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SENATE BILL 5139

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State of Washington

53rd Legislature

1993 Regular Session

By Senators Fraser, Wojahn, Prentice, Haugen, von Reichbauer, Williams, Winsley, Roach and McAuliffe; by request of Office of Financial Management, Washington State Historical Society and State Capital Historical Association

Read first time 01/14/93. Referred to Committee on Government Operations.

1 AN ACT Relating to consolidation of the state capital historical  
2 association and the Washington state historical society; amending RCW  
3 27.34.010, 27.34.020, 27.34.040, 27.34.250, 27.34.900, and 43.03.028;  
4 creating new sections; repealing RCW 27.34.090; providing an effective  
5 date; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that:

8 (1) There is a strong community of interest between the Washington  
9 state historical society and the state capital historical association.  
10 This community of interest is expressed through many common goals,  
11 missions, and heritage programs, as well as a close geographic  
12 proximity between these two state historical agencies.

13 (2) The capacity to preserve our state's rich and diverse heritage  
14 and the unique political and cultural history of the state capital will  
15 be strengthened if the programs of both agencies are combined into a  
16 single, cohesive entity.

17 (3) In a time of limited state resources, operational efficiencies  
18 and savings can be achieved if the programs and personnel of both  
19 agencies are managed by a single entity.

1 It is, therefore, the purpose of this act to transfer the powers  
2 and duties of the state historical agency known as the state capital  
3 historical association to the Washington state historical society.  
4 However, it is the intent of the legislature that as the consolidation  
5 of these two agencies occurs, the unique missions and programs of the  
6 state capital historical association and the state capital historical  
7 museum be preserved.

8 NEW SECTION. **Sec. 2.** The state capital historical association is  
9 abolished and its powers, duties, and functions are transferred to the  
10 Washington state historical society.

11 NEW SECTION. **Sec. 3.** All reports, documents, surveys, books,  
12 records, files, papers, or written material in the possession of the  
13 state capital historical association shall be delivered to the custody  
14 of the Washington state historical society. All cabinets, furniture,  
15 office equipment, motor vehicles, and other tangible property employed  
16 by the state capital historical association shall be made available to  
17 the Washington state historical society. All funds, credits, or other  
18 assets held by the state capital historical association shall be  
19 assigned to the Washington state historical society.

20 Any appropriations made to the state capital historical association  
21 shall, on the effective date of this act, be transferred and credited  
22 to the Washington state historical society.

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

29 NEW SECTION. **Sec. 4.** All employees of the state capital  
30 historical association are transferred to the jurisdiction of the  
31 Washington state historical society. All employees classified under  
32 chapter 41.06 RCW, the state civil service law, are assigned to the  
33 Washington state historical society to perform their usual duties upon  
34 the same terms as formerly, without any loss of rights, subject to any  
35 action that may be appropriate thereafter in accordance with the laws  
36 and rules governing state civil service.

1        NEW SECTION.    **Sec. 5.** All rules and all pending business before  
2 the state capital historical association shall be continued and acted  
3 upon by the Washington state historical society. All existing  
4 contracts and obligations shall remain in full force and shall be  
5 performed by the Washington state historical society.

6        NEW SECTION.    **Sec. 6.** The transfer of the powers, duties,  
7 functions, and personnel of the state capital historical association  
8 shall not affect the validity of any act performed before the effective  
9 date of this act.

10       NEW SECTION.    **Sec. 7.** If apportionments of budgeted funds are  
11 required because of the transfers directed by sections 3 through 6 of  
12 this act, the director of financial management shall certify the  
13 apportionments to the agencies affected, the state auditor, and the  
14 state treasurer. Each of these shall make the appropriate transfer and  
15 adjustments in funds and appropriation accounts and equipment records  
16 in accordance with the certification.

17       NEW SECTION.    **Sec. 8.** Nothing contained in sections 1 through 7 of  
18 this act may be construed to alter any existing collective bargaining  
19 unit or the provisions of any existing collective bargaining agreement  
20 until the agreement has expired or until the bargaining unit has been  
21 modified by action of the personnel board as provided by law.

22        **Sec. 9.** RCW 27.34.010 and 1983 c 91 s 1 are each amended to read  
23 as follows:

24        The legislature finds that those articles and properties which  
25 illustrate the history of the state of Washington should be maintained  
26 and preserved for the use and benefit of the people of the state. It  
27 is the purpose of this chapter to designate the ((three)) two state  
28 historical societies as trustees of the state for these purposes, and  
29 to establish:

30        (1) A comprehensive and consistent state-wide policy pertaining to  
31 archaeology, history, historic preservation, and other historical  
32 matters;

33        (2) State-wide coordination of historical programs; and

34        (3) A coordinated budget for all state historical agencies.

