
HOUSE BILL 1364

State of Washington

66th Legislature

2019 Regular Session

By Representatives Smith, Gregerson, and Reeves; by request of Office of Financial Management

Read first time 01/21/19. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to government efficiency by eliminating,
2 revising, or decodifying obsolete or inactive statutory provisions
3 that concern the office of financial management; amending RCW
4 4.84.360, 38.40.030, 43.03.049, 43.08.015, and 43.320.090;
5 decodifying RCW 41.06.155; and repealing RCW 28B.15.101, 39.80.070,
6 43.41.220, 43.41.230, 43.41.240, 43.41.250, 43.41.905, and
7 43.132.800.

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

9 **Sec. 1.** RCW 4.84.360 and 1995 c 403 s 904 are each amended to
10 read as follows:

11 Fees and other expenses awarded under RCW 4.84.340 and 4.84.350
12 shall be paid by the agency over which the party prevails from
13 operating funds appropriated to the agency within sixty days.
14 (~~Agencies paying fees and other expenses pursuant to RCW 4.84.340~~
15 ~~and 4.84.350 shall report all payments to the office of financial~~
16 ~~management within five days of paying the fees and other expenses.))
17 Fees and other expenses awarded by the court shall be subject to the
18 provisions of chapter 39.76 RCW and shall be deemed payable on the
19 date the court announces the award.~~

1 **Sec. 2.** RCW 38.40.030 and 1989 c 19 s 47 are each amended to
2 read as follows:

3 If any member of the organized militia is injured, incapacitated,
4 or otherwise disabled while in active state service or inactive duty
5 as a member of the organized militia, he or she shall receive from
6 the state of Washington just and reasonable relief in the amount to
7 be determined as provided in this section, including necessary
8 medical care. If the member dies from disease contracted or injury
9 received or is killed while in active state service or inactive duty
10 under order of the governor, then the dependents of the deceased
11 shall receive such compensation as may be allowed as provided in this
12 section. If the United States or any agent thereof, in accordance
13 with any federal statute or regulation, furnishes monetary
14 assistance, benefits, or other temporary or permanent relief to
15 militia members or to their dependents for injuries arising out of
16 and occurring in the course of their activities as militia members,
17 but not including Social Security benefits, then the amount of
18 compensation which any militia member or his or her dependents are
19 otherwise entitled to receive from the state of Washington as
20 provided in this section shall be reduced by the amount of monetary
21 assistance, benefits, or other temporary or permanent relief the
22 militia member or his or her dependents have received and will
23 receive from the United States or any agent thereof as a result of
24 his or her injury. All claims arising under this section shall be
25 inquired into by a board of three officers, at least one being a
26 medical officer, to be appointed by the adjutant general. The board
27 has the same power to take evidence, administer oaths, issue
28 subpoenas, compel witnesses to attend and testify and produce books
29 and papers, and punish their failure to do so as is possessed by a
30 general court martial. The amount of compensation or benefits payable
31 shall conform as nearly as possible to the general schedule of
32 payments and awards provided under the workers' compensation law in
33 effect in the state of Washington at the time the disability or death
34 occurred. The findings of the board shall be reviewed by the adjutant
35 general (~~and submitted to the governor~~) for final approval. The
36 (~~reviewing officer or the governor~~) adjutant general may return the
37 proceedings for revision or for the taking of further testimony. The
38 action of the board when finally approved by the (~~governor~~)
39 adjutant general is final and conclusive and constitutes the fixed

1 award for the injury or loss and is a debt of the state of
2 Washington.

