
HOUSE BILL 2514

State of Washington

54th Legislature

1996 Regular Session

By Representatives Reams, H. Sommers and Silver; by request of Office of Financial Management and Department of Information Services

Read first time 01/12/96. Referred to Committee on Government Operations.

1 AN ACT Relating to the department of information services; amending
2 RCW 43.105.032, 43.105.041, 43.105.041, 43.105.052, 43.105.080,
3 43.105.160, 43.105.170, 43.105.180, 43.105.190, 43.105.210, and
4 43.41.110; creating a new section; repealing RCW 43.131.353 and
5 43.131.354; providing an effective date; and providing an expiration
6 date.

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

8 **Sec. 1.** RCW 43.105.032 and 1992 c 20 s 8 are each amended to read
9 as follows:

10 There is hereby created the Washington state information services
11 board. The board shall be composed of nine members. (~~Seven~~) Five
12 members shall be appointed by the governor, one of which shall be a
13 representative of higher education, one of which shall be a
14 representative of an agency under a state-wide elected official other
15 than the governor, and one of which shall be a representative of the
16 private sector. One member shall represent the judicial branch and be
17 appointed by the chief justice of the supreme court. One member shall
18 represent the legislative branch and shall be selected by the president
19 of the senate and the speaker of the house of representatives. The

1 directors of the department of information services and financial
2 management shall be members. These members shall constitute the
3 membership of the board with full voting rights. Members of the board
4 shall serve at the pleasure of the appointing authority. ((The
5 ~~director shall be an ex officio, nonvoting member of the board.~~)) The
6 board shall select a chairperson from among its members.

7 Vacancies shall be filled in the same manner that the original
8 appointments were made.

9 A majority of the members of the board shall constitute a quorum
10 for the transaction of business.

11 Members of the board shall be compensated for service on the board
12 in accordance with RCW 43.03.240 and shall be reimbursed for travel
13 expenses as provided in RCW 43.03.050 and 43.03.060.

14 **Sec. 2.** RCW 43.105.041 and 1995 2nd sp.s. c 14 s 512 are each
15 amended to read as follows:

16 The board shall have the following powers and duties related to
17 information services:

18 (1) To ((~~develop~~)) establish standards governing the acquisition
19 and disposition of equipment, proprietary software and purchased
20 services, and confidentiality of computerized data;

21 (2) To establish standards and policies governing the planning,
22 implementation, evaluation, and oversight of major information
23 technology projects. The board may oversee projects meeting criteria
24 developed under RCW 43.105.190;

25 (3) To purchase, lease, rent, or otherwise acquire, dispose of, and
26 maintain equipment, proprietary software, and purchased services, or to
27 delegate to other agencies and institutions of state government, under
28 appropriate standards, the authority to purchase, lease, rent, or
29 otherwise acquire, dispose of, and maintain equipment, proprietary
30 software, and purchased services: PROVIDED, That, agencies and
31 institutions of state government, except as provided in RCW
32 43.105.017(5) and section 507, chapter 14, Laws of 1995 2nd sp. sess.,
33 are expressly prohibited from acquiring or disposing of equipment,
34 proprietary software, and purchased services without such delegation of
35 authority. The acquisition and disposition of equipment, proprietary
36 software, and purchased services is exempt from RCW 43.19.1919 and, as
37 provided in RCW 43.19.1901, from the provisions of RCW 43.19.190

1 through 43.19.200. This subsection does not apply to the legislative
2 branch;

3 ~~((+3))~~ (4) To ~~((develop))~~ establish state-wide or interagency
4 ~~((technical))~~ technology policies, standards, and procedures;

5 ~~((+4))~~ (5) To assure the cost-effective development and
6 incremental implementation of a state-wide video telecommunications
7 system to serve: Public schools; educational service districts;
8 vocational-technical institutes; community colleges; colleges and
9 universities; state and local government; and the general public
10 through public affairs programming;

11 ~~((+5))~~ (6) To provide direction concerning strategic planning
12 goals and objectives for the state. The board shall seek input from
13 the legislature and the judiciary;

14 ~~((+6))~~ (7) To develop and implement a process for the resolution
15 of appeals by:

16 (a) Vendors concerning the conduct of an acquisition process by an
17 agency or the department; or

18 (b) A customer agency concerning the provision of services by the
19 department or by other state agency providers;

20 ~~((+7))~~ (8) To establish policies for the periodic review ~~((by the~~
21 ~~department))~~ of agency performance which may include but are not
22 limited to analysis of:

23 (a) Planning, management, control, and use of information services;

24 (b) Training and education; and

25 (c) Project management;

26 ~~((+8))~~ (9) To set its meeting schedules and convene at scheduled
27 times, or meet at the request of a majority of its members, the chair,
28 or the director; and

29 ~~((+9))~~ (10) To review and approve that portion of the department's
30 budget requests that provides for support to the board.

