

# The Firehouse Lawyer

Volume 23, Number 2

Be sure to visit [firehouselawyer.com](http://firehouselawyer.com) to get a glimpse of our various practice areas pertaining to public agencies, which include labor and employment law, public disclosure law, mergers and consolidations, financing methods, risk management, and many other practice areas!!!

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February-March 2025

## UPCOMING SEMINARS

Eric Quinn will be teaching some essential seminars in the coming months.

On April 5, 2025, Eric will be teaching on behalf of WFCA—the Washington Fire Commissioners Association. This training pertains to differentiating between the functions of fire commissioners and fire chiefs, and how this becomes important in the context of evaluating the fire chief. Eric will also be discussing how the fire commissioners should approach executive sessions in the context of evaluating the fire chief's performance. Information regarding this training is located here: <https://wfca.wa.gov/page/SpringSeries2025>

On April 12, 2025, Eric will be teaching for the Pierce County Fire Commissioners Association on the Formation and Administration of Regional Fire Authorities, from 0900 to 1200. This will be done in person at South Sound 911, 3580 Pacific Ave. Tacoma, Washington. This free seminar will also be offered remotely via Zoom. The Meeting ID is 815 7774 7587 and the Passcode is 868669.

Please email Denise Ross to register: [dross@centralpiercefire.org](mailto:dross@centralpiercefire.org). Please state whether you plan to attend in person or remotely so we can plan accordingly. The formal announcement of this training is attached here.

## DO YOU HAVE POLICIES ON ELECTRONIC FUND TRANSFERS?

Many of our readers may not be aware of the provisions of RCW 39.58.750. This statute authorizes the use of electronic fund transfers (EFTs) by and through “the state treasurer or any treasurer or other custodian of public funds....” The statute goes on to provide that such transfers of funds must be done “in accordance with accounting standards established by the state auditor under RCW 43.09.200...to safeguard and insure accountability for the funds involved.” That statute, contained in the chapter of the RCW governing the State Auditor, generally provides for a uniform system of accounting for local governments, commonly known as the BARS system.

We recommend that all of our clients adopt a detailed policy, setting forth their procedures and policies governing their use of EFTs to deal with accounts payable. A few of our clients have begun paying their attorneys by using EFTs, which saves time and money for all concerned, not to mention the problems created when a check or warrant is lost in the mail. It seems to us that very few fire districts and regional fire authorities are availing themselves of the time-saving benefits of paying many of their vendors by EFT.

Use of EFT and/or ACH is also consistent with chapter 1.80 of the Revised Code of Washington, the statutes relating to electronic records and electronic signatures being deemed as acceptable as paper records and/or “wet” signatures.

A sample EFT policy and resolution are attached to this article. Said policy should be updated to reflect your agency’s practices and administrative functions.

## ANOTHER SIGNIFICANT PRA CASE

On March 4, 2025, Division II of the Court of Appeals handed down another significant case arising under the Public Records Act, Chapter 42.56 RCW. In *Hood v. City of Vancouver*, #59242-8-II,<sup>1</sup> Division II of the Court of Appeals reversed the trial court's summary judgment decision, and dealt with requests for clarification and what constitutes an adequate search for responsive records.

Since we often advise clients that a clarification request is appropriate when dealing with ambiguous requests for records, we feel this case is worth discussing.

Eric Hood requested records from the City of Vancouver, Washington, pertaining to the most recent audit of the Downtown Redevelopment Authority, a local entity created by the City. As the Court pointed out repeatedly in their opinion, even if some parts of a record request seem to require clarification, you still need to respond and produce records as to the clear and unambiguous parts of the request.

Pointing out that the agency does not need to be a mind reader, the Court stated that RCW 42.56.520 (3)(a) and (b) *require* an agency to seek clarification of an unclear request, citing *Neigh. All. Of Spokane County v. Spokane County*, 172 Wn. 2d 702, 727, 261 P.3d 119 (2011).

