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ENGROSSED SUBSTITUTE HOUSE BILL 1660

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State of Washington

55th Legislature

1997 Regular Session

By House Committee on Government Reform & Land Use (originally sponsored by Representative Koster)

Read first time 03/05/97.

1 AN ACT Relating to the creation of Skykomish county, subject to the  
2 requirements of the state Constitution and statutes in respect to the  
3 establishment of new counties; amending RCW 36.04.310, 36.04.170,  
4 36.04.040, 2.08.064, and 3.34.010; adding a new section to chapter  
5 36.04 RCW; creating new sections; providing an effective date;  
6 providing a contingent effective date; and declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that the population of  
9 the proposed Skykomish county, and the areas remaining in Snohomish  
10 county and King county after the creation of Skykomish county, meet the  
11 population requirements in Article XI, section 3 of the state  
12 Constitution, and that petitions exist proposing the creation of  
13 Skykomish county with sufficient valid signatures under the  
14 requirements of Article XI, section 3 of the state Constitution, to  
15 allow the legislature to create Skykomish county.

16

**PART I - ELECTION**

1        NEW SECTION.    **Sec. 101.**    At the next general election after the  
2 effective date of this section, the question of creation of Skykomish  
3 county shall be submitted to the voters residing within the boundaries  
4 of the proposed Skykomish county. The question shall be presented on  
5 the ballot in substantially the following form: Shall the new county  
6 of Skykomish be created? - yes or no? If a majority of those voting on  
7 the question vote in favor of creation of Skykomish county, Skykomish  
8 county shall be created as provided in this act. If a majority of  
9 those voting on the question vote against creation of Skykomish county,  
10 Skykomish county shall not be created and sections 201 through 204, 301  
11 through 313, 401 through 404, 501 through 504, 601, and 602 of this act  
12 are null and void.

13        NEW SECTION.    **Sec. 102.**    Thirty days before the election required  
14 in section 101 of this act, the Snohomish county auditor shall  
15 establish three commissioner districts in the proposed Skykomish county  
16 subject to the criteria in RCW 29.70.100(4). These county commissioner  
17 districts shall be used as provided in RCW 36.32.040 for residency  
18 purposes and in a primary and general election as provided in section  
19 303 of this act to nominate candidates for the county commissioner  
20 position from each district. The commissioner districts shall remain  
21 in effect unless altered by the interim board of county commissioners  
22 or a subsequent board of county commissioners.

23        NEW SECTION.    **Sec. 103.**    The Snohomish county auditor shall conduct  
24 the election described in section 101 of this act. The King county  
25 auditor shall cooperate with the Snohomish county auditor with respect  
26 to the area of the proposed Skykomish county that is in King county.  
27 The cost of conducting the election shall be paid by Snohomish county  
28 if Skykomish county is not created. If Skykomish county is created,  
29 Skykomish county shall reimburse Snohomish county for all election  
30 costs including the election to create Skykomish county, and the  
31 primary and general election to elect the interim county officers.

32        NEW SECTION.    **Sec. 104.**    Skykomish county shall consist of the  
33 territory bounded as follows, to wit: Commencing at the point where  
34 the east margin of the High Bridge road intersects with the boundary of  
35 King county at the township line between townships twenty-six and  
36 twenty-seven north of the Willamette Meridian; thence east along this