1       **Sec. 10.** RCW 27.34.020 and 1986 c 266 s 9 are each amended to read  
2 as follows:

3       Unless the context clearly requires otherwise, the definitions in  
4 this section apply throughout this chapter:

5       (1) "Advisory council" means the advisory council on historic  
6 preservation.

7       (2) "Department" means the department of community development.

8       (3) "Director" means the director of community development.

9       (4) "Federal act" means the national historic preservation act of  
10 1966 (Public Law 89-655; 80 Stat. 915).

11       (5) "Heritage council" means the Washington state heritage council.

12       (6) "Historic preservation" includes the protection,  
13 rehabilitation, restoration, identification, scientific excavation, and  
14 reconstruction of districts, sites, buildings, structures, and objects  
15 significant in American and Washington state history, architecture,  
16 archaeology, or culture.

17       (7) "Office" means the office of archaeology and historic  
18 preservation within the department of community development.

19       (8) "Preservation officer" means the state historic preservation  
20 officer as provided for in RCW 27.34.210.

21       (9) "Project" means programs leading to the preservation for public  
22 benefit of historical properties, whether by state and local  
23 governments or other public bodies, or private organizations or  
24 individuals, including the acquisition of title or interests in, and  
25 the development of, any district, site, building, structure, or object  
26 that is significant in American and Washington state history,  
27 architecture, archaeology, or culture, and property used in connection  
28 therewith, or for its development.

29       (10) "State historical agencies" means the state historical  
30 societies and the office of archaeology and historic preservation  
31 within the department of community development.

32       (11) "State historical societies" means the Washington state  
33 historical society((~~7~~)) and the eastern Washington state historical  
34 society(~~(~~7~~ and the state capital historical association)~~)).

35       (12) "Cultural resource management plan" means a comprehensive plan  
36 which identifies and organizes information on the state of Washington's  
37 historic, archaeological, and architectural resources into a set of  
38 management criteria, and which is to be used for producing reliable

1 decisions, recommendations, and advice relative to the identification,  
2 evaluation, and protection of these resources.

3 **Sec. 11.** RCW 27.34.040 and 1983 c 91 s 4 are each amended to read  
4 as follows:

5 The heritage council shall consist of:

6 (1) A member of the Washington state historical society nominated  
7 by the governing board of the society and confirmed by the governor;

8 (2) A member of the eastern Washington state historical society  
9 nominated by the governing board of the society and confirmed by the  
10 governor;

11 ~~(3) ((A member of the state capital historical association  
12 nominated by the governing board of the association and confirmed by  
13 the governor;~~

14 ~~(4))~~ The secretary of state; and

15 ~~((+5))~~ (4) Five persons appointed by the governor who are  
16 experienced and knowledgeable in historical and archaeological matters.

17 The council shall elect a chairperson from among its members. The  
18 secretary of state shall serve as an ex officio member of the council.  
19 The remaining council members shall serve four-year terms except  
20 initial members whose terms shall be as follows: Two members appointed  
21 for four years, two members appointed for three years, two members  
22 appointed for two years, and two members appointed for one year. Any  
23 vacancies shall be filled in the same manner as the original  
24 appointments for the balance of the unexpired term. The secretary of  
25 state shall serve on the council without additional compensation. All  
26 other council members shall serve without compensation but shall be  
27 reimbursed for travel expenses incurred in the performance of the  
28 duties of the council as provided in RCW 43.03.050 and 43.03.060. The  
29 council shall meet at least once a quarter and at the call of the  
30 chairperson. Five members of the council shall constitute a quorum.

31 **Sec. 12.** RCW 27.34.250 and 1983 c 91 s 15 are each amended to read  
32 as follows:

33 (1) There is hereby established an advisory council on historic  
34 preservation, which shall be composed of nine members appointed by the  
35 governor as follows:

36 (a) The director of a state historical society or the director's  
37 designee to be selected from (i) the director of the Washington state

1 historical society(~~(7)~~) and (ii) the director of the Eastern Washington  
2 state historical society, (~~(and (iii) the director of the state capital~~  
3 ~~historical society,~~) to each serve on the council for one year on a  
4 rotating basis, the order of rotation to be determined by the governor;

5 (b) Six members of the public who are interested and experienced in  
6 matters to be considered by the council including the fields of  
7 history, architecture, and archaeology;

8 (c) The director of the Washington archaeological research center  
9 or the director's designee; and

10 (d) A native American.