31 **Sec. 3.** RCW 43.105.041 and 1990 c 208 s 6 are each amended to read
32 as follows:

33 The board shall have the following powers and duties related to
34 information services:

35 (1) To ~~((develop))~~ establish standards governing the acquisition
36 and disposition of equipment, proprietary software and purchased
37 services, and confidentiality of computerized data;

1 (2) To establish standards and policies governing the planning,
2 implementation, evaluation, and oversight of major information
3 technology projects. The board may oversee projects meeting criteria
4 developed under RCW 43.105.190;

5 (3) To purchase, lease, rent, or otherwise acquire, dispose of, and
6 maintain equipment, proprietary software, and purchased services, or to
7 delegate to other agencies and institutions of state government, under
8 appropriate standards, the authority to purchase, lease, rent, or
9 otherwise acquire, dispose of, and maintain equipment, proprietary
10 software, and purchased services: PROVIDED, That, agencies and
11 institutions of state government are expressly prohibited from
12 acquiring or disposing of equipment, proprietary software, and
13 purchased services without such delegation of authority. The
14 acquisition and disposition of equipment, proprietary software, and
15 purchased services is exempt from RCW 43.19.1919 and, as provided in
16 RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200.
17 This subsection does not apply to the legislative branch;

18 (~~(3)~~) (4) To (~~develop~~) establish state-wide or interagency
19 (~~technical~~) technology policies, standards, and procedures;

20 (~~(4)~~) (5) To assure the cost-effective development and
21 incremental implementation of a state-wide video telecommunications
22 system to serve: Public schools; educational service districts;
23 vocational-technical institutes; community colleges; colleges and
24 universities; state and local government; and the general public
25 through public affairs programming;

26 (~~(5)~~) (6) To provide direction concerning strategic planning
27 goals and objectives for the state. The board shall seek input from
28 the legislature and the judiciary;

29 (~~(6)~~) (7) To develop and implement a process for the resolution
30 of appeals by:

31 (a) Vendors concerning the conduct of an acquisition process by an
32 agency or the department; or

33 (b) A customer agency concerning the provision of services by the
34 department or by other state agency providers;

35 (~~(7)~~) (8) To establish policies for the periodic review (~~by the~~
36 ~~department~~) of agency performance which may include but are not
37 limited to analysis of:

38 (a) Planning, management, control, and use of information services;

39 (b) Training and education; and

1 (c) Project management;
2 ~~((+8))~~ (9) To set its meeting schedules and convene at scheduled
3 times, or meet at the request of a majority of its members, the chair,
4 or the director; and
5 ~~((+9))~~ (10) To review and approve that portion of the department's
6 budget requests that provides for support to the board.

7 **Sec. 4.** RCW 43.105.052 and 1993 c 281 s 53 are each amended to
8 read as follows:

9 The department shall:

10 (1) Perform all duties and responsibilities the board delegates to
11 the department, including but not limited to(~~(+)~~

12 ~~(a) The review of agency acquisition plans and requests; and~~

13 ~~(b))~~ implementation of state-wide and interagency technology
14 policies, standards, and guidelines;

15 (2) Make available information services to state (~~(agencies and)~~),
16 local, federal, and tribal governments and political subdivisions and
17 publicly funded nonprofit organizations on a full cost-recovery basis.
18 These services may include, but are not limited to:

19 (a) Telecommunications services for voice, data, and video;

20 (b) Mainframe computing services;

21 (c) Support for departmental and microcomputer evaluation,
22 installation, and use;

23 (d) Equipment acquisition assistance, including leasing, brokering,
24 and establishing master contracts;

25 (e) Facilities management services for information technology
26 equipment, equipment repair, and maintenance service;

27 (f) Negotiation with local cable companies and local governments to
28 provide for connection to local cable services to allow for access to
29 these public and educational channels in the state;

30 (g) Office automation services;

31 (h) System development services; and

32 (i) Training.