1 township line between townships twenty-six and twenty-seven north to  
2 its intersection with the range line between ranges nine and ten east;  
3 thence south along this range line between ranges nine and ten east to  
4 its intersection with the township line between townships twenty-five  
5 and twenty-six north; thence east along this township line between  
6 townships twenty-five and twenty-six north to its intersection with the  
7 summit of the Cascade mountains; thence northerly along the summit of  
8 the Cascade mountains to its intersection with the township line  
9 between townships twenty-nine and thirty north; thence west along this  
10 township line between townships twenty-nine and thirty north to its  
11 intersection with the east margin of the Northern Pacific railroad  
12 right of way, which is also known as centennial trail, as it exists on  
13 January 1, 1997; thence southerly along this east margin of the  
14 Northern Pacific railroad right of way to its intersection with the  
15 boundaries of the city of Snohomish, as those boundaries existed on  
16 January 1, 1997; thence southerly and easterly and thence westerly  
17 along these boundaries of the city of Snohomish, as those boundaries  
18 existed on January 1, 1997, to their intersection with the Snohomish  
19 river; thence west to the centerline of the main channel of the  
20 Snohomish river; thence southerly upstream along this centerline of the  
21 main channel of the Snohomish river to its intersection with the  
22 centerline of the main channel of the Snoqualmie river; thence  
23 southerly upstream along this centerline of the main channel of the  
24 Snoqualmie river to its intersection with the southern margin of  
25 Crescent Lake road; thence southwesterly along this southern margin of  
26 the Crescent Lake road to its intersection with the east margin of High  
27 Bridge road; thence southerly along this east margin of High Bridge  
28 road to the place of beginning.

29

## PART II - LEGAL DESCRIPTIONS

30 NEW SECTION. **Sec. 201.** A new section is added to chapter 36.04  
31 RCW to read as follows:

32 Skykomish county shall consist of the territory bounded as follows,  
33 to wit: Commencing at the point where the east margin of the High  
34 Bridge road intersects with the boundary of King county at the township  
35 line between townships twenty-six and twenty-seven north of the  
36 Willamette Meridian; thence east along this township line between  
37 townships twenty-six and twenty-seven north to its intersection with

1 the range line between ranges nine and ten east; thence south along  
2 this range line between ranges nine and ten east to its intersection  
3 with the township line between townships twenty-five and twenty-six  
4 north; thence east along this township line between townships twenty-  
5 five and twenty-six north to its intersection with the summit of the  
6 Cascade mountains; thence northerly along the summit of the Cascade  
7 mountains to its intersection with the township line between townships  
8 twenty-nine and thirty north; thence west along this township line  
9 between townships twenty-nine and thirty north to its intersection with  
10 the east margin of the Northern Pacific railroad right of way, which is  
11 also known as centennial trail, as it exists on January 1, 1997; thence  
12 southerly along this east margin of the Northern Pacific railroad right  
13 of way to its intersection with the boundaries of the city of  
14 Snohomish, as those boundaries existed on January 1, 1997; thence  
15 southerly and easterly and thence westerly along these boundaries of  
16 the city of Snohomish, as those boundaries existed on January 1, 1997,  
17 to their intersection with the Snohomish river; thence west to the  
18 centerline of the main channel of the Snohomish river; thence southerly  
19 upstream along this centerline of the main channel of the Snohomish  
20 river to its intersection with the centerline of the main channel of  
21 the Snoqualmie river; thence southerly upstream along this centerline  
22 of the main channel of the Snoqualmie river to its intersection with  
23 the southern margin of Crescent Lake road; thence southwesterly along  
24 this southern margin of the Crescent Lake road to its intersection with  
25 the east margin of High Bridge road; thence southerly along this east  
26 margin of High Bridge road to the place of beginning.

27 **Sec. 202.** RCW 36.04.310 and 1877 p 426 s 3 are each amended to  
28 read as follows:

29 Snohomish county shall consist of the territory bounded as follows,  
30 to wit: Commencing at the southwest corner of Skagit county; thence  
31 east along the eighth standard parallel to the summit of the Cascade  
32 mountains; thence southerly along the summit of the Cascade mountains  
33 to ~~((the northeast corner of King county, it being a point due east of~~  
34 ~~the northeast corner of township twenty six north, range four east))~~  
35 its intersection with the township line between townships twenty-nine  
36 and thirty north; thence west along this township line between  
37 townships twenty-nine and thirty north to its intersection with the  
38 east margin of the Northern Pacific railroad right of way, which is