11 (2) Each member of the council appointed under subsection (1)(b)  
12 and (d) of this section shall serve a four-year term, except that those  
13 members first appointed shall serve for terms of from one to four years  
14 as designated by the governor at the time of appointment, it being the  
15 purpose of this subsection to assure staggered terms of office.

16 (3) A vacancy in the council shall not affect its powers, but shall  
17 be filled in the same manner as the original appointment for the  
18 balance of the unexpired term.

19 (4) The chairperson of the council shall be designated by the  
20 governor.

21 (5) Five members of the council shall constitute a quorum.

22 (6) The council shall cease to exist on June 30, 1993, unless  
23 extended by law for an additional fixed period of time.

24 **Sec. 13.** RCW 27.34.900 and 1981 c 253 s 3 are each amended to read  
25 as follows:

26 The building and grounds designated as Block 2, Grainger's Addition  
27 to the City of Olympia, County of Thurston, acquired by the state under  
28 senate joint resolution No. 18, session of 1939, is hereby designated  
29 a part of the state capitol, to be known as the state (~~(capitol)~~)  
30 capital historical museum. This structure is to be used to house and  
31 interpret the collection of the (~~(association)~~) Washington state  
32 historical society. This section does not limit the (~~(association's)~~)  
33 society's use of other structures.

34 **Sec. 14.** RCW 43.03.028 and 1991 c 3 s 294 are each amended to read  
35 as follows:

36 (1) There is hereby created a state committee on agency officials'  
37 salaries to consist of seven members, or their designees, as follows:

1 The president of the University of Puget Sound; the chairperson of the  
2 council of presidents of the state's four-year institutions of higher  
3 education; the chairperson of the State Personnel Board; the president  
4 of the Association of Washington Business; the president of the Pacific  
5 Northwest Personnel Managers' Association; the president of the  
6 Washington State Bar Association; and the president of the Washington  
7 State Labor Council. If any of the titles or positions mentioned in  
8 this subsection are changed or abolished, any person occupying an  
9 equivalent or like position shall be qualified for appointment by the  
10 governor to membership upon the committee.

11 (2) The committee shall study the duties and salaries of the  
12 directors of the several departments and the members of the several  
13 boards and commissions of state government, who are subject to  
14 appointment by the governor or whose salaries are fixed by the  
15 governor, and of the chief executive officers of the following agencies  
16 of state government:

17 The arts commission; the human rights commission; the board of  
18 accountancy; the board of pharmacy; (~~the capitol historical~~  
19 ~~association and museum;~~) the eastern Washington historical society;  
20 the Washington state historical society; the interagency committee for  
21 outdoor recreation; the criminal justice training commission; the  
22 department of personnel; the state finance committee; the state  
23 library; the traffic safety commission; the horse racing commission;  
24 the advisory council on vocational education; the public disclosure  
25 commission; the state conservation commission; the commission on  
26 Hispanic affairs; the commission on Asian-American affairs; the state  
27 board for volunteer fire fighters; the transportation improvement  
28 board; the public (~~employees~~) employment relations commission; the  
29 forest practices appeals board; and the energy facilities site  
30 evaluation council.

31 The committee shall report to the governor or the chairperson of  
32 the appropriate salary fixing authority at least once in each fiscal  
33 biennium on such date as the governor may designate, but not later than  
34 seventy-five days prior to the convening of each regular session of the  
35 legislature during an odd-numbered year, its recommendations for the  
36 salaries to be fixed for each position.

37 (3) Committee members shall be reimbursed by the department of  
38 personnel for travel expenses under RCW 43.03.050 and 43.03.060.

1        NEW SECTION.    **Sec. 15.**    RCW 27.34.090 and 1991 sp.s. c 13 s 36,  
2    1985 c 57 s 7, & 1983 c 91 s 9 are each repealed.

3        NEW SECTION.    **Sec. 16.**    If any provision of this act or its  
4    application to any person or circumstance is held invalid, the  
5    remainder of the act or the application of the provision to other  
6    persons or circumstances is not affected.

7        NEW SECTION.    **Sec. 17.**    This act is necessary for the immediate  
8    preservation of the public peace, health, or safety, or support of the  
9    state government and its existing public institutions, and shall take  
10   effect July 1, 1993.

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