

HOUSE BILL REPORT

HB 1154

As Passed House:

February 10, 2003

Title: An act relating to funding and expenditures of the secretary of state.

Brief Description: Funding oral history and archives activities.

Sponsors: By Representatives Haigh, Woods, Miloscia, Armstrong, Hunt, Nixon, Shabro, Sehlin, Tom, Wallace, Conway and McDermott; by request of Secretary of State.

Brief History:

Committee Activity:

State Government: 1/23/03, 1/31/03 [DP].

Floor Activity:

Passed House: 2/10/03, 94-0.

Brief Summary of Bill

- Allows the Secretary of State to solicit gifts, grants, conveyances, bequests, etc. and to use any proceeds realized from these gifts, unless the donor requests otherwise, to fund the functions of the Archives and Records Management Division, the Oral History Program, and the State Library.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 8 members: Representatives Haigh, Chair; Armstrong, Ranking Minority Member; Shabro, Assistant Ranking Minority Member; Hunt, McDermott, Nixon, Tom and Wallace.

Staff: Marsha Reilly (786-7135).

Background:

Among the programs under the jurisdiction of the Secretary of State (Secretary) are the Division of Archives and Records Management (Division), the Oral History Program, and the State Library. The Division is responsible for historical records preservation and public records management ensuring citizen and government accessibility. The Oral History Program is responsible for recording, transcribing and publishing the

recollections of legislators, state officials, and citizens involved with the state's political history. The State Library serves as the corporate library for Washington government and partners with libraries and other entities to provide ready and equitable public access to information.

In 1996 a law was passed authorizing the Secretary to accept gifts, grants, conveyances, bequests, etc., to expend any proceeds realized from these gifts, except as limited by the donor's terms, and to adopt rules to govern and protect the receipt and expenditure of the proceeds.

A provision of state law prohibits state officials, state employees, and state legislators from soliciting or accepting contributions for a public office fund, for a candidate or authorized committee, or to retire a campaign debt during the period beginning 30 days before a regular legislative session through 30 days past the date of final adjournment. The provision also applies for periods when a special legislative session is convened.

Summary of Bill:

The Secretary may solicit gifts, grants, conveyances, bequests, and devises, of real or personal property, or both, in trust or otherwise, and sell, lease, exchange, invest, or expend these donations or the proceeds, rents, profits, and income from the donations except as limited by the donor's terms. Solicitation and receipt of gifts may be used only for:

- conducting oral histories;
- archival activities; and
- state library activities.

All moneys received for these purposes must be deposited in the Oral History, State Library, and Archives Account (Account) created in the custody of the State Treasurer, and expenditures from the Account may be made only for the purposes of the Oral History Program, the Archives Program, and the State Library Program. Only the Secretary, or the Secretary's designee, may authorize expenditures from the Account. An appropriation is not required for expenditure, but the Account is subject to allotment procedures.

Persons soliciting or accepting contributions for these programs are exempt from the limitation of soliciting or accepting contributions 30 days before and after regular legislative session and during special session, and are not considered a violation of the code of ethics.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill allows fund raising for purposes such as purchasing records important to the state's history that belong to private citizens. It would also allow funding for special exhibits and oral history services. It does not replace any appropriation because the budget bill does not include money for oral history. It is important that oral histories are taken while these older citizens are still living.

Testimony Against: None.

Testified: Jerry Handfield, State Archivist; Jan Walsh, State Librarian; and Warren A. Bishop, Oral History Program.