1 also known as centennial trail, as it exists on January 1, 1997; thence  
2 southerly along this east margin of the Northern Pacific railroad right  
3 of way to its intersection with the boundaries of the city of  
4 Snohomish, as those boundaries existed on January 1, 1997; thence  
5 southerly and easterly and thence westerly along the boundaries of the  
6 city of Snohomish, as those boundaries existed on January 1, 1997, to  
7 their intersection with the Snohomish river; thence west to the  
8 centerline of the main channel of the Snohomish river; thence southerly  
9 upstream along this centerline of the main channel of the Snohomish  
10 river to its intersection with the centerline of the main channel of  
11 the Snoqualmie river; thence southerly upstream along this centerline  
12 of the main channel of the Snoqualmie river to its intersection with  
13 the southern margin of Crescent Lake road; thence southwesterly along  
14 this southern margin of the Crescent Lake road to its intersection with  
15 the east margin of High Bridge road; thence southerly along this east  
16 margin of High Bridge road to its intersection with the boundary of  
17 King county at the township line between townships twenty-six and  
18 twenty-seven north; thence due west along the north boundary of King  
19 county to Puget Sound; thence northerly along the channel of Puget  
20 Sound and Possession Sound to the entrance of Port Susan, including  
21 Gedney Island; thence northerly up the main channel of Port Susan to  
22 the mouth of the Stillaguamish river; thence northwesterly through the  
23 channel of the slough at the head of Camano Island, known as Davis  
24 Slough; thence northerly to the place of beginning.

25       **Sec. 203.** RCW 36.04.170 and 1 H.C. s 13 are each amended to read  
26 as follows:

27       King county shall consist of the territory bounded as follows, to  
28 wit: Beginning at the point of intersection of the center of East  
29 Passage (also known as Admiralty Inlet) on Puget Sound and the  
30 northerly line of the Puyallup Indian Reservation (projected  
31 northwesterly); thence southeasterly in a straight line along said  
32 northerly line of Puyallup Indian Reservation and same extended to a  
33 point on the east line of section thirty-one, township twenty-one,  
34 north, range four east, Willamette Meridian; thence south along said  
35 east line of section thirty-one, township twenty-one, range four east,  
36 Willamette Meridian, to the township line between township twenty north  
37 and township twenty-one north (being the fifth standard parallel  
38 north); thence east along said township line between township twenty

1 north and township twenty-one north to the middle of the main channel  
2 of White river, near the northeast corner of section three, township  
3 twenty north, range five east, Willamette Meridian; thence upstream  
4 along the middle of the main channel of White river to the forks of  
5 White river and Greenwater river; thence upstream along the middle of  
6 the main channel of the Greenwater river to the forks of the Greenwater  
7 river and Meadow creek; thence upstream along the middle of the main  
8 channel of Meadow creek to the summit of the Cascade mountains, at a  
9 point known as Naches Pass, said point lying in the southwest quarter  
10 of section thirty-five, township nineteen north, range eleven east,  
11 Willamette Meridian; thence northerly along the summit of the Cascade  
12 mountains to ~~((a point on))~~ its intersection with the township line  
13 between townships ~~((twenty-six north and township twenty-seven north,~~  
14 ~~said point lying near the north quarter corner of section three,~~  
15 ~~township twenty-six north, range thirteen east, Willamette Meridian))~~  
16 twenty-five and twenty-six north; thence west along this township line  
17 between townships twenty-five and twenty-six north to its intersection  
18 with the range line between ranges nine and ten east; thence north  
19 along this range line between ranges nine and ten east to its  
20 intersection with the township line between townships twenty-six and  
21 twenty-seven north; thence west along said township line between  
22 township twenty-six north and twenty-seven north to the middle of the  
23 channel known as Admiralty Inlet on Puget Sound; thence southerly along  
24 said middle of channel known as Admiralty Inlet through Colvo's Passage  
25 (West Passage) on the west side of Vashon Island to a point due north  
26 of Point Defiance; thence southeasterly along middle of channel between  
27 Vashon Island and Point Defiance (Dalcos Passage) to a point due south  
28 of Quartermaster Harbor; thence northeasterly along middle of channel  
29 known as Admiralty Inlet to point of beginning.

