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HOUSE BILL 1720

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State of Washington

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By Representatives Boldt, Carrell, Padden, Pennington, Van Luven, Koster, Chandler, Carlson, Schoesler, Buck, Campbell, Hargrove, Backlund, Cooke, Thompson and McMahan

Read first time 02/06/95. Referred to Committee on Children & Family Services.

1 AN ACT Relating to investigations of public assistance fraud;  
2 adding a new section to chapter 74.04 RCW; and adding a new section to  
3 chapter 43.10 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.04 RCW  
6 to read as follows:

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

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.10 RCW  
10 to read as follows:

11 (1) All powers, duties, and functions of the department of social  
12 and health services pertaining to public assistance fraud investigation  
13 are transferred to the office of the attorney general. All references  
14 to the secretary or the department of social and health services in the  
15 Revised Code of Washington pertaining to public assistance fraud  
16 investigation shall be construed to mean the attorney general or the  
17 office of the attorney general when referring to the functions  
18 transferred in this section.

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

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

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

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

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

37 (5) The transfer of the powers, duties, functions, and personnel of  
38 the department of social and health services shall not affect the

1 validity of any act performed before the effective date of this  
2 section.

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

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

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