
SENATE BILL 6606

State of Washington

62nd Legislature

2012 Regular Session

By Senators Roach and Chase

Read first time 02/23/12. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to state government reorganization; amending RCW
2 43.17.010, 43.17.020, 42.17A.705, and 43.70.555; adding new sections to
3 chapter 41.06 RCW; adding a new section to chapter 74.04 RCW; adding
4 new chapters to Title 43 RCW; creating a new section; repealing RCW
5 70.190.030, 70.190.050, 70.190.060, 70.190.065, 70.190.070, 70.190.075,
6 70.190.080, 70.190.085, 70.190.090, 70.190.160, 70.190.170, 70.190.180,
7 70.190.190, 70.190.910, and 70.190.930; and providing an effective
8 date.

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

10 NEW SECTION. **Sec. 1.** The legislature finds that the needs of
11 Washingtonians for social services, public assistance, juvenile
12 rehabilitation, and specialized rehabilitative and medical services are
13 not being effectively served by the department of social and health
14 services. The department has grown too large, and become too unwieldy
15 and unfocused to cope adequately with caseload demands and social and
16 demographic change. Despite the efforts of many employees of the
17 department, egregious incidents have occurred in the lives of the
18 clients the department is supposed to protect and help.

1 The legislature finds that, in the interest of efficient and humane
2 assistance to the state's citizens who are in need, the creation of
3 new, smaller, and more focused agencies will give the provision of
4 welfare, juvenile, and medical and social rehabilitative services an
5 improved focus and accountability.

6 It is the intent of the legislature that the combined biennial
7 budgets of the three new agencies created in this act not exceed ninety
8 percent of the department of social and health services' 2011-2013
9 budget, and that future budgets of the new departments be tied to
10 inflation rates.

11 **PART I**

12 **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

13 NEW SECTION. **Sec. 101.** It is the purpose of this chapter to
14 administer and enforce programs relating to juvenile rehabilitation and
15 children, youth, and family services.

16 NEW SECTION. **Sec. 102.** The definitions in this section apply
17 throughout this chapter unless the context clearly requires otherwise.

18 (1) "Department" means the department of children and family
19 services.

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

21 NEW SECTION. **Sec. 103.** The department of children and family
22 services is created as an executive branch agency. The department is
23 vested with all powers and duties transferred to it under this chapter
24 and such other powers and duties as may be authorized by law.

25 NEW SECTION. **Sec. 104.** (1) The executive head and appointing
26 authority of the department is the director. The director shall be
27 appointed by the governor, with the consent of the senate, and shall
28 serve at the pleasure of the governor. The director shall be paid a
29 salary to be fixed by the governor in accordance with RCW 43.03.040.
30 If a vacancy occurs in the position while the senate is not in session,
31 the governor shall make a temporary appointment until the next meeting
32 of the senate.

1 (2) The director may employ staff members, who shall be exempt from
2 chapter 41.06 RCW, and any additional staff members as are necessary to
3 administer this chapter. The director may delegate any power or duty
4 vested in him or her by this chapter, including authority to make final
5 decisions and enter final orders in hearings conducted under chapter
6 34.05 RCW.

7 NEW SECTION. **Sec. 105.** (1) It is the intent of the legislature
8 wherever possible to place the internal affairs of the department under
9 the control of the director in order that the director may institute
10 the flexible, alert, and intelligent management of its business that
11 changing contemporary circumstances require. Therefore, whenever the
12 director's authority is not specifically limited by law, the director
13 has complete charge and supervisory powers over the department. The
14 director may create such administrative structures as the director
15 considers appropriate, except as otherwise specified by law. The
16 director may employ such assistants and personnel as may be necessary
17 for the general administration of the department. This employment
18 shall be in accordance with the state civil service law, chapter 41.06
19 RCW, except as otherwise provided.

20 (2) In addition to other powers granted to the director, the
21 director may:

22 (a) Enter into contracts on behalf of the department to carry out
23 the purposes of this chapter;

24 (b) Accept gifts, grants, or other funds for the purposes of this
25 chapter; and

26 (c) Adopt, in accordance with chapter 34.05 RCW, rules necessary to
27 implement this chapter. This section does not expand the rule-making
28 authority of the director beyond that necessary to implement and
29 administer programs and services existing July 1, 2013, as transferred
30 to the department of children and family services under this act.

