

HOUSE BILL REPORT

HB 1374

As Passed House:

March 10, 2009

Title: An act relating to the local government archives account.

Brief Description: Concerning the local government archives account.

Sponsors: Representatives Dunshee and Warnick.

Brief History:

Committee Activity:

Capital Budget: 2/3/09, 2/9/09 [DP];

Ways & Means: 2/24/09, 2/27/09 [DP].

Floor Activity

Passed House: 3/10/09, 96-0.

Brief Summary of Bill

- Repeals use of local government archives funds for use on the Heritage Center debt service.

HOUSE COMMITTEE ON CAPITAL BUDGET

Majority Report: Do pass. Signed by 14 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson, Blake, Chase, Hope, Jacks, Maxwell, McCune, Orwall, Smith and White.

Staff: Steve Masse (786-7115)

HOUSE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass. Signed by 22 members: Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler, Cody, Conway, Darneille, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Pettigrew, Priest, Ross, Schmick, Seaquist and Sullivan.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Steve Smith (786-7178)

Background:

All archives and records management services provided by the Office of the Secretary of State are funded exclusively by a schedule of fees and charges established jointly by the Secretary of State and the Director of Financial Management. The Secretary of State's costs for preserving and providing public access to local government archives and providing records management assistance to local government agencies have been funded by fees paid by state government agencies. County auditors and local government officials are authorized to collect certain fees for copying, recording, and searching for records. These fees are deposited into the Local Government Archives Account. The Local Government Archives Account can be used by the Secretary of State for disaster recovery, records management, archival preservation, and records protection services. An additional surcharge of \$1 per instrument recording after January 1, 2002, is deposited into the Local Government Archives Account for debt service on the Washington State Digital Archives building. When the debt obligation on the building has been satisfied, the surcharge is then deposited half into the Centennial Document Preservation and Modernization Account and half into the Archives and Records Management Account.

In 2008 the law was amended in the Capital Budget to include using excess revenues from the surcharge for use: (1) of debt service on the Heritage Center if the Heritage Center Account does not have sufficient revenue to support the required debt service; and (2) after the debt service has been satisfied on the Washington State Digital Archives building the surcharge shall not be deposited into the Centennial Document Preservation and the Modernization Account, and instead used for debt service on the Heritage Center if the revenue is insufficient to meet debt service needs. The 2008 Capital Budget also included a transfer of \$4 million from the Local Government Archives Account to the Washington Heritage Center Account.

Summary of Bill:

Future use of Local Government Archives surcharges for Heritage Center debt service is repealed, and the transfer of \$4 million from the Local Government Archives Account is repealed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Capital Budget):

(In support) The Local Government Archives Account supports many local government programs. Local government officials are not supportive of moving operational funds to support capital projects, although they are supportive of the Heritage Center project. The

Local Government Archives Account supports local government and regional archives. Grants in the amount of \$2.5 million have been awarded for the preservation and archiving of government archives.

(Opposed) None.

Staff Summary of Public Testimony (Ways & Means):

(In support) The Washington Association of County Officials (Association) supports this bill. In 2008 the Legislature appropriated moneys to fund the Heritage Project, and this bill simply puts that money back. There are seven major funding sources for the Heritage project; 62 percent is funded from one major source, a \$2 surcharge on recording fees processed at the county level by the county auditor. The Association believed that 62 percent was adequate, and believed that the \$4 million should be put back.

The Kittitas County Auditor and Chair of the State Archives Oversight Committee also support this bill, and they believe the \$2 surcharge is appropriate; however, they do not support the \$4 million transfer. By statute, the State Archives Oversight Committee has both oversight and advisory capacity to the Secretary of State's office for these funds. These funds support portions of the regional archives, each of the regional archives, the digital archives, and the local grant programs that, in this current biennium, supplied \$2.5 million for public document access and preservation. The \$4 million transfer could be very detrimental to these local programs throughout the state.

The Chelan County Clerk of Superior Court also supports this bill. Records from the Superior Court are important for property deeds and marriage certificates, and the intent of the money was originally to continue to support archival support, and to work towards providing these records electronically.

(Opposed) None.

Persons Testifying (Capital Budget): Representative Dunshee, prime sponsor; James McMahan and Debbie Wilkie, Washington Association of County Officials; and Jerry Pettit, Kittitas County.

Persons Testifying (Ways & Means): James McMahan, Washington Association of County Officials; Siri Woods, Chelan County Clerk; Debbie Wilke, Washington Association of County Officials; and Jerry Pettit, Kittitas County Auditor.

Persons Signed In To Testify But Not Testifying (Capital Budget): None.

Persons Signed In To Testify But Not Testifying (Ways & Means): None.