The Court found that Hood’s initial request contained ambiguities. Also, in an unusually long footnote, the Court cited two unpublished

<sup>1</sup>

<https://www.courts.wa.gov/opinions/pdf/D2%2059242-8-II%20Published%20Opinion.pdf>

opinions and one published opinion, which all involved ambiguous Hood PRA requests, and all of which seemed similar. This footnote suggested to us that the Court was thinking that part of the ambiguity may have been an intentionally-laid trap by Mr. Hood, who failed to learn from prior court decisions.

The Court also noted that the following language in the City's final communication did not constitute a valid request for clarification:

"If you feel that there are any missing documents or additional types of materials that your request sought, which are not included in the enclosed response, please contact me so your request may be clarified."

We always urge our clients to provide a clear closing letter in your final response to a PRA request, because that activates the one-year statute of limitations on any PRA lawsuit. The City's final email quoted in part above is precisely the wrong response, in our opinion, to operate as your last word on a PRA request, but that language seems to keep the PRA request open for further action by the City. We can provide our readers with our typical closing letter, which basically states the exact opposite of the language quoted above.

Another important part of the *Hood* opinion dealt with the adequacy of the search for records; it was this issue that resulted in the Court's reversal of the trial court. The Court found that there was a genuine issue as to a material fact, on this issue of the adequacy of the search. The Court said the facts of the case are always the key to figuring out if the search was adequate. The gist of their decision was that the request was

clear enough that email communications about the back and forth between the State Auditor and city officials were within the scope of the request. It seemed to the Court that parts of the City's responses showed they understood or should have, that emails were being requested because they knew he requested "records sent/received to/from the state auditor's office." The City never really searched the email accounts of the involved city officials for such communications.

In summary, the *Hood* case teaches us what not to do with respect to clarification requests and with reasonable searches for records.

## DID YOU KNOW?

As some of our readers may know, the pre-employment inquiry guide, contained in the Washington Administrative Code, provides guidelines and some absolute prohibitions, on what you may ask in an interview process for new hires, and employment applications.

We do not recall being asked, until very recently, whether it is acceptable to require applicants to submit a photograph with their application or prior to hiring, as for example, at the interview. It may seem logical to ask for a photograph, so as to be able to identify or recognize the applicant at the interview.

However, the pre-employment inquiry guide prohibits this, and in fact even if you make it *voluntary*, the practice is forbidden.<sup>2</sup> I guess the reason is apparent: the powers that be found it would be too easy for such photos to be used to discriminate on the basis of race or ethnicity. So,

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<sup>2</sup> <https://app.leg.wa.gov/WAC/default.aspx?cite=162-12-140>

dear readers, if you are doing that now, please stop!

## INTERESTING BILLS

There are several bills of interest to the fire service in the State of Washington, currently pending in the state legislature. In this article we discuss a few proposed bills that are considered high priority by the Washington Fire Commissioners Association.

House Bill 1001 would add a new chapter to Title 43 RCW, which covers state government. The bill would require the State Department of Commerce to establish a competitive grant program to award funding for local governments in rural counties in the state for the construction of fire protection facilities or related “capital projects.”

Under the new law, “rural county” means a county with a population density of fewer than 100 persons per square mile or a county smaller than 225 square miles.

The department is tasked with establishing a committee to develop the criteria for approving grants and the process of prioritizing grant requests. This committee of at least four persons shall include at least one representative of the Commerce Department, and one each representing a city, county, and fire protection district.

The statute goes on to provide a nonexclusive list of seven (7) factors in prioritizing the projects, but the factors may be considered in any order of importance. Funds awarded under such grants may only be approved after the commitment of private or public matching funds. Those matching funds, however, may be

in the form of cash, equipment, land, buildings or like-kind contributions. No jurisdiction may obtain more than \$2 million from this fund in any biennium.

