

Chapter 43.41 RCW
OFFICE OF FINANCIAL MANAGEMENT

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Reviser's note: Throughout this chapter the phrase "this 1969 amendatory act" or "this act" has been changed to "this chapter". The phrase also includes RCW 43.88.020, 43.88.025 and 41.06.075.

Adjustment of dollar thresholds for special purpose district per diem compensations, transmittal to office of the code reviser: RCW 35.61.150, 36.57A.050, 52.14.010, 53.12.260, 54.12.080, 57.12.010, 68.52.220, 70.44.050, 85.05.410, 85.06.380, 85.08.320, 85.24.080, 85.38.075, 86.09.283, and 87.03.460.

Assessments and charges against state lands: Chapter 79.44 RCW.

Budgeting, accounting, and reporting system, powers and duties: Chapter 43.88 RCW.

Checks and drafts, form prescribed by: RCW 43.88.160.

Classes and number of positions for agencies fixed by: RCW 43.88.160.

Corrective measures by agencies, duties to enforce: RCW 43.88.160.

Development of methods and protocols for measuring educational costs: RCW 43.41.415.

Efficiency surveys and analyses of agencies: RCW 43.88.160.

Employee training authorized: RCW 43.88.160.

Inventory of state-owned or leased facilities—Report: RCW 43.82.150.

Motor vehicle fund, distribution of amount to counties, office to furnish information: RCW 46.68.124.

Moving expenses of state officers and employees, approval by: RCW 43.03.110.

Occupational forecast—Agency consultation: RCW 50.38.030.

Pay and classification plans, review of: RCW 43.88.160.

Personal service contracts, filing with office of financial management, duties: Chapter 39.26 RCW.

Proposal of ten-year investment program for transportation investments, improvements, and preservation: RCW 47.05.030.

Regulations, duty to promulgate: RCW 43.88.160.

Regulatory fairness act, office of financial management participation: Chapter 19.85 RCW.

Reports of agencies, authority to require: RCW 43.88.160.

Reports to governor, duplication of effort or lack of coordination between agencies: RCW 43.88.160.

Review and approval of matching funds in the rural arterial program: RCW 36.79.120.

Review of highway protection and restoration contracts: RCW 47.28.170.

Review of rural arterial trust account budget: RCW 36.79.130.

State employees' retirement system, duties: RCW 41.40.048.

State facility planning and management: Chapter 43.82 RCW.

Subsistence allowance for officials and employees, director to prescribe: RCW 43.03.050.

Tort claims against state, duties: Chapter 4.92 RCW.

Transportation system policy goals, development and submittal of and reporting on objectives and performance measures: RCW 47.04.280, 47.04.285.

Warrants or checks, form prescribed by: RCW 43.88.160.

RCW 43.41.030 Purpose. The legislature finds that the need for long-range state program planning and for the short-range planning carried on through the budget process, complement each other. The biennial budget submitted to the legislature must be considered in the light of the longer-range plans and goals of the state. The effectiveness of the short-range plan presented as budget proposals, cannot be measured without being aware of these longer-range goals. Thus efficient management requires that the planning and fiscal activities of state government be integrated into a unified process. It is the purpose of this chapter to bring these functions together in

a new division of the office of the governor to be called the office of financial management. [1979 c 151 § 109; 1969 ex.s. c 239 § 1.]

RCW 43.41.040 Definitions. As used in this chapter, unless the context indicates otherwise:

- (1) "Office" means the office of financial management.
- (2) "Director" means the director of financial management.
- (3) "Agency" means and includes every state agency, office, officer, board, commission, department, state institution, or state institution of higher education, which includes all state universities, regional universities, The Evergreen State College, and community and technical colleges. [1993 c 500 § 4; 1979 c 151 § 110; 1969 ex.s. c 239 § 2.]

Finding—Severability—Effective date—1993 c 500: See notes following RCW 43.41.180.

RCW 43.41.050 Office of financial management created—Transfer of powers, duties, and functions. There is created in the office of the governor, the office of financial management which shall be composed of the present central budget agency and the state planning, program management, and population and research divisions of the present *planning and community affairs agency. Any powers, duties and functions assigned to the central budget agency, or any state planning, program management, or population and research functions assigned to the present *planning and community affairs agency by the 1969 legislature, shall be transferred to the office of financial management. [1979 c 151 § 111; 1969 ex.s. c 239 § 3.]

***Reviser's note:** The "planning and community affairs agency" has been renamed the "department of community, trade, and economic development." The "department of community, trade, and economic development" was renamed the "department of commerce" by 2009 c 565.

RCW 43.41.060 Director—Appointment—Salary—Vacancy—Delegation of powers and duties. The executive head of the office of financial management shall be the director, who shall be appointed by the governor with the consent of the senate, and who shall serve at the pleasure of the governor. He or she shall be paid a salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. If a vacancy occurs in his or her position while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he or she shall present to that body his or her nomination for the office. The director may delegate such of his or her powers, duties and functions to other officers and employees of the department as he or she may deem necessary to the fulfillment of the purposes of this chapter. [2009 c 549 § 5118; 1979 c 151 § 112; 1969 ex.s. c 239 § 4.]

RCW 43.41.070 Personnel. The director shall have the power to employ such personnel as may be necessary for the general administration of the office: PROVIDED, That, except as elsewhere specified in this chapter, such employment is in accordance with the

rules of the state civil service law, chapter 41.06 RCW. [1969 ex.s. c 239 § 5.]

RCW 43.41.080 Deputy and assistant directors. The director may appoint such deputy directors and assistant directors as shall be needed to administer the office of financial management. The officers appointed under this section and exempt from the provisions of the state civil service law by the terms of RCW 41.06.075, shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the operation of the state civil service law. [1979 c 151 § 113; 1969 ex.s. c 239 § 6.]

RCW 43.41.100 Director's powers and duties. The director of financial management shall:

(1) Supervise and administer the activities of the office of financial management.

(2) Exercise all the powers and perform all the duties prescribed by law with respect to the administration of the state budget and accounting system.

(3) Advise the governor and the legislature with respect to matters affecting program management and planning.

(4) Make efficiency surveys of all state departments and institutions, and the administrative and business methods pursued therein, examine into the physical needs and industrial activities thereof, and make confidential reports to the governor, recommending necessary betterments, repairs, and the installation of improved and more economical administrative methods, and advising such action as will result in a greater measure of self-support and remedies for inefficient functioning.

