

SSB 5219 - S AMD 45
By Senator Kastama

ADOPTED 03/07/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 29A.04.310 and 2005 c 2 s 8 (Initiative Measure No.
4 872) are each reenacted and amended to read as follows:

5 Primaries for general elections to be held in November must be held
6 on((÷

7 ~~(1)) the third Tuesday of the preceding ((September; or~~
8 ~~(2) The seventh Tuesday immediately preceding that general~~
9 ~~election, whichever occurs first)) August.~~

10 **Sec. 2.** RCW 29A.04.321 and 2004 c 271 s 106 are each amended to
11 read as follows:

12 (1) All state, county, city, town, and district general elections
13 for the election of federal, state, legislative, judicial, county,
14 city, town, and district officers, and for the submission to the voters
15 of the state, county, city, town, or district of any measure for their
16 adoption and approval or rejection, shall be held on the first Tuesday
17 after the first Monday of November, in the year in which they may be
18 called. A statewide general election shall be held on the first
19 Tuesday after the first Monday of November of each year. However, the
20 statewide general election held in odd-numbered years shall be limited
21 to (a) city, town, and district general elections as provided for in
22 RCW 29A.04.330, or as otherwise provided by law; (b) the election of
23 federal officers for the remainder of any unexpired terms in the
24 membership of either branch of the Congress of the United States; (c)
25 the election of state and county officers for the remainder of any
26 unexpired terms of offices created by or whose duties are described in
27 Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,
28 and 23, and Article IV, sections 3 and 5 of the state Constitution and
29 RCW 2.06.080; (d) the election of county officers in any county

1 governed by a charter containing provisions calling for general county
2 elections at this time; and (e) the approval or rejection of state
3 measures, including proposed constitutional amendments, matters
4 pertaining to any proposed constitutional convention, initiative
5 measures and referendum measures proposed by the electorate, referendum
6 bills, and any other matter provided by the legislature for submission
7 to the electorate.

8 (2) A county legislative authority may(~~(, if it deems an emergency~~
9 ~~to exist,)) call a special county election by presenting a resolution
10 to the county auditor (~~(at least forty-five days))~~) prior to the
11 proposed election date. Except as provided in subsection (4) of this
12 section, a special election called by the county legislative authority
13 shall be held on one of the following dates as decided by such
14 governing body:~~

- 15 (a) The first Tuesday after the first Monday in February;
- 16 (b) The second Tuesday in March;
- 17 (c) The fourth Tuesday in April;
- 18 (d) The third Tuesday in May;
- 19 (e) The day of the primary as specified by RCW (~~(29A.04.311))~~
20 29A.04.310; or
- 21 (f) The first Tuesday after the first Monday in November.

22 (3) A resolution calling for a special election on a date set forth
23 in subsection (2)(a) through (d) of this section must be presented to
24 the county auditor at least fifty-two days prior to the election date.
25 A resolution calling for a special election on a date set forth in
26 subsection (2)(e) or (f) of this section must be presented to the
27 county auditor at least eighty-four days prior to the election date.

28 (4) In addition to the dates set forth in subsection (2)(a) through
29 (f) of this section, a special election to validate an excess levy or
30 bond issue may be called at any time to meet the needs resulting from
31 fire, flood, earthquake, or other act of God. Such county special
32 election shall be noticed and conducted in the manner provided by law.

33 (~~(4)~~) (5) In a presidential election year, if a presidential
34 preference primary is conducted in February, March, April, or May under
35 chapter 29A.56 RCW, the date on which a special election may be called
36 by the county legislative authority under subsection (2) of this
37 section during the month of that primary is the date of the
38 presidential primary.

1 ~~((5))~~ (6) This section shall supersede the provisions of any and
2 all other statutes, whether general or special in nature, having
3 different dates for such city, town, and district elections, the
4 purpose of this section being to establish mandatory dates for holding
5 elections except for those elections held pursuant to a home-rule
6 charter adopted under Article XI, section 4 of the state Constitution.
7 This section shall not be construed as fixing the time for holding
8 primary elections, or elections for the recall of any elective public
9 officer.

10 **Sec. 3.** RCW 29A.04.330 and 2004 c 266 s 6 are each amended to read
11 as follows:

12 (1) All city, town, and district general elections shall be held
13 throughout the state of Washington on the first Tuesday following the
14 first Monday in November in the odd-numbered years.

15 This section shall not apply to:

16 (a) Elections for the recall of any elective public officer;

17 (b) Public utility districts, conservation districts, or district
18 elections at which the ownership of property within those districts is
19 a prerequisite to voting, all of which elections shall be held at the
20 times prescribed in the laws specifically applicable thereto;

21 (c) Consolidation proposals as provided for in RCW 28A.315.235 and
22 nonhigh capital fund aid proposals as provided for in chapter 28A.540
23 RCW.

24 (2) The county auditor, as ex officio supervisor of elections, upon
25 request in the form of a resolution of the governing body of a city,
26 town, or district, presented to the auditor (~~at least forty five~~
27 ~~days~~) prior to the proposed election date, may(~~, if the county~~
28 ~~auditor deems an emergency to exist,~~) call a special election in such
29 city, town, or district, and for the purpose of such special election
30 he or she may combine, unite, or divide precincts. Except as provided
31 in subsection (3) of this section, such a special election shall be
32 held on one of the following dates as decided by the governing body:

33 (a) The first Tuesday after the first Monday in February;

34 (b) The second Tuesday in March;

35 (c) The fourth Tuesday in April;

36 (d) The third Tuesday in May;

1 (e) The day of the primary election as specified by RCW 29A.04.310;

2 or

3 (f) The first Tuesday after the first Monday in November.

4 (3) A resolution calling for a special election on a date set forth
5 in subsection (2)(a) through (d) of this section must be presented to
6 the county auditor at least fifty-two days prior to the election date.
7 A resolution calling for a special election on a date set forth in
8 subsection (2)(e) or (f) of this section must be presented to the
9 county auditor at least eighty-four days prior to the election date.

10 (4) In a presidential election year, if a presidential preference
11 primary is conducted in February, March, April, or May under chapter
12 29A.56 RCW, the date on which a special election may be called under
13 subsection (2) of this section during the month of that primary is the
14 date of the presidential primary.

15 ((+4)) (5) In addition to subsection (2)(a) through (f) of this
16 section, a special election to validate an excess levy or bond issue
17 may be called at any time to meet the needs resulting from fire, flood,
18 earthquake, or other act of God, except that no special election may be
19 held between the first day for candidates to file for public office and
20 the last day to certify the returns of the general election other than
21 as provided in subsection (2)(e) and (f) of this section. Such special
22 election shall be conducted and notice thereof given in the manner
23 provided by law.

24 ((+5)) (6) This section shall supersede the provisions of any and
25 all other statutes, whether general or special in nature, having
26 different dates for such city, town, and district elections, the
27 purpose of this section being to establish mandatory dates for holding
28 elections.

29 **Sec. 4.** RCW 29A.24.040 and 2003 c 111 s 604 are each amended to
30 read as follows:

31 A candidate may file his or her declaration of candidacy for an
32 office by electronic means on a system specifically designed and
33 authorized by a filing officer to accept filings.

34 (1) Filings that are received electronically must capture all
35 information specified in RCW ((29A.24.030)) 29A.24.031 (1) through (4).

