

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5600

Chapter 204, Laws of 1997

(partial veto)

55th Legislature
1997 Regular Session

INTERNAL OPERATION OF COUNTIES

EFFECTIVE DATE: 7/27/97

Passed by the Senate March 14, 1997
YEAS 42 NAYS 7

BRAD OWEN

President of the Senate

Passed by the House April 14, 1997
YEAS 72 NAYS 25

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 24, 1997, with the
exception of section 5, which is
vetoed.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Mike O Connell, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
ENGROSSED SENATE BILL 5600 as passed
by the Senate and the House of
Representatives on the dates hereon
set forth.

MIKE O'CONNELL

Secretary

FILED

April 24, 1997 - 4:43 p.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5600

Passed Legislature - 1997 Regular Session

State of Washington

55th Legislature

1997 Regular Session

By Senators Hale, Haugen and Johnson

Read first time 02/03/97. Referred to Committee on Government Operations.

1 AN ACT Relating to internal matters for the operation of counties;
2 amending RCW 2.08.100, 36.40.200, 36.40.250, and 13.04.035; adding a
3 new section to chapter 36.40 RCW; and repealing RCW 36.40.110.

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

5 **Sec. 1.** RCW 2.08.100 and 1939 c 189 s 1 are each amended to read
6 as follows:

7 The county auditor of each county shall ~~((draw his warrant on the~~
8 ~~treasurer of such county on the first Monday of each month for the~~
9 ~~amount of salary due for the previous month from such county to the~~
10 ~~judge of the superior court thereof, and said warrant shall be paid by~~
11 ~~said treasurer out of the salary fund of said county: PROVIDED, That~~
12 ~~no such warrant shall be issued until the judge who is to receive the~~
13 ~~same shall have made an affidavit, in the manner provided by law, that~~
14 ~~no cause in his court remains pending and undecided contrary to the~~
15 ~~provisions of RCW 2.08.240 and of section 20, Article 4, Constitution~~
16 ~~of the state of Washington)) pay superior court judges in the same~~
17 ~~means and manner provided for all other elected officials.~~

1 **Sec. 2.** RCW 36.40.200 and 1963 c 4 s 36.40.200 are each amended to
2 read as follows:

3 All appropriations shall lapse at the end of the fiscal year:
4 PROVIDED, That the appropriation accounts (~~(shall)~~) may remain open for
5 a period of thirty days, and may, at the auditor's discretion, remain
6 open for a period not to exceed sixty days thereafter for the payment
7 of claims incurred against such appropriations prior to the close of
8 the fiscal year.

9 After such period has expired all appropriations shall become null
10 and void and any claim presented thereafter against any such
11 appropriation shall be provided for in the next ensuing budget:
12 PROVIDED, That this shall not prevent payments upon uncompleted
13 improvements in progress at the close of the fiscal year.

14 **Sec. 3.** RCW 36.40.250 and 1995 c 193 s 1 are each amended to read
15 as follows:

16 In lieu of adopting an annual budget, the county legislative
17 authority of any county may adopt an ordinance or a resolution
18 providing for biennial budgets with a mid-biennium review and
19 modification for the second year of the biennium. The county
20 legislative authority may repeal such an ordinance or resolution and
21 revert to adopting annual budgets for a period commencing after the end
22 of a biennial budget cycle. The county legislative authority of a
23 county with a biennial budget cycle may adopt supplemental and
24 emergency budgets in the same manner and subject to the same conditions
25 as the county legislative authority in a county with an annual budget
26 cycle.

27 The procedure and steps for adopting a biennial budget shall
28 conform with the procedure and steps for adopting an annual budget and
29 with requirements established by the state auditor. The state auditor
30 shall establish requirements for preparing and adopting the mid-
31 biennium review and modification for the second year of the biennium.

32 Expenditures included in the biennial budget, mid-term modification
33 budget, supplemental budget, or emergency budget shall constitute the
34 appropriations for the county during the applicable period of the
35 budget and every county official shall be limited in making
36 expenditures or incurring liabilities to the amount of the detailed
37 appropriation item or classes in the budget.