30 **Sec. 204.** RCW 36.04.040 and 1899 c 95 s 1 are each amended to read  
31 as follows:

32 Chelan county shall consist of the territory bounded as follows, to  
33 wit: Beginning at the point of intersection of the middle of the main  
34 channel of the Columbia river with the fifth standard parallel north,  
35 thence running west along said fifth standard parallel north to the  
36 point where said fifth standard parallel north intersects the summit of  
37 the main divide between the waters flowing northerly and easterly into  
38 the Wenatchee and Columbia rivers, and the waters flowing southerly and

1 westerly into the Yakima river, thence in a general northwesterly  
2 direction along the summit of said main divide between the waters  
3 flowing northerly and easterly into the Wenatchee and Columbia rivers  
4 and the waters flowing southerly and westerly into the Yakima river,  
5 following the course of the center of the summit of the watershed  
6 dividing the said respective waters, to the center of the summit of the  
7 Cascade mountains, at the eastern boundary line of King county; thence  
8 north along the east boundary lines of King, Skykomish, Snohomish, and  
9 Skagit counties to the point upon the said east boundary of Skagit  
10 county, where said boundary is intersected by the watershed between the  
11 waters flowing northerly and easterly into the Methow river and the  
12 waters flowing southerly and westerly into Lake Chelan, thence in a  
13 general southeasterly direction along the summit of the main divide  
14 between the waters flowing northerly and easterly into the Methow river  
15 and the waters flowing westerly and southerly into Lake Chelan and its  
16 tributaries; following the course of the center of the summit of the  
17 watershed dividing said respective waters, to the point where the  
18 seventh standard parallel north intersects said center of the summit of  
19 said watershed; thence east along the said seventh standard parallel  
20 north to the point of intersection of the middle of the main channel of  
21 the Columbia river with said seventh standard parallel north; thence  
22 down the middle of the main channel of the Columbia river to the point  
23 of beginning.

24           **PART III - TRANSITION PERIOD AND OFFICIAL DATE OF CREATION**

25           NEW SECTION.   **Sec. 301.** The official date of creating Skykomish  
26 county shall be January 1, 1999. As provided in section 305 of this  
27 act, an interim transition period shall exist commencing on the date  
28 the interim elected officials of Skykomish county assume office and  
29 continuing until the official date of creating Skykomish county.

30           The following shall occur during this interim period: (1) County  
31 facilities and services will continue to be provided by Snohomish  
32 county in those portions of Snohomish county that will be stricken and  
33 become part of Skykomish county and by King county in those portions of  
34 King county that will be stricken and become part of Skykomish county;  
35 (2) property and activities in the portion of Snohomish county that  
36 will become part of Skykomish county shall remain subject to the  
37 governmental jurisdiction and taxing authority of Snohomish county, and

1 property and activities in the portion of King county that will become  
2 part of Skykomish county shall remain subject to the governmental  
3 jurisdiction and taxing authority of King county; (3) interim elected  
4 officials for Skykomish county shall assume partial jurisdiction to  
5 provide for a smooth transition of the area into Skykomish county; and  
6 (4) the voters of Skykomish county shall be the resident voters of  
7 Snohomish county and King county who reside in what will become  
8 Skykomish county, and these Skykomish county voters shall elect the  
9 elected officials for Skykomish county who assume office at the end of  
10 the interim period and shall vote on any ballot propositions submitted  
11 to them by the interim board of county commissioners of Skykomish  
12 county.

13 To avoid double voting powers, the voters of Snohomish and King  
14 counties during this interim period shall only be the voters of those  
15 counties residing in what will remain of Snohomish county or King  
16 county on the official date of creating Skykomish county and voters of  
17 Skykomish county shall not participate in any county election matters  
18 relating to Snohomish or King counties. During the period from the  
19 effective date of this section until the official date of creating  
20 Skykomish county, any ballot proposition authorizing debt or excess  
21 levies for King county or Snohomish county shall only encumber the  
22 property in King county or Snohomish county as the boundaries exist on  
23 the official date of creating Skykomish county.

24 During the interim period, Snohomish and King counties shall  
25 receive federal, state, and other moneys allocated to those counties as  
26 if Skykomish county were not created. Skykomish county shall be  
27 eligible to receive federal, state, and other moneys after the official  
28 date of creating the county.