The director may enter into contracts on behalf of the state to carry out the purposes of this chapter; he or she may act for the state in the initiation of or participation in any multi-governmental agency program relative to the purposes of this chapter; and he or she may accept gifts and grants, whether such grants be of federal or other funds. [2009 c 549 § 5119; 1979 c 151 § 114; 1969 ex.s. c 239 § 8.]

RCW 43.41.102 Director—Contract for collection and tabulation of census block statistics. Subject to a specific appropriation for that purpose, the director of financial management is hereby authorized and directed to contract with the United States bureau of census for collection and tabulation of block statistics in any or all cities and towns. [1979 c 151 § 115; 1977 ex.s. c 128 § 5.]

Severability—1977 ex.s. c 128: See note following RCW 29A.16.040.

RCW 43.41.104 Settlement and payment of accounts—Duty to require. Upon receipt of information from the state auditor as provided in *RCW 43.09.050(5) as now or hereafter amended, the director of financial management shall require all persons who have

received any moneys belonging to the state and have not accounted therefor, to settle their accounts and make payment thereof. [1979 c 151 § 116; 1977 ex.s. c 144 § 10.]

***Reviser's note:** RCW 43.09.050 was amended by 1992 c 118 § 6, changing subsection (5) to subsection (6).

RCW 43.41.106 Settlement and payment of accounts—Authority to require testimony and evidence. The director of financial management may, in his or her discretion, require any person presenting an account for settlement to be sworn before him or her, and to answer, orally or in writing, as to any facts relating to it. [2009 c 549 § 5120; 1979 c 151 § 117; 1977 ex.s. c 144 § 11.]

RCW 43.41.109 "Undue hardship"—Defined by rule. The director of the office of financial management shall by rule establish a definition of "undue hardship" for the purposes of RCW 1.16.050. [2014 c 168 § 2.]

RCW 43.41.110 Powers and duties of office of financial management. The office of financial management shall:

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

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

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

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

(5) Participate with other states or subdivisions thereof in interstate planning.

(6) Encourage educational and research programs that further planning and provide administrative and technical services therefor.

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

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

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

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

(11) Review all United States bureau of the census population estimates used for federal revenue sharing purposes and provide a liaison for local governments with the United States bureau of the

census in adjusting or correcting revenue sharing population estimates.

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

(13) Be the official state agency to estimate and manage the cash flow of all public funds as provided in chapter 43.88 RCW. To this end, the office shall adopt such rules as are necessary to manage the cash flow of public funds. [2011 1st sp.s. c 43 § 510; 2002 c 332 § 23; 1981 2nd ex.s. c 4 § 13; 1979 c 10 § 3. Prior: 1977 ex.s. c 110 § 4; 1977 ex.s. c 25 § 6; 1969 ex.s. c 239 § 11.]

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

Intent—Effective date—2002 c 332: See notes following RCW 43.19.760.

Severability—1981 2nd ex.s. c 4: See note following RCW 43.30.325.

RCW 43.41.113 Personnel policy and application of civil service laws. (1) The office of financial management shall direct and supervise the personnel policy and application of the civil service laws, chapter 41.06 RCW.

(2) The director or the director's designee has the authority and shall perform the functions as prescribed in chapter 41.06 RCW, or as otherwise prescribed by law.

(3) The director may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests such authority and the director is satisfied that the agency has the personnel management capabilities to effectively perform the delegated activities. The director shall prescribe standards and guidelines for the performance of delegated activities. If the director determines that an agency is not performing delegated activities within the prescribed standards and guidelines, the director shall withdraw the authority from the agency to perform such activities. [2015 3rd sp.s. c 1 § 321; 2011 1st sp.s. c 43 § 430.]

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

RCW 43.41.120 Advisory or coordinating councils. The director or the governor may establish such additional advisory or coordinating councils as may be necessary to carry out the purposes of this chapter. Members of such councils shall serve at the pleasure of the governor. They shall receive no compensation for their services, but shall be reimbursed for travel expenses while engaged in business of the councils in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. [1975-'76 2nd ex.s. c 34 § 114; 1969 ex.s. c 239 § 12.]

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 43.41.160 State health care cost containment policies. (1)

It is the purpose of this section to ensure implementation and coordination of chapter 70.14 RCW as well as other legislative and executive policies designed to contain the cost of health care that is purchased or provided by the state. In order to achieve that purpose, the director may:

(a) Establish within the health care authority a health care cost containment program in cooperation with all state agencies;

(b) Implement lawful health care cost containment policies that have been adopted by the legislature or the governor, including appropriation provisos;

(c) Coordinate the activities of all state agencies with respect to health care cost containment policies;

(d) Study and make recommendations on health care cost containment policies;

(e) Monitor and report on the implementation of health care cost containment policies;

(f) Appoint a health care cost containment technical advisory committee that represents state agencies that are involved in the direct purchase, funding, or provision of health care; and

(g) Engage in other activities necessary to achieve the purposes of this section.

(2) All state agencies shall cooperate with the director in carrying out the purpose of this section. [2011 1st sp.s. c 15 § 70; 1986 c 303 § 11.]

Effective date—Findings—Intent—Report—Agency transfer—References to head of health care authority—Draft legislation—2011 1st sp.s. c 15: See notes following RCW 74.09.010.

Health care authority: Chapter 41.05 RCW.

RCW 43.41.170 Budgeting process—Agencies implementing energy conservation to retain cost savings. The office of financial management shall ensure that to the extent possible the budget process shall allow state agencies implementing energy conservation to retain the resulting cost savings for other purposes, including further energy conservation. [1989 c 11 § 15; 1986 c 325 § 3.]

Severability—1989 c 11: See note following RCW 9A.56.220.

Findings—1986 c 325: "The legislature finds that:

(1) Capital investments in energy conservation in buildings can produce significant reductions in energy use, reducing the need to import or extract fossil fuels and lowering the cost of operating buildings.

(2) The state of Washington has an obligation to operate state buildings efficiently and to implement all cost-effective energy conservation measures so that citizens are assured that public funds are spent wisely and so that citizens have an example of the savings possible from energy conservation.

(3) The state has completed energy consumption and walk-through surveys of its buildings and other facilities and has established a schedule for technical assistance studies which is the basis for implementing energy conservation measure installations to meet the

milestones in RCW 43.19.680. However, there is uncertainty that the milestones will be met.

(4) The potential savings from energy conservation can be more readily realized by explicitly considering conservation measures and procedures in the state's budgeting and long-range planning process." [1986 c 325 § 1.]