Lastly, the final substantive section of the bill requires the Commerce Department to provide a report annually as to the details of performance of the grant program.

Interesting bill, but we do not know the chances of it actually being adopted by the Legislature and signed by the Governor.

## CAN FIRE BENEFIT CHARGES BE ASSESSED AGAINST TRIBALLY-OWNED PROPERTIES? ARGUABLY, YES

We think that fire benefit charges, authorized for fire districts by Chapter 52.18 RCW, and for regional fire authorities by RCW 52.26.180 et seq., could be lawfully assessed on tribal properties.

In September 2023,<sup>3</sup> we addressed in the *Firehouse Lawyer* how, and under what circumstances a state law could be applied in Indian country, particularly with regard to civil and not criminal issues. In that article, we expressed the opinion that the case of *Oklahoma, v. Castro-Huerta*, 597 U.S. \_\_\_\_, 2022 WL 2334307, 2022 US LEXIS 3222 (2022) is very important. That 5-4 decision of the U.S. Supreme Court approved of a balancing test first explained in *White Mountain Apache Tribe.v. Bracker*, 448 U.S. 136 (1980). In that case, Justice Thurgood Marshall applied a test to

<sup>3</sup>

<https://firehouselawyer.com/Newsletters/September2023FINAL.pdf>

balance tribal interests, federal interests and state interests.

Justice Gorsuch, in his dissent in *Castro-Huerta* (which was joined by three other justices) argued that tribal sovereignty is absolute within Indian country, except if there is a federal statute providing otherwise.

In our September 2023 issue we argued that the *Bracker* Court recognized that tribes retained attributes of sovereignty particularly with respect to their members and use of their property in Indian country. Clearly, the tribes have unfettered authority to regulate their internal and social relations in Indian country, according to the *Bracker* court.

Based on a synthesis of *Bracker* and *Castro-Huerta*, we believe that a state law would not be enforced or be applicable in Indian country if there is either express or implied pre-emption by a federal statute.<sup>4</sup> Similarly, a regulatory law purporting to regulate activities within Indian country would not be enforceable if it interfered with tribal sovereignty in any way. However, we opined in that article that a state statute, allowing withdrawal of tribal lands or tribal trust lands from a fire district or regional fire authority, would be an enforceable state law. After that article was written an RFA client of ours withdrew tribal lands from its legal boundaries and the Superior Court approved of that

withdrawal and dismissed litigation challenging that withdrawal action.

Now let us consider whether the *Bracker* balancing test, as applied in *Castro-Huerta*, would support assessing a fire benefit charge by a fire district or a regional fire authority upon lands within Indian country, i.e. lands either owned by a tribe itself or tribal trust lands.

We know that courts have held that property taxes cannot be levied within Indian country. Indeed RCW 84.36.010 explicitly so provides, at least with respect to property used for essential governmental services. However, we contend that businesses conducted within Indian country, such as casinos and hotels, are essentially profit-making businesses that require fire protection services, just like non-Indian casinos and hotels.

Indeed, many clients tell us repeatedly that such Indian casinos and/or hotels represent a very significant part of their call volume. We also know that RCW 52.30.080—a permissive statute—allows for contracts of services to tribes. But what if the tribe refuses to enter into a contract that adequately and fairly compensates the fire department, but the department really does not want to withdraw the tribal lands from the district under the applicable statute? We think that the fire benefit charge is a viable alternative because (1) it is not a tax under controlling law (it is a service charge) and (2) under the balancing test the benefit charge—which is not regulatory, but rather a revenue source based on the benefit provided—should pass muster as not interfering with tribal sovereignty, but rather is just a fee for service.

