
SUBSTITUTE HOUSE BILL 1071

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Government Reform & Land Use (originally sponsored by Representatives Reams, Mulliken, Thompson, Boldt, Sterk, Carrell, Dunn and Backlund)

Read first time 02/26/97.

1 AN ACT Relating to state government reorganization; amending RCW
2 72.09.040, 43.17.020, 43.17.010, and 43.17.020; reenacting and amending
3 RCW 43.17.010; adding new sections to chapter 41.06 RCW; adding a new
4 section to chapter 72.09 RCW; adding a new section to chapter 43.20A
5 RCW; adding new chapters to Title 43 RCW; creating new sections;
6 providing effective dates; providing contingent effective dates;
7 providing expiration dates; and declaring an emergency.

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

9 NEW SECTION. **Sec. 1.** The legislature finds that the department of
10 social and health services is required to perform an overwhelming
11 number of responsibilities. Due to this, the department of social and
12 health services has grown to an unmanageable and unwieldy bureaucracy
13 that cannot function effectively and must be reorganized. The
14 legislature further recognizes that changes in federal law have
15 affected service delivery. It is the intent of this legislature to
16 reorganize the department of social and health services and to divide
17 its functions among four newly created and one existing state agency.
18 The legislature further intends to consolidate within these new
19 agencies related functions performed by other existing state agencies.

1 **PART 1**

2 **DEPARTMENT OF MEDICAL ASSISTANCE**

3 NEW SECTION. **Sec. 101.** Unless the context clearly requires
4 otherwise, the definitions in this section apply throughout this
5 chapter.

6 (1) "Department" means the department of medical assistance.

7 (2) "Director" means the director of medical assistance.

8 NEW SECTION. **Sec. 102.** There is created a department of state
9 government to be known as the department of medical assistance. The
10 department shall be vested with all powers and duties transferred to it
11 under this chapter and such other powers and duties as may be
12 authorized by law.

13 NEW SECTION. **Sec. 103.** (1) All powers, duties, and functions of
14 the department of social and health services pertaining to medical
15 assistance are transferred to the department of medical assistance.
16 This includes all functions performed by the medical assistance
17 administration as it existed on November 1, 1996. All references to
18 the secretary or the department of social and health services in the
19 Revised Code of Washington shall be construed to mean the director or
20 the department of medical assistance when referring to the functions
21 transferred in this section.

22 (2)(a) All reports, documents, surveys, books, records, files,
23 papers, or written material in the possession of the department of
24 social and health services pertaining to the powers, functions, and
25 duties transferred shall be delivered to the custody of the department
26 of medical assistance. All cabinets, furniture, office equipment,
27 motor vehicles, and other tangible property employed by the department
28 of social and health services in carrying out the powers, functions,
29 and duties transferred shall be made available to the department of
30 medical assistance. All funds, credits, or other assets held in
31 connection with the powers, functions, and duties transferred shall be
32 assigned to the department of medical assistance.

33 (b) Any appropriations made to the department of social and health
34 services for carrying out the powers, functions, and duties transferred
35 shall, on the effective date of this section, be transferred and
36 credited to the department of medical assistance.

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

7 (3) All employees of the department of social and health services
8 engaged in performing the powers, functions, and duties transferred are
9 transferred to the jurisdiction of the department of medical
10 assistance. All employees classified under chapter 41.06 RCW, the
11 state civil service law, are assigned to the department of medical
12 assistance to perform their usual duties upon the same terms as
13 formerly, without any loss of rights, subject to any action that may be
14 appropriate thereafter in accordance with the laws and rules governing
15 state civil service.

16 (4) All rules and all pending business before the department of
17 social and health services pertaining to the powers, functions, and
18 duties transferred shall be continued and acted upon by the department
19 of medical assistance. All existing contracts and obligations shall
20 remain in full force and shall be performed by the department of
21 medical assistance.

22 (5) The transfer of the powers, duties, functions, and personnel of
23 the department of social and health services shall not affect the
24 validity of any act performed before the effective date of this
25 section.

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

32 (7) Nothing contained in this section may be construed to alter any
33 existing collective bargaining unit or the provisions of any existing
34 collective bargaining agreement until the agreement has expired or
35 until the bargaining unit has been modified by action of the personnel
36 board as provided by law.

37 NEW SECTION. **Sec. 104.** The executive head and appointing
38 authority of the department shall be the director. The director shall

1 be appointed by the governor, with the consent of the senate, and shall
2 serve at the pleasure of the governor. The director shall be paid a
3 salary to be fixed by the governor in accordance with RCW 43.03.040.
4 If a vacancy occurs in the position while the senate is not in session,
5 the governor shall make a temporary appointment until the next meeting
6 of the senate.

7 NEW SECTION. **Sec. 105.** (1) The director may create such
8 administrative structures as the director considers appropriate, except
9 as otherwise specified by law. In creating administrative structures,
10 the director shall endeavor to promote efficient public management, to
11 improve programs, and to take full advantage of the economies, both
12 fiscal and administrative, to be gained from the consolidation of
13 functions.

14 (2) The director may appoint assistant directors as may be needed
15 to administer the department. The director may employ such personnel
16 as may be necessary for the administration of the department. This
17 employment shall be in accordance with the state civil service law,
18 chapter 41.06 RCW, except as otherwise provided.

19 (3) Any power or duty vested in or transferred to the director by
20 law or executive order may be delegated by the director to any officer
21 or employee; but the director shall be responsible for the official
22 acts of the officers and employees of the department.

23 NEW SECTION. **Sec. 106.** The director may appoint such advisory
24 committees or councils as required by any federal legislation as a
25 condition to the receipt of federal funds by the department. The
26 director may also appoint state-wide committees or councils on such
27 subject matters as are or come within the department's
28 responsibilities. The state-wide committees and councils shall have
29 representation from both major political parties and shall have
30 substantial consumer representation. The committees or councils shall
31 be constituted as required by federal law or as the director may
32 determine. The members of the committees or councils shall hold office
33 as follows: One-third to serve one year; one-third to serve two years;
34 and one-third to serve three years. Upon expiration of the original
35 terms, subsequent appointments shall be for three years except in the
36 case of a vacancy, in which event appointment shall be only for the

1 remainder of the unexpired term for which the vacancy occurs. No
2 member may serve more than two consecutive terms.

