
HOUSE BILL 2928

State of Washington

54th Legislature

1996 Regular Session

By Representative K. Schmidt

Read first time 01/29/96. Referred to Committee on Transportation.

1 AN ACT Relating to the department of licensing; amending RCW
2 43.17.020; reenacting and amending RCW 43.17.010; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** (1) The department of licensing is divided
6 into two independent departments, the department of motor licensing and
7 the department of business and professional licensing. All powers,
8 duties, and functions enumerated in RCW 46.01.040, relating to vehicle
9 laws, remain with the department of licensing, redesignated the
10 department of motor licensing. All powers, duties, and functions of
11 the business and professions administration under RCW 46.01.050 are
12 transferred to the department of business and professional licensing.
13 All references to the director or the department of licensing in the
14 Revised Code of Washington shall be construed to mean the director or
15 the department of business and professional licensing when referring to
16 the functions transferred in this section.

17 (2)(a) All reports, documents, surveys, books, records, files,
18 papers, or written material in the possession of the department of
19 licensing pertaining to the powers, functions, and duties transferred

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

9 (b) Any appropriations made to the department of licensing for
10 carrying out the powers, functions, and duties transferred shall, on
11 the effective date of this act, be transferred and credited to the
12 department of business and professional licensing.

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

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

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

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

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

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

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

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

11 There shall be departments of the state government which shall be
12 known as (1) the department of social and health services, (2) the
13 department of ecology, (3) the department of labor and industries, (4)
14 the department of agriculture, (5) the department of fish and wildlife,
15 (6) the department of transportation, (7) the department of motor
16 licensing, (8) the department of business and professional licensing,
17 (9) the department of general administration, (~~((9))~~) (10) the
18 department of community, trade, and economic development, (~~((10))~~) (11)
19 the department of veterans affairs, (~~((11))~~) (12) the department of
20 revenue, (~~((12))~~) (13) the department of retirement systems, (~~((13))~~)
21 (14) the department of corrections, (~~(and (14))~~) (15) the department of
22 health, and (~~((15))~~) (16) the department of financial institutions,
23 which shall be charged with the execution, enforcement, and
24 administration of such laws, and invested with such powers and required
25 to perform such duties, as the legislature may provide.

26 **Sec. 3.** RCW 43.17.020 and 1995 1st sp.s. c 2 s 2 (Referendum Bill
27 No. 45) are each amended to read as follows:

28 There shall be a chief executive officer of each department to be
29 known as: (1) The secretary of social and health services, (2) the
30 director of ecology, (3) the director of labor and industries, (4) the
31 director of agriculture, (5) the director of fish and wildlife, (6) the
32 secretary of transportation, (7) the director of motor licensing, (8)
33 the director of business and professional licensing, (9) the director
34 of general administration, (~~((9))~~) (10) the director of community,
35 trade, and economic development, (~~((10))~~) (11) the director of veterans
36 affairs, (~~((11))~~) (12) the director of revenue, (~~((12))~~) (13) the
37 director of retirement systems, (~~((13))~~) (14) the secretary of

1 corrections, (~~and (14)~~) (15) the secretary of health, and (~~(15)~~)
2 (16) the director of financial institutions.

3 Such officers, except the secretary of transportation and the
4 director of fish and wildlife, shall be appointed by the governor, with
5 the consent of the senate, and hold office at the pleasure of the
6 governor. The secretary of transportation shall be appointed by the
7 transportation commission as prescribed by RCW 47.01.041. The director
8 of fish and wildlife shall be appointed by the fish and wildlife
9 commission as prescribed by RCW 77.04.055.

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