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<sup>4</sup> A federal *regulation*, 25 CFR 163.28, relating to the Bureau of Indian Affairs, may *arguably* preempt state law in the area of *wildfire protection*, but said regulation contains no clause indicating express preemption of state law:  
<https://www.ecfr.gov/current/title-25/chapter-I/subchapter-H/part-163/subpart-B/section-163.28>

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**PIERCE COUNTY FIRE COMMISSIONERS'  
ASSOCIATION PRESENTS**

# **Formation/Administration of Regional Fire Authorities**

**Date:** April 12, 2025

**Time:** 0900 - 1200

**Location:**

In person at South Sound 911, 3580 Pacific Ave., Tacoma, WA  
or Remotely via Zoom:

Meeting ID: 815 7774 7587      Passcode: 868669

**Cost:** Free

**Presenter:** Firehouse Lawyer, Eric Quinn

**Registration:** Please email Denise Ross at [dross@centralpiercefirer.org](mailto:dross@centralpiercefirer.org)

*Please state whether you plan to attend in person or remotely so we can plan accordingly.*

*Join the Pierce County Fire Commissioners Association and other friends in government for a presentation by Firehouse Lawyer, Eric Quinn, on the Formation and Administration of Regional Fire Authorities.*

*This presentation is sponsored by the Pierce County Fire Commissioners Association and is free to all participants.*





Topic: PC Fire Commissioners Attorney Quinn Training  
Time: Apr 12, 2025 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81577747587?pwd=Zb40zAGOVAMzZPoqtLLy8UawUHgFKi.1>

Meeting ID: 815 7774 7587

Passcode: 868669

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One tap mobile

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+12532050468,,81577747587#,,, \*868669# US

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Dial by your location

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  - +1 253 205 0468 US
  - +1 669 444 9171 US
- +1 669 900 9128 US (San Jose)
  - +1 719 359 4580 US
- +1 346 248 7799 US (Houston)
  - +1 386 347 5053 US
  - +1 507 473 4847 US
  - +1 564 217 2000 US
- +1 646 558 8656 US (New York)
  - +1 646 931 3860 US
  - +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)
  - +1 305 224 1968 US
  - +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
  - +1 360 209 5623 US

Meeting ID: 815 7774 7587

Passcode: 868669

Find your local number: <https://us02web.zoom.us/j/81577747587?pwd=Zb40zAGOVAMzZPoqtLLy8UawUHgFKi.1>

[Resolution Formatting here]

**A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF  
ADOPTING AN ACH/ELECTRONIC FUNDS  
TRANSFERS POLICY**

WHEREAS, \_\_\_\_\_ (hereinafter referred to as District) makes payments to vendors and employees by automated clearing house (ACH) or electronic funds transfers (EFTs); and

WHEREAS, the District receives ACH and EFT funds from various parties as a routine business practice; and

WHEREAS, proper authorization and execution of ACH and EFT payments reduces the risk of erroneous and fraudulent transactions; and

WHEREAS, the District has determined that adoption of a comprehensive policy providing guidelines for the authorization and processing of ACH/electronic funds transfers for the District is in its best interest.

**NOW, THEREFORE, THE BOARD OF FIRE COMMISSIONERS OF  
HEREBY RESOLVES AS FOLLOWS:**

Section 1. The District hereby adopts the ACH/Electronic Funds Transfer Policy attached hereto as Exhibit A.

Section 2. Effective Date. The District ACH/Electronic Funds Transfer Policy will be effective \_\_\_\_\_.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 202\_, with all commissioners present and voting.

[Signatures]



## EXHIBIT A

### 1. PURPOSE AND SCOPE

The District makes payments to vendors and employees by electronic funds transfer and also receives funds from various parties as a routine business practice. All such payments must be properly authorized and executed to reduce the risk of erroneous or fraudulent transactions, utilizing appropriate fraud-detection measures and technologies.