3 Members of state advisory committees or councils created under this
4 section may be paid their travel expenses in accordance with RCW
5 43.03.050 and 43.03.060.

6 NEW SECTION. **Sec. 107.** In furtherance of the policy of the state
7 to cooperate with the federal government in all of the programs under
8 the jurisdiction of the department, such rules as may become necessary
9 to entitle the state to participate in federal funds may be adopted,
10 unless expressly prohibited by law. Any internal reorganization
11 carried out under the terms of this chapter shall meet federal
12 requirements that are a necessary condition to state receipt of federal
13 funds. Any section or provision of law dealing with the department
14 that may be susceptible to more than one construction shall be
15 interpreted in favor of the construction most likely to comply with
16 federal laws entitling this state to receive federal funds for the
17 various programs of the department. If any law dealing with the
18 department is ruled to be in conflict with federal requirements that
19 are a prescribed condition of the allocation of federal funds to the
20 state, or to any departments or agencies thereof, the conflicting part
21 is inoperative solely to the extent of the conflict.

22 NEW SECTION. **Sec. 108.** A new section is added to chapter 41.06
23 RCW to read as follows:

24 In addition to the exemptions under RCW 41.06.070, the provisions
25 of this chapter shall not apply in the department of medical assistance
26 to the director, the director's personal secretary, all assistant
27 directors, and one confidential secretary for each assistant director.

28 **PART 2**

29 **DEPARTMENT OF LONG-TERM CARE SERVICES**

30 NEW SECTION. **Sec. 201.** Unless the context clearly requires
31 otherwise, the definitions in this section apply throughout this
32 chapter.

33 (1) "Department" means the department of long-term care services.

34 (2) "Director" means the director of long-term care services.

1 NEW SECTION. **Sec. 202.** There is created a department of state
2 government to be known as the department of long-term care services.
3 The department shall be vested with all powers and duties transferred
4 to it under this chapter and such other powers and duties as may be
5 authorized by law.

6 NEW SECTION. **Sec. 203.** (1) All powers, duties, and functions of
7 the department of social and health services pertaining to long-term
8 care and health are transferred to the department of long-term care and
9 health. This includes all functions performed by the aging and adult
10 services administration and the health and rehabilitative services
11 administration except vocational rehabilitation as they existed on
12 November 1, 1996. All references to the secretary or the department of
13 social and health services in the Revised Code of Washington shall be
14 construed to mean the director or the department of long-term care
15 services when referring to the functions transferred in this section.

16 (2)(a) All reports, documents, surveys, books, records, files,
17 papers, or written material in the possession of the department of
18 social and health services pertaining to the powers, functions, and
19 duties transferred shall be delivered to the custody of the department
20 of long-term care services. All cabinets, furniture, office equipment,
21 motor vehicles, and other tangible property employed by the department
22 of social and health services in carrying out the powers, functions,
23 and duties transferred shall be made available to the department of
24 long-term care services. All funds, credits, or other assets held in
25 connection with the powers, functions, and duties transferred shall be
26 assigned to the department of long-term care services.

27 (b) Any appropriations made to the department of social and health
28 services for carrying out the powers, functions, and duties transferred
29 shall, on the effective date of this section, be transferred and
30 credited to the department of long-term care services.

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

37 (3) All employees of the department of social and health services
38 engaged in performing the powers, functions, and duties transferred are

1 transferred to the jurisdiction of the department of long-term care
2 services. All employees classified under chapter 41.06 RCW, the state
3 civil service law, are assigned to the department of long-term care
4 services to perform their usual duties upon the same terms as formerly,
5 without any loss of rights, subject to any action that may be
6 appropriate thereafter in accordance with the laws and rules governing
7 state civil service.

8 (4) All rules and all pending business before the department of
9 social and health services pertaining to the powers, functions, and
10 duties transferred shall be continued and acted upon by the department
11 of long-term care services. All existing contracts and obligations
12 shall remain in full force and shall be performed by the department of
13 long-term care services.

14 (5) The transfer of the powers, duties, functions, and personnel of
15 the department of social and health services shall not affect the
16 validity of any act performed before the effective date of this
17 section.

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

24 (7) Nothing contained in this section may be construed to alter any
25 existing collective bargaining unit or the provisions of any existing
26 collective bargaining agreement until the agreement has expired or
27 until the bargaining unit has been modified by action of the personnel
28 board as provided by law.

29 NEW SECTION. **Sec. 204.** (1) All powers, duties, and functions of
30 the department of health relating to boarding homes, adult family
31 homes, and nursing homes are transferred to the department of long-term
32 care services. All references to the secretary of health and the
33 department of health in the Revised Code of Washington shall be
34 construed to mean the director or the department of long-term care
35 services when referring to the functions transferred in this section.

36 (2)(a) All reports, documents, surveys, books, records, files,
37 papers, or written material in the possession of the department of
38 health pertaining to the powers, functions, and duties transferred

1 shall be delivered to the custody of the department of long-term care
2 services. All cabinets, furniture, office equipment, motor vehicles,
3 and other tangible property employed by the department of health in
4 carrying out the powers, functions, and duties transferred shall be
5 made available to the department of long-term care services. All
6 funds, credits, or other assets held in connection with the powers,
7 functions, and duties transferred shall be assigned to the department
8 of long-term care services.

9 (b) Any appropriations made to the department of health for
10 carrying out the powers, functions, and duties transferred shall, on
11 the effective date of this section, be transferred and credited to the
12 department of long-term care services.

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

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

28 (4) All rules and all pending business before the department of
29 health pertaining to the powers, functions, and duties transferred
30 shall be continued and acted upon by the department of long-term care
31 services. All existing contracts and obligations shall remain in full
32 force and shall be performed by the department of long-term care
33 services.

34 (5) The transfer of the powers, duties, functions, and personnel of
35 the department of health shall not affect the validity of any act
36 performed before the effective date of this section.

37 (6) If apportionments of budgeted funds are required because of the
38 transfers directed by this section, the director of financial
39 management shall certify the apportionments to the agencies affected,

1 the state auditor, and the state treasurer. Each of these shall make
2 the appropriate transfer and adjustments in funds and appropriation
3 accounts and equipment records in accordance with the certification.