31 NEW SECTION. **Sec. 106.** Except as otherwise specified or as
32 federal requirements may differently require, the department may be
33 subdivided into divisions established and organized in accordance with
34 plans prepared by the director and approved by the governor. In
35 preparing such plans, the director shall endeavor to promote efficient

1 public management, to improve programs, and to take full advantage of
2 the economies, both fiscal and administrative, to be gained from the
3 consolidation of functions and agencies under this chapter.

4 NEW SECTION. **Sec. 107.** The director shall appoint a deputy
5 director, a department personnel director, and such assistant directors
6 as may be needed to administer the department. The deputy director
7 shall have charge and general supervision of the department in the
8 absence or disability of the director and, in case of a vacancy in the
9 office of director, shall continue in charge of the department until a
10 successor is appointed and qualified, or until the governor appoints an
11 acting director.

12 NEW SECTION. **Sec. 108.** Any power or duty vested in or transferred
13 to the director by law or executive order may be delegated by the
14 director to the deputy director or to any other assistant or
15 subordinate; but the director shall be responsible for the official
16 acts of the officers and employees of the department.

17 NEW SECTION. **Sec. 109.** The director may appoint such advisory
18 committees or councils as may be required by any federal legislation as
19 a condition to the receipt of federal funds by the department. The
20 director may also appoint statewide committees or councils on such
21 subject matters as are or come within the department's
22 responsibilities. The committees or councils shall be constituted as
23 required by federal law or as the director may determine.

24 Members of such state advisory committees or councils may be paid
25 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

26 NEW SECTION. **Sec. 110.** 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

1 interpreted in favor of the construction most likely to comply with
2 federal laws entitling this state to receive federal funds for the
3 various programs of the department. If any law dealing with the
4 department is ruled to be in conflict with federal requirements that
5 are a prescribed condition of the allocation of federal funds to the
6 state, or to any departments or agencies thereof, the conflicting part
7 is declared to be inoperative solely to the extent of the conflict.

8 NEW SECTION. **Sec. 111.** The department shall endeavor to collocate
9 facilities with the departments of public welfare and medical and
10 rehabilitative services, and shall establish procedures for referring
11 clients to those departments if circumstances warrant referral.

12 NEW SECTION. **Sec. 112.** A new section is added to chapter 41.06
13 RCW to read as follows:

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

19 NEW SECTION. **Sec. 113.** (1) All powers, duties, and functions of
20 the department of social and health services currently performed by the
21 juvenile rehabilitation administration, and the children's
22 administration are transferred to the department of children and family
23 services. All references to the secretary or the department of social
24 and health services in the Revised Code of Washington shall be
25 construed to mean the director or the department of children and family
26 services when referring to the functions transferred in this section.

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

1 other assets held in connection with the powers, functions, and duties
2 transferred shall be assigned to the department of children and family
3 services.

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 to the department of children and family services.

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

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

23 (4) All rules and all pending business before the department of
24 social and health services pertaining to the powers, functions, and
25 duties transferred shall be continued and acted upon by the department
26 of children and family services. All existing contracts and
27 obligations shall remain in full force and shall be performed by the
28 department of children and family services.

29 (5) The transfer of the powers, duties, functions, and personnel of
30 the department of social and health services shall not affect the
31 validity of any act performed before the effective date of this
32 section.

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

1 (7) Nothing contained in this section may be construed to alter any
2 existing collective bargaining unit or the provisions of any existing
3 collective bargaining agreement until the agreement has expired.

4 **PART II**

5 **DEPARTMENT OF PUBLIC WELFARE**

6 NEW SECTION. **Sec. 201.** It is the purpose of this chapter to
7 administer and enforce programs relating to cash assistance, including
8 temporary assistance for needy families, basic food, WorkFirst, child
9 care assistance, child support, and refugee and immigrant assistance.

10 NEW SECTION. **Sec. 202.** The definitions in this section apply
11 throughout this chapter unless the context clearly requires otherwise.

12 (1) "Department" means the department of public welfare.

13 (2) "Director" means the director of public welfare.

14 NEW SECTION. **Sec. 203.** The department of public welfare is
15 created as an executive branch agency. The department is vested with
16 all powers and duties transferred to it under this chapter and such
17 other powers and duties as may be authorized by law.

18 NEW SECTION. **Sec. 204.** (1) The executive head and appointing
19 authority of the department is the director. The director shall be
20 appointed by the governor, with the consent of the senate, and shall
21 serve at the pleasure of the governor. The director shall be paid a
22 salary to be fixed by the governor in accordance with RCW 43.03.040.
23 If a vacancy occurs in the position while the senate is not in session,
24 the governor shall make a temporary appointment until the next meeting
25 of the senate.

