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SENATE BILL 6531

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State of Washington

54th Legislature

1996 Regular Session

By Senators Haugen, Winsley, Goings and Morton

Read first time 01/17/96. Referred to Committee on Government Operations.

1 AN ACT Relating to the clerk of the board of county commissioners;  
2 and amending RCW 36.22.010, 36.22.020, 36.22.120, 36.32.110, 36.32.160,  
3 36.32.170, 36.34.090, 36.55.040, and 36.72.075.

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

5 **Sec. 1.** RCW 36.22.010 and 1995 c 194 s 1 are each amended to read  
6 as follows:

7 The county auditor:

8 (1) Shall be recorder of deeds and other instruments in writing  
9 which by law are to be filed and recorded in and for the county for  
10 which he or she is elected;

11 (2) Shall keep an account current with the county treasurer, charge  
12 all money received as shown by receipts issued and credit all  
13 disbursements paid out according to the record of settlement of the  
14 treasurer with the legislative authority;

15 (3) Shall make out and transmit to the state auditor a complete  
16 statement of the state fund account with the county for the past fiscal  
17 year certified by his or her certificate and seal, immediately after  
18 the completion of the annual settlement of the county treasurer with

1 the legislative authority. The statement must be available to the  
2 public;

3 (4) Shall make available a complete exhibit of the prior-year  
4 finances of the county including, but not limited to, a statement of  
5 financial condition and financial operation in accordance with  
6 standards developed by the state auditor. This exhibit shall be made  
7 available after the financial records are closed for the prior year;

8 (5) Shall make out a register of all warrants legally authorized  
9 and directed to be issued by the legislative body at any regular or  
10 special meeting. The auditor shall make the data available to the  
11 county treasurer. The auditor shall retain the original of the  
12 register of warrants for future reference(;

13 ~~(6) As clerk of the board of county commissioners, shall:~~  
14 ~~Record all of the proceedings of the legislative authority;~~  
15 ~~Make full entries of all of their resolutions and decisions on all~~  
16 ~~questions concerning the raising of money for and the allowance of~~  
17 ~~accounts against the county;~~

18 ~~Record the vote of each member on any question upon which there is~~  
19 ~~a division or at the request of any member present;~~

20 ~~Sign all orders made and warrants issued by order of the~~  
21 ~~legislative authority for the payment of money;~~

22 ~~Record the reports of the county treasurer of the receipts and~~  
23 ~~disbursements of the county;~~

24 ~~Preserve and file all accounts acted upon by the legislative~~  
25 ~~authority;~~

26 ~~Preserve and file all petitions and applications for franchises and~~  
27 ~~record the action of the legislative authority thereon;~~

28 ~~Record all orders levying taxes;~~

29 ~~Perform all other duties required by any rule or order of the~~  
30 ~~legislative authority)).~~

31 **Sec. 2.** RCW 36.22.020 and 1995 c 194 s 2 are each amended to read  
32 as follows:

33 It shall be the duty of the ((~~county auditor of~~)) clerk designated  
34 under RCW 36.32.110 for each county legislative authority, within  
35 fifteen days after the adjournment of each regular session, to publish  
36 a summary of the proceedings of the legislative authority at such term,  
37 in any newspaper published in the county or having a general

1 circulation therein, or the ((auditor)) clerk may post copies of such  
2 proceedings in three of the most public places in the county.

3 The seal of the county commissioners for each county, used by the  
4 ((county auditor as)) clerk to attest to the proceedings of the  
5 legislative authority, shall be and remain in the custody of the  
6 ((county auditor, and)) clerk. The auditor is hereby authorized to use  
7 such seal in attestation of all official acts, whether as ((clerk of  
8 the legislative authority, as)) auditor or recorder of deeds; and all  
9 certificates, exemplifications of records, or other acts performed as  
10 county auditor, certified under the seal of the county commissioners,  
11 pursuant to this section, in this state, shall be as valid and legally  
12 binding as though attested by a seal of office of the county auditor.

13 **Sec. 3.** RCW 36.22.120 and 1963 c 4 s 36.22.120 are each amended to  
14 read as follows:

15 In case the ((auditor)) clerk designated under RCW 36.32.110 is  
16 unable to attend to the duties of ((his)) office during any session of  
17 the board of county commissioners, and has no deputy ((by him  
18 appointed)) in attendance, the board may temporarily appoint a suitable  
19 person not by law disqualified from acting as such to perform the  
20 ((auditor's)) designated clerk's duties.