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

9 NEW SECTION. **Sec. 205.** The executive head and appointing
10 authority of the department shall be the director. The director shall
11 be appointed by the governor, with the consent of the senate, and shall
12 serve at the pleasure of the governor. The director shall be paid a
13 salary to be fixed by the governor in accordance with RCW 43.03.040.
14 If a vacancy occurs in the position while the senate is not in session,
15 the governor shall make a temporary appointment until the next meeting
16 of the senate.

17 NEW SECTION. **Sec. 206.** (1) The director may create such
18 administrative structures as the director considers appropriate, except
19 as otherwise specified by law. In creating administrative structures,
20 the director shall endeavor to promote efficient public management, to
21 improve programs, and to take full advantage of the economies, both
22 fiscal and administrative, to be gained from the consolidation of
23 functions.

24 (2) The director may appoint assistant directors as may be needed
25 to administer the department. The director may employ such personnel
26 as may be necessary for the administration of the department. This
27 employment shall be in accordance with the state civil service law,
28 chapter 41.06 RCW, except as otherwise provided.

29 (3) Any power or duty vested in or transferred to the director by
30 law or executive order may be delegated by the director to any officer
31 or employee; but the director shall be responsible for the official
32 acts of the officers and employees of the department.

33 NEW SECTION. **Sec. 207.** The director may appoint such advisory
34 committees or councils as required by any federal legislation as a
35 condition to the receipt of federal funds by the department. The
36 director may also appoint state-wide committees or councils on such

1 subject matters as are or come within the department's
2 responsibilities. The state-wide committees and councils shall have
3 representation from both major political parties and shall have
4 substantial consumer representation. The committees or councils shall
5 be constituted as required by federal law or as the director may
6 determine. The members of the committees or councils shall hold office
7 as follows: One-third to serve one year; one-third to serve two years;
8 and one-third to serve three years. Upon expiration of the original
9 terms, subsequent appointments shall be for three years except in the
10 case of a vacancy, in which event appointment shall be only for the
11 remainder of the unexpired term for which the vacancy occurs. No
12 member may serve more than two consecutive terms.

13 Members of state advisory committees or councils created under this
14 section may be paid their travel expenses in accordance with RCW
15 43.03.050 and 43.03.060.

16 NEW SECTION. **Sec. 208.** In furtherance of the policy of the state
17 to cooperate with the federal government in all of the programs under
18 the jurisdiction of the department, such rules as may become necessary
19 to entitle the state to participate in federal funds may be adopted,
20 unless expressly prohibited by law. Any internal reorganization
21 carried out under the terms of this chapter shall meet federal
22 requirements that are a necessary condition to state receipt of federal
23 funds. Any section or provision of law dealing with the department
24 that may be susceptible to more than one construction shall be
25 interpreted in favor of the construction most likely to comply with
26 federal laws entitling this state to receive federal funds for the
27 various programs of the department. If any law dealing with the
28 department is ruled to be in conflict with federal requirements that
29 are a prescribed condition of the allocation of federal funds to the
30 state, or to any departments or agencies thereof, the conflicting part
31 is inoperative solely to the extent of the conflict.

32 NEW SECTION. **Sec. 209.** A new section is added to chapter 41.06
33 RCW to read as follows:

34 In addition to the exemptions under RCW 41.06.070, the provisions
35 of this chapter shall not apply in the department of long-term care
36 services to the director, the director's personal secretary, all

1 assistant directors, and one confidential secretary for each assistant
2 director.

3 **PART 3**

4 **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

5 NEW SECTION. **Sec. 301.** Unless the context clearly requires
6 otherwise, the definitions in this section apply throughout this
7 chapter.

8 (1) "Department" means the department of children and family
9 services.

10 (2) "Director" means the director of children and family services.

11 NEW SECTION. **Sec. 302.** The department of children and family
12 services is created. The department shall be vested with all powers
13 and duties transferred to it under this chapter and such other powers
14 and duties as may be authorized by law.

15 NEW SECTION. **Sec. 303.** (1)(a) All powers, duties, and functions
16 of the department of social and health services pertaining to children
17 and family services are transferred to the department of children and
18 family services. This includes all functions performed by the
19 children's administration except those child protective services
20 functions transferred in section 310 of this act, as they existed on
21 November 1, 1996. All references to the secretary or the department of
22 social and health services in the Revised Code of Washington shall be
23 construed to mean the director or the department of children and family
24 services when referring to the functions transferred in this section.

25 (b) All powers, duties, and functions of the department of
26 community, trade, and economic development pertaining to early
27 childhood education assistance programs, head start programs, and youth
28 violence contracts are transferred to the department of children and
29 family services. All references to the director or the department of
30 community, trade, and economic development in the Revised Code of
31 Washington shall be construed to mean the director or the department of
32 children and family services when referring to the functions
33 transferred in this section.

34 (2)(a) All reports, documents, surveys, books, records, files,
35 papers, or written material in the possession of the department of

1 social and health services or the department of community, trade, and
2 economic development pertaining to the powers, functions, and duties
3 transferred shall be delivered to the custody of the department of
4 children and family services. All cabinets, furniture, office
5 equipment, motor vehicles, and other tangible property employed by the
6 department of social and health services or the department of
7 community, trade, and economic development in carrying out the powers,
8 functions, and duties transferred shall be made available to the
9 department of children and family services. All funds, credits, or
10 other assets held in connection with the powers, functions, and duties
11 transferred shall be assigned to the department of children and family
12 services.

13 (b) Any appropriations made to the department of social and health
14 services or the department of community, trade, and economic
15 development for carrying out the powers, functions, and duties
16 transferred shall, on the effective date of this section, be
17 transferred and credited to the department of children and family
18 services.

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

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

35 (4) All rules and all pending business before the department of
36 social and health services or the department of community, trade, and
37 economic development pertaining to the powers, functions, and duties
38 transferred shall be continued and acted upon by the department of
39 children and family services. All existing contracts and obligations

1 shall remain in full force and shall be performed by the department of
2 children and family services.

3 (5) The transfer of the powers, duties, and functions of the
4 department of social and health services and the department of
5 community, trade, and economic development shall not affect the
6 validity of any act performed before the effective date of this
7 section.

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

14 (7) Nothing contained in this section may be construed to alter any
15 existing collective bargaining unit or the provisions of any existing
16 collective bargaining agreement until the agreement has expired or
17 until the bargaining unit has been modified by action of the personnel
18 board as provided by law.