33 These services are for discretionary use by customers and customers
34 may elect other alternatives for service if those alternatives are more
35 cost-effective or provide better service(~~(. Agencies may be required~~
36 ~~to use the backbone network portions of the telecommunications services~~
37 ~~during an initial start-up period not to exceed three years))~~);

1 (3) Establish rates and fees for services provided by the
2 department to assure that the services component of the department is
3 self-supporting. A billing rate plan shall be developed for a two-year
4 period to coincide with the budgeting process. The rate plan shall be
5 subject to review at least annually by the customer oversight
6 committees. The rate plan shall show the proposed rates by each cost
7 center and will show the components of the rate structure as mutually
8 determined by the department and the customer oversight committees.
9 The same rate structure will apply to all user agencies of each cost
10 center. The rate plan and any adjustments to rates shall be approved
11 by the office of financial management. The services component shall
12 not subsidize the operations of the planning component;

13 (4) With the advice of the information services board and agencies,
14 develop a state strategic information technology plan and performance
15 reports as required under RCW 43.105.160;

16 (5) Develop plans for the department's achievement of state-wide
17 goals and objectives set forth in the state strategic information
18 technology plan required under RCW 43.105.160. These plans shall
19 address such services as telecommunications, central and distributed
20 computing, local area networks, office automation, and end user
21 computing. The department shall seek the advice of customer oversight
22 committees and the board in the development of these plans;

23 (6) Under direction of the information services board and in
24 collaboration with the department of personnel, and other agencies as
25 may be appropriate, develop training plans and coordinate training
26 programs that are responsive to the needs of agencies;

27 (7) Identify opportunities for the effective use of information
28 services and coordinate appropriate responses to those opportunities;

29 ~~(8) ((Assess agencies' projects, acquisitions, plans, or overall
30 information processing performance as requested by the board, agencies,
31 the director of financial management, or the legislature. Agencies may
32 be required to reimburse the department for agency requested reviews;~~

33 ~~(9) Develop planning, budgeting, and expenditure reporting
34 requirements, in conjunction with the office of financial management,
35 for agencies to follow;~~

36 ~~(10))~~ Assist the office of financial management with budgetary and
37 policy review of agency plans for information services;

38 ~~((11))~~ (9) Provide staff support from the planning component to
39 the board for:

- 1 (a) Meeting preparation, notices, and minutes;
2 (b) Promulgation of policies, standards, and guidelines adopted by
3 the board;
4 (c) Supervision of studies and reports requested by the board;
5 (d) Conducting reviews and assessments as directed by the board;
6 ~~((12))~~ (e) Presenting to the board for its approval, policy
7 issues that set precedent for the effective and efficient use of
8 information technology. These issues shall include, but not be limited
9 to, state information technology architectures, implementation and use
10 of state information technology infrastructures, and effective uses of
11 information technology;

12 (10) Be the lead agency in coordinating video telecommunications
13 services for all state agencies and develop, pursuant to board
14 policies, standards and common specifications for leased and purchased
15 telecommunications equipment. The department shall not evaluate the
16 merits of school curriculum, higher education course offerings, or
17 other education and training programs proposed for transmission and/or
18 reception using video telecommunications resources. Nothing in this
19 section shall abrogate or abridge the legal responsibilities of
20 licensees of telecommunications facilities as licensed by the federal
21 communication commission on March 27, 1990; and

22 ~~((13))~~ (11) Perform all other matters and things necessary to
23 carry out the purposes and provisions of this chapter.

24 **Sec. 5.** RCW 43.105.080 and 1992 c 235 s 6 are each amended to read
25 as follows:

26 There is created a revolving fund to be known as the data
27 processing revolving fund in the custody of the state treasurer. The
28 revolving fund shall be used for the acquisition of equipment,
29 software, supplies, and services and the payment of salaries, wages,
30 and other costs incidental to the acquisition, development, operation,
31 and administration of information services, telecommunications,
32 systems, software, supplies and equipment, including the payment of
33 principal and interest on bonds issued for capital projects, by the
34 department, ~~((Washington State University's computer services center,))~~
35 the department of personnel's personnel information systems division,
36 the office of financial management's financial systems management group
37 to support the information technology project oversight functions of
38 the office of financial management, and other users as jointly

1 determined by the department and the office of financial management.
2 The revolving fund is subject to the allotment procedure provided under
3 chapter 43.88 RCW. Disbursements from the revolving fund for the
4 services component of the department are not subject to appropriation.
5 Disbursements for the planning component of the department and for the
6 office of financial management's information technology project
7 oversight functions are subject to appropriation. All disbursements
8 from the fund are subject to the allotment procedures provided under
9 chapter 43.88 RCW. The department shall establish and implement a
10 billing structure to assure all agencies pay an equitable share of the
11 costs.