21 **Sec. 4.** RCW 36.32.110 and 1981 c 240 s 1 are each amended to read  
22 as follows:

23 The county ((auditor shall)) legislative authority shall designate  
24 a person to be the clerk of the board of county commissioners ((unless  
25 the board of county commissioners designates one of its employees to  
26 serve as clerk)) who shall attend its meetings and keep a record of its  
27 proceedings.

28 **Sec. 5.** RCW 36.32.160 and 1963 c 4 s 36.32.160 are each amended to  
29 read as follows:

30 The books containing the transcribed records shall be certified by  
31 the ((county auditor)) clerk designated under RCW 36.32.110, under  
32 whose direction the transcribing was done, as being true copies of the  
33 original.

34 **Sec. 6.** RCW 36.32.170 and 1963 c 4 s 36.32.170 are each amended to  
35 read as follows:

1 All the original record books, after the transcribing thereof,  
2 shall be filed away in the ((auditor's)) office of the clerk designated  
3 under RCW 36.32.110 and only be used in case of contest on the  
4 correctness of the transcribed records.

5 **Sec. 7.** RCW 36.34.090 and 1991 c 363 s 69 are each amended to read  
6 as follows:

7 Whenever county property is to be sold at public auction,  
8 consignment auction, or sealed bid, the ((county auditor)) clerk  
9 designated under RCW 36.32.110 shall publish notice thereof once during  
10 each of two successive calendar weeks in a newspaper of general  
11 circulation in the county. Notice thereof must also be posted in a  
12 conspicuous place in the courthouse. The posting and date of first  
13 publication must be at least ten days before the day fixed for the  
14 sale.

15 **Sec. 8.** RCW 36.55.040 and 1985 c 469 s 49 are each amended to read  
16 as follows:

17 On application being made to the county legislative authority for  
18 franchise, it shall fix a time and place for hearing the same, and  
19 shall cause the ((county auditor)) clerk designated under RCW 36.32.110  
20 to give public notice thereof at the expense of the applicant, by  
21 posting notices in three public places in the county seat of the county  
22 at least fifteen days before the day fixed for the hearing. The county  
23 legislative authority shall also publish a like notice two times in the  
24 official newspaper of the county, the last publication to be not less  
25 than five days before the day fixed for the hearing. The notice shall  
26 state the name or names of the applicant or applicants, a description  
27 of the county roads by reference to section, township and range in  
28 which the county roads or portions thereof are physically located, to  
29 be included in the franchise for which the application is made, and the  
30 time and place fixed for the hearing.

31 **Sec. 9.** RCW 36.72.075 and 1977 c 34 s 2 are each amended to read  
32 as follows:

33 At its first April meeting, the county legislative authority shall  
34 let a contract to a legal newspaper qualified under this section to  
35 serve as the official county newspaper for the term of one year  
36 beginning on the first day of July following. If there be at least one

1 legal newspaper published in the county, the contract shall be let to  
2 a legal newspaper published in the county. If there be no legal  
3 newspaper published in the county, the county legislative authority  
4 shall let the contract to a legal newspaper published in an adjacent  
5 county and having general circulation in the county.

6 When two or more legal newspapers are qualified under the  
7 provisions of this section to be the official county newspaper, the  
8 (~~county auditor~~) clerk designated under RCW 36.32.110 shall  
9 advertise, at least five weeks before the meeting at which the county  
10 legislative authority shall let the contract for the official county  
11 newspaper, for bid proposals to be submitted by interested qualified  
12 legal newspapers. Advertisement of the opportunity to bid shall be  
13 mailed to all qualified legal newspapers and shall be published once in  
14 the official county newspaper. The advertisement may designate the  
15 form which notices shall take, and may require that the successful  
16 bidder provide a bond for the correct and faithful performance of the  
17 contract.

18 The county legislative authority shall let the contract to the best  
19 and lowest responsible bidder, giving consideration to the question of  
20 circulation in awarding the contract, with a view to giving publication  
21 of notices the widest publicity.

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