26 (2) The director may employ staff members, who shall be exempt from
27 chapter 41.06 RCW, and any additional staff members as are necessary to
28 administer this chapter. The director may delegate any power or duty
29 vested in him or her by this chapter, including authority to make final
30 decisions and enter final orders in hearings conducted under chapter
31 34.05 RCW.

1 NEW SECTION. **Sec. 205.** (1) It is the intent of the legislature
2 wherever possible to place the internal affairs of the department under
3 the control of the director in order that the director may institute
4 the flexible, alert, and intelligent management of its business that
5 changing contemporary circumstances require. Therefore, whenever the
6 director's authority is not specifically limited by law, the director
7 has complete charge and supervisory powers over the department. The
8 director may create such administrative structures as the director
9 considers appropriate, except as otherwise specified by law. The
10 director may employ such assistants and personnel as may be necessary
11 for the general administration of the department. This employment
12 shall be in accordance with the state civil service law, chapter 41.06
13 RCW, except as otherwise provided.

14 (2) In addition to other powers granted to the director, the
15 director may:

16 (a) Enter into contracts on behalf of the department to carry out
17 the purposes of this chapter;

18 (b) Accept gifts, grants, or other funds for the purposes of this
19 chapter; and

20 (c) Adopt, in accordance with chapter 34.05 RCW, rules necessary to
21 implement this chapter. This section does not expand the rule-making
22 authority of the director beyond that necessary to implement and
23 administer programs and services existing July 1, 2013, as transferred
24 to the department of public welfare under this act.

25 NEW SECTION. **Sec. 206.** Except as otherwise specified or as
26 federal requirements may differently require, the department may be
27 subdivided into divisions established and organized in accordance with
28 plans prepared by the director and approved by the governor. In
29 preparing such plans, the director shall endeavor to promote efficient
30 public management, to improve programs, and to take full advantage of
31 the economies, both fiscal and administrative, to be gained from the
32 consolidation of functions and agencies under this chapter.

33 NEW SECTION. **Sec. 207.** The director shall appoint a deputy
34 director, a department personnel director, and such assistant directors
35 as may be needed to administer the department. The deputy director
36 shall have charge and general supervision of the department in the

1 absence or disability of the director and, in case of a vacancy in the
2 office of director, shall continue in charge of the department until a
3 successor is appointed and qualified, or until the governor appoints an
4 acting director.

5 NEW SECTION. **Sec. 208.** Any power or duty vested in or transferred
6 to the director by law or executive order may be delegated by the
7 director to the deputy director or to any other assistant or
8 subordinate; but the director shall be responsible for the official
9 acts of the officers and employees of the department.

10 NEW SECTION. **Sec. 209.** The director may appoint such advisory
11 committees or councils as may be required by any federal legislation as
12 a condition to the receipt of federal funds by the department. The
13 director may also appoint statewide committees or councils on such
14 subject matters as are or come within the department's
15 responsibilities. The committees or councils shall be constituted as
16 required by federal law or as the director may determine.

17 Members of such state advisory committees or councils may be paid
18 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

19 NEW SECTION. **Sec. 210.** In furtherance of the policy of the state
20 to cooperate with the federal government in all of the programs under
21 the jurisdiction of the department, such rules as may become necessary
22 to entitle the state to participate in federal funds may be adopted,
23 unless expressly prohibited by law. Any internal reorganization
24 carried out under the terms of this chapter shall meet federal
25 requirements that are a necessary condition to state receipt of federal
26 funds. Any section or provision of law dealing with the department
27 that may be susceptible to more than one construction shall be
28 interpreted in favor of the construction most likely to comply with
29 federal laws entitling this state to receive federal funds for the
30 various programs of the department. If any law dealing with the
31 department is ruled to be in conflict with federal requirements that
32 are a prescribed condition of the allocation of federal funds to the
33 state, or to any departments or agencies thereof, the conflicting part
34 is declared to be inoperative solely to the extent of the conflict.

1 NEW SECTION. **Sec. 211.** The department shall endeavor to collocate
2 facilities with the departments of children and family services and
3 medical and rehabilitative services, and shall establish procedures for
4 referring clients to those departments if circumstances warrant
5 referral.