### 2. AUTHORIZED PERSONS

The following employees of the District are authorized to initiate EFT/ACH transactions pursuant to this policy:

- a. The Finance Manager
- b. The Fire Chief
- c. Individuals authorized in writing by the Finance Manager or the Fire Chief

### 3. INTERNAL CONTROL REQUIREMENTS

To protect EFT transactions from internal and external threats, the following controls will be adhered to:

- a. Implementation of bank offered security measures to prevent unauthorized individuals from initiating or modifying a transfer, i.e., use of positive pay.
- b. Each user initiating or approving bank transactions must have separate bank User IDs.
- c. Separate users must initiate and authorize electronic transactions.
- d. Use of pre-established templates for specific transaction types and specific accounts may be authorized in advance by the Finance Manager, however, new templates must be initiated by one user and authorized by the Finance Manager.
- e. The process for creating, securing, sending and authenticating direct deposit transmittal files to prevent unauthorized modification or submission is documented below.
- f. Adherence to District computer policies and procedures to protect the computers and computing processes used for EFTs from computer malware.
- g. Regardless of payment method, i.e., wire transfer, ACH or paper warrant (check), employees shall adhere to the authorization and processing requirements outlined in District policy.
- h. Changes to employee direct deposit must be processed using applicable Direct Deposit Authorization Forms, and under no circumstances will account changes be authorized by telephone or email.
- i. Changes to vendor ACH accounts must be processed using the EFT (ACH/Wire Transfer) Authorization Form, and under no circumstances will account changes be authorized by telephone or email.

### 3. TYPES OF PAYMENTS SUBJECT TO ACH:

- a. **Vendor Payments:** In its normal course of business, the District remits the following types of vendor payments via ACH: **Supplier payments, Employee reimbursements, routine payments to the WA State Treasurer, \_\_\_\_\_.**
- b. **Payroll – Fulltime Employees:** in order to standardize procedures and reduce the number of individual transactions, the District highly encourages all employees to be paid by ACH direct deposit.
- c. **Payroll – Part-time Employees:** The District will offer all part-time employees the option to be paid by ACH direct deposit.
- d. **Payroll – Temporary Employees:** The District will offer all temporary employees the option to be paid by ACH direct deposit.

For suppliers and employees being paid by paper warrant (check), the District shall adhere to the requirements for payment approvals and accounts payable documentation and processing as described in District financial policies, and other applicable laws.

With very few exceptions, checks issued to suppliers should only be delivered to the supplier by United States mail or its equivalent. Payroll checks may be delivered directly to the employee. Exceptions must be documented and authorized by the Finance Manager. Under no circumstances is a check to be mailed earlier than the dated date of the check.

### 4. TRAINING

To ensure consistent compliance with procedures, employees tasked with processing, reconciling and record-keeping will train in proper procedures and internal controls prior to conducting these functions.

### 5. DEFINITIONS

- a. Automated Clearing House (ACH) - A nationwide payment and collection system that provides for electronic distribution and settlement of funds. Although the term Electronic Fund Transfer (EFT) is technically more inclusive than the term ACH, the term EFT is often used synonymously with ACH and Wire Transfer. Wire transfers execute directly between two accounts, as opposed to a clearinghouse, so they process more quickly, but they are more expensive.
- b. Electronic funds transfer (EFT) - refers to the disbursement from a bank account by means of wire, direct deposit, ACH or other electronic means.

## 6. RECORD-KEEPING

### a. Transaction records will include:

- i. Chronological number of the EFT payment.
  - ii. Time and date of disbursement.
  - iii. Payee - name, address and account number.
  - iv. Amount of disbursement.
  - v. Purpose of disbursement.
  - vi. BARS or other accounting system expenditure/expense account number.
  - vii. Name and number of fund(s).
  - viii. Disbursing bank's unique transaction identification number, if available.
  - ix. Receiving bank or financial institution's identification number.
- b. A file must be maintained of authorizations by payees who have thereby agreed to have moneys added to their accounts electronically.
  - c. The Finance Manager should notify the disbursing bank that access to files, records and documentation of all EFT transactions involving the Finance Manager should be provided to the State Auditor when required for the conduct of the statutory post audit.