3 **Sec. 3.** RCW 43.03.049 and 2011 1st sp.s. c 21 s 63 are each
4 amended to read as follows:

5 Exceptions to restrictions on subsistence, lodging, or travel
6 expenses under this chapter may be granted for the critically
7 necessary work of an agency. For boards, commissions, councils,
8 committees, or similar groups in agencies of the executive branch,
9 the exceptions (~~(shall be)~~) are subject to approval by the (~~(director~~
10 ~~of financial management or the director's designee)~~) agency head or
11 authorized designee. For boards, commissions, councils, committees,
12 or similar groups in the executive branch under the purview of a
13 separately elected official, president of an institution of higher
14 education, chair, or executive director, the exceptions are subject
15 to approval of the separately elected official, president of the
16 institution of higher education, chair, or executive director. For
17 agencies of the judicial branch, the exceptions shall be subject to
18 approval of the chief justice of the supreme court. For the house of
19 representatives and the senate, the exceptions shall be subject to
20 the approval of the chief clerk of the house of representatives and
21 the secretary of the senate, respectively, under the direction of the
22 senate committee on facilities and operations and the executive rules
23 committee of the house of representatives. For other legislative
24 agencies, the exceptions shall be subject to approval of both the
25 chief clerk of the house of representatives and the secretary of the
26 senate under the direction of the senate committee on facilities and
27 operations and the executive rules committee of the house of
28 representatives.

29 **Sec. 4.** RCW 43.08.015 and 1993 c 500 s 3 are each amended to
30 read as follows:

31 Within the policies and procedures established pursuant to RCW
32 43.41.110(13) and 43.88.160(1), the state treasurer shall take such
33 actions as are necessary to ensure the effective cash management of
34 public funds. This cash management shall include the authority to
35 represent the state in all contractual relationships with financial
36 institutions. The state treasurer may delegate cash management
37 responsibilities to the affected agencies (~~(with the concurrence of~~
38 ~~the office of financial management)~~).

1 **Sec. 5.** RCW 43.320.090 and 1993 c 472 s 23 are each amended to
2 read as follows:

3 (1) It shall be unlawful for the director of financial
4 institutions, any deputized assistant of the director, or any
5 employee of the department of financial institutions to borrow money
6 from any bank, consumer loan company, credit union, foreign bank
7 branch, savings bank, savings and loan association, or trust company
8 or department, securities broker-dealer or investment advisor, or
9 similar lending institution under the department's direct
10 jurisdiction unless the extension of credit:

11 (a) Is made on substantially the same terms (including interest
12 rates and collateral) as, and following credit underwriting
13 procedures that are not less stringent than, those prevailing at the
14 time for comparable transactions by the financial institution with
15 other persons that are not employed by either the department or the
16 institution; and

17 (b) Does not involve more than the normal risk of repayment or
18 present other unfavorable features.

19 (2) ~~((The director of the office of financial management shall
20 adopt rules, policies, and procedures interpreting and implementing
21 this section.~~

22 ~~(3))~~ Every person who knowingly violates this section shall
23 forfeit his or her office or employment and be guilty of a gross
24 misdemeanor.

25 NEW SECTION. **Sec. 6.** RCW 41.06.155 (Salaries—Implementation of
26 changes to achieve comparable worth) is decodified.

27 NEW SECTION. **Sec. 7.** The following acts or parts of acts are
28 each repealed:

29 (1) RCW 28B.15.101 (Authority to modify tuition rates—
30 Performance-based measures and goals—Institutional performance plans)
31 and 2011 1st sp.s. c 10 s 5;

32 (2) RCW 39.80.070 (Contracts, modifications reported to the
33 office of financial management) and 1993 c 433 s 9;

34 (3) RCW 43.41.220 (Review of boards and commissions by governor—
35 Report—Termination—Transfers) and 1994 sp.s. c 9 s 873;

36 (4) RCW 43.41.230 (Boards and commissions reviewed—Exceptions)
37 and 1994 sp.s. c 9 s 874;

1 (5) RCW 43.41.240 (Approval of board or commission not
2 established or required by statute) and 1998 c 245 s 64 & 1994 sp.s.
3 c 9 s 875;
4 (6) RCW 43.41.250 (Criteria for new board or commission not
5 established or required by statute) and 1994 sp.s. c 9 s 876;
6 (7) RCW 43.41.905 (Interagency task force on unintended
7 pregnancy) and 1997 c 58 s 1001; and
8 (8) RCW 43.132.800 (Fiscal impact on local governments of
9 selected laws enacted over five-year period—Annual report) and 2000 c
10 182 s 5.

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