19 NEW SECTION. **Sec. 304.** The executive head and appointing
20 authority of the department shall be the director. The director shall
21 be appointed by the governor, with the consent of the senate, and shall
22 serve at the pleasure of the governor. The director shall be paid a
23 salary to be fixed by the governor in accordance with RCW 43.03.040.
24 If a vacancy occurs in the position while the senate is not in session,
25 the governor shall make a temporary appointment until the next meeting
26 of the senate.

27 NEW SECTION. **Sec. 305.** (1) The director may create such
28 administrative structures as the director considers appropriate, except
29 as otherwise specified by law. In creating administrative structures,
30 the director shall endeavor to promote efficient public management, to
31 improve programs, and to take full advantage of the economies, both
32 fiscal and administrative, to be gained from the consolidation of
33 functions.

34 (2) The director may appoint assistant directors as may be needed
35 to administer the department. The director may employ such personnel
36 as may be necessary for the administration of the department. This

1 employment shall be in accordance with the state civil service law,
2 chapter 41.06 RCW, except as otherwise provided.

3 (3) Any power or duty vested in or transferred to the director by
4 law or executive order may be delegated by the director to any officer
5 or employee; but the director shall be responsible for the official
6 acts of the officers and employees of the department.

7 NEW SECTION. **Sec. 306.** The director may appoint such advisory
8 committees or councils as required by any federal legislation as a
9 condition to the receipt of federal funds by the department. The
10 director may also appoint state-wide committees or councils on such
11 subject matters as are or come within the department's
12 responsibilities. The state-wide committees and councils shall have
13 representation from both major political parties and shall have
14 substantial consumer representation. The committees or councils shall
15 be constituted as required by federal law or as the director may
16 determine. The members of the committees or councils shall hold office
17 as follows: One-third to serve one year; one-third to serve two years;
18 and one-third to serve three years. Upon expiration of the original
19 terms, subsequent appointments shall be for three years except in the
20 case of a vacancy, in which event appointment shall be only for the
21 remainder of the unexpired term for which the vacancy occurs. No
22 member may serve more than two consecutive terms.

23 Members of state advisory committees or councils created under this
24 section may be paid their travel expenses in accordance with RCW
25 43.03.050 and 43.03.060.

26 NEW SECTION. **Sec. 307.** In furtherance of the policy of the state
27 to cooperate with the federal government in all of the programs under
28 the jurisdiction of the department, such rules as may become necessary
29 to entitle the state to participate in federal funds may be adopted,
30 unless expressly prohibited by law. Any internal reorganization
31 carried out under the terms of this chapter shall meet federal
32 requirements that are a necessary condition to state receipt of federal
33 funds. Any section or provision of law dealing with the department
34 that may be susceptible to more than one construction shall be
35 interpreted in favor of the construction most likely to comply with
36 federal laws entitling this state to receive federal funds for the
37 various programs of the department. If any law dealing with the

1 department is ruled to be in conflict with federal requirements that
2 are a prescribed condition of the allocation of federal funds to the
3 state, or to any departments or agencies thereof, the conflicting part
4 is inoperative solely to the extent of the conflict.

5 NEW SECTION. **Sec. 308.** A new section is added to chapter 41.06
6 RCW to read as follows:

7 In addition to the exemptions under RCW 41.06.070, the provisions
8 of this chapter shall not apply in the department of children and
9 family services to the director, the director's personal secretary, all
10 assistant directors, and one confidential secretary for each assistant
11 director.

12 NEW SECTION. **Sec. 309.** A new section is added to chapter 72.09
13 RCW to read as follows:

14 (1)(a) All powers, duties, and functions of the department of
15 social and health services pertaining to juvenile rehabilitation and
16 the juvenile justice system are transferred to the department of
17 corrections and to the department of children and family services in
18 accordance with the provisions of chapter . . . , Laws of 1997 (this
19 act).

20 (b) All references to the secretary or the department of social and
21 health services in the Revised Code of Washington shall be construed to
22 mean the secretary or the department of corrections or the director or
23 the department of children and family services when referring to the
24 functions transferred in this section.

25 (2)(a) All reports, documents, surveys, books, records, files,
26 papers, or written material in the possession of the department of
27 social and health services pertaining to the powers, functions, and
28 duties transferred shall be delivered to the custody of the department
29 of corrections or the department of children and family services, as
30 determined by the office of financial management. All cabinets,
31 furniture, office equipment, motor vehicles, and other tangible
32 property employed by the department of social and health services in
33 carrying out the powers, functions, and duties transferred shall be
34 made available to either the department of corrections or the
35 department of children and family services, as determined by the office
36 of financial management. All funds, credits, or other assets held in
37 connection with the powers, functions, and duties transferred shall be

1 assigned to the department of corrections or the department of children
2 and family services, as determined by the office of financial
3 management.

4 (b) Any appropriations made to the department of social and health
5 services for carrying out the powers, functions, and duties transferred
6 shall, on the effective date of this section, be transferred and
7 credited between the department of corrections and the department of
8 children and family services, as determined by the office of financial
9 management.

10 (c) Whenever any question arises as to the transfer of any funds,
11 books, documents, records, papers, files, equipment, or other tangible
12 property used or held in the exercise of the powers and the performance
13 of the duties and functions transferred, the director of financial
14 management shall make a determination as to the proper allocation and
15 certify the same to the state agencies concerned.

16 (3) All employees of the department of social and health services
17 engaged in performing the powers, functions, and duties transferred are
18 transferred to the jurisdiction of the department of corrections or the
19 department of children and family services. All employees classified
20 under chapter 41.06 RCW, the state civil service law, are assigned to
21 the department of corrections or the department of children and family
22 services to perform their usual duties upon the same terms as formerly,
23 without any loss of rights, subject to any action that may be
24 appropriate thereafter in accordance with the laws and rules governing
25 state civil service.

26 (4) All rules and all pending business before the department of
27 social and health services pertaining to the powers, functions, and
28 duties transferred shall be continued and acted upon by either the
29 department of corrections or the department of children and family
30 services, as determined by the office of financial management. All
31 existing contracts and obligations shall remain in full force and shall
32 be performed by the department of corrections or the department of
33 children and family services, as determined by the office of financial
34 management.

35 (5) The transfer of the powers, duties, and functions of the
36 department of social and health services shall not affect the validity
37 of any act performed before the effective date of this section.