## 7. PROCEDURES:

### a. Origination of ACH File:

- i. **ACH File Database:** The District creates ACH files from [name of program you use to originate ACH files] which are downloaded in proper ACH format.
- ii. **Transmission:** Several options are available to transmit the file to the ACH originating bank, either through a gateway provider, or directly to the bank. The District generates and transmits payroll, employee reimbursement and supplier payment files via [name of your depository bank].
- iii. **Retention:** ACH and EFT data files are required to be retained in accordance with applicable records-retention schedules, and the retention period for such files is currently six years after the end of the fiscal year (per Local Government Records Retention Manual, DANS GS2011-185)

Agency Name  
EFT/ACH Policy

## **b. Authorizations**

- i. All employees whose net pay is to be direct deposited must complete a Direct Deposit Authorization Form. This form is submitted to the District Payroll Office along with a deposit slip for a Savings Account or a voided check for a Checking Account. In lieu of a deposit slip or voided check, the employee may provide documentation from the employee's financial institution indicating the transit-routing number and the account number.
- ii. The authorization form shall provide the employee the ability to change bank account information. Employees should notify the Payroll Office immediately but no later than seven working days prior to the effective pay date. Exceptions may be granted up to 4 working days prior to pay date for closed or compromised accounts.
- iii. An employee desiring to discontinue participating in the ACH program may submit a revocation request. The request will be acted on depending upon whether participation is mandatory or not.
- iv. Retention of authorization forms and any requests for revocation of authorization will be maintained until superseded and released from all audits.
- v. The District does not allow telephone or email initiated entries or changes to authorizations.

## **c. Transaction Notices**

- i. Participating employees are provided a hard copy Direct Deposit advice (paysub) on the payroll pay date, specifying details of the employee's gross pay, tax withholdings, statutory and voluntary deductions, net pay and other information.
- ii. Suppliers being paid by ACH credit will be advised of the payment by email.

## **d. Cancellations**

- i. If it is learned that a vendor or employee does not have a right to a payment or the payment amount is in excess of the amount due the supplier/employee, then the payment is to be cancelled. Actions to take will depend upon where the payment is in the timeline of the transaction.
- ii. If the ACH file has not been transmitted to [your bank] but the payment process has been finalized, staff will void the batch to remove the incorrect payment.
- iii. If the ACH file has not been transmitted to [your bank] and the ACH process has begun, staff will remove the incorrect payment prior to finalizing the batch.

- iv. If the ACH file has already been transmitted to [your bank], staff would complete a [your bank] ACH Service Request for Item Delete/Reversal and fax to [your bank].

e. **Cut-off Times and Close Outs**

The following cutoff times are established for ACH file transmissions:

1. The ACH file auto-generated at the conclusion of the payroll process is scheduled to transmit two (2) banking days prior to payroll issue/check date.
2. The ACH file transmission for suppliers is generated two (2) banking days prior to issue/check date.
  - i. Funding of ACH files is deemed to be a critical function that must be performed accurately and timely, in order to avoid the overdrawing of bank accounts.
  - ii. The settlement bank account which accommodates the funding of outbound ACH transactions for Payroll and outbound ACH Supplier transaction is the District's General Bank Account held at Key Bank.
  - iii. Funding of ACH/EFT transactions must occur for settlement no later than the following day.

e. **Reporting of inbound ACH transactions**

- i. The settlement bank account which accommodates the receipt of inbound ACH transactions is the District's General Bank Account held at Key Bank.
- ii. The District receives notice monthly from the Office of State Treasurer (OST) about two days prior to receipt. The transmittal is recorded in various funds and revenue accounts and is posted by the cashier as part of the daily cashiering batch.
- iii. The District receives notice daily from Automated Funds Transfer Service (AFTS) for utility payments made via lockbox. These are recorded into Springbrook via the appropriate FTP protocols.
- iv. For online permit payments made via [name of program hosted by your bank] notice is retrieved from the [same program as cited previously] website by the cashier using a unique ID assigned specifically to that cashier. Individual payments as listed on the notice report are posted by the cashier into his/her daily cashiering batch. Payments are deposited by the [same program as previously cited] system directly into the District's General Checking account held by [your bank].
- v. Applicable utility payments made online will utilize [applicable program]. Payments made in this manner are imported into [your main finance program, for

**example Springbrook]** using the appropriate FTP protocol. Payments are deposited by Merchant Transact directly into the District's General Checking account held by **[your bank]**.

