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HOUSE BILL 1152

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Haigh, Woods, Miloscia, Armstrong, Hunt, Nixon, Shabro, Sehlin and Anderson; by request of Secretary of State

Read first time 01/20/2003. Referred to Committee on State Government.

1 AN ACT Relating to funding of the archives division; amending RCW  
2 40.14.025, 40.14.027, and 36.22.175; and adding new sections to chapter  
3 40.14 RCW.

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

5 **Sec. 1.** RCW 40.14.025 and 1996 c 245 s 3 are each amended to read  
6 as follows:

7 (1) The secretary of state and the director of financial management  
8 shall jointly establish a procedure and formula for allocating the  
9 costs of services provided by the division of archives and records  
10 management to state agencies. The total amount allotted for services  
11 to state agencies shall not exceed the appropriation to the archives  
12 and records management account during any allotment period.

13 ((~~1~~)) (2) There is created the archives and records management  
14 account in the state treasury which shall consist of all fees and  
15 charges collected under this section(~~(, RCW 36.22.175, and 40.14.027)~~).  
16 The account shall be appropriated exclusively for the payment of costs  
17 and expenses incurred in the operation of the division of archives and  
18 records management as specified by law.

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

3        The imaging account is created in the state treasury to consist of  
4 all fees and charges collected under RCW 40.14.020(8) for contract  
5 imaging, micrographics, reproduction, and duplication services provided  
6 by the division of archives for state agencies, local governments, and  
7 private customers. The account must be managed by the secretary of  
8 state and allotted exclusively for the payment of costs and expenses  
9 incurred in providing the contracted imaging, micrographic,  
10 reproduction, and duplication services. An appropriation is not  
11 required for expenditures, but the account is subject to allotment  
12 procedures under chapter 43.88 RCW.

13        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 40.14 RCW  
14 to read as follows:

15        The local government archives account is created in the state  
16 treasury to consist of all fees and charges collected by the county  
17 auditors under RCW 40.14.027 and 36.22.175 for local government  
18 services such as providing records scheduling, security microfilm  
19 inspection and storage, archival preservation, cataloging, and indexing  
20 for local government records and digital data and access to those  
21 records and data through the regional branch archives of the division  
22 of archives and records management. The account must be managed by the  
23 secretary of state and allotted exclusively for the payment of costs  
24 and expenses incurred in providing those services. An appropriation is  
25 not required for expenditures, but the account is subject to allotment  
26 procedures under chapter 43.88 RCW. However, all fees collected under  
27 RCW 36.22.175(3) may be spent only by appropriation.

28        **Sec. 4.**    RCW 40.14.027 and 2001 c 146 s 4 are each amended to read  
29 as follows:

30        State agencies shall collect a surcharge of twenty dollars from the  
31 judgment debtor upon the satisfaction of a warrant filed in superior  
32 court for unpaid taxes or liabilities. The surcharge is imposed on the  
33 judgment debtor in the form of a penalty in addition to the filing fee  
34 provided in RCW 36.18.012(10). The surcharge revenue shall be  
35 transmitted to the state treasurer for deposit in the archives and  
36 records management account.

1        Surcharge revenue deposited in the local government archives ((~~and~~  
2 ~~records management~~)) account under section 3 of this act shall be  
3 expended by the secretary of state exclusively for disaster recovery,  
4 essential records protection services, and records management training  
5 for local government agencies by the division of archives and records  
6 management. The secretary of state shall, with local government  
7 representatives, establish a committee to advise the state archivist on  
8 the local government archives and records management program.

9        **Sec. 5.** RCW 36.22.175 and 2001 2nd sp.s. c 13 s 1 are each amended  
10 to read as follows:

11        (1) In addition to any other charge authorized by law, the county  
12 auditor shall charge a surcharge of one dollar per instrument for each  
13 document recorded. Revenue generated through this surcharge shall be  
14 transmitted monthly to the state treasurer for deposit in the local  
15 government archives ((~~and records management~~)) account under section 3  
16 of this act. These funds shall be used solely for providing records  
17 scheduling, security microfilm inspection and storage, archival  
18 preservation, cataloging, and indexing for local government records and  
19 digital data and access to those records and data through the regional  
20 branch archives of the division of archives and records management.

21        The division of archives and records management within the office  
22 of the secretary of state shall provide records management training for  
23 local governments and shall establish a competitive grant program to  
24 solicit and prioritize project proposals from local governments for  
25 potential funding to be paid for by funds from the auditor surcharge  
26 and tax warrant surcharge revenues. Application for specific projects  
27 may be made by local government agencies only. The state archivist in  
28 consultation with the advisory committee established under RCW  
29 40.14.027 shall adopt rules governing project eligibility, evaluation,  
30 awarding of grants, and other criteria including requirements for  
31 records management training for grant recipients.

32        (2) The advisory committee established under RCW 40.14.027 shall  
33 review grant proposals and establish a prioritized list of projects to  
34 be considered for funding by January 1st of each even-numbered year,  
35 beginning in 2002. The evaluation of proposals and development of the  
36 prioritized list must be developed through open public meetings.  
37 Funding for projects shall be granted according to the ranking of each

1 application on the prioritized list and projects will be funded only to  
2 the extent that funds are available. A grant award may have an  
3 effective date other than the date the project is placed on the  
4 prioritized list.

5 (3) In addition to any other surcharge authorized by law, the  
6 county auditor shall charge a surcharge of one dollar per instrument  
7 for every document recorded after January 1, 2002. Revenue generated  
8 through this surcharge shall be transmitted to the state treasurer  
9 monthly for deposit in the local government archives (~~and records~~  
10 ~~management~~) account under section 3 of this act to be used exclusively  
11 for the construction and improvement of a specialized regional facility  
12 located in eastern Washington designed to serve the archives, records  
13 management, and digital data management needs of local government.

14 To the extent the facilities are used for the storage and retrieval  
15 of state agency records and digital data, that portion of the  
16 construction of such facilities used for state government records and  
17 data shall be supported by other charges and fees paid by state  
18 agencies and shall not be supported by the surcharge authorized in this  
19 subsection.

20 At such time that all debt service from construction on such  
21 facility has been paid, fifty percent of the surcharge authorized by  
22 this subsection shall be reverted to the centennial document  
23 preservation and modernization account as prescribed in RCW 36.22.170  
24 and fifty percent of the surcharge authorized by this section shall be  
25 reverted to the state treasurer for deposit in the archives and records  
26 management account to serve the archives, records management, and  
27 digital data management needs of local government.

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