38 (6) If apportionments of budgeted funds are required because of the
39 transfers directed by this section, the director of financial

1 management shall certify the apportionments to the agencies affected,
2 the state auditor, and the state treasurer. Each of these shall make
3 the appropriate transfer and adjustments in funds and appropriation
4 accounts and equipment records in accordance with the certification.

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

10 NEW SECTION. **Sec. 310.** A new section is added to chapter 43.20A
11 RCW to read as follows:

12 (1) All powers, duties, and functions of the department of social
13 and health services pertaining to child protective services are
14 transferred to the department of children and family services and
15 county sheriffs in accordance with chapter . . . , Laws of 1997 (this
16 act). All references to the secretary or the department of social and
17 health services in the Revised Code of Washington shall be construed to
18 mean the director or the department of children and family services and
19 county sheriffs when referring to the functions transferred in this
20 section.

21 (2)(a) All reports, documents, surveys, books, records, files,
22 papers, or written material in the possession of the department of
23 social and health services pertaining to the powers, functions, and
24 duties transferred shall be delivered to the custody of the department
25 of children and family services. All cabinets, furniture, office
26 equipment, motor vehicles, and other tangible property employed by the
27 department of social and health services in carrying out the powers,
28 functions, and duties transferred shall be made available to the
29 department of children and family services. All funds, credits, or
30 other assets held in connection with the powers, functions, and duties
31 transferred shall be assigned to the department of children and family
32 services.

33 (b) Any appropriations made to the department of social and health
34 services for carrying out the powers, functions, and duties transferred
35 shall, on the effective date of this section, be transferred and
36 credited to the department of children and family services.

37 (c) Whenever any question arises as to the transfer of any
38 personnel, funds, books, documents, records, papers, files, equipment,

1 or other tangible property used or held in the exercise of the powers
2 and the performance of the duties and functions transferred, the
3 director of financial management shall make a determination as to the
4 proper allocation and certify the same to the state agencies concerned.

5 (3) All employees of the department of social and health services
6 engaged in performing the powers, functions, and duties transferred are
7 transferred to the jurisdiction of the department of children and
8 family services. All employees classified under chapter 41.06 RCW, the
9 state civil service law, are assigned to the department of children and
10 family services to perform their usual duties upon the same terms as
11 formerly, without any loss of rights, subject to any action that may be
12 appropriate thereafter in accordance with the laws and rules governing
13 state civil service.

14 (4) All rules and all pending business before the department of
15 social and health services pertaining to the powers, functions, and
16 duties transferred shall be continued and acted upon by the department
17 of children and family services and county sheriffs. All existing
18 contracts and obligations shall remain in full force and shall be
19 performed by the department of children and family services and county
20 sheriffs.

21 (5) The transfer of the powers, duties, functions, and personnel of
22 the department of social and health services shall not affect the
23 validity of any act performed before the effective date of this
24 section.

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

31 (7) Nothing contained in this section may be construed to alter any
32 existing collective bargaining unit or the provisions of any existing
33 collective bargaining agreement until the agreement has expired or
34 until the bargaining unit has been modified by action of the personnel
35 board as provided by law.

36 **PART 4**

37 **DEPARTMENT OF EMPLOYMENT SERVICES**

1 NEW SECTION. **Sec. 401.** Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout this
3 chapter.

4 (1) "Department" means the department of employment services.

5 (2) "Director" means the director of employment services.

6 NEW SECTION. **Sec. 402.** There is hereby created a department of
7 state government to be known as the department of employment services.
8 The department shall be vested with all powers and duties transferred
9 to it under this chapter and such other powers and duties as may be
10 authorized by law.

11 NEW SECTION. **Sec. 403.** (1)(a) All powers, duties, and functions
12 of the department of social and health services pertaining to economic
13 services are transferred to the department of employment services.
14 This includes all functions performed by the economic services
15 administration as it existed on November 1, 1996. All references to
16 the secretary or the department of social and health services in the
17 Revised Code of Washington shall be construed to mean the director or
18 the department of employment services when referring to the functions
19 transferred in this subsection (1)(a).

20 (b) All powers, duties, and functions of the department of social
21 and health services pertaining to vocational rehabilitation services
22 are transferred to the department of employment services. This
23 includes all functions performed by the division of vocational
24 rehabilitation as it existed on November 1, 1996. All references to
25 the secretary or the department of social and health services in the
26 Revised Code of Washington shall be construed to mean the director or
27 the department of employment services when referring to the functions
28 transferred in this subsection (1)(b).

29 (c) All powers, duties, and functions of the department of labor
30 and industries relating to the provision of vocational rehabilitation
31 services to injured workers under Title 51 RCW are transferred to the
32 department of employment services. All references to the director or
33 the department of labor and industries in the Revised Code of
34 Washington shall be construed to mean the director or the department of
35 employment services when referring to the functions transferred in this
36 subsection (1)(c).

1 (d) All powers, duties, and functions of the employment security
2 department are transferred to the department of employment services.
3 All references to the commissioner or the employment security
4 department in the Revised Code of Washington shall be construed to mean
5 the director or the department of employment services when referring to
6 the functions transferred in this subsection (1)(d).

7 (e) All powers, duties, and functions of the department of social
8 and health services pertaining to the office of special investigations
9 are transferred to the department of employment services. All
10 references to the secretary or the department of social and health
11 services in the Revised Code of Washington shall be construed to mean
12 the director or the department of employment services when referring to
13 the functions transferred in this subsection (1)(e).

14 (2)(a) All reports, documents, surveys, books, records, files,
15 papers, or written material in the possession of the departments
16 identified in subsection (1) of this section pertaining to the powers,
17 functions, and duties transferred shall be delivered to the custody of
18 the department of employment services. All cabinets, furniture, office
19 equipment, motor vehicles, and other tangible property employed by the
20 departments in carrying out the powers, functions, and duties
21 transferred shall be made available to the department of employment
22 services. All funds, credits, or other assets held in connection with
23 the powers, functions, and duties transferred shall be assigned to the
24 department of employment services.

25 (b) Any appropriations made to the departments identified in
26 subsection (1) of this section for carrying out the powers, functions,
27 and duties transferred shall, on the effective date of this section, be
28 transferred and credited to the department of employment services.