6 NEW SECTION. **Sec. 212.** A new section is added to chapter 41.06
7 RCW to read as follows:

8 In addition to the exemptions under RCW 41.06.070, the provisions
9 of this chapter shall not apply in the department of public welfare to
10 the director, the director's personal secretary, the deputy director,
11 all division directors and assistant directors, and one confidential
12 secretary for each of these officers.

13 NEW SECTION. **Sec. 213.** (1) All powers, duties, and functions of
14 the department of social and health services currently performed by the
15 economic services administration are transferred to the department of
16 public welfare. All references to the secretary or the department of
17 social and health services in the Revised Code of Washington shall be
18 construed to mean the director or the department of public welfare when
19 referring to the functions transferred in this section.

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

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

35 (c) If any question arises as to the transfer of any personnel,
36 funds, books, documents, records, papers, files, equipment, or other

1 tangible property used or held in the exercise of the powers and the
2 performance of the duties and functions transferred, the director of
3 financial management shall make a determination as to the proper
4 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 public welfare.
8 All employees classified under chapter 41.06 RCW, the state civil
9 service law, are assigned to the department of public welfare to
10 perform their usual duties upon the same terms as formerly, without any
11 loss of rights, subject to any action that may be appropriate
12 thereafter in accordance with the laws and rules governing state civil
13 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 public welfare. All existing contracts and obligations shall remain
18 in full force and shall be performed by the department of public
19 welfare.

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

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

30 (7) Nothing contained in this section may be construed to alter any
31 existing collective bargaining unit or the provisions of any existing
32 collective bargaining agreement until the agreement has expired.

33 PART III

34 DEPARTMENT OF MEDICAL AND REHABILITATIVE SERVICES

35 NEW SECTION. **Sec. 301.** It is the purpose of this chapter to
36 administer and enforce programs relating to medicaid, children's health

1 programs, mental health, alcohol and substance abuse, disability
2 determination services, home and community services, residential care
3 services, and developmental disabilities.

4 NEW SECTION. **Sec. 302.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Department" means the department of medical and rehabilitative
7 services.

8 (2) "Director" means the director of medical and rehabilitative
9 services.

10 NEW SECTION. **Sec. 303.** The department of medical and
11 rehabilitative services is created as an executive branch agency. The
12 department is vested with all powers and duties transferred to it under
13 this chapter and such other powers and duties as may be authorized by
14 law.

15 NEW SECTION. **Sec. 304.** (1) The executive head and appointing
16 authority of the department is the director. The director shall be
17 appointed by the governor, with the consent of the senate, and shall
18 serve at the pleasure of the governor. The director shall be paid a
19 salary to be fixed by the governor in accordance with RCW 43.03.040.
20 If a vacancy occurs in the position while the senate is not in session,
21 the governor shall make a temporary appointment until the next meeting
22 of the senate.

23 (2) The director may employ staff members, who shall be exempt from
24 chapter 41.06 RCW, and any additional staff members as are necessary to
25 administer this chapter. The director may delegate any power or duty
26 vested in him or her by this chapter, including authority to make final
27 decisions and enter final orders in hearings conducted under chapter
28 34.05 RCW.

29 NEW SECTION. **Sec. 305.** (1) It is the intent of the legislature
30 wherever possible to place the internal affairs of the department under
31 the control of the director in order that the director may institute
32 the flexible, alert, and intelligent management of its business that
33 changing contemporary circumstances require. Therefore, whenever the
34 director's authority is not specifically limited by law, the director

1 has complete charge and supervisory powers over the department. The
2 director may create such administrative structures as the director
3 considers appropriate, except as otherwise specified by law. The
4 director may employ such assistants and personnel as may be necessary
5 for the general administration of the department. This employment
6 shall be in accordance with the state civil service law, chapter 41.06
7 RCW, except as otherwise provided.

8 (2) In addition to other powers granted to the director, the
9 director may:

10 (a) Enter into contracts on behalf of the department to carry out
11 the purposes of this chapter;

12 (b) Accept gifts, grants, or other funds for the purposes of this
13 chapter; and

14 (c) Adopt, in accordance with chapter 34.05 RCW, rules necessary to
15 implement this chapter. This section does not expand the rule-making
16 authority of the director beyond that necessary to implement and
17 administer programs and services existing July 1, 2013, as transferred
18 to the department of medical and rehabilitative services under this
19 act.

20 NEW SECTION. **Sec. 306.** Except as otherwise specified or as
21 federal requirements may differently require, the department may be
22 subdivided into divisions established and organized in accordance with
23 plans prepared by the director and approved by the governor. In
24 preparing such plans, the director shall endeavor to promote efficient
25 public management, to improve programs, and to take full advantage of
26 the economies, both fiscal and administrative, to be gained from the
27 consolidation of functions and agencies under this chapter.

