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HOUSE BILL 1143

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives Van Luven, G. Fisher, Reams, Bray, Edmondson, Brough and Springer

Read first time 01/18/93. Referred to Committee on Local Government.

1 AN ACT Relating to community councils in cities and towns; amending  
2 RCW 35.14.010; adding a new section to chapter 35.10 RCW; and adding a  
3 new section to chapter 35A.14 RCW.

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

5 **Sec. 1.** RCW 35.14.010 and 1985 c 281 s 24 are each amended to read  
6 as follows:

7 Whenever unincorporated territory is annexed by a city or town  
8 pursuant to the provisions of chapter 35.13 RCW, or whenever  
9 unincorporated territory is annexed to a code city pursuant to the  
10 provisions of chapter 35A.14 RCW, community municipal corporations may  
11 be organized (~~(in the manner provided for in this 1967 amendatory act)~~)  
12 for the territory comprised of all or a part of an unincorporated area  
13 annexed to a city or town pursuant to chapter 35.13 or 35A.14 RCW, if:  
14 (1) The service area is such as would be eligible for incorporation as  
15 a city or town; or (2) the service area has a minimum population of not  
16 less than three hundred inhabitants and ten percent of the population  
17 of the annexing city or town; or (3) the service area has a minimum  
18 population of not less than one thousand inhabitants.

1 Whenever two or more cities are consolidated pursuant to the  
2 provisions of chapter 35.10 RCW, a community municipal corporation may  
3 be organized within one or more of the consolidating cities.

4 No territory shall be included in the service area of more than one  
5 community municipal corporation. Whenever a new community municipal  
6 corporation is formed embracing all of the territory of an existing  
7 community municipal corporation, the prior existing community municipal  
8 corporation shall be deemed to be dissolved on the effective date of  
9 the new corporation.

10 NEW SECTION. Sec. 2. A new section is added to chapter 35.10 RCW  
11 to read as follows:

12 Voters of one or more of the cities that are proposed to be  
13 consolidated may have a ballot proposition submitted to them  
14 authorizing the simultaneous creation of a community municipal  
15 corporation and election of community council members as provided for  
16 under chapter 35.14 RCW. The joint resolution that initiates a  
17 consolidation under RCW 35.10.410 may provide for the question of  
18 whether a community municipal corporation shall be created to be  
19 submitted to the voters of one or more of the cities that are proposed  
20 to be consolidated as a separate ballot measure from the ballot measure  
21 authorizing the consolidation or as part of the same ballot measure  
22 authorizing the consolidation. The petitions that are signed by the  
23 voters of each of the cities that are proposed to be consolidated under  
24 RCW 35.10.420 may provide for the question of whether to create a  
25 community municipal corporation to be submitted to the voters of that  
26 city as a separate ballot measure from the ballot measure authorizing  
27 the consolidation or as part of the same ballot measure authorizing the  
28 consolidation.

29 The ballots shall contain the words "For consolidation and creation  
30 of community municipal corporation" and "Against consolidation and  
31 creation of community municipal corporation," or "For creation of  
32 community municipal corporation" and "Against creation of community  
33 municipal corporation," as the case may be. Approval of either  
34 optional ballot proposition shall be by simple majority vote of the  
35 voters voting on the proposition, but the consolidation must be  
36 authorized by the voters of each city proposed to be consolidated  
37 before a community municipal corporation is created.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 35A.14 RCW  
2 to read as follows:

3        The resolution initiating the annexation of territory under RCW  
4 35A.14.015, and the petition initiating the annexation of territory  
5 under RCW 35A.14.020, may provide for the simultaneous creation of a  
6 community municipal corporation and election of community council  
7 members as provided for in chapter 35.14 RCW, as separate ballot  
8 measures or as part of the same ballot measure authorizing the  
9 annexation, or for the simultaneous inclusion of the annexed area into  
10 a named existing community municipal corporation operating under  
11 chapter 35.14 RCW, as separate ballot measures or as part of the same  
12 ballot measure authorizing the annexation. If the petition so provides  
13 for the creation of a community municipal corporation and election of  
14 community council members, the petition shall describe the boundaries  
15 of the proposed service area, state the number of voters residing  
16 therein as nearly as may be, and pray for the election of community  
17 council members by the voters residing in the service area.

18        The ballots shall contain the words "For annexation and creation of  
19 community municipal corporation" and "Against annexation and creation  
20 of community municipal corporation," or "For creation of community  
21 municipal corporation" and "Against creation of community municipal  
22 corporation," as the case may be. Approval of either optional ballot  
23 proposition shall be by simple majority vote of the voters voting on  
24 the proposition, but the annexation must be authorized before a  
25 community municipal corporation is created.

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