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

35 (3) All employees of the departments identified in subsection (1)
36 of this section engaged in performing the powers, functions, and duties
37 transferred are transferred to the jurisdiction of the department of
38 employment services. All employees classified under chapter 41.06 RCW,
39 the state civil service law, are assigned to the department of

1 employment services to perform their usual duties upon the same terms
2 as formerly, without any loss of rights, subject to any action that may
3 be appropriate thereafter in accordance with the laws and rules
4 governing state civil service.

5 (4) All rules and all pending business before the departments
6 identified in subsection (1) of this section pertaining to the powers,
7 functions, and duties transferred shall be continued and acted upon by
8 the department of employment services. All existing contracts and
9 obligations shall remain in full force and shall be performed by the
10 department of employment services.

11 (5) The transfer of the powers, duties, functions, and personnel of
12 the departments identified in subsection (1) of this section shall not
13 affect the validity of any act performed before the effective date of
14 this section.

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

21 (7) Nothing contained in this section may be construed to alter any
22 existing collective bargaining unit or the provisions of any existing
23 collective bargaining agreement until the agreement has expired or
24 until the bargaining unit has been modified by action of the personnel
25 board as provided by law.

26 NEW SECTION. **Sec. 404.** The executive head and appointing
27 authority of the department shall be the director. The director shall
28 be appointed by the governor, with the consent of the senate, and shall
29 serve at the pleasure of the governor. The director shall be paid a
30 salary to be fixed by the governor in accordance with RCW 43.03.040.
31 If a vacancy occurs in the position while the senate is not in session,
32 the governor shall make a temporary appointment until the next meeting
33 of the senate.

34 NEW SECTION. **Sec. 405.** (1) The director may create such
35 administrative structures as the director considers appropriate, except
36 as otherwise specified by law. In creating administrative structures,
37 the director shall endeavor to promote efficient public management, to

1 improve programs, and to take full advantage of the economies, both
2 fiscal and administrative, to be gained from the consolidation of
3 functions.

4 (2) The director may appoint assistant directors as may be needed
5 to administer the department. The director may employ such personnel
6 as may be necessary for the administration of the department. This
7 employment shall be in accordance with the state civil service law,
8 chapter 41.06 RCW, except as otherwise provided.

9 (3) Any power or duty vested in or transferred to the director by
10 law or executive order may be delegated by the director to any officer
11 or employee; but the director shall be responsible for the official
12 acts of the officers and employees of the department.

13 NEW SECTION. **Sec. 406.** The director may appoint such advisory
14 committees or councils as required by any federal legislation as a
15 condition to the receipt of federal funds by the department. The
16 director may also appoint state-wide committees or councils on such
17 subject matters as are or come within the department's
18 responsibilities. The state-wide committees and councils shall have
19 representation from both major political parties and shall have
20 substantial consumer representation. The committees or councils shall
21 be constituted as required by federal law or as the director may
22 determine. The members of the committees or councils shall hold office
23 as follows: One-third to serve one year; one-third to serve two years;
24 and one-third to serve three years. Upon expiration of the original
25 terms, subsequent appointments shall be for three years except in the
26 case of a vacancy, in which event appointment shall be only for the
27 remainder of the unexpired term for which the vacancy occurs. No
28 member may serve more than two consecutive terms.

29 Members of state advisory committees or councils created under this
30 section may be paid their travel expenses in accordance with RCW
31 43.03.050 and 43.03.060.

32 NEW SECTION. **Sec. 407.** In furtherance of the policy of the state
33 to cooperate with the federal government in all of the programs under
34 the jurisdiction of the department, such rules as may become necessary
35 to entitle the state to participate in federal funds may be adopted,
36 unless expressly prohibited by law. Any internal reorganization
37 carried out under the terms of this chapter shall meet federal

1 requirements that are a necessary condition to state receipt of federal
2 funds. Any section or provision of law dealing with the department
3 that may be susceptible to more than one construction shall be
4 interpreted in favor of the construction most likely to comply with
5 federal laws entitling this state to receive federal funds for the
6 various programs of the department. If any law dealing with the
7 department is ruled to be in conflict with federal requirements that
8 are a prescribed condition of the allocation of federal funds to the
9 state, or to any departments or agencies thereof, the conflicting part
10 is inoperative solely to the extent of the conflict.

11 NEW SECTION. **Sec. 408.** A new section is added to chapter 41.06
12 RCW to read as follows:

13 In addition to the exemptions under RCW 41.06.070, the provisions
14 of this chapter shall not apply in the department of employment
15 services to the director, the director's personal secretary, all
16 assistant directors, and one confidential secretary for each assistant
17 director.

18 **PART 5**

19 **GENERAL DEPARTMENTAL PROVISIONS**

20 NEW SECTION. **Sec. 501.** (1) The director of financial management,
21 the secretary of corrections, the secretary of social and health
22 services, and the director of the department of community, trade, and
23 economic development shall jointly develop a reorganization
24 implementation plan to implement sections 301 through 310 of this act.
25 The plan shall take into account recommendations from interested
26 individuals, as well as state and local agencies.

27 (2) The plan shall detail the implementation steps to effectuate
28 the transfer of the:

29 (a) Children's administration and the functions of the department
30 of community, trade, and economic development relating to children to
31 the new children and family services agency;

32 (b) Juvenile rehabilitation administration to the department of
33 corrections and the new children and family services agency; and

34 (c) Child protective services to the county sheriffs and the new
35 children and family services agency.

1 (3) The plan shall include allocation of the functions of the
2 juvenile rehabilitation administration to the new department of
3 children and family services and the department of corrections. The
4 legislature intends that:

5 (a) The plan consider which state agency is best suited to address
6 the needs of various groups of juvenile offenders, and the needs of
7 society with respect to those juveniles; and

8 (b) The plan incorporate the functions of treatment and sentencing
9 provisions of law as of July 1, 1998, over juvenile offenders
10 including, but not limited to juvenile rehabilitation and the juvenile
11 justice system, including functions performed by the juvenile
12 rehabilitation administration as it exists June 30, 1998. Any juvenile
13 offenders transferred as a result of chapter . . . , Laws of 1997 (this
14 act) shall be housed separately from adult offenders.