**h. Reconciliation**

- i. All Bank Statements shall be reconciled monthly as part of a global reconciliation.
- ii. Individuals responsible for bank account reconciliations should not also be responsible for handling cash. Additionally, these individuals should only have inquiry access to Key Bank, thus negating their ability to record receipts or process disbursements.
- iii. All Bank Reconciliations are performed in accordance with BARS Manual standards. Completed bank reconciliations are reviewed by a second reviewer and recorded accordingly. Any reconciling item adjustments are recorded and reviewed by a second reviewer as part of the monthly reconciliation process.
- iv. All reconciliations are reviewed, signed, and dated by a second **Finance Department** employee or the District Finance Manager. All journal entries for adjustments are prepared by the responsible party and reviewed by a second **Finance Department** employee once completed.
- v. All outstanding items are reconciled prior to the end of the succeeding month. Large checks over 6 months old are reviewed monthly. Abandoned checks are escheated to the state each year per state regulations.

**i. Returns**

In the case of outbound transactions for supplier and payroll payments, an ACH Returns account is not utilized. Instead, the returns will be credited to the settlement bank account at **[your bank]** from which the funds were originally disbursed. Returned items are monitored as part of the daily deposit process. Any returned items are forwarded to the appropriate Finance staff member (Payroll for Direct Deposit and AP for all other ACH payments), to be researched and either voided or reissued as appropriate. A second **Finance Department** employee reviews all such returns and their related disposition.

**j. Paying Invoices**

- i. All invoices for banking services received (**e.g., from your bank, etc.**) shall be paid timely, in accordance with established District procedures for accounts payable.
- ii. Responsibility for inspecting the invoices received and approving for payment is that of the **Finance Department**.



**k. Signatures and Approvals**

- i. RCW 1.80 gives the same legal protection to online signing as to traditional pen-and-paper signing.
- ii. The District utilizes [your e-sign program] for routing of documents and for the collection of signatures.
- iii. Approval Signatures collected through [your e-sign program] e-sign routing process are original and official.

**l. Procedures in the Event of a Disaster or Emergency**

The District shall ensure that ACH/EFT operations can, within reason and the administrative capacity of the Finance Department, continue or be quickly restored in the event of a system failure, natural disaster, or other disruptions.

**8. REFERENCES**

- i. District policies on internal controls and finances
- ii. District resolution no. \_\_\_\_\_ regarding electronic signatures
- iii. RCW 39.58.750 – authorizes local government use of EFT and directs the State Auditor to prescribe accounting procedures for EFT transaction processing.
- iv. BARS MANUAL Section 3.8.11 – provides accounting procedures and recommended internal controls to safeguard local government resources when utilizing EFT.
- v. BARS MANUAL Section 3.1.9 – provides guidance regarding appropriate bank reconciliation practices.

**9. FORMS**

- i. EFT (ACH/Wire Transfer) Authorization Form (authorization to pay vendors by ACH)
- ii. Direct Deposit Authorization Form (payroll)
- iii. Direct Debit Authorization Form (utility bill payment method)
- iv. E-Commerce Contacts: The Finance Department will maintain an updated list of [your bank] contacts.
- v. Finance Manager/Fire Chief Authorization: Designating Finance Department employee for initiating ACH/EFT transactions

Agency Name  
EFT/ACH Policy