12 As used in this section, the word "supplies" shall not be
13 interpreted to delegate or abrogate the division of purchasing's
14 responsibilities and authority to purchase supplies as described in RCW
15 43.19.190 and 43.19.200.

16 **Sec. 6.** RCW 43.105.160 and 1992 c 20 s 1 are each amended to read
17 as follows:

18 (1) The department shall prepare a state strategic information
19 technology plan which shall establish a state-wide mission, goals, and
20 objectives for the use of information technology. The plan shall be
21 developed in accordance with the standards and policies established by
22 the board and shall be submitted to the board for review, modification
23 as necessary, and approval. The department shall seek the advice of
24 the board in the development of this plan.

25 The plan approved under this section shall be updated as necessary
26 and submitted to the governor and the chairs and ranking minority
27 members of the appropriations committees of the senate and the house of
28 representatives.

29 (2) The department, in consultation with the board and the office
30 of financial management, shall prepare a biennial state performance
31 report on information technology based on agency performance reports
32 required under RCW 43.105.170 and other information deemed appropriate
33 by the department. The report shall include, but not be limited to:

34 (a) An evaluation of performance relating to information
35 technology;

36 (b) An assessment of progress made toward implementing the state
37 strategic information technology plan;

1 (c) An analysis of the success or failure, feasibility, progress,
2 costs, and timeliness of implementation of major information technology
3 projects under RCW 43.105.190;

4 (d) Identification of benefits, cost avoidance, and cost savings
5 generated by major information technology projects developed under RCW
6 43.105.190; and

7 (e) An inventory of state information services, equipment, and
8 proprietary software.

9 Copies of the report shall be distributed biennially to the
10 governor and the chairs and ranking minority members of the
11 appropriations committees of the senate and the house of
12 representatives.

13 **Sec. 7.** RCW 43.105.170 and 1992 c 20 s 2 are each amended to read
14 as follows:

15 (1) Each agency shall develop an agency strategic information
16 technology plan which establishes agency goals and objectives regarding
17 the development and use of information technology. Plans shall
18 include, but not be limited to, the following:

19 (a) A statement of the agency's mission, goals, and objectives for
20 information technology;

21 (b) An explanation of how the agency's mission, goals, and
22 objectives for information technology support and conform to the state
23 strategic information technology plan developed under RCW 43.105.160;

24 (c) Projects and resources required to meet the objectives of the
25 plan; and

26 (d) Where feasible, estimated schedules and funding required to
27 implement identified projects.

28 (2) Plans developed under subsection (1) of this section shall be
29 submitted to the department and the office of financial management for
30 joint review and forwarded along with (~~the department's~~) their joint
31 recommendations to the board for review and approval. The board may
32 reject, require modification to, or approve plans as deemed appropriate
33 by the board. Plans submitted under this subsection shall be updated
34 and submitted for review and approval as necessary.

35 (3) Each agency shall prepare and submit to the department and the
36 office of financial management a biennial performance report. The
37 report shall include:

1 (a) An evaluation of the agency's performance relating to
2 information technology;

3 (b) An assessment of progress made toward implementing the agency
4 strategic information technology plan; and

5 (c) An inventory of agency information services, equipment, and
6 proprietary software.

7 (4) The department, with the approval of the board and in
8 collaboration with the office of financial management, shall establish
9 standards, elements, form, and format for plans and reports developed
10 under this section.

11 (5) The board may exempt any agency from any or all of the
12 requirements of this section.

13 **Sec. 8.** RCW 43.105.180 and 1992 c 20 s 3 are each amended to read
14 as follows:

15 (~~Upon request of~~) The office of financial management(~~(, the~~
16 ~~department)~~) shall:

17 (1) Evaluate agency budget requests for major information
18 technology projects identified under RCW 43.105.190(~~(. The department~~
19 ~~shall submit recommendations for funding all or part of such requests~~
20 ~~to the office of financial management.)~~);

21 (~~The department, with the advice and approval of the office of~~
22 ~~financial management, shall)~~)

23 (2) Establish, with the approval of the board, criteria for the
24 evaluation of agency budget requests under this section. Criteria
25 shall include, but not be limited to: Feasibility of the proposed
26 projects, consistency with state and agency strategic information
27 technology plans, consistency with agency goals and objectives, costs,
28 and benefits, an appropriate measure of return on investment, generated
29 from cost-benefit analysis, and a review of proposed projects as
30 investments by taxpayers of the state. Agencies proposing major
31 information technology projects shall quantify life-cycle costs and
32 benefits of a proposed project and of alternatives to a proposed
33 project.

