

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5274**

Chapter 163, Laws of 2003

58th Legislature  
2003 Regular Session

ARCHIVES DIVISION--FUNDING

EFFECTIVE DATE: 7/27/03

Passed by the Senate March 19, 2003  
YEAS 44 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House April 16, 2003  
YEAS 97 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved May 9, 2003.

GARY LOCKE

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**Governor of the State of Washington**

CERTIFICATE

I, Milton H. Doumit, Jr.,  
Secretary of the Senate of the  
State of Washington, do hereby  
certify that the attached is  
**SUBSTITUTE SENATE BILL 5274** as  
passed by the Senate and the House  
of Representatives on the dates  
hereon set forth.

MILTON H. DOUMIT JR.

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**Secretary**

FILED

May 9, 2003 - 3:19 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5274**

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Passed Legislature - 2003 Regular Session

**State of Washington                      58th Legislature                      2003 Regular Session**

**By** Senate Committee on Ways & Means (originally sponsored by Senators Roach, Hale, Horn, Stevens and Haugen; by request of Secretary of State)

READ FIRST TIME 03/10/03.

1            AN ACT Relating to funding of the archives division; amending RCW  
2 40.14.025, 40.14.027, and 36.22.175; and adding new sections to chapter  
3 40.14 RCW.

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

5            **Sec. 1.** RCW 40.14.025 and 1996 c 245 s 3 are each amended to read  
6 as follows:

7            (1) The secretary of state and the director of financial management  
8 shall jointly establish a procedure and formula for allocating the  
9 costs of services provided by the division of archives and records  
10 management to state agencies. The total amount allotted for services  
11 to state agencies shall not exceed the appropriation to the archives  
12 and records management account during any allotment period.

13            (~~{(2)}~~) (2) There is created the archives and records management  
14 account in the state treasury which shall consist of all fees and  
15 charges collected under this section(~~(, RCW 36.22.175, and 40.14.027)~~).  
16 The account shall be appropriated exclusively for the payment of costs  
17 and expenses incurred in the operation of the division of archives and  
18 records management as specified by law.

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

3        The imaging account is created in the custody of the state  
4 treasurer. All receipts collected under RCW 40.14.020(8) for contract  
5 imaging, micrographics, reproduction, and duplication services provided  
6 by the division of archives and records management must be deposited  
7 into the account, and expenditures from the account may be used only  
8 for these purposes. Only the secretary of state or the secretary's  
9 designee may authorize expenditures from the account. The account is  
10 subject to allotment procedures under chapter 43.88 RCW, but an  
11 appropriation is not required for expenditures.

12        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 40.14 RCW  
13 to read as follows:

14        The local government archives account is created in the state  
15 treasury. All receipts collected by the county auditors under RCW  
16 40.14.027 and 36.22.175 for local government services, such as  
17 providing records scheduling, security microfilm inspection and  
18 storage, archival preservation, cataloging, and indexing for local  
19 government records and digital data and access to those records and  
20 data through the regional branch archives of the division of archives  
21 and records management, must be deposited into the account, and  
22 expenditures from the account may be used only for these purposes.

23        **Sec. 4.**    RCW 40.14.027 and 2001 c 146 s 4 are each amended to read  
24 as follows:

25        State agencies shall collect a surcharge of twenty dollars from the  
26 judgment debtor upon the satisfaction of a warrant filed in superior  
27 court for unpaid taxes or liabilities. The surcharge is imposed on the  
28 judgment debtor in the form of a penalty in addition to the filing fee  
29 provided in RCW 36.18.012(10). The surcharge revenue shall be  
30 transmitted to the state treasurer for deposit in the archives and  
31 records management account.

32        Surcharge revenue deposited in the local government archives (~~and~~  
33 ~~records management~~)) account under section 3 of this act shall be  
34 expended by the secretary of state exclusively for disaster recovery,  
35 essential records protection services, and records management training  
36 for local government agencies by the division of archives and records

1 management. The secretary of state shall, with local government  
2 representatives, establish a committee to advise the state archivist on  
3 the local government archives and records management program.

4 **Sec. 5.** RCW 36.22.175 and 2001 2nd sp.s. c 13 s 1 are each amended  
5 to read as follows:

6 (1) In addition to any other charge authorized by law, the county  
7 auditor shall charge a surcharge of one dollar per instrument for each  
8 document recorded. Revenue generated through this surcharge shall be  
9 transmitted monthly to the state treasurer for deposit in the local  
10 government archives (~~(and records management)~~) account under section 3  
11 of this act. These funds shall be used solely for providing records  
12 scheduling, security microfilm inspection and storage, archival  
13 preservation, cataloging, and indexing for local government records and  
14 digital data and access to those records and data through the regional  
15 branch archives of the division of archives and records management.

16 The division of archives and records management within the office  
17 of the secretary of state shall provide records management training for  
18 local governments and shall establish a competitive grant program to  
19 solicit and prioritize project proposals from local governments for  
20 potential funding to be paid for by funds from the auditor surcharge  
21 and tax warrant surcharge revenues. Application for specific projects  
22 may be made by local government agencies only. The state archivist in  
23 consultation with the advisory committee established under RCW  
24 40.14.027 shall adopt rules governing project eligibility, evaluation,  
25 awarding of grants, and other criteria including requirements for  
26 records management training for grant recipients.

27 (2) The advisory committee established under RCW 40.14.027 shall  
28 review grant proposals and establish a prioritized list of projects to  
29 be considered for funding by January 1st of each even-numbered year,  
30 beginning in 2002. The evaluation of proposals and development of the  
31 prioritized list must be developed through open public meetings.  
32 Funding for projects shall be granted according to the ranking of each  
33 application on the prioritized list and projects will be funded only to  
34 the extent that funds are available. A grant award may have an  
35 effective date other than the date the project is placed on the  
36 prioritized list.

1 (3) In addition to any other surcharge authorized by law, the  
2 county auditor shall charge a surcharge of one dollar per instrument  
3 for every document recorded after January 1, 2002. Revenue generated  
4 through this surcharge shall be transmitted to the state treasurer  
5 monthly for deposit in the local government archives (~~(and records~~  
6 ~~management)~~) account under section 3 of this act to be used exclusively  
7 for the construction and improvement of a specialized regional facility  
8 located in eastern Washington designed to serve the archives, records  
9 management, and digital data management needs of local government.

10 To the extent the facilities are used for the storage and retrieval  
11 of state agency records and digital data, that portion of the  
12 construction of such facilities used for state government records and  
13 data shall be supported by other charges and fees paid by state  
14 agencies and shall not be supported by the surcharge authorized in this  
15 subsection.

16 At such time that all debt service from construction on such  
17 facility has been paid, fifty percent of the surcharge authorized by  
18 this subsection shall be reverted to the centennial document  
19 preservation and modernization account as prescribed in RCW 36.22.170  
20 and fifty percent of the surcharge authorized by this section shall be  
21 reverted to the state treasurer for deposit in the archives and records  
22 management account to serve the archives, records management, and  
23 digital data management needs of local government.

Passed by the Senate March 19, 2003.

Passed by the House April 16, 2003.

Approved by the Governor May 9, 2003.

Filed in Office of Secretary of State May 9, 2003.