36 (2) Electronic filing may begin at 9:00 a.m. the ((fourth)) third

1 Monday in (~~July~~) May and continue through 4:00 p.m. the following
2 Friday.

3 (3) In case of special filing periods established in this chapter,
4 electronic filings may be accepted beginning at 9:00 a.m. on the first
5 day of the special filing period through 4:00 p.m. the last day of the
6 special filing period.

7 **Sec. 5.** RCW 29A.24.050 and 2003 c 111 s 605 are each amended to
8 read as follows:

9 Except where otherwise provided by this title, declarations of
10 candidacy for the following offices shall be filed during regular
11 business hours with the filing officer no earlier than the (~~fourth~~)
12 third Monday in (~~July~~) May and no later than the following Friday in
13 the year in which the office is scheduled to be voted upon:

14 (1) Offices that are scheduled to be voted upon for full terms or
15 both full terms and short terms at, or in conjunction with, a state
16 general election; and

17 (2) Offices where a vacancy, other than a short term, exists that
18 has not been filled by election and for which an election to fill the
19 vacancy is required in conjunction with the next state general
20 election.

21 This section supersedes all other statutes that provide for a
22 different filing period for these offices.

23 **Sec. 6.** RCW 29A.24.171 and 2004 c 271 s 165 are each amended to
24 read as follows:

25 Filings for a nonpartisan office shall be reopened for a period of
26 three normal business days, such three-day period to be fixed by the
27 election officer with whom such declarations of candidacy are filed and
28 notice thereof given by notifying press, radio, and television in the
29 county and by such other means as may now or hereafter be provided by
30 law whenever before the (~~sixth~~) eleventh Tuesday prior to a primary:

31 (1) A void in candidacy occurs;

32 (2) A vacancy occurs in any nonpartisan office leaving an unexpired
33 term to be filled by an election for which filings have not been held;
34 or

35 (3) A nominee for judge of the superior court entitled to a

1 certificate of election pursuant to Article 4, section 29, Amendment 41
2 of the state Constitution, dies or is disqualified.

3 Candidacies validly filed within said three-day period shall appear
4 on the ballot as if made during the earlier filing period.

5 **Sec. 7.** RCW 29A.24.181 and 2004 c 271 s 166 are each amended to
6 read as follows:

7 Filings for a nonpartisan office (other than judge of the supreme
8 court or superintendent of public instruction) shall be reopened for a
9 period of three normal business days, such three-day period to be fixed
10 by the election officer with whom such declarations of candidacy are
11 filed and notice thereof given by notifying press, radio, and
12 television in the county and by such other means as may now or
13 hereafter be provided by law, when:

14 (1) A void in candidacy for such nonpartisan office occurs on or
15 after the ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to
16 the ((~~sixth~~)) eleventh Tuesday before an election; or

17 (2) A nominee for judge of the superior court eligible after a
18 contested primary for a certificate of election by Article 4, section
19 29, Amendment 41 of the state Constitution, dies or is disqualified
20 within the ten-day period immediately following the last day allotted
21 for a candidate to withdraw; or

22 (3) A vacancy occurs in any nonpartisan office on or after the
23 ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to the
24 ((~~sixth~~)) eleventh Tuesday before an election leaving an unexpired term
25 to be filled by an election for which filings have not been held.

26 The candidate receiving a plurality of the votes cast for that
27 office in the general election shall be deemed elected.

28 **Sec. 8.** RCW 29A.24.191 and 2004 c 271 s 167 are each amended to
29 read as follows:

30 A scheduled election shall be lapsed, the office deemed stricken
31 from the ballot, no purported write-in votes counted, and no candidate
32 certified as elected, when:

33 (1) In an election for judge of the supreme court or superintendent
34 of public instruction, a void in candidacy occurs on or after the
35 ((~~sixth~~)) eleventh Tuesday prior to a primary, public filings and the

1 primary being an indispensable phase of the election process for such
2 offices;

3 (2) Except as otherwise specified in RCW 29A.24.181, a nominee for
4 judge of the superior court entitled to a certificate of election
5 pursuant to Article 4, section 29, Amendment 41 of the state
6 Constitution dies or is disqualified on or after the (~~sixth~~) eleventh
7 Tuesday prior to a primary;

8 (3) In other elections for nonpartisan office a void in candidacy
9 occurs or a vacancy occurs involving an unexpired term to be filled on
10 or after the (~~sixth~~) eleventh Tuesday prior to an election.

11 **Sec. 9.** RCW 29A.24.210 and 2005 c 2 s 10 (Initiative Measure No.
12 872) are each reenacted and amended to read as follows:

13 Filings for a partisan elective office shall be opened for a period
14 of three normal business days whenever, on or after the first day of
15 the regular filing period and before the (~~sixth~~) eleventh Tuesday
16 prior to an election, a vacancy occurs in that office, leaving an
17 unexpired term to be filled by an election for which filings have not
18 been held.

19 Any special three-day filing period shall be fixed by the election
20 officer with whom declarations of candidacy for that office are filed.
21 The election officer shall give notice of the special three-day filing
22 period by notifying the press, radio, and television in the county or
23 counties involved, and by any other means as may be required by law.

24 Candidacies validly filed within the special three-day filing
25 period shall appear on the primary or general election ballot as if
26 filed during the regular filing period.

27 The procedures for filings for partisan offices where a vacancy
28 occurs under this section or a void in candidacy occurs under RCW
29 (~~29A.24.140~~) 29A.24.141 must be substantially similar to the
30 procedures for nonpartisan offices under RCW (~~29A.24.150~~) 29A.24.151
31 through (~~29A.24.170~~) 29A.24.171.

32 **Sec. 10.** RCW 29A.40.070 and 2004 c 266 s 13 are each amended to
33 read as follows:

34 (1) Except where a recount or litigation under RCW (~~29A.68.010~~)
35 29A.68.011 is pending, the county auditor shall have sufficient
36 absentee ballots available for absentee voters of that county, other

1 than overseas voters and service voters, at least twenty days before
2 any primary, general election, or special election. The county auditor
3 must mail absentee ballots to each voter for whom the county auditor
4 has received a request nineteen days before the primary or election at
5 least eighteen days before the primary or election. For a request for
6 an absentee ballot received after the nineteenth day before the primary
7 or election, the county auditor shall make every effort to mail ballots
8 within one business day, and shall mail the ballots within two business
9 days.

10 (2) (~~The county auditor shall make every effort to mail ballots to~~
11 ~~overseas and service voters earlier than eighteen days before a primary~~
12 ~~or election~~)) At least thirty days before any primary, general
13 election, or special election, the county auditor shall mail ballots to
14 all overseas and service voters. A request for a ballot made by an
15 overseas or service voter after that day must be processed immediately.

16 (3) Each county auditor shall certify to the office of the
17 secretary of state the dates the ballots prescribed in subsection (1)
18 of this section were available and mailed.

19 (4) If absentee ballots will not be available or mailed as
20 prescribed in subsection (1) of this section, the county auditor shall
21 immediately certify to the office of the secretary of state when
22 absentee ballots will be available and mailed. Copies of this
23 certification must be provided to the county canvassing board, the
24 press, jurisdictions with issues on the ballot in the election, and any
25 candidates.