29 NEW SECTION. **Sec. 302.** Interim elected officials of Skykomish  
30 county shall be elected in 1998 for each of the elected positions of a  
31 county with the population of Skykomish county as specified under RCW  
32 36.16.030. The Snohomish county auditor shall open a three day special  
33 filing period for persons to file declarations of their candidacies for  
34 the interim county elected officials for Skykomish county. The filing  
35 period shall be the first three business days following the date of  
36 certification of the election to form Skykomish county. A primary  
37 shall be held to nominate candidates for Skykomish county elected  
38 positions at the February, 1998 special election date specified in RCW



1 29.13.010. Each candidate for the office of county commissioner shall  
2 file for one of the three separate county commissioner positions and  
3 county commissioner districts shall be used to nominate candidates for  
4 the interim offices of county commissioner. The candidates' names  
5 shall appear on the ballot in alphabetical order under the title of the  
6 position for which each has filed.

7 An election shall be held to elect the interim county elected  
8 officials at the April, 1998 election date specified in RCW 29.13.010.  
9 The newly elected county officials shall assume office immediately upon  
10 the certification of the election with limited powers during the  
11 interim period as provided in this act and full powers commencing  
12 January 1, 1999. The county officials elected in 1998 shall hold  
13 office until their successors are elected, qualified, and assume office  
14 in January 1, 2000.

15 NEW SECTION. **Sec. 303.** A primary and general election shall be  
16 held at the normal times in 1999 to nominate and elect the successors  
17 of the county officials elected in 1998, who shall take office on  
18 January 1, 2000. This primary and general election shall be conducted  
19 by the Skykomish county auditor, with the assistance of Snohomish and  
20 King county election officials. The two county commissioners who are  
21 elected receiving the two greatest numbers of votes shall be elected to  
22 four-year terms of office, and the other county commissioner who is  
23 elected shall be elected to a two-year term of office. All the other  
24 county elected officials shall be elected to four-year terms of office.

25 NEW SECTION. **Sec. 304.** All ordinances, rules, and regulations of  
26 Snohomish county that were in effect in the portion of Skykomish county  
27 that will be stricken from Snohomish county, and all ordinances, rules,  
28 and regulations of King county that were in effect in the portion of  
29 Skykomish county that will be stricken from King county, shall remain  
30 in effect until the effective date of an amendment or repeal of these  
31 ordinances, rules, or regulations by the board of county commissioners  
32 of Skykomish county.

33 NEW SECTION. **Sec. 305.** An interim period shall exist commencing  
34 on the date the interim Skykomish county elected officials assume  
35 office and continuing until the official date of creating Skykomish  
36 county.

1 During this interim period, the interim county elected officials  
2 are authorized to provide for the transition of the area into Skykomish  
3 county, including the authority to adopt ordinances that become  
4 effective on or after the official date of creating Skykomish county  
5 and to enter into contracts and agreements facilitating the transition  
6 into a new county and ensuring a continuation of governmental services  
7 during the interim period and after the official date of creating  
8 Skykomish county.

9 The first meeting of the interim board of county commissioners of  
10 Skykomish county shall be held within one week of the certification of  
11 the results of their elections at a time, date, and place in Skykomish  
12 county designated by the Snohomish county executive. The Snohomish  
13 county executive shall cause notice of this first meeting to be  
14 published and provide for facilities and staffing for this first  
15 meeting. The person elected as an interim county commissioner of  
16 Skykomish county receiving the greatest number of votes shall act as  
17 the temporary chair of that first meeting until the interim board of  
18 county commissioners elects its chair, which shall be its first order  
19 of business.

20 Proposed county ordinances that are considered by the interim board  
21 of commissioners shall be published to the same extent as proposed  
22 county ordinances are required to be published after a county is  
23 created. However, any ordinances adopted by the interim board of  
24 commissioners at its initial meeting shall be published after they are  
25 adopted.

26 During the interim period, the interim board of commissioners and  
27 other interim county elected officials may acquire needed facilities,  
28 supplies, equipment, insurance, and staff during this interim period as  
29 if Skykomish county were in existence.