15 (4) The legislature intends that because child abuse or neglect
16 investigations frequently reveal criminal activity, the authority to
17 conduct such investigations should be transferred to the county
18 sheriffs in larger counties. The legislature further finds that the
19 authority to conduct investigations to determine whether there is
20 evidence that would support a judicial determination that a child is a
21 dependent child should be vested in the county sheriff in the larger
22 counties. The reorganization plan shall include recommendations as to
23 the allocation of functions between the new department of children and
24 family services, the county sheriffs, and other appropriate agencies.

25 (5) In developing the recommendations required under this section,
26 the directors, secretaries, and commissioner shall consult with the
27 directors of the departments of general administration and personnel to
28 ensure that no duplication of functions will occur between the
29 departments of general administration, personnel, and other
30 departments.

31 (6) The completed reorganization implementation plan shall be
32 submitted to the governor and the appropriate standing committees of
33 the legislature by November 15, 1997.

34 (7) The plan shall include details addressing the following areas
35 of legislative, public, and departmental concerns:

36 (a) Assessment and increased accountability measures over all
37 transferred functions;

38 (b) Quantifiable outcomes for all transferred functions;

1 (c) Equitable cost-effective coordinated service delivery and
2 continuity of care enhancements, including coordination with all
3 relevant service delivery components at the state, local, and private
4 level for the family and individuals in need;

5 (d) Staffing support and caseload management enhancements;

6 (e) Retention of the collocation of facilities wherever
7 economically possible until at least the year 2005, including
8 procedures for client referrals to new departments;

9 (f) Federal requirements, including but not limited to federal
10 reforms and the ability to continue participating to the maximum extent
11 possible in the receipt of federal funds and grants;

12 (g) Promotion of public and private partnerships; and

13 (h) Retention of centralized core administrative services such as
14 payment, financial, and information systems, until at least the year
15 2005.

16 (8) By December 15, 1997, the director of financial management, the
17 secretary of the department of social and health services, the
18 secretary of the department of corrections, and the director of the
19 department of community, trade, and economic development shall jointly
20 submit to the governor and the appropriate standing committees of the
21 legislature any proposed legislation necessary to implement the
22 reorganization implementation plan.

23 (9) This section expires June 30, 1998.

24 NEW SECTION. **Sec. 502.** (1) The director of the office of
25 financial management, the secretary of the department of social and
26 health services, and other departments affected by the transfers to
27 occur July 1, 2000, shall jointly develop a reorganization
28 implementation plan to effectuate the transfer of functions to occur
29 July 1, 2000. The plans shall also address strategies for ensuring
30 collaboration among programs and among the new and existing
31 departments.

32 (2) The reorganization implementation plans shall include
33 recommendations for restructuring other functions performed by the
34 department of social and health services, including the functions of:

35 (a) The family policy council;

36 (b) Community and legislative relations;

37 (c) The divisions of administrative services, information services,
38 finance, budget, employee services, and land and buildings; and

1 (d) The office of special investigations.

2 (3) In developing the recommendations required under subsection
3 (2)(c) of this section, the directors, secretaries, and commissioner
4 shall consult with the directors of the departments of general
5 administration and personnel to ensure that no duplication of functions
6 will occur between the departments of general administration,
7 personnel, corrections, and labor and industries, the employment
8 security department, and the four new agencies created in chapter
9 . . . , Laws of 1997 (this act).

10 (4) The plan shall include details addressing the following areas
11 of legislative, public, and departmental concerns:

12 (a) Assessment and increased accountability measures over all
13 transferred functions;

14 (b) Quantifiable outcomes for all transferred functions;

15 (c) Equitable cost-effective coordinated service delivery and
16 continuity of care enhancements, including coordination with all
17 relevant service delivery components at the state, local, and private
18 level for the family and individuals in need;

19 (d) Staffing support and caseload management enhancements;

20 (e) Retention of the collocation of facilities wherever
21 economically possible until at least the year 2005, including
22 procedures for client referrals to new departments;

23 (f) Federal requirements, including but not limited to federal
24 reforms and the ability to continue participating to the maximum extent
25 possible in the receipt of federal funds and grants;

26 (g) Promotion of public and private partnerships; and

27 (h) Retention of centralized core administrative services such as
28 payment, financial, and information systems, until at least the year
29 2005.

30 (5) The reorganization implementation plan shall be submitted to
31 the governor and the appropriate standing committees of the legislature
32 by November 15, 1999.

33 (6) By December 15, 1999, the director of financial management, the
34 secretary of the department of social and health services, the
35 secretary of the department of health, the commissioner of the
36 employment security department, and the director of the department of
37 labor and industries shall jointly submit to the governor and the
38 appropriate standing committees of the legislature any proposed

1 legislation necessary to implement the second reorganization
2 implementation plan.

3 (7) This section expires January 1, 2000.

4 **Sec. 503.** RCW 72.09.040 and 1981 c 136 s 4 are each amended to
5 read as follows:

6 All powers, duties, and functions assigned to the secretary of
7 social and health services and to the department of social and health
8 services relating to adult correctional programs and institutions are
9 hereby transferred to the secretary of corrections and to the
10 department of corrections. ~~((Except as may be specifically provided,
11 all functions of the department of social and health services relating
12 to juvenile rehabilitation and the juvenile justice system shall remain
13 in the department of social and health services. Where functions of
14 the department of social and health services and the department of
15 corrections overlap in the juvenile rehabilitation and/or juvenile
16 justice area, the governor may allocate such functions between these
17 departments.~~

18 ~~The secretaries of the department of social and health services and
19 the department of corrections shall submit to the 1983 session of the
20 Washington state legislature a joint report which addresses the
21 question of in which agency juvenile rehabilitation and state level
22 juvenile justice programs should be located.))~~

23 **Sec. 504.** RCW 43.17.010 and 1993 sp.s. c 2 s 16, 1993 c 472 s 17,
24 and 1993 c 280 s 18 are each reenacted and amended to read as follows:

25 There shall be departments of the state government which shall be
26 known as (1) the department of social and health services, (2) the
27 department of ecology, (3) the department of labor and industries, (4)
28 the department of agriculture, (5) the department of fish and wildlife,
29 (6) the department of transportation, (7) the department of licensing,
30 (8) the department of general administration, (9) the department of
31 community, trade, and economic development, (10) the department of
32 veterans affairs, (11) the department of revenue, (12) the department
33 of retirement systems, (13) the department of corrections, ~~((and))~~ (14)
34 the department of health, ~~((and))~~ (15) the department of financial
35 institutions, and (16) the department of children and family services
36 which shall be charged with the execution, enforcement, and

1 administration of such laws, and invested with such powers and required
2 to perform such duties, as the legislature may provide.