RCW 43.41.180 Electronic funds and information transfer—State agency use. (1) The office of financial management is authorized to approve the use of electronic and other technological means to transfer both funds and information whenever economically feasible, to eliminate paper documentation wherever possible, and to provide greater fiscal responsibility. This authorization includes but is not limited to the authority to approve use of electronic means to transfer payroll, vendor payments, and benefit payments and acceptance of credit cards, debit cards, and other consumer debt instruments for payment of taxes, licenses, and fees. The office of financial management shall adopt rules under RCW 43.41.110(13) to specify the manner in which electronic and other technological means, including credit cards, are available to state agencies.

(2) No state agency may use electronic or other technological means, including credit cards, without specific continuing authorization from the office of financial management. [1993 c 500 § 2.]

Finding—1993 c 500: "The legislature finds that:

(1) Effective and efficient management of the state's cash resources requires expeditious revenue collection, aggregation, and investment of available balances and timely payments;

(2) The use of credit cards, debit cards, and electronic transfers of funds and information are customary and economical business practices to improve cash management that the state should consider and use when appropriate;

(3) Statutory changes are necessary to aid the state in complying with the federal cash management improvement act of 1990; and

(4) The policies, procedures, and practices of cash management should be reviewed and revised as required to ensure that the state achieves the most effective cash management possible." [1993 c 500 § 1.]

Severability—1993 c 500: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1993 c 500 § 12.]

Effective date—1993 c 500: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1993." [1993 c 500 § 13.]

RCW 43.41.260 Monitoring enrollee level in basic health plan and medicaid caseload of children—Funding levels adjustment. The health care authority and the office of financial management shall together monitor the enrollee level in the basic health plan and the medicaid

caseload of children. The office of financial management shall adjust the funding levels by interagency reimbursement of funds between the basic health plan and medicaid and adjust the funding levels for the health care authority to maximize combined enrollment. [2011 1st sp.s. c 15 § 71; 2009 c 479 § 28; 1995 c 265 § 21.]

Effective date—Findings—Intent—Report—Agency transfer—References to head of health care authority—Draft legislation—2011 1st sp.s. c 15: See notes following RCW 74.09.010.

Effective date—2009 c 479: See note following RCW 2.56.030.

Captions not law—Effective dates—Savings—Severability—1995 c 265: See notes following RCW 70.47.015.

RCW 43.41.270 Natural resource-related and environmentally based grant and loan programs—Administration and monitoring assistance.

(1) The office of financial management shall assist natural resource-related agencies in developing outcome-focused performance measures for administering natural resource-related and environmentally based grant and loan programs. These performance measures are to be used in determining grant eligibility, for program management and performance assessment.

(2) The office of financial management and the recreation and conservation office shall assist natural resource-related agencies in developing recommendations for a monitoring program to measure outcome-focused performance measures required by this section. The recommendations must be consistent with the framework and coordinated monitoring strategy developed by the monitoring oversight committee established in *RCW 77.85.210.

(3) Natural resource agencies shall consult with grant or loan recipients including local governments, tribes, nongovernmental organizations, and other interested parties, and report to the office of financial management on the implementation of this section.

(4) For purposes of this section, "natural resource-related agencies" include the department of ecology, the department of natural resources, the department of fish and wildlife, the state conservation commission, the recreation and conservation funding board, the salmon recovery funding board, and the public works board within the department of commerce.

(5) For purposes of this section, "natural resource-related environmentally based grant and loan programs" includes the conservation reserve enhancement program; dairy nutrient management grants under chapter 90.64 RCW; state conservation commission water quality grants under chapter 89.08 RCW; coordinated prevention grants, public participation grants, and remedial action grants under RCW 70A.305.190; water pollution control facilities financing under chapter 70A.135 RCW; aquatic lands enhancement grants under RCW 79.105.150; habitat grants under the Washington wildlife and recreation program under RCW 79A.15.040; salmon recovery grants under chapter 77.85 RCW; and the public works trust fund program under chapter 43.155 RCW. The term also includes programs administered by the department of fish and wildlife related to protection or recovery of fish stocks which are funded with moneys from the capital budget.

[2020 c 20 § 1050; 2009 c 345 § 12. Prior: 2007 c 444 § 7; 2007 c 241 § 5; 2001 c 227 § 2.]

***Reviser's note:** RCW 77.85.210 was repealed by 2005 c 309 § 10.

Finding—Intent—2009 c 345: See notes following RCW 77.85.030.

Intent—Effective date—2007 c 241: See notes following RCW 79A.25.005.

Findings—Intent—2001 c 227: "The legislature finds that the amount of overall requests for funding for natural resource-related programs in the capital budget has been steadily growing. The legislature also finds that there is an increasing interest by the public in examining the performance of the projects and programs to determine the return on their investments and that a coordinated and integrated response by state agencies will allow for better targeting of resources. The legislature further finds that there is a need to improve the data and the integration of data that is collected by state agencies and grant and loan recipients in order to better measure the outcomes of projects and programs. The legislature intends to begin implementing the recommendations contained in the joint legislative audit and review committee's report number 01-1 on investing in the environment in order to improve the efficiency, effectiveness, and accountability of these natural resource-related programs funded in the state capital budget." [2001 c 227 § 1.]

RCW 43.41.275 State agency employment—Disability employment—Reporting requirements. (1) By January 31st of each year, state agencies employing one hundred or more people must submit the report described in subsection (2) of this section to the human resources director, with copies to the director of the department of social and health services' division of vocational rehabilitation and the governor's disability employment task force.

(2) The report must include the following information:

(a) The number of employees from the previous fiscal year;

(b) The number of employees classified as individuals with disabilities;

(c) The number of employees that separated from the state agency the previous year;

(d) The number of employees that were hired by the state agency the previous year;

(e) The number of employees hired from the division of vocational rehabilitation services and from the department of the services for the blind the previous year;

(f) The number of planned hires for the current year; and

(g) Opportunities for internships for the department of social and health services' division of vocational rehabilitation and developmental disabilities administration, and the department of the services for the blind client placement, leading to an entry-level position placement upon successful completion for the current year.

[2023 c 148 § 4; 2015 c 204 § 3.]

Short title—2015 c 204: "This act may be known and cited as the state disability employment parity act." [2015 c 204 § 1.]

Findings—Intent—2015 c 204: "The legislature finds that eleven percent of working age adults and thirteen percent of the state's total population consists of persons with disabilities, that persons with disabilities suffer significantly higher rates of unemployment and underemployment than in the general population, and that representation of disabled persons in the state workforce has declined in recent years, but has increased during the last year. The legislature further finds that there is no policy similar to Schedule A in the federal civil service system for priority hiring of persons with disabilities. Therefore, the legislature intends to increase the hiring of persons with disabilities in the state workforce." [2015 c 204 § 2.]

