proper standards for this work;

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

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

22 (11) To solicit, accept, and expend donations as provided in RCW  
23 43.07.037 for the purpose of the archive program. These purposes  
24 include, but are not limited to, acquisition, accession,  
25 interpretation, and display of archival materials. Donations that do  
26 not meet the criteria of the archive program may not be accepted.

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

29 (1) During the period beginning on the thirtieth day before the  
30 date a regular legislative session convenes and continuing thirty  
31 days past the date of final adjournment, and during the period  
32 beginning on the date a special legislative session convenes and  
33 continuing through the date that session adjourns, no state official  
34 or a person employed by or acting on behalf of a state official or

1 state legislator may solicit or accept contributions to a public  
2 office fund, to a candidate or authorized committee, or to retire a  
3 campaign debt.

4 (2) This section does not apply to activities authorized in RCW  
5 43.03.037.

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

8 This chapter does not prohibit the secretary of state or his or  
9 her designee from soliciting and accepting contributions to the oral  
10 history, archives, and international trade account under RCW  
11 43.07.037.

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