28 NEW SECTION. **Sec. 307.** The director shall appoint a deputy
29 director, a department personnel director, and such assistant directors
30 as may be needed to administer the department. The deputy director
31 shall have charge and general supervision of the department in the
32 absence or disability of the director and, in case of a vacancy in the
33 office of director, shall continue in charge of the department until a
34 successor is appointed and qualified, or until the governor appoints an
35 acting director.

1 NEW SECTION. **Sec. 308.** Any power or duty vested in or transferred
2 to the director by law or executive order may be delegated by the
3 director to the deputy director or to any other assistant or
4 subordinate; but the director shall be responsible for the official
5 acts of the officers and employees of the department.

6 NEW SECTION. **Sec. 309.** The director may appoint such advisory
7 committees or councils as may be required by any federal legislation as
8 a condition to the receipt of federal funds by the department. The
9 director may also appoint statewide committees or councils on such
10 subject matters as are or come within the department's
11 responsibilities. The committees or councils shall be constituted as
12 required by federal law or as the director may determine.

13 Members of such state advisory committees or councils may be paid
14 their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

15 NEW SECTION. **Sec. 310.** In furtherance of the policy of the state
16 to cooperate with the federal government in all of the programs under
17 the jurisdiction of the department, such rules as may become necessary
18 to entitle the state to participate in federal funds may be adopted,
19 unless expressly prohibited by law. Any internal reorganization
20 carried out under the terms of this chapter shall meet federal
21 requirements that are a necessary condition to state receipt of federal
22 funds. Any section or provision of law dealing with the department
23 that may be susceptible to more than one construction shall be
24 interpreted in favor of the construction most likely to comply with
25 federal laws entitling this state to receive federal funds for the
26 various programs of the department. If any law dealing with the
27 department is ruled to be in conflict with federal requirements that
28 are a prescribed condition of the allocation of federal funds to the
29 state, or to any departments or agencies thereof, the conflicting part
30 is declared to be inoperative solely to the extent of the conflict.

31 NEW SECTION. **Sec. 311.** The department shall endeavor to collocate
32 facilities with the departments of children and family services and
33 public welfare, and shall establish procedures for referring clients to
34 those departments if circumstances warrant referral.

1 NEW SECTION. **Sec. 312.** A new section is added to chapter 41.06
2 RCW to read as follows:

3 In addition to the exemptions under RCW 41.06.070, the provisions
4 of this chapter shall not apply in the department of medical and
5 rehabilitative services to the director, the director's personal
6 secretary, the deputy director, all division directors and assistant
7 directors, and one confidential secretary for each of these officers.

8 NEW SECTION. **Sec. 313.** (1) All powers, duties, and functions of
9 the department of social and health services currently performed by the
10 aging and disability services and health and recovery services
11 administrations are transferred to the department of medical and
12 rehabilitative services. All references to the secretary or the
13 department of social and health services in the Revised Code of
14 Washington shall be construed to mean the director or the department of
15 medical and rehabilitative services when referring to the functions
16 transferred in this section.

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

29 (b) Any appropriations made to the department of social and health
30 services for carrying out the powers, functions, and duties transferred
31 shall, on the effective date of this section, be transferred and
32 credited to the department of medical and rehabilitative services.

33 (c) If any question arises as to the transfer of any personnel,
34 funds, books, documents, records, papers, files, equipment, or other
35 tangible property used or held in the exercise of the powers and the
36 performance of the duties and functions transferred, the director of

1 financial management shall make a determination as to the proper
2 allocation and certify the same to the state agencies concerned.

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

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

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

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

28 (7) Nothing contained in this section may be construed to alter any
29 existing collective bargaining unit or the provisions of any existing
30 collective bargaining agreement until the agreement has expired.

31 **PART IV**

32 **FRAUD INVESTIGATIONS**

33 NEW SECTION. **Sec. 401.** A new section is added to chapter 74.04
34 RCW to read as follows:

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

1 Such officers, except the director of fish and wildlife, shall be
2 appointed by the governor, with the consent of the senate, and hold
3 office at the pleasure of the governor. The director of fish and
4 wildlife shall be appointed by the fish and wildlife commission as
5 prescribed by RCW 77.04.055.