1 In lieu of adopting an annual budget or a biennial budget with a
2 mid-biennium review for all funds, the legislative authority of any
3 county may adopt an ordinance or a resolution providing for a biennial
4 budget or budgets for any one or more funds of the county, with a mid-
5 biennium review and modification for the second year of the biennium,
6 with the other funds remaining on an annual budget. The county
7 legislative authority may repeal such an ordinance or resolution and
8 revert to adopting annual budgets for a period commencing after the end
9 of the biennial budget or biennial budgets for the specific agency fund
10 or funds. The county legislative authority of a county with a biennial
11 budget cycle may adopt supplemental and emergency budgets in the same
12 manner and subject to the same conditions as the county legislative
13 authority in a county with an annual budget cycle.

14 The county legislative authority shall hold a public hearing on the
15 proposed county property taxes and proposed road district property
16 taxes prior to imposing the property tax levies.

17 NEW SECTION. Sec. 4. A new section is added to chapter 36.40 RCW
18 to read as follows:

19 In addition to the supplemental appropriations provided in RCW
20 36.40.100 and 36.40.140, the county legislative authority may provide
21 by resolution a policy for supplemental appropriations as a result of
22 unanticipated funds from local revenue sources.

23 **Sec. 5. RCW 13.04.035 and 1996 c 284 s 1 are each amended to read*
24 *as follows:*

25 *Juvenile court shall be administered by the superior court, except*
26 *that by local court rule and agreement with the legislative authority*
27 *of the county this service may be administered by the legislative*
28 *authority of the county. Juvenile probation counselor and detention*
29 *services shall be administered by the superior court, except that (1)*
30 *by local court rule and agreement with the county legislative*
31 *authority, these services may be administered by the county legislative*
32 *authority; (2) if a consortium of three or more counties, located east*
33 *of the Cascade mountains and whose combined population exceeds five*
34 *hundred thirty thousand, jointly operates a juvenile correctional*
35 *facility, the county legislative authorities may prescribe for*
36 *alternative administration of the juvenile correctional facility by*
37 *ordinance; ((and)) (3) in any county with a population of one million*

1 or more, probation and detention services shall be administered in
2 accordance with chapter 13.20 RCW; and (4) in any county with a
3 population of at least two hundred fifty thousand but less than five
4 hundred thousand, the county legislative authority may prescribe for
5 alternative administration of these services by ordinance. The
6 administrative body shall appoint an administrator of juvenile court,
7 probation counselor, and detention services who shall be responsible
8 for day-to-day administration of such services, and who may also serve
9 in the capacity of a probation counselor. One person may, pursuant to
10 the agreement of more than one administrative body, serve as
11 administrator of more than one juvenile court.

12 *Sec. 5 was vetoed. See message at end of chapter.

13 NEW SECTION. Sec. 6. RCW 36.40.110 and 1963 c 4 s 36.40.110 are
14 each repealed.

Passed the Senate March 14, 1997.

Passed the House April 14, 1997.

Approved by the Governor April 24, 1997, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State April 24, 1997.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 5,
3 Engrossed Senate Bill No. 5600 entitled:

4 "AN ACT Relating to internal matters for the operation of
5 counties;"

6 This legislation is primarily a technical bill that deletes archaic
7 statutes, makes other financial statutes more usable, and provides
8 county auditors with more flexibility in the administration of their
9 duties.

10 Section 5 of this bill would have allowed counties with populations
11 between 250,000 and 499,999 to prescribe by ordinance alternative
12 administration of juvenile probation and detention services. Such a
13 provision would effectively allow a select few counties to give
14 themselves exclusive control over juvenile services without the
15 concurrence of the courts.

16 Current law already provides a process whereby counties may assume
17 responsibility for these services upon agreement from the court.
18 Courts should not be excluded, without their concurrence, from the
19 decision making regarding the administration of juvenile detention and
20 probation services. The courts see juvenile offenders who come before
21 them firsthand, and have extensive knowledge of the types of services
22 that are needed. Additionally, there appears to be no legitimate
23 reason to differentiate between counties merely on the basis of
24 population regarding the provision of these services.

1 For these reasons, I have vetoed section 5 of Engrossed Senate Bill
2 No. 5600.

3 With the exception of section 5, Engrossed Senate Bill No. 5600 is
4 approved."