

# HOUSE BILL REPORT

## HB 1386

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### As Passed Legislature

**Title:** An act relating to the surcharge for preservation of historical documents.

**Brief Description:** Increasing the surcharge for the preservation of historical documents.

**Sponsors:** By Representatives Takko, Haler, Haigh, Ericks, Hankins, McCoy and Chase.

#### Brief History:

##### Committee Activity:

Local Government: 1/31/05, 2/9/05 [DP];

Finance: 3/1/05, 3/7/05 [DP].

##### Floor Activity:

Passed House: 3/11/05, 57-37.

Senate Amended.

Passed Senate: 4/12/05, 28-16.

House Concurred.

Passed House: 4/18/05, 68-27.

Passed Legislature.

#### Brief Summary of Bill

- Increases the mandatory per instrument recording surcharge that county auditors charge for the preservation of historical documents from \$2 to \$5.
- Provides that \$1 of the \$5 surcharge must be deposited in the county general fund to promote historical preservation or historical programs.
- Establishes that the surcharge for documents presented for recording by the Employment Security Department is \$2.

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#### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 7 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan, Takko and Woods.

**Staff:** Ethan Moreno (786-7386).

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#### HOUSE COMMITTEE ON FINANCE

**Majority Report:** Do pass. Signed by 7 members: Representatives McIntire, Chair; Hunter, Vice Chair; Orcutt, Ranking Minority Member; Ahern, Conway, Hasegawa and Santos.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Roach, Assistant Ranking Minority Member; and Ericksen.

**Staff:** Bob Longman (786-7139).

**Background:**

Statute specifies numerous duties and responsibilities for the county auditor (auditor), including directives pertaining to financial and election administration. Among other duties, the auditor is the recorder of deeds and other instruments in writing which, by law, must be filed and recorded in and for the county for which he or she is elected.

In addition to other charges authorized by law, a surcharge of \$2 per instrument must be charged by the auditor for each document recorded. Fifty percent of the revenue generated from this surcharge must be transmitted monthly to the state treasurer for annual distribution to each county treasurer according to a statutory formula. The county treasurer must place these received funds into a special centennial document preservation and modernization account whereby the funds may only be used for the ongoing preservation of historical documents of county offices and departments. The received funds may not be added to the county current expense fund.

The remaining 50 percent of the revenue generated by the surcharge must be retained by the county and deposited in the auditor's operation and maintenance fund for the ongoing preservation of historical documents of county offices and departments.

**Summary of Bill:**

Except as otherwise provided, the mandatory per instrument recording surcharge that county auditors must charge for the preservation of historical documents is increased from \$2 to \$5. One dollar of this \$5 surcharge must be deposited in the county general fund to be used at the discretion of the county commissioners to promote historical preservation or historical programs. The surcharge for documents presented for recording by the Employment Security Department is \$2. Excluding funds deposited in the county general fund for historical preservation or programs, the remaining revenue generated from the surcharges must be transmitted to the state treasurer or retained by the county, subject to statutory provisions.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** (Local Government) The recording surcharge for the preservation of historical documents has not been increased since the legislature authorized its imposition in 1989. Documents must be preserved and this bill will provide needed funds for the

significant costs of preservation. The surcharge is crucial to the preservation of documents and making them available. Many county agencies and citizens benefit from the surcharge, especially when the funds are used to purchase electronic imaging systems. Imaging systems are expensive to purchase and have ongoing upgrade and maintenance costs, but the surcharge funds help with these costs. Smaller counties generate lower revenues through the surcharge and may require several years to amass funds sufficient for the purchase of an imaging system.

**Testimony For:** (Finance) This fee will help preserve huge volumes of historical documents, such as old deeds, photographs of property. Computerized historical records are of major benefit to historical researchers. There has never been sufficient funding to adequately preserve all the documents that should be preserved. Some documents are so fragile that they are in danger of being lost forever. This fee increase is critically important for future generations to be able to see the history of our state.

**Testimony Against:** (Local Government) None.

**Testimony Against:** (Finance) None.

**Persons Testifying:** (Local Government) Representative Dean Takko, prime sponsor; Karen Flynn, Kitsap County Auditor; Dave Peterson, Kitsap County Clerk; Thad Duvall, Douglas County Auditor; and Betty J. Gould, Thurston County Clerk.

**Persons Testifying:** (Finance) Betty Gould, Thurston County Clerk; and Kim Wyman, Thurston County Auditor and Washington State Association of County Assessors.

**Persons Signed In To Testify But Not Testifying:** (Local Government) None.

**Persons Signed In To Testify But Not Testifying:** (Finance) None.