34 A summary of the evaluation results for each proposed project shall
35 be transmitted to the fiscal committees of the legislature concurrently
36 with submission of the governor's budget proposals;

37 (3) Assess agencies' projects, acquisitions, plans, or overall
38 information processing performance as requested by the board, agencies,

1 or the legislature. Agencies may be required to reimburse the office
2 of financial management for agency-requested reviews; and

3 (4) Establish budgeting and expenditure reporting requirements for
4 agencies to follow when submitting budget requests for major
5 information technology projects.

6 **Sec. 9.** RCW 43.105.190 and 1992 c 20 s 4 are each amended to read
7 as follows:

8 (1) The ~~((department))~~ office of financial management, with the
9 approval of the board, shall establish standards and policies governing
10 the planning, implementation, ~~((and))~~ evaluation, and oversight of
11 major information technology projects. The standards and policies
12 shall:

13 (a) Establish criteria to identify projects which are subject to
14 this section. Such criteria shall include, but not be limited to,
15 significant anticipated cost, complexity, or state-wide significance of
16 the project; and

17 (b) Establish a model process and procedures which agencies shall
18 follow in developing and implementing project plans. Agencies may
19 propose, for approval by the ~~((department))~~ office of financial
20 management, a process and procedures unique to the agency. The
21 ~~((department))~~ office of financial management may accept or require
22 modification of such agency proposals or the ~~((department))~~ office of
23 financial management may reject such agency proposals and require use
24 of the model process and procedures established under this subsection.
25 Any process and procedures developed under this subsection shall
26 require (i) distinct and identifiable phases upon which funding may be
27 based, (ii) user validation of products through system demonstrations
28 and testing of prototypes and deliverables, and (iii) other elements
29 identified by the board.

30 Project plans and any agreements established under such plans shall
31 be approved and mutually agreed upon by ~~((the director,))~~ the director
32 of financial management~~((,))~~ and the head of the agency proposing the
33 project.

34 The director of financial management may terminate a major project
35 if ~~((the director))~~ he or she determines that the project is not
36 meeting or is not expected to meet anticipated performance standards.

37 (2) The office of financial management, with the approval of the
38 board, shall establish policies and standards governing the funding of

1 projects (~~developed under~~) subject to this section. The policies and
2 standards shall provide for:

3 (a) Funding of a project under terms and conditions mutually agreed
4 to by (~~the director,~~) the director of financial management(~~,~~) and
5 the head of the agency proposing the project. However, the office of
6 financial management may require incremental funding of a project on a
7 phase-by-phase basis whereby funds for a given phase of a project may
8 be released only when the office of financial management determines(~~,~~
9 ~~with the advice of the department,~~) that the previous phase is
10 satisfactorily completed;

11 (b) Acceptance testing of products to assure that products perform
12 satisfactorily before they are accepted and final payment is made; and

13 (c) Other elements deemed necessary by the office of financial
14 management.

15 (3) The (~~department~~) office of financial management shall
16 evaluate projects at three stages of development as follows: (a)
17 Initial needs assessment; (b) feasibility study including definition of
18 scope, development of tasks and timeliness, and estimated costs and
19 benefits; and (c) final project implementation plan based upon
20 available funding.

21 Copies of project evaluations conducted under this subsection shall
22 be submitted to the (~~office of financial management~~) board and the
23 chairs, ranking minority members, and staff coordinators of the
24 appropriations committees of the senate and house of representatives.

25 **Sec. 10.** RCW 43.105.210 and 1993 sp.s. c 1 s 903 are each amended
26 to read as follows:

27 No state agency may expend any moneys for major information
28 technology projects subject to review by the (~~department of~~
29 ~~information services~~) office of financial management under RCW
30 43.105.190 unless specifically authorized by the legislature. An
31 intentional or negligent violation of this section constitutes a
32 violation of RCW 43.88.290 and shall subject the head of the agency to
33 forfeiture of office and other civil penalties as provided under RCW
34 43.88.300.

35 If the director of (~~information services~~) financial management
36 intentionally or negligently approved an expenditure in violation of
37 this section, then all sanctions described in this section and RCW

1 43.88.300 shall also apply to the director of (~~information services~~)
2 financial management.