RCW 43.41.391 K-20 network—Duty to govern and oversee technical design, implementation, and operation. (1) The office has the duty to govern and oversee the technical design, implementation, and operation of the K-20 network including, but not limited to, the following duties: Establishment and implementation of K-20 network technical policy, including technical standards and conditions of use; review and approval of network design; and resolving user/provider disputes.

(2) The office has the following powers and duties:

(a) In cooperation with the educational sectors and other interested parties, to establish goals and measurable objectives for the network;

(b) To ensure that the goals and measurable objectives of the network are the basis for any decisions or recommendations regarding the technical development and operation of the network;

(c) To adopt, modify, and implement policies to facilitate network development, operation, and expansion. Such policies may include but need not be limited to the following issues: Quality of educational services; access to the network by recognized organizations and accredited institutions that deliver educational programming, including public libraries; prioritization of programming within limited resources; prioritization of access to the system and the sharing of technological advances; network security; identification and evaluation of emerging technologies for delivery of educational programs; future expansion or redirection of the system; network fee structures; and costs for the development and operation of the network;

(d) To prepare and submit to the governor and the legislature a coordinated budget for network development, operation, and expansion. The budget shall include the director of the consolidated technology services agency's recommendations on (i) any state funding requested for network transport and equipment, distance education facilities and hardware or software specific to the use of the network, and proposed new network end sites, (ii) annual copayments to be charged to public educational sector institutions and other public entities connected to the network, and (iii) charges to nongovernmental entities connected to the network;

(e) To adopt and monitor the implementation of a methodology to evaluate the effectiveness of the network in achieving the educational goals and measurable objectives;

(f) To establish by rule acceptable use policies governing user eligibility for participation in the K-20 network, acceptable uses of network resources, and procedures for enforcement of such policies.

The office shall set forth appropriate procedures for enforcement of acceptable use policies, that may include suspension of network connections and removal of shared equipment for violations of network conditions or policies. The office shall have sole responsibility for the implementation of enforcement procedures relating to technical conditions of use. [2015 3rd sp.s. c 1 § 214; 2011 1st sp.s. c 43 § 718. Formerly RCW 43.41A.085.]

Effective date—2015 3rd sp.s. c 1 §§ 101-109, 201-224, 406-408, 410, 501-507, 601, and 602: See note following RCW 43.105.007.

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

RCW 43.41.392 K-20 operations cooperative—Maintained by office. The office shall maintain, in consultation with the K-20 network users, the K-20 operations cooperative, which shall be responsible for day-to-day network management, technical network status monitoring, technical problem response coordination, and other duties as agreed to by the office and the educational sectors. Funding for the K-20 operations cooperative shall be provided from the education technology revolving fund under *RCW 43.41A.105. [2011 1st sp.s. c 43 § 719. Formerly RCW 43.41A.090.]

***Reviser's note:** RCW 43.41A.105 was recodified as RCW 43.41.399 pursuant to 2015 3rd sp.s. c 1 § 222.

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

RCW 43.41.393 Technical plan of the K-20 telecommunications system and ongoing system enhancements—Contents. The office, in conjunction with the K-20 network users, shall maintain a technical plan of the K-20 telecommunications system and ongoing system enhancements. The office shall ensure that the technical plan adheres to the goals and objectives established under RCW 43.105.054. The technical plan shall provide for:

(1) A telecommunications backbone connecting educational service districts, the main campuses of public baccalaureate institutions, all of the campuses of public research institutions, and the main campuses of community colleges and technical colleges.

(2) (a) Connection to the K-20 network by entities that include, but need not be limited to: School districts, public higher education off-campus and extension centers, and campuses of community colleges and technical colleges, as prioritized by the chief information officer; (b) distance education facilities and components for entities listed in this subsection and subsection (1) of this section; and (c) connection for independent nonprofit institutions of higher education, provided that:

(i) The office and each independent nonprofit institution of higher education to be connected agree in writing to terms and conditions of connectivity. The terms and conditions shall ensure, among other things, that the provision of K-20 services does not violate Article VIII, section 5 of the state Constitution and that the institution shall adhere to K-20 network policies; and

(ii) The office determines that inclusion of the independent nonprofit institutions of higher education will not significantly affect the network's eligibility for federal universal service fund discounts or subsidies.

(3) Subsequent phases may include, but need not be limited to, connections to public libraries, state and local governments, community resource centers, and the private sector. [2017 c 52 § 14; 2015 3rd sp.s. c 1 § 215; 2011 1st sp.s. c 43 § 720. Formerly RCW 43.41A.095.]

Effective date—2015 3rd sp.s. c 1 §§ 101-109, 201-224, 406-408, 410, 501-507, 601, and 602: See note following RCW 43.105.007.

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

RCW 43.41.394 Oversight of technical aspects of K-20 network.

(1) In overseeing the technical aspects of the K-20 network, the office is not intended to duplicate the statutory responsibilities of the student achievement council, the superintendent of public instruction, the state librarian, or the governing boards of the institutions of higher education.

(2) The office may not interfere in any curriculum or legally offered programming offered over the K-20 network.

(3) The responsibility to review and approve standards and common specifications for the K-20 network remains the responsibility of the office under *RCW 43.41A.025.

(4) The coordination of telecommunications planning for the common schools remains the responsibility of the superintendent of public instruction. Except as set forth in *RCW 43.41A.025(2)(f), the office may recommend, but not require, revisions to the superintendent's telecommunications plans. [2012 c 229 § 586; 2011 1st sp.s. c 43 § 721. Formerly RCW 43.41A.100.]

***Reviser's note:** RCW 43.41A.025 was recodified as RCW 43.105.054 pursuant to 2015 3rd sp.s. c 1 § 221. RCW 43.41A.025 was also amended by 2015 3rd sp.s. c 1 § 108, changing subsection (2)(f) to subsection (2)(e).

Effective date—2012 c 229 §§ 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

RCW 43.41.399 Education technology revolving fund. (1) The education technology revolving fund is created in the custody of the state treasurer. All receipts from billings under subsection (2) of this section must be deposited in the revolving fund. Only the director or the director's designee may authorize expenditures from the fund. The revolving fund shall be used to pay for K-20 network operations, transport, equipment, software, supplies, and services, maintenance and depreciation of on-site data, and shared infrastructure, and other costs incidental to the development,

operation, and administration of shared educational information technology services, telecommunications, and systems. The revolving fund shall not be used for the acquisition, maintenance, or operations of local telecommunications infrastructure or the maintenance or depreciation of on-premises video equipment specific to a particular institution or group of institutions.

