

HOUSE BILL REPORT

HB 1594

As Passed House:

March 11, 2003

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

Brief History:

Committee Activity:

Local Government: 2/18/03, 2/26/03 [DP].

Floor Activity:

Passed House: 3/11/03, 93-0.

Brief Summary of Bill

- Specifies that counties that may provide for appointment of a "chief financial officer" to perform the duties of a county auditor are limited to charter counties.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 11 members: Representatives Romero, Chair; Upthegrove, Vice Chair; Schindler, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Ahern, Berkey, Clibborn, Edwards, Ericksen, Mielke and Moeller.

Staff: Amy Wood (786-7127).

Background:

The form of government provided in state law for counties is the commission form. All non-charter counties must adopt this form of government. The Board of County Commissioners shares administrative and some legislative functions with other independently elected county officials, including a clerk, treasurer, sheriff, assessor, coroner, and auditor. Other independently elected county officials and court officers

include the county prosecuting attorney and the judges of the county superior court.

The only method by which a county can entirely change its form of government is to adopt a "home rule" charter. Article XI, Section 4 of the State Constitution was amended in 1948 to provide the option for counties to adopt "home rule" charters to provide their own form of government. By adopting a home rule charter, county voters can provide for appointed county officers to perform county functions previously performed by independently elected officials, except the prosecuting attorney and superior court judges, and can change the names and duties of the county officers prescribed by the constitution and the law.

Five counties have adopted home rule charters: Clallam, King, Pierce, Snohomish, and Whatcom.

Summary of Bill:

Statutes relating to various duties of the county auditor are amended to specify that "chief financial officer" refers to the chief financial officer of a charter county, not a non-charter county.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: There are jurisdictional differences between charter and non-charter counties. In charter counties the auditor does not perform the accounting duties, rather the chief financial officer does. When "chief financial officer" was added to the statute in 1995, it added confusion by not distinguishing that chief financial officer only applied to charter counties. Although the intent was clear at the time, there needs to be some clarification on the subject. This bill is meant to clarify an ambiguity in the law.

We need to keep checks and balances in place. In non-charter counties, county auditors are required to perform certain duties with certain financial consequences. This burden is on the shoulders of the auditor, and may not be delegated to anyone else. Two hundred seventy elected officials believe that this is an important piece of legislation.

Testimony Against: None.

Testified: Rep. Berkey, prime sponsor; Kim Wyman, Thurston County Auditor and

Washington County Auditors Association; Diana Howsden, Washington County Auditors Association; Mike Murphy, Office of the State Auditor; and Greg Zempel, Washington Association of County Officials.