26 (5) If absentee ballots were not available or mailed as prescribed
27 in subsection (1) of this section, for a reason other than a recount or
28 litigation, the county auditor, in consultation with the certification
29 and training program of the office of the secretary of state, shall
30 submit a report to the office of the secretary of state outlining why
31 the deadline was missed and what corrective actions will be taken in
32 future elections to ensure that absentee ballots are available and
33 mailed as prescribed in subsection (1) of this section.

34 (6) Failure to have absentee ballots available and mailed as
35 prescribed in subsection (1) of this section does not by itself provide
36 a basis for an election contest or other legal challenge to the results
37 of a primary, general election, or special election.

1 **Sec. 11.** RCW 29A.56.030 and 2003 c 111 s 1403 are each amended to
2 read as follows:

3 The name of any candidate for a major political party nomination
4 for president of the United States shall be printed on the presidential
5 preference primary ballot of a major political party only:

6 (1) By direction of the secretary of state, who in the secretary's
7 sole discretion has determined that the candidate's candidacy is
8 generally advocated or is recognized in national news media; or

9 (2) If members of the political party of the candidate have
10 presented a petition for nomination of the candidate that has attached
11 to the petition a sheet or sheets containing the signatures of at least
12 one thousand registered voters who declare themselves in the petition
13 as being affiliated with the same political party as the presidential
14 candidate. The petition shall be filed with the secretary of state not
15 later than (~~the thirty-ninth day~~) sixty days before the presidential
16 preference primary. The signature sheets shall also contain the
17 residence address and name or number of the precinct of each registered
18 voter whose signature appears thereon and shall be certified in the
19 manner prescribed in RCW 29A.72.230 and 29A.72.240.

20 The secretary of state shall place the name of the candidate on the
21 ballot unless the candidate, at least (~~thirty-five~~) fifty-two days
22 before the presidential preference primary, executes and files with the
23 secretary of state an affidavit stating without qualification that he
24 or she is not now and will not become a candidate for the office of
25 president of the United States at the forthcoming presidential
26 election. The secretary of state shall certify the names of all
27 candidates who will appear on the presidential preference primary
28 ballot to the respective county auditors on or before the fourth
29 Tuesday in April of each presidential election year.

30 **Sec. 12.** RCW 29A.60.190 and 2004 c 266 s 18 are each amended to
31 read as follows:

32 (1) (~~On the tenth day after a special election or primary and on~~
33 ~~the fifteenth day after a~~) Fifteen days after a primary, special
34 election, or general election, the county canvassing board shall
35 complete the canvass and certify the results. Each absentee ballot
36 that was returned before the closing of the polls (~~on the date of the~~
37 ~~primary or election for which it was issued~~), and each absentee ballot

1 ((with)) bearing a postmark on or before the date of the ((~~primary or~~))
2 election ((~~for which it was issued~~)) and received on or before the date
3 on which the ((~~primary or~~)) election is certified, must be included in
4 the canvass report.

5 (2) At the request of a caucus of the state legislature, the county
6 auditor shall transmit copies of all unofficial returns of state and
7 legislative primaries or elections prepared by or for the county
8 canvassing board to either the secretary of the senate or the chief
9 clerk of the house of representatives.

10 **Sec. 13.** RCW 29A.64.070 and 2003 c 111 s 1607 are each amended to
11 read as follows:

12 After the original count, canvass, and certification of results,
13 the votes cast in any single precinct may ((~~not~~)) be recounted and the
14 results recertified not more than once for a primary and not more than
15 twice for a special or general election.

16 **Sec. 14.** RCW 27.12.355 and 1987 c 138 s 1 are each amended to read
17 as follows:

18 (1) As provided in this section, a rural county library district,
19 island library district, or intercounty rural library district may
20 withdraw areas from its boundaries, or reannex areas into the library
21 district that previously had been withdrawn from the library district
22 under this section.

23 (2) The withdrawal of an area shall be authorized upon: (a)
24 Adoption of a resolution by the board of trustees requesting the
25 withdrawal and finding that, in the opinion of the board, inclusion of
26 this area within the library district will result in a reduction of the
27 district's tax levy rate under the provisions of RCW 84.52.010; and (b)
28 adoption of a resolution by the city or town council approving the
29 withdrawal, if the area is located within the city or town, or adoption
30 of a resolution by the county legislative authority of the county
31 within which the area is located approving the withdrawal, if the area
32 is located outside of a city or town. A withdrawal shall be effective
33 at the end of the day on the thirty-first day of December in the year
34 in which the resolutions are adopted, but for purposes of establishing
35 boundaries for property tax purposes, the boundaries shall be
36 established immediately upon the adoption of the second resolution.

1 The authority of an area to be withdrawn from a library district as
2 provided under this section is in addition, and not subject, to the
3 provisions of RCW 27.12.380.

4 The withdrawal of an area from the boundaries of a library district
5 shall not exempt any property therein from taxation for the purpose of
6 paying the costs of redeeming any indebtedness of the library district
7 existing at the time of the withdrawal.

8 (3) An area that has been withdrawn from the boundaries of a
9 library district under this section may be reannexed into the library
10 district upon: (a) Adoption of a resolution by the board of trustees
11 proposing the reannexation; and (b) adoption of a resolution by the
12 city or town council approving the reannexation, if the area is located
13 within the city or town, or adoption of a resolution by the county
14 legislative authority of the county within which the area is located
15 approving the reannexation, if the area is located outside of a city or
16 town. The reannexation shall be effective at the end of the day on the
17 thirty-first day of December in the year in which the adoption of the
18 second resolution occurs, but for purposes of establishing boundaries
19 for property tax purposes, the boundaries shall be established
20 immediately upon the adoption of the second resolution. Referendum
21 action on the proposed reannexation may be taken by the voters of the
22 area proposed to be reannexed if a petition calling for a referendum is
23 filed with the city or town council, or county legislative authority,
24 within a thirty-day period after the adoption of the second resolution,
25 which petition has been signed by registered voters of the area
26 proposed to be reannexed equal in number to ten percent of the total
27 number of the registered voters residing in that area.

28 If a valid petition signed by the requisite number of registered
29 voters has been so filed, the effect of the resolutions shall be held
30 in abeyance and a ballot proposition to authorize the reannexation
31 shall be submitted to the voters of the area at the next special
32 election date (~~((specified in RCW 29.13.020 that occurs forty five or
33 more days after the petitions have been validated))~~) according to RCW
34 29A.04.330. Approval of the ballot proposition authorizing the
35 reannexation by a simple majority vote shall authorize the
36 reannexation.

1 **Sec. 15.** RCW 27.12.370 and 1982 c 123 s 14 are each amended to
2 read as follows:

3 The county legislative authority or authorities shall by resolution
4 call a special election to be held in such city or town at the next
5 special election date (~~((provided in RCW 29.13.010 but not less than~~
6 ~~forty five days from the date of the declaration of such finding))~~
7 according to RCW 29A.04.321, and shall cause notice of such election to
8 be given as provided for in RCW (~~(29.27.080)~~) 29A.52.351.

9 The election on the annexation of the city or town into the library
10 district shall be conducted by the auditor of the county or counties in
11 which the city or town is located in accordance with the general
12 election laws of the state and the results thereof shall be canvassed
13 by the canvassing board of the county or counties. No person shall be
14 entitled to vote at such election unless he or she is registered to
15 vote in said city or town for at least thirty days preceding the date
16 of the election. The ballot proposition shall be in substantially the
17 following form:

18 "Shall the city or town of be annexed to and be
19 a part of library district?
20 YES
21 NO

22 If a majority of the persons voting on the proposition shall vote
23 in favor thereof, the city or town shall thereupon be annexed and shall
24 be a part of such library district.