(2) The revolving fund and all disbursements from the revolving fund are subject to the allotment procedure under chapter 43.88 RCW, but an appropriation is not required for expenditures. The office shall, subject to the review and approval of the office of financial management, establish and implement a billing structure for network services identified in subsection (1) of this section.

(3) The office shall charge those public entities connected to the K-20 telecommunications system under RCW 43.41.393 an annual copayment per unit of transport connection as determined by the legislature after consideration of the board's recommendations. This copayment shall be deposited into the revolving fund to be used for the purposes in subsection (1) of this section. It is the intent of the legislature to appropriate to the revolving fund such moneys as necessary to cover the costs for transport, maintenance, and depreciation of data equipment located at the individual public institutions, maintenance and depreciation of the K-20 network backbone, and services provided to the network under RCW 43.41.391. [2015 3rd sp.s. c 1 § 216; 2011 1st sp.s. c 43 § 722; 2004 c 276 § 910; 1999 c 285 § 10; 1997 c 180 § 1. Formerly RCW 43.41A.105, 43.105.835, 28D.02.065.]

Effective date—2015 3rd sp.s. c 1 §§ 101-109, 201-224, 406-408, 410, 501-507, 601, and 602: See note following RCW 43.105.007.

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

Severability—Effective date—2004 c 276: See notes following RCW 43.330.167.

Effective date—1997 c 180: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 23, 1997]." [1997 c 180 § 3.]

RCW 43.41.400 Education data center. (1) An education data center shall be established in the office of financial management. The education data center shall jointly, with the legislative evaluation and accountability program committee, conduct collaborative analyses of early learning, K-12, and higher education programs and education issues across the P-20 system, which includes the department of children, youth, and families, the superintendent of public instruction, the professional educator standards board, the state board of education, the state board for community and technical colleges, the workforce training and education coordinating board, the student achievement council, public and private nonprofit four-year institutions of higher education, and the employment security department. The education data center shall conduct collaborative analyses under this section with the legislative evaluation and

accountability program committee and provide data electronically to the legislative evaluation and accountability program committee, to the extent permitted by state and federal confidentiality requirements. The education data center shall be considered an authorized representative of the state educational agencies in this section under applicable federal and state statutes for purposes of accessing and compiling student record data for research purposes.

(2) The education data center shall:

(a) In consultation with the legislative evaluation and accountability program committee and the agencies and organizations participating in the education data center, identify the critical research and policy questions that are intended to be addressed by the education data center and the data needed to address the questions;

(b) Coordinate with other state education agencies to compile and analyze education data, including data on student demographics that is disaggregated by distinct ethnic categories within racial subgroups, and complete P-20 research projects;

(c) Collaborate with the legislative evaluation and accountability program committee and the education and fiscal committees of the legislature in identifying the data to be compiled and analyzed to ensure that legislative interests are served;

(d) Annually provide to the K-12 data governance group a list of data elements and data quality improvements that are necessary to answer the research and policy questions identified by the education data center and have been identified by the legislative committees in (c) of this subsection. Within three months of receiving the list, the K-12 data governance group shall develop and transmit to the education data center a feasibility analysis of obtaining or improving the data, including the steps required, estimated time frame, and the financial and other resources that would be required. Based on the analysis, the education data center shall submit, if necessary, a recommendation to the legislature regarding any statutory changes or resources that would be needed to collect or improve the data;

(e) Monitor and evaluate the education data collection systems of the organizations and agencies represented in the education data center ensuring that data systems are flexible, able to adapt to evolving needs for information, and to the extent feasible and necessary, include data that are needed to conduct the analyses and provide answers to the research and policy questions identified in (a) of this subsection;

(f) Track enrollment and outcomes through the public centralized higher education enrollment system;

(g) Assist other state educational agencies' collaborative efforts to develop a long-range enrollment plan for higher education including estimates to meet demographic and workforce needs;

(h) Provide research that focuses on student transitions within and among the early learning, K-12, and higher education sectors in the P-20 system;

(i) Prepare an annual report on the educational and workforce outcomes of youth in and released from institutional education facilities as defined in RCW 28A.190.005, using data disaggregated by age, and by ethnic categories and racial subgroups in accordance with RCW 28A.300.042. The annual report required by this subsection (2)(i) must be provided to the office of the superintendent of public instruction in a manner that is suitable for compliance with RCW 28A.190.110; and

(j) Make recommendations to the legislature as necessary to help ensure the goals and objectives of this section and RCW 28A.655.210 and 28A.300.507 are met.

(3) The department of children, youth, and families, superintendent of public instruction, professional educator standards board, state board of education, state board for community and technical colleges, workforce training and education coordinating board, student achievement council, public four-year institutions of higher education, department of social and health services, and employment security department shall work with the education data center to develop data-sharing and research agreements, consistent with applicable security and confidentiality requirements, to facilitate the work of the center. The education data center shall also develop data-sharing and research agreements with the administrative office of the courts to conduct research on educational and workforce outcomes using data maintained under RCW 13.50.010(12) related to juveniles. Private, nonprofit institutions of higher education that provide programs of education beyond the high school level leading at least to the baccalaureate degree and are accredited by the Northwest association of schools and colleges or their peer accreditation bodies may also develop data-sharing and research agreements with the education data center, consistent with applicable security and confidentiality requirements. The education data center shall make data from collaborative analyses available to the education agencies and institutions that contribute data to the education data center to the extent allowed by federal and state security and confidentiality requirements applicable to the data of each contributing agency or institution. [2021 c 164 § 15; 2017 3rd sp.s. c 6 § 223; 2016 c 72 § 108; 2012 c 229 § 585; 2009 c 548 § 201; 2007 c 401 § 3.]

Findings—Intent—2021 c 164: See note following RCW 28A.190.005.

Effective date—2017 3rd sp.s. c 6 §§ 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Finding—Intent—2016 c 72: See note following RCW 28A.600.015.

Effective date—2012 c 229 §§ 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Findings—2007 c 401: See note following RCW 28A.300.500.

RCW 43.41.405 K-12 data—Securing federal funds. The education data center and the superintendent of public instruction shall take all actions necessary to secure federal funds to implement RCW 43.41.400, 28A.655.210, and 28A.300.507. [2009 c 548 § 204.]