3 **Sec. 505.** RCW 43.17.020 and 1995 1st sp.s. c 2 s 2 are each
4 amended to read as follows:

5 There shall be a chief executive officer of each department to be
6 known as: (1) The secretary of social and health services, (2) the
7 director of ecology, (3) the director of labor and industries, (4) the
8 director of agriculture, (5) the director of fish and wildlife, (6) the
9 secretary of transportation, (7) the director of licensing, (8) the
10 director of general administration, (9) the director of community,
11 trade, and economic development, (10) the director of veterans affairs,
12 (11) the director of revenue, (12) the director of retirement systems,
13 (13) the secretary of corrections, ~~((and))~~ (14) the secretary of
14 health, ~~((and))~~ (15) the director of financial institutions, and (16)
15 the director of children and family services.

16 Such officers, except the secretary of transportation and the
17 director of fish and wildlife, shall be appointed by the governor, with
18 the consent of the senate, and hold office at the pleasure of the
19 governor. The secretary of transportation shall be appointed by the
20 transportation commission as prescribed by RCW 47.01.041. The director
21 of fish and wildlife shall be appointed by the fish and wildlife
22 commission as prescribed by RCW 77.04.055.

23 **Sec. 506.** RCW 43.17.010 and 1997 c . . . s 504 (section 504 of
24 this act) are each amended to read as follows:

25 There shall be departments of the state government which shall be
26 known as (1) ~~((the department of social and health services, (2))~~) the
27 department of ecology, ~~((+3))~~ (2) the department of labor and
28 industries, ~~((+4))~~ (3) the department of agriculture, ~~((+5))~~ (4) the
29 department of fish and wildlife, ~~((+6))~~ (5) the department of
30 transportation, ~~((+7))~~ (6) the department of licensing, ~~((+8))~~ (7)
31 the department of general administration, ~~((+9))~~ (8) the department of
32 community, trade, and economic development, ~~((+10))~~ (9) the department
33 of veterans affairs, ~~((+11))~~ (10) the department of revenue, ~~((+12))~~
34 (11) the department of retirement systems, ~~((+13))~~ (12) the department
35 of corrections, ~~((+14))~~ (13) the department of health, ~~((+15))~~ (14)
36 the department of financial institutions, ~~((and+(16))~~) (15) the
37 department of children and family services, (16) the department of

1 medical assistance, (17) the department of long-term care services, and
2 (18) the department of employment services which shall be charged with
3 the execution, enforcement, and administration of such laws, and
4 invested with such powers and required to perform such duties, as the
5 legislature may provide.

6 **Sec. 507.** RCW 43.17.020 and 1997 c . . . s 505 (section 505 of
7 this act) are each amended to read as follows:

8 There shall be a chief executive officer of each department to be
9 known as: (1) ~~((The secretary of social and health services, (2)))~~ The
10 director of ecology, ~~((+3))~~ (2) the director of labor and industries,
11 ~~((+4))~~ (3) the director of agriculture, ~~((+5))~~ (4) the director of
12 fish and wildlife, ~~((+6))~~ (5) the secretary of transportation, ~~((+7))~~
13 (6) the director of licensing, ~~((+8))~~ (7) the director of general
14 administration, ~~((+9))~~ (8) the director of community, trade, and
15 economic development, ~~((+10))~~ (9) the director of veterans affairs,
16 ~~((+11))~~ (10) the director of revenue, ~~((+12))~~ (11) the director of
17 retirement systems, ~~((+13))~~ (12) the secretary of corrections,
18 ~~((+14))~~ (13) the secretary of health, ~~((+15))~~ (14) the director of
19 financial institutions, ~~((and (16)))~~ (15) the director of children and
20 family services, (16) the director of medical assistance, (17) the
21 director of long-term care services, and (18) the director of
22 employment services.

23 Such officers, except the secretary of transportation and the
24 director of fish and wildlife, shall be appointed by the governor, with
25 the consent of the senate, and hold office at the pleasure of the
26 governor. The secretary of transportation shall be appointed by the
27 transportation commission as prescribed by RCW 47.01.041. The director
28 of fish and wildlife shall be appointed by the fish and wildlife
29 commission as prescribed by RCW 77.04.055.

30 **PART 6**

31 **MISCELLANEOUS**

32 NEW SECTION. **Sec. 601.** Part headings used in this act do not
33 constitute any part of the law.

34 NEW SECTION. **Sec. 602.** Sections 101 through 107 of this act
35 constitute a new chapter in Title 43 RCW.

1 NEW SECTION. **Sec. 603.** Sections 201 through 208 of this act
2 constitute a new chapter in Title 43 RCW.

3 NEW SECTION. **Sec. 604.** Sections 301 through 307 of this act
4 constitute a new chapter in Title 43 RCW.

5 NEW SECTION. **Sec. 605.** Sections 401 through 407 of this act
6 constitute a new chapter in Title 43 RCW.

7 NEW SECTION. **Sec. 606.** Section 501 of this act is necessary for
8 the immediate preservation of the public peace, health, or safety, or
9 support of the state government and its existing public institutions,
10 and takes effect immediately.

11 NEW SECTION. **Sec. 607.** If chapter . . . (House Bill No. 1850),
12 Laws of 1997 is enacted into law during the 1997 regular legislative
13 session, sections 201 through 209 of this act are null and void. If
14 chapter . . . (House Bill No. 1850), Laws of 1997 is not enacted into
15 law during the 1997 regular legislative session, sections 201 through
16 209 of this act take effect July 1, 2000.

17 NEW SECTION. **Sec. 608.** If chapter . . . (House Bill No. 1861),
18 Laws of 1997 is enacted into law during the 1997 regular legislative
19 session, sections 401 through 408 of this act are null and void. If
20 chapter . . . (House Bill No. 1861), Laws of 1997 is not enacted into
21 law during the 1997 regular legislative session, sections 401 through
22 408 of this act take effect July 1, 2000.

23 NEW SECTION. **Sec. 609.** Sections 301 through 310 and 502 through
24 505 of this act take effect July 1, 1998.

25 NEW SECTION. **Sec. 610.** Sections 1, 101 through 108, 506, and 507
26 of this act take effect July 1, 2000.

--- END ---