25 **Sec. 16.** RCW 35.02.086 and 1986 c 234 s 11 are each amended to
26 read as follows:

27 Each candidate for a city or town elective position shall file a
28 declaration of candidacy with the county auditor of the county in which
29 all or the major portion of the city or town is located(~~(, not more~~
30 ~~than forty five nor less than thirty days)) prior to the primary
31 election at which the initial elected officials are nominated,
32 according to RCW 29A.24.050. The elective positions shall be as
33 provided in law for the type of city or town and form or plan of
34 government specified in the petition to incorporate, and for the
35 population of the city or town as determined by the county legislative
36 authority or boundary review board where applicable. Any candidate may~~

1 withdraw his or her declaration (~~at any time within five days after~~
2 ~~the last day allowed for filing declaration of candidacy~~) according to
3 RCW 29A.24.131. All names of candidates to be voted upon shall be
4 printed upon the ballot alphabetically in groups under the designation
5 of the respective titles of offices for which they are candidates.
6 Names of candidates printed upon the ballot need not be rotated.

7 **Sec. 17.** RCW 35.06.070 and 1994 c 81 s 8 are each amended to read
8 as follows:

9 A ballot proposition authorizing an advancement in classification
10 of a town to a second class city shall be submitted to the voters of
11 the town if either: (1) Petitions proposing the advancement are
12 submitted to the town clerk that have been signed by voters of the town
13 equal in number to at least ten percent of the voters of the town
14 voting at the last municipal general election; or (2) the town council
15 adopts a resolution proposing the advancement. The clerk shall
16 immediately forward the petitions to the county auditor who shall
17 review the signatures and certify the sufficiency of the petitions.

18 A ballot proposition authorizing an advancement shall be submitted
19 to the town voters at the next (~~municipal general~~) special election
20 (~~occurring forty five or more days after the petitions are submitted~~)
21 date according to RCW 29A.04.330 if the county auditor certifies the
22 petitions as having sufficient valid signatures. The town shall be
23 advanced to a second class city if the ballot proposition is approved
24 by a simple majority vote, effective when the corporation is actually
25 reorganized and the new officers are elected and qualified. The county
26 auditor shall notify the secretary of state if the advancement of a
27 town to a second class city is approved.

28 **Sec. 18.** RCW 35.13.1821 and 1998 c 286 s 2 are each amended to
29 read as follows:

30 The annexation ordinance provided for in RCW 35.13.182 is subject
31 to referendum for forty-five days after its passage. Upon the filing
32 of a timely and sufficient referendum petition with the legislative
33 body, signed by qualified electors in number equal to not less than ten
34 percent of the votes cast in the last general state election in the
35 area to be annexed, the question of annexation shall be submitted to
36 the voters of the area in a general election if one is to be held

1 within ninety days or at a special election called for that purpose
2 (~~(not less than forty five days nor more than ninety days after the~~
3 ~~filing of the referendum petition))~~ according to RCW 29A.04.330.
4 Notice of the election shall be given as provided in RCW 35.13.080 and
5 the election shall be conducted as provided in the general election
6 law. The annexation shall be deemed approved by the voters unless a
7 majority of the votes cast on the proposition are in opposition
8 thereto.

9 After the expiration of the forty-fifth day from but excluding the
10 date of passage of the annexation ordinance, if no timely and
11 sufficient referendum petition has been filed, the area annexed shall
12 become a part of the city or town upon the date fixed in the ordinance
13 of annexation.

14 **Sec. 19.** RCW 35.61.360 and 1987 c 138 s 2 are each amended to read
15 as follows:

16 (1) As provided in this section, a metropolitan park district may
17 withdraw areas from its boundaries, or reannex areas into the
18 metropolitan park district that previously had been withdrawn from the
19 metropolitan park district under this section.

20 (2) The withdrawal of an area shall be authorized upon: (a)
21 Adoption of a resolution by the park district commissioners requesting
22 the withdrawal and finding that, in the opinion of the commissioners,
23 inclusion of this area within the metropolitan park district will
24 result in a reduction of the district's tax levy rate under the
25 provisions of RCW 84.52.010; and (b) adoption of a resolution by the
26 city or town council approving the withdrawal, if the area is located
27 within the city or town, or adoption of a resolution by the county
28 legislative authority of the county within which the area is located
29 approving the withdrawal, if the area is located outside of a city or
30 town. A withdrawal shall be effective at the end of the day on the
31 thirty-first day of December in the year in which the resolutions are
32 adopted, but for purposes of establishing boundaries for property tax
33 purposes, the boundaries shall be established immediately upon the
34 adoption of the second resolution.

35 The withdrawal of an area from the boundaries of a metropolitan
36 park district shall not exempt any property therein from taxation for

1 the purpose of paying the costs of redeeming any indebtedness of the
2 metropolitan park district existing at the time of the withdrawal.

3 (3) An area that has been withdrawn from the boundaries of a
4 metropolitan park district under this section may be reannexed into the
5 metropolitan park district upon: (a) Adoption of a resolution by the
6 park district commissioners proposing the reannexation; and (b)
7 adoption of a resolution by the city or town council approving the
8 reannexation, if the area is located within the city or town, or
9 adoption of a resolution by the county legislative authority of the
10 county within which the area is located approving the reannexation, if
11 the area is located outside of a city or town. The reannexation shall
12 be effective at the end of the day on the thirty-first day of December
13 in the year in which the adoption of the second resolution occurs, but
14 for purposes of establishing boundaries for property tax purposes, the
15 boundaries shall be established immediately upon the adoption of the
16 second resolution. Referendum action on the proposed reannexation may
17 be taken by the voters of the area proposed to be reannexed if a
18 petition calling for a referendum is filed with the city or town
19 council, or county legislative authority, within a thirty-day period
20 after the adoption of the second resolution, which petition has been
21 signed by registered voters of the area proposed to be reannexed equal
22 in number to ten percent of the total number of the registered voters
23 residing in that area.

24 If a valid petition signed by the requisite number of registered
25 voters has been so filed, the effect of the resolutions shall be held
26 in abeyance and a ballot proposition to authorize the reannexation
27 shall be submitted to the voters of the area at the next special
28 election date (~~(specified in RCW 29.13.020 that occurs forty five or~~
29 ~~more days after the petitions have been validated)) according to RCW
30 29A.04.330. Approval of the ballot proposition authorizing the
31 reannexation by a simple majority vote shall authorize the
32 reannexation.~~

33 **Sec. 20.** RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each
34 amended to read as follows:

35 Such annexation ordinance as provided for in RCW 35A.14.297 shall
36 be subject to referendum for forty-five days after the passage thereof.
37 Upon the filing of a timely and sufficient referendum petition with the

1 legislative body, signed by qualified electors in number equal to not
2 less than ten percent of the votes cast in the last general state
3 election in the area to be annexed, the question of annexation shall be
4 submitted to the voters of such area in a general election if one is to
5 be held within ninety days or at a special election called for that
6 purpose (~~((not less than forty five days nor more than ninety days after
7 the filing of the referendum petition))~~) according to RCW 29A.04.330.
8 Notice of such election shall be given as provided in RCW 35A.14.070
9 and the election shall be conducted as provided in RCW (~~(35A.14.060)~~)
10 35A.29.151. The annexation shall be deemed approved by the voters
11 unless a majority of the votes cast on the proposition are in
12 opposition thereto.

