

# HOUSE BILL REPORT

## HB 1594

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### As Reported by House Committee On: Local Government

**Title:** An act relating to chief financial officers in charter counties.

**Brief Description:** Clarifying the role of a chief financial officer in a charter county.

**Sponsors:** Representatives Berkey, Haigh, Dunshee, Romero, Mielke, Benson, Ahern, Moeller, Wood, Alexander, Hinkle and Sullivan.

#### **Brief History:**

##### **Committee Activity:**

Local Government: 1/15/04, 1/28/04 [DPS].

#### **Brief Summary of Substitute Bill**

- Changes statutory terminology relating to county auditing duties so as to clarify that the reference to a "financial officer" means only certain designated financial officers employed by a charter county.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Romero, Chair; Simpson, D., Vice Chair; Schindler, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Ahern, Clibborn, Edwards, Ericksen, Mielke, Moeller and Upthegrove.

**Staff:** Thamas Osborn (786-7129).

#### **Background:**

The State Constitution (Constitution) allows for two forms of county government in this state: 1) the commission form; and 2) the "home rule" charter form. The Constitution requires that all non-charter counties be governed by a board of county commissioners. A board of county commissioners shares administrative and some legislative functions with other independently elected county officials, including an auditor, clerk, treasurer, sheriff, assessor, and coroner. Other independently elected county officials and court officers include the county prosecuting attorney and the judges of the Superior Court.

Article XI, Section 4 of the Constitution was amended in 1948 to allow a county to adopt a "home rule" charter that frees a county from the constraints of the commission form and allows the voters to create their own form of county government, though subject to specified

constitutional requirements. Within the limits prescribed by the Constitution, counties that adopt charters may *appoint* officers to perform the various governmental functions that are performed by *elected* officials in those counties that retain the commission form. Furthermore, a charter county is free to create titles and prescribe duties for county officers that are different from those required of counties that follow the commission form. Five counties have adopted home rule charters: Clallam, King, Pierce, Snohomish, and Whatcom.

In many charter counties, the duties traditionally associated with the county auditor are performed by an official designated as the "chief financial officer." In order to accommodate this difference in the titles used by the two types of counties, several state statutes relating to the powers and responsibilities of a county auditor refer to the "county auditor *or* the chief financial officer."

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**Summary of Substitute Bill:**

The terminology in RCW 36.22.140, relating to county auditing duties, is amended so as to clarify that the reference to a "financial officer" means only certain designated financial officers employed by a charter county.

**Substitute Bill Compared to Original Bill:**

The substitute bill makes the following changes to the original bill:

- Revises section 1 so as to delete the word "chief," thus changing the reference to the title of "chief financial officer" to "financial officer," and
- Deletes sections 2 and 3 of the original bill.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The bill makes necessary technical changes to existing statutory language relating to county auditing duties. In many charter counties, auditing duties are done by a public official designated as a "financial officer" rather than by a designated county auditor. However, many code counties have auditors as well as financial officers. Accordingly, the statute needs to be revised in order to clarify that the reference to "financial officers" refers only to such officers employed by charter counties.

**Testimony Against:** None.

**Persons Testifying:** Karen Flynn, Kitsap County Auditor; Suzanne Sinclair, Island County Auditor; Bill Vogler, Washington State Association of Counties; and Al Brotche, Mason County Auditor.

**Persons Signed In To Testify But Not Testifying:** Brian Sonntag, Washington State Auditor; Debbie Wilke, Washington Association of County Officials; Kim Wyman, Thurston County Auditor; and Michael Garvison, Skamania County Auditor.