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

RCW 43.41.410 State support for students at institutions of higher education—Information. The education data center in consultation with institutions of higher education as defined in RCW 28B.10.016 shall annually develop information on the approximate amount of state support that students receive. For students at state-supported colleges and universities, the information must include the approximate level of support received by students in each tuition category. That information may include consideration of the following: Expenditures included in the educational cost formula; revenue forgiven from waived tuition and fees; state-funded financial aid awarded to students at public institutions; and all or a portion of appropriated amounts not reflected in the educational cost formula for institutional programs and services that may affect or enhance the educational experience of students at a particular institution. For students attending a private college, university, or proprietary school, the information shall include the amount of state-funded financial aid awarded to students attending the institution. [2012 c 229 § 301.]

RCW 43.41.415 Development of methods and protocols for measuring educational costs—Reports. (1) The education data center, in consultation with the house of representatives and senate committees responsible for higher education, the respective fiscal committees of the house of representatives and senate, the office of financial management, the state board for community and technical colleges, and the state institutions of higher education, shall develop standardized methods and protocols for measuring the undergraduate and graduate educational costs for the state universities, regional universities, and community colleges, including but not limited to the costs of instruction, costs to provide degrees in specific fields, and costs for precollege remediation.

(2) The institutions of higher education shall participate in the development of cost study methods and shall provide all necessary data in a timely fashion consistent with the protocols developed.

(3) Beginning December 1, 2012, and each December 1st thereafter, the center must provide cost study reports intended to meet the information needs of the governor's office and the legislature and the requirements of RCW 43.41.410. [2012 c 229 § 303; 2011 1st sp.s. c 11 § 105; 2004 c 275 § 15; 1995 1st sp.s. c 9 § 7; 1992 c 231 § 5; 1989 c 245 § 3. Prior: 1985 c 390 § 16; 1985 c 370 § 65; 1982 1st ex.s. c 37 § 16; 1981 c 257 § 3; 1977 ex.s. c 322 § 7. Formerly RCW 28B.76.310, 28B.15.070.]

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Part headings not law—2004 c 275: See note following RCW 28B.76.090.

Intent—Purpose—Effective date—1995 1st sp.s. c 9: See notes following RCW 28B.15.031.

Effective date—1992 c 231: See note following RCW 28B.10.016.

Effective date—Severability—1982 1st ex.s. c 37: See notes following RCW 28B.15.012.

Severability—1981 c 257: See note following RCW 28B.15.031.

Severability—1977 ex.s. c 322: See note following RCW 28B.15.065.

RCW 43.41.420 Undergraduate and graduate educational costs—Reports to regents and trustees. The education data center must determine and report on amounts constituting undergraduate and graduate educational costs to the several boards of regents and trustees for the state institutions of higher education by November 10th of each even-numbered year. [2012 c 229 § 304.]

RCW 43.41.425 Program to certify employment for public service loan forgiveness—Awareness materials—Statewide initiative. (1) The office shall:

(a) Develop a program for state agencies to certify employment for the purposes of the public service loan forgiveness program by July 1, 2023.

(b) Assist the student loan advocate in creating and distributing materials designed to increase awareness of the public service loan forgiveness program set forth in RCW 28B.77.009.

(c) Collaborate with the student achievement council, the employment security department, the department of retirement systems, nonprofit entities, local government representatives, and other public service employers in developing a statewide initiative to improve access and remove barriers to the public service loan forgiveness program for all public service employees. The program established for state agencies in this section and the certification process in RCW 41.04.045 may be considered in the development of the initiative. A plan for a statewide initiative must be developed and submitted to the higher education committees of the legislature by December 1, 2024, in compliance with RCW 43.01.036.

(2) For purposes of this section, the definitions in this subsection apply:

(a) "Certifying employment" means either completing the employer sections of the public service loan forgiveness form or sharing data directly with the United States department of education that corresponds to the information required for the public service loan forgiveness form, as allowed by the United States department of education.

(b) "Public service employer" includes the following:

(i) Any governmental entity including state, county, city, or other local government entity including political subdivisions, such as office, department, independent agency, school district, public college or university system, public library system, authority, or other body including the legislature and the judiciary;

(ii) Any employer that has received designation as a tax-exempt organization pursuant to Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue code of 1986, as amended;

(iii) Any other entities identified as a public service job in Title 20 U.S.C. Sec. 1087e(m).

(c) "Public service loan forgiveness program" means the federal loan forgiveness program established pursuant to Title 20 U.S.C. Sec. 1087e(m) and 34 C.F.R. Sec. 685.219.

(d) "State agency" or "agency" means departments, offices, agencies, or institutions of state government, the legislature, institutions of higher education, school districts, and educational service districts. [2023 c 470 § 3016; 2022 c 248 § 3.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Intent—Effective date—2022 c 248: See notes following RCW 28B.77.009.

RCW 43.41.430 Information technology investment pool—Information technology projects—Reports. (1) Subject to funds appropriated for this specific purpose, the office of financial management may establish an information technology investment pool and may enter into financial contracts for the acquisition of information technology projects for state agencies. Information technology projects funded under this section must meet the following requirements:

(a) The project begins or continues replacement of information technology systems with modern and more efficient information technology systems;

(b) The project improves the ability of an agency to recover from major disaster; or

(c) The project provides future savings and efficiencies for an agency through reduced operating costs, improved customer service, or increased revenue collections.

(2) Preference for project approval under this section must be given to an agency that has prior project approval from the office of the chief information officer and an approved business plan, and the primary hurdle to project funding is the lack of funding capacity.

(3) The office of financial management with assistance from the office of the chief information officer shall report to the governor and the fiscal committees of the legislature by November 1st of each year on the status of distributions and expenditures on information technology projects and improved statewide or agency performance results achieved by project funding. [2013 2nd sp.s. c 33 § 5.]

RCW 43.41.433 Information technology investment revolving account. (1) The information technology investment revolving account is created in the custody of the state treasurer. All receipts from

legislative appropriations and transfers must be deposited into the account. Only the director of financial management or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Any residual balance of funds remaining in the information technology investment revolving account created in section 705, chapter 4, Laws of 2015 3rd sp. sess. and reenacted in subsection (1) of this section shall be transferred to the information technology investment revolving account created in subsection (1) of this section after June 30, 2017. [2018 c 299 § 901; 2017 3rd sp.s. c 1 § 950.]

Effective date—2018 c 299: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 27, 2018]." [2018 c 299 § 927.]

