S-0327.3

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5187**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Angel, Takko, and Warnick

AN ACT Relating to modernizing county auditor statutes; amending RCW 36.32.210, 36.72.075, 52.26.070, 68.50.040, and 70.94.120; and repealing RCW 36.32.310.

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

**Sec.**  RCW 36.32.210 and 2003 c 53 s 204 are each amended to read as follows:

((~~(1)~~)) Each board of county commissioners of the several counties of the state of Washington shall((~~, on the first Monday of March of each year,~~)) file with the auditor of the county a ((~~statement verified by oath showing for the twelve months period ending December 31st of the preceding year, the following:~~

~~(a) A~~)) full and complete inventory of all capitalized assets ((~~shall be~~)) kept in accordance with standards established by the state auditor. ((~~This inventory shall be segregated to show the following subheads:~~

~~(i) The assets, including equipment, on hand, together with a statement of the date when acquired, the amount paid therefor, the estimated life thereof and a sufficient description to fully identify such property;~~

~~(ii) All equipment of every kind or nature sold or disposed of in any manner during such preceding twelve months period, together with the name of the purchaser, the amount paid therefor, whether or not the same was sold at public or private sale, the reason for such disposal and a sufficient description to fully identify the same; and~~

~~(iii) All the equipment purchased during the period, together with the date of purchase, the amount paid therefor, whether or not the same was bought under competitive bidding, the price paid therefor and the probable life thereof, the reason for making the purchase and a sufficient description to fully identify such property; and~~

~~(b) The person to whom such money or any part thereof was paid and why so paid and the date of such payment.~~

~~(2) Inventories shall be filed with the county auditor as a public record and shall be open to the inspection of the public.~~

~~(3) Any county commissioner failing to file such statement or willfully making any false or incorrect statement therein or aiding or abetting in the making of any false or incorrect statement is guilty of a gross misdemeanor.~~

~~(4) It is the duty of the prosecuting attorney of each county to within three days from the calling to his or her attention of any violation to institute proceedings against such offending official and in addition thereto to prosecute appropriate action to remove such commissioner from office.~~

~~(5) Any taxpayer of such county is hereby authorized to institute the action in conjunction with or independent of the action of the prosecuting attorney.~~))

NEW SECTION. **Sec.**  RCW 36.32.310 (Compensation for extra services) and 2009 c 549 s 4067 & 1963 c 4 s 36.32.310 are each repealed.

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

At its first April meeting, the county legislative authority shall let a contract to a legal newspaper qualified under this section to serve as the official county newspaper for the term of one year beginning on the first day of July following. If there be at least one legal newspaper published in the county, the contract shall be let to a legal newspaper published in the county. If there be no legal newspaper published in the county, the county legislative authority shall let the contract to a legal newspaper published in an adjacent county and having general circulation in the county.

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

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

**Sec.**  RCW 52.26.070 and 2006 c 200 s 5 are each amended to read as follows:

If the voters approve the plan, including creation of a regional fire protection service authority and imposition of taxes and benefit charges, if any, and the election results are certified, the authority is formed on the next January 1st or July 1st, whichever occurs first. ((~~The appropriate county election officials shall, within fifteen days of the final certification of the election results, publish a notice in a newspaper or newspapers of general circulation in the authority declaring the authority formed.~~)) A party challenging the procedure or the formation of a voter-approved authority must file the challenge in writing by serving the prosecuting attorney of each county within, or partially within, the regional fire protection service authority and the attorney general within thirty days after the final certification of the election. Failure to challenge within that time forever bars further challenge of the authority's valid formation.

**Sec.**  RCW 68.50.040 and 2012 c 117 s 314 are each amended to read as follows:

((~~Duplicate lists of~~)) All jewelry, moneys, papers, and other personal property of the deceased shall be ((~~made~~)) inventoried immediately upon ((~~finding the same~~)) being taken into custody by the coroner or his or her ((~~assistants~~)) appointees. The original of such lists shall be certified to by the coroner and kept as a public record at the county morgue ((~~and the duplicate thereof shall be forthwith duly certified to by the coroner and filed with the county auditor~~)).

**Sec.**  RCW 70.94.120 and 2012 c 117 s 406 are each amended to read as follows:

(1) The city selection committee of each county which is included within an authority shall meet within one month after the activation of such authority for the purpose of making its initial appointments to the board of such authority and thereafter whenever necessary for the purpose of making succeeding appointments. All meetings shall be held upon at least two weeks written notice ((~~given by the county auditor~~)) to each member of the city selection committee of each county and he or she shall give such notice upon request of any member of such committee. A similar notice shall be given to the general public by a publication of such notice in a newspaper of general circulation in such authority. The ((~~county auditor~~)) authority shall act as recording officer, maintain its records, and give appropriate notice of its proceedings and actions.

(2) As an alternative to meeting in accordance with subsection (1) of this section, the ((~~county auditor~~)) authority may administer the appointment process through the mail.

(a) At least four months prior to the expiration of the term of office, the ((~~county auditor~~)) authority must mail a request to each of the members of the city selection committee seeking nominations to the office. The members of the selection committee ((~~have until the last day of the fourth month to return the nomination to the auditor or the auditor's designee~~)) shall return the nomination to the authority at its official address within fourteen days.

(b) If an unexpected vacancy occurs, the authority must, within thirty days after becoming aware of the vacancy, mail a request to each of the members of the city selection committee seeking nominations to the office. The members of the city selection committee shall return the nomination to the authority at its official address within fourteen days after the request was made.

(c) Within five business days of the close of the nomination period, the ((~~county auditor~~)) authority will mail ballots by certified mail to each of the members of the city selection committee, specifying the date by which to return the completed ballot which is the last day of the third month prior to the expiration of the term of office. Each mayor who chooses to participate in the balloting shall mark the choice for appointment, sign the ballot, and return the ballot to the ((~~county auditor~~)) authority. Each completed ballot shall be date-stamped upon receipt by the mayor or staff of the mayor of the city or town. The timely return of completed ballots by a majority of the members of each city selection committee constitutes a quorum and the common choice by a majority of the quorum constitutes a valid appointment.

(3) At least two weeks' written notice must be given by the ((~~county auditor~~)) authority to each member of the city selection committee prior to the nomination process. A similar notice shall be given to the general public by publication in a newspaper of general circulation in the authority. A single notice is sufficient for both the nomination process and the balloting process.

**--- END ---**