30 During the interim period, the interim board of county  
31 commissioners may adopt rules establishing policies and procedures  
32 under the state environmental policy act, chapter 43.21C RCW, and may  
33 use these rules and procedures in making determinations under the state  
34 environmental policy act, chapter 43.21C RCW. During this interim  
35 period, Skykomish county and the interim county elected officials shall  
36 be subject to the following as though the county were officially  
37 created: RCW 36.16.050 relating to the filing of bonds; RCW 4.24.470  
38 relating to immunity; chapter 42.17 RCW relating to open government;  
39 chapter 40.14 RCW relating to the preservation and disposition of

1 public records; chapters 42.20 and 42.23 RCW relating to ethics and  
2 conflicts of interest; chapters 42.30 and 42.32 RCW relating to open  
3 public meetings and minutes; RCW 36.72.075 relating to the designation  
4 of an official newspaper, except that the interim board of county  
5 commissioners may designate its official county newspaper at any  
6 meeting during the interim period; RCW 36.16.138 relating to liability  
7 insurance; RCW 36.32.240 through 36.32.270, chapter 36.77 RCW, and  
8 statutes referenced therein, relating to public contracts and bidding;  
9 and chapter 39.34 RCW relating to interlocal cooperation.

10 During the interim period, Skykomish county is subject to  
11 indebtedness limitations provided for a county in chapter 39.36 RCW,  
12 and Skykomish county may issue tax anticipation or revenue anticipation  
13 notes or warrants and other short-term obligations and funds may be  
14 borrowed on the security of these instruments during the interim  
15 period, as provided in chapter 39.50 RCW. Funds also may be borrowed  
16 from federal, state, and other governmental agencies in the same manner  
17 as if Skykomish county were officially created.

18 During the interim period, the interim board of county  
19 commissioners may submit ballot propositions to the voters of Skykomish  
20 county authorizing single year excess property tax levies as provided  
21 in RCW 84.52.052, as well as voter-approved general indebtedness and  
22 multiple year excess levies to retire the general indebtedness as  
23 provided in RCW 84.52.056 and 39.36.050, with the property taxes to be  
24 collected in 1999 and thereafter.

25 During the interim period, the interim board of county  
26 commissioners shall impose property taxes for Skykomish county and all  
27 taxing districts with boundaries in Skykomish county in 1998 for  
28 collection in 1999. For purposes of RCW 84.09.030 establishing the  
29 boundaries of taxing districts to impose property taxes in 1998 for  
30 collection in 1999, the boundaries of Skykomish county shall be as  
31 established in this act, the boundaries of Snohomish county shall be  
32 established to remove the portion of that county that is stricken to  
33 create Skykomish county, the boundaries of King county shall be  
34 established to remove the portion of that county that is stricken to  
35 create Skykomish county, the boundaries of the road district in  
36 Snohomish county shall include all territory in the Snohomish county  
37 road district after any territory in Skykomish county is stricken, the  
38 boundaries of the road district in King county shall include all  
39 territory in the King county road district after any territory in

1 Skykomish county is stricken, and a single road district shall exist in  
2 Skykomish county that includes all unincorporated territory in  
3 Skykomish county.

4 During the interim period, the interim board of county  
5 commissioners may adopt ordinances imposing excise taxes that counties  
6 are authorized to impose, to be collected after the official date of  
7 creation, including, but not limited to, sales and use taxes authorized  
8 in chapter 82.14 RCW and excise taxes on the sale of real estate  
9 authorized in chapter 82.46 RCW. If the ordinances imposing the excise  
10 taxes are adopted in a timely manner, these excise taxes shall begin to  
11 be collected by or for Skykomish county on the official date of  
12 creating Skykomish county. RCW 82.14.036 shall apply during the  
13 interim period.

14 NEW SECTION. **Sec. 306.** (1) During the interim period, meetings of  
15 the interim board of county commissioners may be held at any location  
16 within Skykomish county selected by the interim board of county  
17 commissioners. The county voters shall make the selection of the  
18 permanent county seat at the general election in 1998.

19 (2) A city, town, or other commonly named area within Skykomish  
20 county may be nominated as the permanent county seat in a petition  
21 submitted to and validated by the interim Skykomish county auditor,  
22 with the assistance of the Snohomish and King county auditors or  
23 election officials, that has been signed by voters residing in  
24 Skykomish county equal in number to at least one percent of the votes  
25 cast in Skykomish county in the 1997 general election. The petition  
26 shall be filed with the Skykomish county auditor during the regular  
27 filing period for the 1998 general election.