Effective date—2017 3rd sp.s. c 1: See note following RCW 43.41.455.

RCW 43.41.435 Enumeration data used for population estimates—Destruction. The office must destroy enumeration data collected under RCW 35.13.260, 35A.14.700, 36.13.030, and chapter 43.62 RCW after it is used to produce the required population estimates. [2014 c 14 § 2.]

RCW 43.41.440 Statewide information technology system development revolving account—Contracts for enterprise information technology systems—"Enterprise information technology system" defined. (1) The statewide information technology system development revolving account is created in the custody of the state treasurer. All receipts from legislative appropriations and assessments to agencies for the development and acquisition of enterprise information technology systems must be deposited into the account. Moneys in the account may be spent only after appropriation. The account must be used solely for the development and acquisition of enterprise information technology systems that are consistent with the enterprise-based strategy established by the consolidated technology services agency in RCW 43.105.025. Expenditures from the account may not be used for maintenance and operations of enterprise information technology systems. The account may be used for the payment of salaries, wages, and other costs directly related to the development and acquisition of enterprise information technology systems.

(2) All payment of principal and interest on debt issued for enterprise information technology systems must be paid from the account.

(3) The office may contract for the development or acquisition of enterprise information technology systems.

(4) For the purposes of this section and RCW 43.41.442, "enterprise information technology system" means an information technology system that serves agencies with a certain business need or process that are required to use the system unless the agency has received a waiver from the state chief information officer.

"Enterprise information technology system" also includes projects that

are of statewide significance including enterprise-level solutions, enterprise resource planning, and shared services initiatives. [2015 3rd sp.s. c 1 § 502.]

Effective date—2015 3rd sp.s. c 1 §§ 101-109, 201-224, 406-408, 410, 501-507, 601, and 602: See note following RCW 43.105.007.

RCW 43.41.442 Statewide information technology system maintenance and operations revolving account—Contracts for administration, maintenance, and operations of enterprise information technology systems. (1) The statewide information technology system maintenance and operations revolving account is created in the custody of the state treasurer. All receipts from fees, charges for services, and assessments to agencies for the maintenance and operations of enterprise information technology systems must be deposited into the account. The account must be used solely for the maintenance and operations of enterprise information technology systems.

(2) Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditure.

(3) The office may contract with the consolidated technology services agency for the billing of fees, charges for services, and assessments to agencies, and for the maintenance and operations of enterprise information technology systems.

(4) "Enterprise information technology system" has the definition in RCW 43.41.440. [2015 3rd sp.s. c 1 § 503.]

Effective date—2015 3rd sp.s. c 1 §§ 101-109, 201-224, 406-408, 410, 501-507, 601, and 602: See note following RCW 43.105.007.

RCW 43.41.444 Shared information technology system revolving account—Contracts for administration, development, maintenance, and operations of shared information technology systems—"Shared information technology system" defined. (1) The shared information technology system revolving account is created in the custody of the state treasurer. All receipts from fees, charges for services, and assessments to agencies for shared information technology systems must be deposited into the account.

(2) Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditure.

(3) The office may contract with the consolidated technology services agency for the billing of fees, charges for services, and assessments to agencies, and for the development, maintenance, and operations of shared information technology systems.

(4) For the purposes of this section, "shared information technology system" means an information technology system that is available to, but not required for use by, agencies. [2015 3rd sp.s. c 1 § 504.]

Effective date—2015 3rd sp.s. c 1 §§ 101-109, 201-224, 406-408, 410, 501-507, 601, and 602: See note following RCW 43.105.007.

RCW 43.41.450 Office of financial management central service account. The office of financial management central service account is created in the state treasury. The account is to be used by the office as a revolving fund for the payment of salaries, wages, and other costs required for the operation and maintenance of statewide budgeting, accounting, forecasting, and functions and activities in the office. All receipts from agency fees and charges for services collected from public agencies must be deposited into the account. The director shall fix the terms and charges to agencies based on each agency's share of the office statewide cost allocation plan for federal funds. Moneys in the account may be spent only after appropriation. During the 2021-2023 and 2023-2025 fiscal biennia, the account may be used as a revolving fund for the payment of salaries, wages, and other costs related to policy activities in the office. [2023 c 435 § 1; 2022 c 297 § 953; 2017 3rd sp.s. c 1 § 968; 2016 sp.s. c 36 § 927.]

Effective date—2023 c 435: See note following RCW 43.79.570.

Effective date—2022 c 297: See note following RCW 43.79.565.

Effective date—2017 3rd sp.s. c 1: See note following RCW 43.41.455.

Effective date—2016 sp.s. c 36: See note following RCW 18.20.430.

RCW 43.41.455 State agency office relocation pool account. The state agency office relocation pool account is created in the custody of the state treasurer. All receipts from legislative appropriations and transfers must be deposited in the account. Expenditures from the account may be used only for state agency costs related to relocation of state agency offices. Authorized expenditures include lease payments and costs of relocation, equipment, furniture, and tenant improvements. Only the director of the office of financial management or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2017 3rd sp.s. c 1 § 949.]

Effective date—2017 3rd sp.s. c 1: "Except for section 990 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [June 30, 2017]." [2017 3rd sp.s. c 1 § 1903.]

RCW 43.41.460 Military recruitment program for veterans—Development—Report. (1) The office shall develop a military recruitment program that targets veterans and gives them credit for their knowledge, skills, and leadership abilities. In developing the program, the office shall consult with the department of enterprise services, department of veteran[s] affairs, the state military transition council, the veterans employee resource group, and other interested stakeholders. Program development must include, but is not

limited to, identifying: (a) Public and private military recruitment programs and ways those programs can be used in Washington; (b) similar military and state job classes and develop a system to provide veterans with experience credit for similar work; and (c) barriers to state employment and opportunities to better utilize veterans experience.

(2) The office shall report to the legislature with a draft plan by January 1, 2018, that includes draft bill language if necessary. [2017 c 192 § 4.]

Findings—2017 c 192: "The legislature finds that:

(1) Washington state provides a stated preference for hiring veterans and provides a scoring preference for hiring and promotional opportunities to veterans in the form of enhanced test scores;

(2) Few agencies outside of law enforcement use tests in hiring or promotion;

(3) Veterans have experience that is broader than law enforcement and the state can benefit by recruiting people with this experience;

(4) Veterans leave service with experience in transportation, teaching and education, logistics, computer technology, health care, media and communications, construction and engineering, and administrative support;

(5) Many state agencies and other public employers are struggling to fill and retain employees in key positions;

(6) Many public and private employers have developed veteran hiring and recruitment programs that take advantage of the broad experience that veterans bring to the job market." [2017 c 192 § 3.]