13 After the expiration of the forty-fifth day from but excluding the
14 date of passage of the annexation ordinance, if no timely and
15 sufficient referendum petition has been filed, the area annexed shall
16 become a part of the code city upon the date fixed in the ordinance of
17 annexation. From and after such date, if the ordinance so provided,
18 property in the annexed area shall be subject to the proposed zoning
19 regulation prepared and filed for such area as provided in RCW
20 35A.14.330 and 35A.14.340. If the ordinance so provided, all property
21 within the area annexed shall be assessed and taxed at the same rate
22 and on the same basis as the property of such annexing code city is
23 assessed and taxed to pay for any then outstanding indebtedness of such
24 city contracted prior to, or existing at, the date of annexation.

25 **Sec. 21.** RCW 36.93.030 and 1991 c 363 s 91 are each amended to
26 read as follows:

27 (1) There is hereby created and established in each county with a
28 population of two hundred ten thousand or more a board to be known and
29 designated as a "boundary review board".

30 (2) A boundary review board may be created and established in any
31 other county in the following manner:

32 (a) The county legislative authority may, by majority vote, adopt
33 a resolution establishing a boundary review board; or

34 (b) A petition seeking establishment of a boundary review board
35 signed by qualified electors residing in the county equal in number to
36 at least five percent of the votes cast in the county at the last
37 county general election may be filed with the county auditor.

1 Upon the filing of such a petition, the county auditor shall
2 examine the same and certify to the sufficiency of the signatures
3 thereon. No person may withdraw his or her name from a petition after
4 it has been filed with the auditor. Within thirty days after the
5 filing of such petition, the county auditor shall transmit the same to
6 the county legislative authority, together with his or her certificate
7 of sufficiency.

8 After receipt of a valid petition for the establishment of a
9 boundary review board, the county legislative authority shall submit
10 the question of whether a boundary review board should be established
11 to the electorate at the next ((county)) primary or ((county)) general
12 election ((which occurs more than forty five days from the date of
13 receipt of the petition)) according to RCW 29A.04.321. Notice of the
14 election shall be given as provided in RCW ((29.27.080)) 29A.52.351 and
15 shall include a clear statement of the proposal to be submitted.

16 If a majority of the persons voting on the proposition shall vote
17 in favor of the establishment of the boundary review board, such board
18 shall thereupon be deemed established.

19 **Sec. 22.** RCW 42.12.040 and 2005 c 2 s 15 (Initiative Measure No.
20 872) are each amended to read as follows:

21 (1) If a vacancy occurs in any partisan elective office in the
22 executive or legislative branches of state government or in any
23 partisan county elective office before the ((sixth)) eleventh Tuesday
24 prior to the next general election following the occurrence of the
25 vacancy, a successor shall be elected to that office at that general
26 election. Except during the last year of the term of office, if such
27 a vacancy occurs on or after the ((sixth)) eleventh Tuesday prior to
28 the general election, the election of the successor shall occur at the
29 next succeeding general election. The elected successor shall hold
30 office for the remainder of the unexpired term. This section shall not
31 apply to any vacancy occurring in a charter county that has charter
32 provisions inconsistent with this section.

33 (2) If a vacancy occurs in any legislative office or in any
34 partisan county office after the general election in a year that the
35 position appears on the ballot and before the start of the next term,
36 the term of the successor who is of the same party as the incumbent may

1 commence once he or she has qualified as defined in RCW 29A.04.133 and
2 shall continue through the term for which he or she was elected.

3 **Sec. 23.** RCW 42.17.080 and 2002 c 75 s 2 are each amended to read
4 as follows:

5 (1) On the day the treasurer is designated, each candidate or
6 political committee shall file with the commission and the county
7 auditor or elections officer of the county in which the candidate
8 resides, or in the case of a political committee, the county in which
9 the treasurer resides, in addition to any statement of organization
10 required under RCW 42.17.040 or 42.17.050, a report of all
11 contributions received and expenditures made prior to that date, if
12 any.

13 (2) At the following intervals each treasurer shall file with the
14 commission and the county auditor or elections officer of the county in
15 which the candidate resides, or in the case of a political committee,
16 the county in which the committee maintains its office or headquarters,
17 and if there is no office or headquarters then in the county in which
18 the treasurer resides, a report containing the information required by
19 RCW 42.17.090:

20 (a) On the twenty-first day and the seventh day immediately
21 preceding the date on which the election is held; and

22 (b) On the tenth day of the first month after the election(~~(+~~
23 ~~PROVIDED, That this report shall not be required following a primary~~
24 ~~election from:~~

25 ~~(i) A candidate whose name will appear on the subsequent general~~
26 ~~election ballot; or~~

27 ~~(ii) Any continuing political committee)); and~~

28 (c) On the tenth day of each month in which no other reports are
29 required to be filed under this section: PROVIDED, That such report
30 shall only be filed if the committee has received a contribution or
31 made an expenditure in the preceding calendar month and either the
32 total contributions received or total expenditures made since the last
33 such report exceed two hundred dollars.

34 When there is no outstanding debt or obligation, and the campaign
35 fund is closed, and the campaign is concluded in all respects, and in
36 the case of a political committee, the committee has ceased to function

1 and has dissolved, the treasurer shall file a final report. Upon
2 submitting a final report, the duties of the treasurer shall cease and
3 there shall be no obligation to make any further reports.

4 The report filed twenty-one days before the election shall report
5 all contributions received and expenditures made as of the end of the
6 fifth business day before the date of the report. The report filed
7 seven days before the election shall report all contributions received
8 and expenditures made as of the end of the one business day before the
9 date of the report. Reports filed on the tenth day of the month shall
10 report all contributions received and expenditures made from the
11 closing date of the last report filed through the last day of the month
12 preceding the date of the current report.

13 (3) For the period beginning the first day of the fourth month
14 preceding the date on which the special (~~or general~~) election is
15 held, or for the period beginning on the first day of the fifth month
16 before the date on which the general election is held, and ending on
17 the date of that special or general election, each Monday the treasurer
18 shall file with the commission and the appropriate county elections
19 officer a report of each bank deposit made during the previous seven
20 calendar days. The report shall contain the name of each person
21 contributing the funds so deposited and the amount contributed by each
22 person. However, contributions of no more than twenty-five dollars in
23 the aggregate from any one person may be deposited without identifying
24 the contributor. A copy of the report shall be retained by the
25 treasurer for his or her records. In the event of deposits made by a
26 deputy treasurer, the copy shall be forwarded to the treasurer for his
27 or her records. Each report shall be certified as correct by the
28 treasurer or deputy treasurer making the deposit.

29 (4) If a city requires that candidates or committees for city
30 offices file reports with a city agency, the candidate or treasurer so
31 filing need not also file the report with the county auditor or
32 elections officer.

