H-4246.1		

## HOUSE BILL 3096

State of Washington 56th Legislature 2000 Regular Session

By Representatives Wolfe, DeBolt, Grant, Kastama, Eickmeyer, Edmonds and Edwards

Read first time 01/31/2000. Referred to Committee on Appropriations.

- 1 AN ACT Relating to local government costs; amending RCW 29.13.047,
- 2 43.09.270, 43.09.280, 43.09.2801, 42.41.060, and 10.101.030; adding a
- 3 new section to chapter 2.70 RCW; creating a new section; and repealing
- 4 RCW 43.09.281.
- 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 6 PART I
- 7 **Sec. 1.** RCW 29.13.047 and 1985 c 45 s 2 are each amended to read 8 as follows:
- 9 (1) Whenever state officers or measures are voted upon at a state
- primary or general election ((held in an odd-numbered year)) under RCW
- 11 29.13.010, the state of Washington shall assume a prorated share of the
- 12 costs of that state primary or general election.
- 13 (2) Whenever a primary or vacancy election is held to fill a
- 14 vacancy in the position of United States senator or United States
- representative under chapter 29.68 RCW, the state of Washington shall 15
- 16 assume a prorated share of the costs of that primary or vacancy
- 17 election.

10

HB 3096 p. 1

- 1 (3) The county auditor shall apportion the state's share of these 2 expenses when prorating election costs under RCW 29.13.045 and shall 3 file such expense claims with the secretary of state.
- 4 (4) The secretary of state shall include in his or her biennial 5 budget requests sufficient funds to carry out this section. 6 Reimbursements for election costs shall be from appropriations 7 specifically provided by law for that purpose.

8 PART II

21

22

23

2425

26 27

28

29

30 31

3233

34

35

- 9 **Sec. 2.** RCW 43.09.270 and 1995 c 301 s 17 are each amended to read 10 as follows:
- The expense of auditing local governments and those expenses 11 12 directly related to prescribing accounting systems, training, 13 maintenance of working capital including reserves for late and 14 uncollectible accounts and necessary adjustments to billings, and field audit supervision, shall be considered expenses of auditing public 15 accounts within the meaning of RCW 43.09.280 and 43.09.282((, and shall 16 17 be prorated for that purpose equally among all entities directly 18 affected by such service)).
- 19 **Sec. 3.** RCW 43.09.280 and 1995 c 301 s 18 are each amended to read 20 as follows:
  - The expense of auditing public accounts shall be borne by ((each entity subject to such audit for the auditing of all accounts under its jurisdiction and the state auditor shall certify the expense of such audit to the fiscal or warrant issuing officer of such entity, who shall immediately make payment to the state auditor. If the expense as certified is not paid by any local government within thirty days from the date of certification, the state auditor may certify the expense to the auditor of the county in which the local government is situated, who shall promptly issue his or her warrant on the county treasurer payable out of the current expense fund of the county, which fund, except as to auditing the financial affairs and making inspection and examination of the county, shall be reimbursed by the county auditor or chief financial officer out of the money due the local government at the next monthly settlement of the collection of taxes and shall be transferred to the current expense fund)) the state.

HB 3096 p. 2

- 1 The state auditor shall include in his or her biennial budget
- 2 requests for sufficient funds to carry out this section.
- 3 Reimbursements for auditing costs shall be from appropriations
- 4 specifically provided by law for that purpose.
- 5 **Sec. 4.** RCW 43.09.2801 and 1995 c 301 s 19 are each amended to 6 read as follows:
- 7 ((<del>(1) From July 1, 1992, to June 30, 1995, the state auditor shall</del>
- 8 charge an entity subject to an audit an additional ten cents per hour
- 9 billed under RCW 43.09.270 and 43.09.280, to)) The state auditor shall
- 10 <u>include in his or her biennial budget requests for sufficient funds to</u>
- 11 carry out RCW 42.41.060. Appropriations for this purpose shall be
- 12 deposited in the local government administrative hearings account.
- 13 (((2) After June 30, 1995, the state auditor shall base the amount
- 14 to be collected and deposited into the local government administrative
- 15 hearings account on the funds remaining in the account on June 30,
- 16 1995, and the anticipated caseload for the future.
- 17 (3) The state auditor may exempt a local government that certifies
- 18 that it is in compliance with RCW 42.41.050 from a charge added under
- 19 subsection (1) or (2) of this section.))
- 20 **Sec. 5.** RCW 42.41.060 and 1992 c 44 s 7 are each amended to read
- 21 as follows:
- The local government administrative hearings account is created in
- 23 the custody of the state treasurer. All receipts from penalties in RCW
- 24 42.41.040 and ((the surcharges under RCW 43.09.2801)) legislative
- 25 appropriations for administrative hearings under this chapter shall be
- 26 deposited into the account. Expenditures from the account may be used
- 27 only for administrative hearings under this chapter. Only the chief
- 28 administrative law judge or his or her designee may authorize
- 29 expenditures from the account. The account is subject to allotment
- 30 procedures under chapter 43.88 RCW, but no appropriation is required
- 31 for expenditures.
- 32 PART III
- 33 **Sec. 6.** RCW 10.101.030 and 1989 c 409 s 4 are each amended to read 34 as follows:

p. 3 HB 3096

- 1 (1) Each county or city under this chapter shall adopt standards
- 2 for the delivery of public defense services, whether those services are
- 3 provided by contract, assigned counsel, or a public defender office.
- 4 Standards shall include the following: Compensation of counsel, duties
- 5 and responsibilities of counsel, case load limits and types of cases,
- 6 responsibility for expert witness fees and other costs associated with
- 7 representation, administrative expenses, support services, reports of
- 8 attorney activity and vouchers, training, supervision, monitoring and
- 9 evaluation of attorneys, substitution of attorneys or assignment of
- 10 contracts, limitations on private practice of contract attorneys,
- 11 qualifications of attorneys, disposition of client complaints, cause
- 12 for termination of contract or removal of attorney, and
- 13 nondiscrimination. The standards endorsed by the Washington state bar
- 14 association for the provision of public defense services may serve as
- 15 guidelines to contracting authorities.
- 16 (2) The state shall pay one-half of the costs of public defense
- 17 <u>services under this chapter.</u>
- 18 <u>NEW SECTION.</u> **Sec. 7.** A new section is added to chapter 2.70 RCW
- 19 to read as follows:
- The office of public defense shall include in its biennial budget
- 21 requests for sufficient funds to carry out RCW 10.101.030(2).
- 22 Reimbursements for public defense services costs shall be from
- 23 appropriations specifically provided by law for that purpose.
- NEW SECTION. Sec. 8. RCW 43.09.281 (Appeal procedure to be
- 25 adopted--Inclusion of number and disposition of appeals in annual
- 26 report) and 1982 c 206 s 3 are each repealed.
- 27 <u>NEW SECTION.</u> **Sec. 9.** Part headings used in this act do not
- 28 constitute any part of the law.

--- END ---

нв 3096 р. 4