

# HOUSE BILL REPORT

## HB 1542

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### As Passed House:

March 9, 1999

**Title:** An act relating to the recording of surveys by a county auditor.

**Brief Description:** Recording surveys.

**Sponsors:** Representatives Ericksen, D. Schmidt, Romero and McMorris.

### Brief History:

#### Committee Activity:

Local Government: 2/8/99, 2/24/99 [DP].

#### Floor Activity:

Passed House: 3/9/99, 96-0.

### Brief Summary of Bill

- Updates the county auditors recording process for technology and allows for the use of electronic filing and digital signatures.

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## HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 8 members: Representatives Mulliken, Republican Co-Chair; Scott, Democratic Co-Chair; Doumit, Democratic Vice Chair; Mielke, Republican Vice Chair; Edwards; Ericksen; Fisher and Fortunato.

**Staff:** Scott MacColl (786-7106).

### Background:

#### *Filing Process*

The process of filing a record of survey for replacing corners is described in a statute last amended in 1973. Specific details are included, such as map size, ink type, width of margins, and material of map as required by the county auditor where the map is filed.

Size standards for filing preliminary records of corner information set by the Bureau of Surveys and Maps (now the Department of Natural Resources) are listed.

Two copies of each record of survey and record of monuments and accessories must be filed with the county auditor, and the county must file one with the Bureau of Surveys and Maps (DNR).

### ***County Auditor Responsibilities***

County auditors are required to keep original copies of all records of surveys and records of corner information in secure books, which are indexed by section, township and range. Auditors are also required to maintain a counter reference of maps for the public.

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### **Summary of Bill:**

The process to file a record of survey is updated to reflect current mapping and copying standards, including microfilming, scanning, and electronic files with certified digital signatures where compatible.

### ***Filing Process***

All records of survey must be on a mylar map and suitable for copying legible prints through scanning, microfilming or other copying procedures. Records of surveys may be filed in lieu of standard maps using: (a) photo mylar with original signatures; (b) electronic files with a certified digital signature if the county has the capability; or (c) any standard material compatible with the county auditor's recording and storage system for counties not required to store permanent versions of surveys. Counties must reject any record of survey not suitable for producing legible prints.

Reporting of records of corner information is updated to reflect the agency name change to the Department of Natural Resources (DNR). The county auditor must reject any survey not legible for copying. The use of electronic filing with certified digital signatures is authorized.

The county auditor may require only an original copy of the record, instead of two, if the county uses imaging systems.

### ***County Auditor Responsibilities***

County auditors must accept surveys that are in compliance with the recorder's checklist as jointly developed by a committee consisting of the survey advisory board (an advisory board appointed by the Commissioner of Public Lands) and two representatives of the Washington State Association of County Auditors. The DNR is required to adopt this checklist.

Auditors are required to keep indexes of records of survey by quarter-quarter section.

The county auditors and DNR are authorized to process an electronic version in place of the original surveyor's print. Counties may be exempted from keeping a physical book of records if they have the ability to keep permanent archival records that meet or exceed standards set in administrative code by the Division of Archives and Records Management. The auditor must keep a copy or image of the original for public reference and must be able to produce full size copies upon request.

Counties are authorized to accept digital signatures issued by a licensed certification if the capability exists.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill makes the process available to technology, and to speed it up. It allows for the digital imaging of surveys files and has no fiscal impact to the state. The stakeholders (engineers, DNR, auditors, and surveyors) have worked together on this bill. There are savings realized by the public in that fewer copying systems will be necessary. The current process of using mylar (a plastic material used as a negative to make copies) has negative attributes (e.g. it wears over time, is costly to produce, and is easily damaged). The provision allowing digital imaging is only for counties that have the ability to accept it.

The life of mylar is relatively short, and counties have the responsibility to hold surveys in perpetuity, including sending one to DNR for the statewide records repository. If counties are allowed to accept digital recordings, counties will be able to scan images for records. There would no longer be a need to handle a large quantity of surveys, which would reduce the cost to the public and the auditor.

When the original legislation was drafted in 1973, there was no way to know that technology would expand. Most surveyors are currently using microfilm or digital copies, and mylar has a \$50 per copy cost.

**Testimony Against:** None.

**Testified:** Representative Ericksen, prime sponsor; David Steel, Department of Natural Resources; Pat Beehler, Land Surveyor's Association of Washington; Wes Schinkler, Survey Advisory Board; and Vern Spatz, Washington Association of County Architects.