6 **Sec. 603.** RCW 42.17A.705 and 2011 1st sp.s. c 43 s 109 are each
7 amended to read as follows:

8 For the purposes of RCW 42.17A.700, "executive state officer"
9 includes:

10 (1) The chief administrative law judge, the director of
11 agriculture, the director of the department of services for the blind,
12 the chief information officer of the office of chief information
13 officer, the director of the department of children and family
14 services, the director of the state system of community and technical
15 colleges, the director of commerce, the director of the consolidated
16 technology services agency, the secretary of corrections, the director
17 of early learning, the director of ecology, the commissioner of
18 employment security, the chair of the energy facility site evaluation
19 council, the director of enterprise services, the secretary of the
20 state finance committee, the director of financial management, the
21 director of fish and wildlife, the executive secretary of the forest
22 practices appeals board, the director of the gambling commission, the
23 secretary of health, the administrator of the Washington state health
24 care authority, the executive secretary of the health care facilities
25 authority, the executive secretary of the higher education facilities
26 authority, the executive secretary of the horse racing commission, the
27 human resources director, the executive secretary of the human rights
28 commission, the executive secretary of the indeterminate sentence
29 review board, the executive director of the state investment board, the
30 director of labor and industries, the director of licensing, the
31 director of the lottery commission, the director of the department of
32 medical and rehabilitative services, the director of the office of
33 minority and women's business enterprises, the director of parks and
34 recreation, the executive director of the public disclosure commission,
35 the director of the department of public welfare, the executive
36 director of the Puget Sound partnership, the director of the recreation
37 and conservation office, the director of retirement systems, the

1 director of revenue, the secretary of social and health services, the
2 chief of the Washington state patrol, the executive secretary of the
3 board of tax appeals, the secretary of transportation, the secretary of
4 the utilities and transportation commission, the director of veterans
5 affairs, the president of each of the regional and state universities
6 and the president of The Evergreen State College, and each district and
7 each campus president of each state community college;

8 (2) Each professional staff member of the office of the governor;

9 (3) Each professional staff member of the legislature; and

10 (4) Central Washington University board of trustees, the boards of
11 trustees of each community college and each technical college, each
12 member of the state board for community and technical colleges, state
13 convention and trade center board of directors, Eastern Washington
14 University board of trustees, Washington economic development finance
15 authority, Washington energy northwest executive board, The Evergreen
16 State College board of trustees, executive ethics board, fish and
17 wildlife commission, forest practices appeals board, forest practices
18 board, gambling commission, Washington health care facilities
19 authority, higher education coordinating board, higher education
20 facilities authority, horse racing commission, state housing finance
21 commission, human rights commission, indeterminate sentence review
22 board, board of industrial insurance appeals, state investment board,
23 commission on judicial conduct, legislative ethics board, life sciences
24 discovery fund authority board of trustees, liquor control board,
25 lottery commission, Pacific Northwest electric power and conservation
26 planning council, parks and recreation commission, Washington personnel
27 resources board, board of pilotage commissioners, pollution control
28 hearings board, public disclosure commission, public employees'
29 benefits board, recreation and conservation funding board, salmon
30 recovery funding board, shorelines hearings board, board of tax
31 appeals, transportation commission, University of Washington board of
32 regents, utilities and transportation commission, Washington State
33 University board of regents, and Western Washington University board of
34 trustees.

35 **Sec. 604.** RCW 43.70.555 and 2011 1st sp.s. c 32 s 8 are each
36 amended to read as follows:

37 The department shall establish, by rule, standards for local health

1 departments ((and—networks)) to use in assessment, performance
2 measurement, policy development, and assurance regarding social
3 development to prevent health problems caused by risk factors
4 empirically linked to: Violent criminal acts by juveniles, teen
5 substance abuse, teen pregnancy and male parentage, teen suicide
6 attempts, dropping out of school, child abuse or neglect, and domestic
7 violence. The standards shall be based on the standards set forth in
8 the public health services improvement plan as required by RCW
9 43.70.550.

10 NEW SECTION. **Sec. 605.** Sections 101 through 111 and 113 of this
11 act constitute a new chapter in Title 43 RCW.

12 NEW SECTION. **Sec. 606.** Sections 201 through 211 and 213 of this
13 act constitute a new chapter in Title 43 RCW.

14 NEW SECTION. **Sec. 607.** Sections 301 through 311 and 313 of this
15 act constitute a new chapter in Title 43 RCW.

16 NEW SECTION. **Sec. 608.** This act takes effect January 1, 2013.

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