33 (5) The treasurer or candidate shall maintain books of account
34 accurately reflecting all contributions and expenditures on a current
35 basis within five business days of receipt or expenditure. During the
36 eight days immediately preceding the date of the election the books of
37 account shall be kept current within one business day. As specified in

1 the committee's statement of organization filed under RCW 42.17.040,
2 the books of account must be open for public inspection as follows:

3 (a) For at least two consecutive hours between 8:00 a.m. and 8:00
4 p.m. on the eighth day immediately before the election, except when it
5 is a legal holiday, in which case on the seventh day immediately before
6 the election, at the principal headquarters or, if there is no
7 headquarters, at the address of the treasurer or such other place as
8 may be authorized by the commission; and

9 (b) By appointment for inspections to be conducted at the
10 designated place for inspections between 8:00 a.m. and 8:00 p.m. on any
11 other day from the seventh day through the day immediately before the
12 election, other than Saturday, Sunday, or a legal holiday. It is a
13 violation of this chapter for a candidate or political committee to
14 refuse to allow and keep an appointment for an inspection to be
15 conducted during these authorized times and days in the week prior to
16 the election. The appointment must be allowed at an authorized time
17 and day for such inspections that is within twenty-four hours of the
18 time and day that is requested for the inspection.

19 (6) The treasurer or candidate shall preserve books of account,
20 bills, receipts, and all other financial records of the campaign or
21 political committee for not less than five calendar years following the
22 year during which the transaction occurred.

23 (7) All reports filed pursuant to subsection (1) or (2) of this
24 section shall be certified as correct by the candidate and the
25 treasurer.

26 (8) Copies of all reports filed pursuant to this section shall be
27 readily available for public inspection for at least two consecutive
28 hours Monday through Friday, excluding legal holidays, between 8:00
29 a.m. and 8:00 p.m., as specified in the committee's statement of
30 organization filed pursuant to RCW 42.17.040, at the principal
31 headquarters or, if there is no headquarters, at the address of the
32 treasurer or such other place as may be authorized by the commission.

33 (9) After January 1, 2002, a report that is filed with the
34 commission electronically need not also be filed with the county
35 auditor or elections officer.

36 (10) The commission shall adopt administrative rules establishing
37 requirements for filer participation in any system designed and
38 implemented by the commission for the electronic filing of reports.

1 **Sec. 24.** RCW 52.02.080 and 1989 c 63 s 6 are each amended to read
2 as follows:

3 The election on the formation of the district and to elect the
4 initial fire commissioners shall be conducted by the election officials
5 of the county or counties in which the proposed district is located in
6 accordance with the general election laws of the state. This election
7 shall be held at the next general election date(~~(, as specified under~~
8 ~~RCW 29.13.020)~~) according to RCW 29A.04.321 and 29A.04.330, that occurs
9 (~~(forty five or more days)~~) after the date of the action by the
10 boundary review board, or county legislative authority or authorities,
11 approving the proposal.

12 **Sec. 25.** RCW 52.04.056 and 1989 c 63 s 11 are each amended to read
13 as follows:

14 (1) As provided in this section, a fire protection district may
15 withdraw areas from its boundaries, or reannex areas into the fire
16 protection district that previously had been withdrawn from the fire
17 protection district under this section.

18 (2) The withdrawal of an area shall be authorized upon: (a)
19 Adoption of a resolution by the board of fire commissioners requesting
20 the withdrawal and finding that, in the opinion of the board, inclusion
21 of this area within the fire protection district will result in a
22 reduction of the district's tax levy rate under the provisions of RCW
23 84.52.010; and (b) adoption of a resolution by the city or town council
24 approving the withdrawal, if the area is located within the city or
25 town, or adoption of a resolution by the county legislative authority
26 or authorities of the county or counties within which the area is
27 located approving the withdrawal, if the area is located outside of a
28 city or town. A withdrawal shall be effective at the end of the day on
29 the thirty-first day of December in the year in which the resolutions
30 are adopted, but for purposes of establishing boundaries for property
31 tax purposes, the boundaries shall be established immediately upon the
32 adoption of the second resolution.

33 The authority of an area to be withdrawn from a fire protection
34 district as provided under this section is in addition, and not
35 subject, to the provisions of RCW 52.04.101.

36 The withdrawal of an area from the boundaries of a fire protection

1 district shall not exempt any property therein from taxation for the
2 purpose of paying the costs of redeeming any indebtedness of the fire
3 protection district existing at the time of the withdrawal.

4 (3) An area that has been withdrawn from the boundaries of a fire
5 protection district under this section may be reannexed into the fire
6 protection district upon: (a) Adoption of a resolution by the board of
7 fire commissioners proposing the reannexation; and (b) adoption of a
8 resolution by the city or town council approving the reannexation, if
9 the area is located within the city or town, or adoption of a
10 resolution by the county legislative authority or authorities of the
11 county or counties within which the area is located approving the
12 reannexation, if the area is located outside of a city or town. The
13 reannexation shall be effective at the end of the day on the thirty-
14 first day of December in the year in which the adoption of the second
15 resolution occurs, but for purposes of establishing boundaries for
16 property tax purposes, the boundaries shall be established immediately
17 upon the adoption of the second resolution. Referendum action on the
18 proposed reannexation may be taken by the voters of the area proposed
19 to be reannexed if a petition calling for a referendum is filed with
20 the city or town council, or county legislative authority or
21 authorities, within a thirty-day period after the adoption of the
22 second resolution, which petition has been signed by registered voters
23 of the area proposed to be reannexed equal in number to ten percent of
24 the total number of the registered voters residing in that area.

25 If a valid petition signed by the requisite number of registered
26 voters has been so filed, the effect of the resolutions shall be held
27 in abeyance and a ballot proposition to authorize the reannexation
28 shall be submitted to the voters of the area at the next special
29 election date (~~specified in RCW 29.13.020 that occurs forty five or~~
30 ~~more days after the petitions have been validated~~) according to RCW
31 29A.04.330. Approval of the ballot proposition authorizing the
32 reannexation by a simple majority vote shall authorize the
33 reannexation.

34 **Sec. 26.** RCW 52.04.071 and 1984 c 230 s 16 are each amended to
35 read as follows:

36 The county legislative authority or authorities shall by resolution
37 call a special election to be held in the city or town and in the fire

1 protection district at the next date (~~provided in RCW 29.13.010 but~~
2 ~~not less than forty five days from the date of the declaration of the~~
3 ~~finding~~) according to RCW 29A.04.321, and shall cause notice of the
4 election to be given as provided for in RCW (~~29.27.080~~) 29A.52.351.

5 The election on the annexation of the city or town into the fire
6 protection district shall be conducted by the auditor of the county or
7 counties in which the city or town and the fire protection district are
8 located in accordance with the general election laws of the state. The
9 results thereof shall be canvassed by the canvassing board of the
10 county or counties. No person is entitled to vote at the election
11 unless he or she is a qualified elector in the city or town or unless
12 he or she is a qualified elector within the boundaries of the fire
13 protection district. The ballot proposition shall be in substantially
14 the following form:

15 "Shall the city or town of be annexed to and be a part
16 of fire protection district?

17 YES
18 NO "

19 If a majority of the persons voting on the proposition in the city
20 or town and a majority of the persons voting on the proposition in the
21 fire protection district vote in favor thereof, the city or town shall
22 be annexed and shall be a part of the fire protection district.

