CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6070

Chapter 193, Laws of 1994

53rd Legislature
1994 Regular Session

LOCAL GOVERNMENT ARCHIVES AND RECORDS MANAGEMENT

EFFECTIVE DATE: 7/1/94

Passed by the Senate March 6, 1994
YEAS 32 NAYS 13

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is SUBSTITUTE SENATE BILL 6070 as passed by the Senate and the House of Representatives on the dates hereon set forth.

JOEL PRITCHARD
President of the Senate

Passed by the House March 4, 1994
YEAS 94 NAYS 1

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is SUBSTITUTE SENATE BILL 6070 as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRIAN EBERSOLE
Speaker of the House of Representatives

MARTY BROWN
Secretary

MIKE LOWRY
Governor of the State of Washington

FILED

March 30, 1994 - 1:43 p.m.
AN ACT Relating to public records preservation, maintenance, and disposition by agencies of local government and the secretary of state; adding a new section to chapter 40.14 RCW; creating a new section; and providing an effective date.

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

NEW SECTION. Sec. 1. The legislature finds that: (1) Accountability for and the efficient management of local government records are in the public interest and that compliance with public records management requirements significantly affects the cost of local government administration; (2) the secretary of state is responsible for insuring the preservation of local government archives and may assist local government compliance with public records statutes; (3) as provided in RCW 40.14.025, all archives and records management services provided by 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; (4) 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; (5) local government agencies are responsible for costs
associated with managing, protecting, and providing public access to
the records in their custody; (6) local government should help fund the
secretary of state’s local government archives and records management
services; (7) the five-dollar fee collected by county clerks for
processing warrants for unpaid taxes or liabilities filed by the state
of Washington is not sufficient to cover processing costs and is far
below filing fees commonly charged for similar types of minor civil
actions; (8) a surcharge of twenty dollars would bring the filing fee
for warrants for the collection of unpaid taxes and liabilities up to
a level comparable to other minor civil filings and should be applied
to the support of the secretary of state’s local government archives
and records services without placing an undue burden on local
government; and (9) the process of collecting and transmitting
surcharge revenue should not have an undue impact on the operations of
the state agencies that file warrants for the collection of unpaid
taxes and liabilities or the clerks of superior court who process them.

NEW SECTION. Sec. 2. A new section is added to chapter 40.14 RCW
to read as follows:

State agencies shall collect a surcharge of twenty dollars from the
judgment debtor upon the satisfaction of a warrant filed in superior
court for unpaid taxes or liabilities. The surcharge is imposed on the
judgment debtor in the form of a penalty in addition to the filing fee
provided in RCW 36.18.020(4). The surcharge revenue shall be
transmitted to the state treasurer for deposit in the archives and
records management account, or procedures for the collection and
transmittal of surcharge revenue to the archives and records management
account shall be established cooperatively between the filing agencies
and clerks of superior court.

Surcharge revenue deposited in the archives and records management
account shall be expended by the secretary of state exclusively for the
payment of costs and expenses incurred in the provision of public
archives and records management services to local government agencies
by the division of archives and records management. The secretary of
state shall work with local government representatives to establish a
committee to advise the state archivist on the local government
archives and records management program. Surcharge revenue shall be
allocated exclusively to:
(1) Appraise, process, store, preserve, and provide public research access to original records designated by the state archivist as archival which are no longer required to be kept by the agencies which originally made or filed them;

(2) Protect essential records, as provided by chapters 40.10 and 40.20 RCW. Permanent facsimiles of essential records shall be produced and placed in security storage with the state archivist;

(3) Coordinate records retention and disposition management and provide support for the following functions under RCW 40.14.070:

(a) Advise and assist individual agencies on public records management requirements and practices; and

(b) Compile, maintain, and regularly update general records retention schedules and destruction authorizations; and

(4) Develop and maintain standards for the application of recording media and records storage technologies.

NEW SECTION. Sec. 3. This act shall take effect July 1, 1994.
Passed the Senate March 6, 1994.
Passed the House March 4, 1994.
Approved by the Governor March 30, 1994.
Filed in Office of Secretary of State March 30, 1994.