Findings—2017 c 192: See note following RCW 43.60A.100.

RCW 43.41.470 Washington climate corps network. (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington climate corps network is established to support and grow climate-related service opportunities for young adults and veterans with the objective of building low-carbon and climate-resilient communities, ecosystems, and economies while providing education, workforce development, and career pathways to service members, with a focus on overburdened communities as defined in RCW 70A.02.010. The Washington climate corps network shall be administered by Serve Washington, an entity created in Executive Order 16-08, signed August 24, 2016. The office shall provide the administrative support to serve Washington to facilitate the establishment and operation of the Washington climate corps network.

(2) Serve Washington has the following duties:

(a) Connect, amplify, and grow climate-related service opportunities to mobilize and train young adults and veterans to build clean energy and climate-resilient communities, economies, and ecosystems, with priority on doing so in overburdened communities as defined in RCW 70A.02.010. In growing new, climate-related service opportunities, serve Washington shall consider the findings and recommendations from the clean energy technology workforce advisory committee established under RCW 28C.18.210 and the needs and recommendations developed under RCW 76.04.521 for forest sector workforce development;

(b) Establish common requirements for participating service programs including, but not limited to, a focus on climate-related activities, service member participation in events, and service member participation in the service-learning program established in (c) of this subsection;

(c) Develop and administer a service-learning program that provides training to climate corps network service members during their tenure of service. The service-learning program must provide training and learning opportunities to develop leadership skills, foster environmental stewardship and civic engagement, and expose members to an array of climate-related professional and educational opportunities. Training shall not supplant or replace state registered apprenticeship programs approved under chapter 49.04 RCW. Serve Washington shall leverage opportunities to align the service-learning program with training offered by career connect Washington under chapter 28C.30 RCW and by the department of natural resources under RCW 76.04.521. Serve Washington shall coordinate with the following entities in the design and administration of the service-learning program: Service programs; tribes; environmental justice organizations; labor organizations; institutions that provide career and technical education; the workforce training and education coordinating board created in chapter 28C.18 RCW; career connect Washington authorized under chapter 28C.30 RCW; and the department of natural resources; and

(d) Administer grants to support and broaden access to climate-related service programs, with priority to supporting service in, for, or by members of overburdened communities as defined in RCW 70A.02.010. Serve Washington shall establish a transparent process for establishing priorities and selection criteria. Serve Washington may provide grants to:

(i) Support equitable access to participation in the Washington climate corps network and reduce financial barriers for service members. This includes, but is not limited to, augmenting a service member's living allowance with the intent to achieve or exceed the living wage established in the county of service, if a living wage is in place;

(ii) Reduce the cost of climate corps network service programs to host service members; and

(iii) Support the development of new service programs in geographic and topical areas that currently lack robust climate-related service programs. [2023 c 231 § 2.]

Findings—2023 c 231: "(1) The legislature recognizes that climate change is one of the greatest challenges facing the state and the world today, and that we must mobilize Washington's young adults, veterans, and workforce to create the clean energy economy and strengthen our communities and ecosystems in the face of climate impacts.

(2) The legislature finds that service provides a unique opportunity to mobilize young adults and veterans to build clean energy and climate-resilient communities, economies, and ecosystems. Growing equity-centered, climate-related service programs and addressing critical gaps in service opportunities will broaden access to service, ensuring that young adults and veterans of all backgrounds, especially from overburdened communities and vulnerable populations, can serve. Doing so will also ensure that service

programs address the needs of communities across the state, especially those communities disproportionately impacted by environmental and health burdens.

(3) The legislature further finds as our state transitions away from a fossil fuel-based economy, we must do so in a way that fosters innovation, investment, and growth in clean energy technology sectors and jobs so our businesses, workforce, and communities can thrive. As state, federal, local, and tribal governments implement policies to mitigate the destructive forces of climate change, there will be consequences for Washington's businesses, workers, and communities. Accomplishing an equitable transition will require identification of future industry occupations and skill needs, the existing workforce's transferrable skills to meet those needs, and the gaps that need to be addressed through training and education. The state must also provide support in the transition for workers and communities experiencing declining jobs and revenues associated with high-emissions technologies.

(4) Therefore, to create pathways for workers, young adults, and veterans to help build our clean energy, climate-resilient future, the legislature intends to create the Washington climate corps network and to direct the Washington state workforce training and education coordinating board to establish a clean energy technology advisory committee and to evaluate clean energy technology workforce needs and make recommendations to the governor and legislature.

(5) The legislature recognizes that the creation of the Washington climate corps network is necessary to create pathways for young adults and veterans to help build our clean energy, climate-resilient future and to increase equitable access to these programs. Therefore, the legislature intends for serve Washington to launch the network and conduct initial recruitment in the 2023-25 [2023-2025] fiscal biennium, and to grow the network in future biennia." [2023 c 231 § 1.]

RCW 43.41.472 Washington climate corps network—Powers and duties.

(1) In administration of the Washington climate corps network, the office and serve Washington have the following powers:

(a) The office, in consultation with serve Washington, may adopt rules pursuant to chapter 34.05 RCW as shall be necessary to implement the purpose of this chapter. Rules may include provisions to:

(i) Establish common requirements and eligibility criteria under RCW 43.41.470(2)(b);

(ii) Establish a transparent process for establishing priorities and selection criteria for grants dispersed under RCW 43.41.470(2)(d);

(b) Receive gifts, grants, and endowments from public or private sources that are made for the use or benefit of the Washington climate corps network and to expend the same or any income therefrom according to their terms and the purpose of this chapter.

(2) In carrying out its duties, serve Washington may establish such relationships with public and private institutions, the federal government, tribes, local governments, private industry, community organizations, and other segments of the general public as may be needed to promote and enable climate action through service. [2023 c 231 § 3.]

Findings—2023 c 231: See note following RCW 43.41.470.

RCW 43.41.970 Federal requirements for receipt of federal funds.

If any part of this chapter is ruled to be in conflict with federal requirements which are a prescribed condition of the allocation of federal funds to the state, or to any departments or agencies thereof, such conflicting part of this chapter is declared to be inoperative solely to the extent of the conflict. No such ruling shall affect the operation of the remainder of this chapter. Any internal reorganization carried out under the terms of this chapter shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state. [1969 ex.s. c 239 § 20.]