23 **Sec. 27.** RCW 53.04.110 and 1998 c 240 s 1 are each amended to read
24 as follows:

25 Any port district now existing or which may hereafter be organized
26 under the laws of the state of Washington is hereby authorized to
27 change its corporate name under the following conditions and in the
28 following manner:

29 (1) On presentation(~~(, at least forty five days before any general~~
30 ~~port election to be held in the port district,)~~) of a petition to the
31 commissioners of any port district now existing or which may hereafter
32 be established under the laws of the state of Washington, signed by at
33 least ten percent of the total number of voters of the port district
34 who voted at the last general port election and asking that the
35 corporate name of the port district be changed, it shall be the duty of
36 the commissioners to submit to the voters of the port district the

1 proposition as to whether the corporate name of the port shall be
2 changed. The proposition shall be submitted at the next general port
3 election according to RCW 29A.04.330.

4 (2) The petition shall contain the present corporate name of the
5 port district and the corporate name which is proposed to be given to
6 the port district.

7 (3) On submitting the proposition to the voters of the port
8 district it shall be the duty of the port commissioners to cause to be
9 printed on the official ballot used at the election the following
10 proposition:

11 "Shall the corporate name, 'Port of' be
12 changed to 'Port of'. YES
13 "Shall the corporate name, 'Port of' be
14 changed to 'Port of'. NO"

15 (4) At the time when the returns of the general election shall be
16 canvassed by the commissioners of the port district, it shall be the
17 duty of the commissioners to canvass the vote upon the proposition so
18 submitted, recording in their record the result of the canvass.

19 (5) Should a majority of the registered voters of the port district
20 voting at the general port election vote in favor of the proposition it
21 shall be the duty of the port commissioners to certify the fact to the
22 auditor of the county in which the port district shall be situated and
23 to the secretary of state of the state of Washington, under the seal of
24 the port district. On and after the filing of the certificate with the
25 county auditor as aforesaid and with the secretary of state of the
26 state of Washington, the corporate name of the port district shall be
27 changed, and thenceforth the port district shall be known and
28 designated in accordance therewith.

29 **Sec. 28.** RCW 54.08.010 and 1985 c 469 s 55 are each amended to
30 read as follows:

31 At any general election held in an even-numbered year, the county
32 legislative authority of any county in this state may, or, on petition
33 of ten percent of the qualified electors of the county based on the
34 total vote cast in the last general county election held in an even-
35 numbered year, shall, by resolution, submit to the voters of the county
36 the proposition of creating a public utility district which shall be

1 coextensive with the limits of the county as now or hereafter
2 established. A form of petition for the creation of a public utility
3 district shall be submitted to the county auditor within ten months
4 prior to the election at which the proposition is to be submitted to
5 the voters. Petitions shall be filed with the county auditor not less
6 than four months before the election and the county auditor shall
7 within thirty days examine the signatures thereof and certify to the
8 sufficiency or insufficiency thereof. If the petition be found to be
9 insufficient, it shall be returned to the persons filing the same, who
10 may amend or add names thereto for ten days, when the same shall be
11 returned to the county auditor, who shall have an additional fifteen
12 days to examine the same and attach his certificate thereto. No person
13 having signed the petition shall be allowed to withdraw his name
14 therefrom after the filing of the same with the county auditor:
15 PROVIDED, That each signature shall be dated and that no signature
16 dated prior to the date on which the form of petition was submitted to
17 the county auditor shall be valid. Whenever the petition shall be
18 certified to as sufficient, the county auditor shall forthwith transmit
19 the same, together with his certificate of sufficiency attached
20 thereto, to the county legislative authority which shall submit the
21 proposition to the voters of the county at the next general election in
22 an even-numbered year (~~occurring forty five days after submission of~~
23 ~~the proposition to the legislative authority~~) according to RCW
24 29A.04.330. The notice of the election shall state the boundaries of
25 the proposed public utility district and the object of such election,
26 and shall in other respects conform to the requirements of the general
27 laws of the state of Washington, governing the time and manner of
28 holding elections. In submitting the question to the voters for their
29 approval or rejection, the proposition shall be expressed on the ballot
30 substantially in the following terms:

- 31 Public Utility District No. YES
- 32 Public Utility District No. NO

33 Any petition for the formation of a public utility district may
34 describe a less area than the entire county in which the petition is
35 filed, the boundaries of which shall follow the then existing precinct
36 boundaries and not divide any voting precinct; and in the event that
37 such a petition is filed the county legislative authority shall fix a
38 date for a hearing on such petition, and shall publish the petition,

1 without the signatures thereto appended, for two weeks prior to the
2 date of the hearing, together with a notice stating the time of the
3 meeting when the petition will be heard. The publication, and all
4 other publications required by chapter 1, Laws of 1931, shall be in a
5 newspaper of general circulation in the county in which the district is
6 situated. The hearing on the petition may be adjourned from time to
7 time, not exceeding four weeks in all. If upon the final hearing the
8 county legislative authority shall find that any lands have been
9 unjustly or improperly included within the proposed public utility
10 district and will not be benefited by inclusion therein, it shall
11 change and fix the boundary lines in such manner as it shall deem
12 reasonable and just and conducive to the public welfare and
13 convenience, and make and enter an order establishing and defining the
14 boundary lines of the proposed public utility district: PROVIDED, That
15 no lands shall be included within the boundaries so fixed lying outside
16 the boundaries described in the petition, except upon the written
17 request of the owners of those lands. Thereafter the same procedure
18 shall be followed as prescribed in this chapter for the formation of a
19 public utility district including an entire county, except that the
20 petition and election shall be confined solely to the lesser public
21 utility district.

22 No public utility district created after September 1, 1979, shall
23 include any other public utility district within its boundaries:
24 PROVIDED, That this paragraph shall not alter, amend, or modify
25 provisions of chapter 54.32 RCW.

26 **Sec. 29.** RCW 54.08.070 and 1979 ex.s. c 240 s 2 are each amended
27 to read as follows:

28 Any district which does not own or operate electric facilities for
29 the generation, transmission or distribution of electric power on March
30 25, 1969, or any district which hereafter does not construct or acquire
31 such electric facilities within ten years of its creation, shall not
32 construct or acquire any such electric facilities without the approval
33 of such proposal by the voters of such district: PROVIDED, That a
34 district shall have the power to construct or acquire electric
35 facilities within ten years following its creation by action of its
36 commission without voter approval of such action.

1 At any general election held in an even-numbered year, the proposal
2 to construct or acquire electric facilities may be submitted to the
3 voters of the district by resolution of the public utility district
4 commission or shall be submitted to the voters of the district by the
5 county legislative authority on petition of ten percent of the
6 qualified electors of such district, based on the total vote cast in
7 the last general county election held in an even-numbered year. A form
8 of petition for the construction or acquisition of electric facilities
9 by the public utility district shall be submitted to the county auditor
10 within ten months prior to the election at which such proposition is to
11 be submitted to the voters. Petitions shall be filed with the county
12 auditor not less than four months before such election and the county
13 auditor shall within thirty days examine the signatures thereof and
14 certify to the sufficiency or insufficiency thereof. If such petition
15 is found to be insufficient, it shall be returned to the persons filing
16 the same, who may amend and add names thereto for ten days, when the
17 same shall be returned to the county auditor, who shall have an
18 additional fifteen days to examine the same and attach his certificate
19 thereto. No person having signed such petition shall be allowed to
20 withdraw his name therefrom after the filing of the same with the
21 county auditor: PROVIDED, That each signature shall be dated and that
22 no signature dated prior to the date on which the form of petition was
23 submitted to the county auditor shall be valid. Whenever such petition
24 shall be certified to as sufficient, the county auditor shall forthwith
25 transmit the same, together with his certificate of sufficiency
26 attached thereto, to the county legislative authority which shall
27 submit such proposition to the voters of said district at the next
28 general election in an even-numbered year (~~occurring forty five days~~
29 ~~after submission of the proposition to said legislative authority~~)
30 according to RCW 29A.04.330. The notice of the election shall state
31 the object of such election, and shall in other respects conform to the
32 requirements of the general laws of Washington, governing the time and
33 manner of holding elections.