3 **Sec. 11.** RCW 43.41.110 and 1981 2nd ex.s. c 4 s 13 are each
4 amended to read as follows:

5 The office of financial management shall:

6 (1) Provide technical assistance to the governor and the
7 legislature in identifying needs and in planning to meet those needs
8 through state programs and a plan for expenditures.

9 (2) Perform the comprehensive planning functions and processes
10 necessary or advisable for state program planning and development,
11 preparation of the budget, inter-departmental and inter-governmental
12 coordination and cooperation, and determination of state capital
13 improvement requirements.

14 (3) Perform all duties and responsibilities delegated by the board
15 including but not limited to:

16 (a) Technical assistance, evaluation, and oversight of major
17 information technology projects, budget requests, and plans;

18 (b) Review of agency acquisition plans and requests;

19 (c) Development of evaluation, oversight, and acquisition policies,
20 standards, and procedures;

21 (d) Supervision of studies and reports requested by the board; and

22 (e) Conducting reviews and assessments.

23 (4) Provide assistance and coordination to state agencies and
24 departments in their preparation of plans and programs.

25 (~~(4)~~) (5) Provide general coordination and review of plans in
26 functional areas of state government as may be necessary for receipt of
27 federal or state funds.

28 (~~(5)~~) (6) Participate with other states or subdivisions thereof
29 in interstate planning.

30 (~~(6)~~) (7) Encourage educational and research programs that
31 further planning and provide administrative and technical services
32 therefor.

33 (~~(7)~~) (8) Carry out the provisions of RCW 43.62.010 through
34 43.62.050 relating to the state census.

35 (~~(8)~~) (9) Be the official state participant in the federal-state
36 cooperative program for local population estimates and as such certify
37 all city and county special censuses to be considered in the allocation
38 of state and federal revenues.

1 (~~(9)~~) (10) Be the official state center for processing and
2 dissemination of federal decennial or quinquennial census data in
3 cooperation with other state agencies.

4 (~~(10)~~) (11) Be the official state agency certifying annexations,
5 incorporations, or disincorporations to the United States bureau of the
6 census.

7 (~~(11)~~) (12) Review all United States bureau of the census
8 population estimates used for federal revenue sharing purposes and
9 provide a liaison for local governments with the United States bureau
10 of the census in adjusting or correcting revenue sharing population
11 estimates.

12 (~~(12)~~) (13) Provide fiscal notes depicting the expected fiscal
13 impact of proposed legislation in accordance with chapter 43.88A RCW.

14 (~~(13)~~) (14) Be the official state agency to estimate and manage
15 the cash flow of all public funds as provided in chapter 43.88 RCW. To
16 this end, the office shall adopt such rules as are necessary to manage
17 the cash flow of public funds.

18 NEW SECTION. Sec. 12. (1) All powers, duties, and functions of
19 the department of information services pertaining to the evaluation and
20 oversight of major information technology projects are transferred to
21 the office of financial management. All references to the director or
22 the department of information services in the Revised Code of
23 Washington shall be construed to mean the director or the office of
24 financial management when referring to the functions transferred in
25 this section.

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

37 (b) Any appropriations made to the department of information
38 services for carrying out the powers, functions, and duties transferred

1 shall, on the effective date of this section, be transferred and
2 credited to the office of financial management.

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

9 (3) All employees classified under chapter 41.06 RCW, the state
10 civil service law, are assigned to the office of financial management
11 to perform their usual duties upon the same terms as formerly, without
12 any loss of rights, subject to any action that may be appropriate
13 thereafter in accordance with the laws and rules governing state civil
14 service.

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

21 (5) The transfer of the powers, duties, functions, and personnel of
22 the department of information services shall not affect the validity of
23 any act performed before the effective date of this 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 or
33 until the bargaining unit has been modified by action of the personnel
34 board as provided by law.

35 NEW SECTION. **Sec. 13.** The following acts or parts of acts are
36 each repealed:

37 (1) RCW 43.131.353 and 1992 c 20 s 12 & 1987 c 504 s 22; and

38 (2) RCW 43.131.354 and 1992 c 20 s 13 & 1987 c 504 s 24.

1 NEW SECTION. **Sec. 14.** Section 2 of this act expires June 30,
2 1997.

3 NEW SECTION. **Sec. 15.** Section 3 of this act takes effect June 30,
4 1997.

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