

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6070

Chapter 193, Laws of 1994

53rd Legislature
1994 Regular Session

LOCAL GOVERNMENT ARCHIVES AND RECORDS MANAGEMENT

EFFECTIVE DATE: 7/1/94

Passed by the Senate March 6, 1994
YEAS 32 NAYS 13

JOEL PRITCHARD

President of the Senate

Passed by the House March 4, 1994
YEAS 94 NAYS 1

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved March 30, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6070** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 30, 1994 - 1:43 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6070

AS AMENDED BY THE HOUSE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Loveland, Winsley and M. Rasmussen; by request of Secretary of State)

Read first time 01/27/94.

1 AN ACT Relating to public records preservation, maintenance, and
2 disposition by agencies of local government and the secretary of state;
3 adding a new section to chapter 40.14 RCW; creating a new section; and
4 providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that: (1)
7 Accountability for and the efficient management of local government
8 records are in the public interest and that compliance with public
9 records management requirements significantly affects the cost of local
10 government administration; (2) the secretary of state is responsible
11 for insuring the preservation of local government archives and may
12 assist local government compliance with public records statutes; (3) as
13 provided in RCW 40.14.025, all archives and records management services
14 provided by the secretary of state are funded exclusively by a schedule
15 of fees and charges established jointly by the secretary of state and
16 the director of financial management; (4) the secretary of state's
17 costs for preserving and providing public access to local government
18 archives and providing records management assistance to local
19 government agencies have been funded by fees paid by state government

1 agencies; (5) local government agencies are responsible for costs
2 associated with managing, protecting, and providing public access to
3 the records in their custody; (6) local government should help fund the
4 secretary of state's local government archives and records management
5 services; (7) the five-dollar fee collected by county clerks for
6 processing warrants for unpaid taxes or liabilities filed by the state
7 of Washington is not sufficient to cover processing costs and is far
8 below filing fees commonly charged for similar types of minor civil
9 actions; (8) a surcharge of twenty dollars would bring the filing fee
10 for warrants for the collection of unpaid taxes and liabilities up to
11 a level comparable to other minor civil filings and should be applied
12 to the support of the secretary of state's local government archives
13 and records services without placing an undue burden on local
14 government; and (9) the process of collecting and transmitting
15 surcharge revenue should not have an undue impact on the operations of
16 the state agencies that file warrants for the collection of unpaid
17 taxes and liabilities or the clerks of superior court who process them.

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

20 State agencies shall collect a surcharge of twenty dollars from the
21 judgment debtor upon the satisfaction of a warrant filed in superior
22 court for unpaid taxes or liabilities. The surcharge is imposed on the
23 judgment debtor in the form of a penalty in addition to the filing fee
24 provided in RCW 36.18.020(4). The surcharge revenue shall be
25 transmitted to the state treasurer for deposit in the archives and
26 records management account, or procedures for the collection and
27 transmittal of surcharge revenue to the archives and records management
28 account shall be established cooperatively between the filing agencies
29 and clerks of superior court.

30 Surcharge revenue deposited in the archives and records management
31 account shall be expended by the secretary of state exclusively for the
32 payment of costs and expenses incurred in the provision of public
33 archives and records management services to local government agencies
34 by the division of archives and records management. The secretary of
35 state shall work with local government representatives to establish a
36 committee to advise the state archivist on the local government
37 archives and records management program. Surcharge revenue shall be
38 allocated exclusively to:

1 (1) Appraise, process, store, preserve, and provide public research
2 access to original records designated by the state archivist as
3 archival which are no longer required to be kept by the agencies which
4 originally made or filed them;

5 (2) Protect essential records, as provided by chapters 40.10 and
6 40.20 RCW. Permanent facsimiles of essential records shall be produced
7 and placed in security storage with the state archivist;

8 (3) Coordinate records retention and disposition management and
9 provide support for the following functions under RCW 40.14.070:

10 (a) Advise and assist individual agencies on public records
11 management requirements and practices; and

12 (b) Compile, maintain, and regularly update general records
13 retention schedules and destruction authorizations; and

14 (4) Develop and maintain standards for the application of recording
15 media and records storage technologies.

16 NEW SECTION. **Sec. 3.** This act shall take effect July 1, 1994.

Passed the Senate March 6, 1994.

Passed the House March 4, 1994.

Approved by the Governor March 30, 1994.

Filed in Office of Secretary of State March 30, 1994.