34 The proposal submitted to the voters for their approval or
35 rejection, shall be expressed on the ballot substantially in the
36 following terms:

37 Shall Public Utility District No. of County

1 construct or acquire electric facilities for the generation,
2 transmission or distribution of electric power?

3 Yes

4 No

5 Within ten days after such election, the election board of the
6 county shall canvass the returns, and if at such election a majority of
7 the voters voting on such proposition shall vote in favor of such
8 construction or acquisition of electric facilities, the district shall
9 be authorized to construct or acquire electric facilities.

10 **Sec. 30.** RCW 57.04.050 and 1999 c 153 s 1 are each amended to read
11 as follows:

12 Upon entry of the findings of the final hearing on the petition if
13 one or more county legislative authorities find that the proposed
14 district will be conducive to the public health, welfare, and
15 convenience and will benefit the land therein, they shall present a
16 resolution to the county auditor calling for a special election to be
17 held at a date (~~specified under RCW 29.13.020, that occurs forty five~~
18 ~~or more days after the resolution is presented~~) according to RCW
19 29A.04.330, at which a ballot proposition authorizing the district to
20 be created shall be submitted to voters for their approval or
21 rejection. The commissioners shall cause to be published a notice of
22 the election for four successive weeks in a newspaper of general
23 circulation in the proposed district, which notice shall state the
24 hours during which the polls will be open, the boundaries of the
25 district as finally adopted and the object of the election, and the
26 notice shall also be posted ten days in ten public places in the
27 proposed district. The district shall be created if the ballot
28 proposition authorizing the district to be created is approved by a
29 majority of the voters voting on the proposition.

30 A separate ballot proposition authorizing the district, if created,
31 to impose a single-year excess levy for the preliminary expenses of the
32 district shall be submitted to voters for their approval or rejection
33 at the same special election, if the petition to create the district
34 also proposed that a ballot proposition authorizing an excess levy be
35 submitted to voters for their approval or rejection. The excess levy
36 shall be proposed in the amount specified in the petition to create the
37 district, not to exceed one dollar and twenty-five cents per thousand

1 dollars of assessed value, and may only be submitted to voters for
2 their approval or rejection if the special election is held in
3 February, March, April, or May. The proposition to be effective must
4 be approved in the manner set forth in Article VII, section 2(a) of the
5 state Constitution.

6 **Sec. 31.** RCW 70.44.235 and 1987 c 138 s 4 are each amended to read
7 as follows:

8 (1) As provided in this section, a public hospital district may
9 withdraw areas from its boundaries, or reannex areas into the public
10 hospital district that previously had been withdrawn from the public
11 hospital district under this section.

12 (2) The withdrawal of an area shall be authorized upon: (a)
13 Adoption of a resolution by the hospital district commissioners
14 requesting the withdrawal and finding that, in the opinion of the
15 commissioners, inclusion of this area within the public hospital
16 district will result in a reduction of the district's tax levy rate
17 under the provisions of RCW 84.52.010; and (b) adoption of a resolution
18 by the city or town council approving the withdrawal, if the area is
19 located within the city or town, or adoption of a resolution by the
20 county legislative authority of the county within which the area is
21 located approving the withdrawal, if the area is located outside of a
22 city or town. A withdrawal shall be effective at the end of the day on
23 the thirty-first day of December in the year in which the resolutions
24 are adopted, but for purposes of establishing boundaries for property
25 tax purposes, the boundaries shall be established immediately upon the
26 adoption of the second resolution.

27 The withdrawal of an area from the boundaries of a public hospital
28 district shall not exempt any property therein from taxation for the
29 purpose of paying the costs of redeeming any indebtedness of the public
30 hospital district existing at the time of the withdrawal.

31 (3) An area that has been withdrawn from the boundaries of a public
32 hospital district under this section may be reannexed into the public
33 hospital district upon: (a) Adoption of a resolution by the hospital
34 district commissioners proposing the reannexation; and (b) adoption of
35 a resolution by the city or town council approving the reannexation, if
36 the area is located within the city or town, or adoption of a
37 resolution by the county legislative authority of the county within

1 which the area is located approving the reannexation, if the area is
2 located outside of a city or town. The reannexation shall be effective
3 at the end of the day on the thirty-first day of December in the year
4 in which the adoption of the second resolution occurs, but for purposes
5 of establishing boundaries for property tax purposes, the boundaries
6 shall be established immediately upon the adoption of the second
7 resolution. Referendum action on the proposed reannexation may be
8 taken by the voters of the area proposed to be reannexed if a petition
9 calling for a referendum is filed with the city or town council, or
10 county legislative authority, within a thirty-day period after the
11 adoption of the second resolution, which petition has been signed by
12 registered voters of the area proposed to be reannexed equal in number
13 to ten percent of the total number of the registered voters residing in
14 that area.

15 If a valid petition signed by the requisite number of registered
16 voters has been so filed, the effect of the resolutions shall be held
17 in abeyance and a ballot proposition to authorize the reannexation
18 shall be submitted to the voters of the area at the next special
19 election date (~~(specified in RCW 29.13.020 that occurs forty five or~~
20 ~~more days after the petitions have been validated)~~) according to RCW
21 29A.04.330. Approval of the ballot proposition authorizing the
22 reannexation by a simple majority vote shall authorize the
23 reannexation.

24 NEW SECTION. **Sec. 32.** The following acts or parts of acts are
25 each repealed:

- 26 (1) RCW 29A.04.158 (September primary) and 2004 c 271 s 187;
27 (2) RCW 29A.04.311 (Primaries) and 2004 c 271 s 105; and
28 (3) RCW 29A.24.211 (Lapse of election when no filing for single
29 positions--Effect) and 2004 c 271 s 116.

30 NEW SECTION. **Sec. 33.** This act takes effect January 1, 2006."

ADOPTED 03/07/2005

1 On page 1, line 2 of the title, after "procedures;" strike the
2 remainder of the title and insert "amending RCW 29A.04.321, 29A.04.330,
3 29A.24.040, 29A.24.050, 29A.24.171, 29A.24.181, 29A.24.191, 29A.40.070,
4 29A.56.030, 29A.60.190, 29A.64.070, 27.12.355, 27.12.370, 35.02.086,
5 35.06.070, 35.13.1821, 35.61.360, 35A.14.299, 36.93.030, 42.12.040,
6 42.17.080, 52.02.080, 52.04.056, 52.04.071, 53.04.110, 54.08.010,
7 54.08.070, 57.04.050, and 70.44.235; reenacting and amending RCW
8 29A.04.310 and 29A.24.210; repealing RCW 29A.04.158, 29A.04.311, and
9 29A.24.211; and providing an effective date."

EFFECT: (1) Reinstates the thirty-day blackout period at the end of the regular session.

(2) Leaves in place the requirement to begin filing monthly contribution reports (C-3) four months before the February, March, April, and May special elections instead of five months before, as the bill requires for the general election.

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