28 (3) The ballot proposition to select the county seat must list the  
29 names of the nominated cities, towns, or commonly named areas  
30 alphabetically. Each voter may select a single nominee. The nominee  
31 receiving the greatest number of votes shall be the permanent county  
32 seat of Skykomish county effective on the official date of creating  
33 Skykomish county until removed under general law.

34 NEW SECTION. **Sec. 307.** The department of community, trade, and  
35 economic development shall establish an initial annual salary for each  
36 elected official position in Skykomish county. The annual salary for  
37 each county elected official position in Skykomish county shall be the

1 average annual salary for the same position in noncharter counties of  
2 approximately the same population. The decision of the department of  
3 community, trade, and economic development establishing these annual  
4 salaries shall be final. The salary shall be paid during the interim  
5 period and thereafter until altered by the board of county  
6 commissioners of Skykomish county.

7 NEW SECTION. **Sec. 308.** Snohomish and King counties shall assist  
8 Skykomish county from the effective date of this section through the  
9 interim period and after the interim period for a reasonable period  
10 until Skykomish county is able to handle its affairs, including, but  
11 not limited to, providing services, work, staff, materials, supplies,  
12 equipment, and other property, and loaning money to Skykomish county.

13 Skykomish county shall pay Snohomish county and King county for the  
14 value of assistance those counties provide to Skykomish county after  
15 the interim period, which could be in the form of crediting the value  
16 of this assistance against any amount that Snohomish county or King  
17 county may be required to provide Skykomish county under sections 401  
18 through 404 of this act.

19 Snohomish and King counties shall continue financing maintenance  
20 and construction of county facilities and providing county services in  
21 Skykomish county from the effective date of this section through the  
22 interim period as if Skykomish county were not authorized to be  
23 created. During the period from the effective date of this section  
24 through the interim period, each officer of Snohomish and King counties  
25 shall retain authority over the portions in those counties of what will  
26 become Skykomish county as if Skykomish county were not authorized to  
27 be created.

28 NEW SECTION. **Sec. 309.** Budgets for the interim period and the  
29 initial budget for Skykomish county effective for the first calendar  
30 year after the interim period shall be adopted as provided in this  
31 section.

32 The interim board of county commissioners shall adopt an interim  
33 budget or budgets for the interim period in consultation with the  
34 office of the state auditor. The initial interim budget may authorize  
35 the expenditure of moneys in a general sense without specific detail.

36 In addition, the interim board of county commissioners shall adopt  
37 a budget for calendar year 1999 and may impose property taxes in 1998

1 to be collected in 1999. A public hearing shall be held on the  
2 proposed budget for this budget prior to its adoption. A budget  
3 message shall be prepared for the proposed budget that contains an  
4 explanation of the budget document, an outline of the recommended  
5 financial policies and programs of the county for the ensuing fiscal  
6 year, and a statement of the relation of the recommended appropriation  
7 to such policies and programs. Immediately following the release of  
8 the preliminary budget, the interim board of county commissioners shall  
9 cause a notice of the public hearing on the budget to be published once  
10 each week for two consecutive weeks prior to the public hearing, which  
11 shall be held at least twenty days before the official date of  
12 creation. Any taxpayer may appear and be heard for or against any part  
13 of the budget. The interim board of county commissioners may make such  
14 adjustments and changes as it deems necessary and may adopt the final  
15 budget at the conclusion of the public hearing or at any time  
16 thereafter before the official date of creation.

17 NEW SECTION. **Sec. 310.** During the interim period, the interim  
18 board of county commissioners may borrow money from the state treasurer  
19 in amounts and on terms deemed prudent and reasonable by the state  
20 treasurer. The state treasurer may withhold moneys from the funds  
21 otherwise payable to the new county to assure repayment.

22 NEW SECTION. **Sec. 311.** Counties, cities, towns, and other local  
23 government agencies and state agencies may make loans of staff and  
24 equipment, and technical and financial assistance to Skykomish county  
25 during the interim period to facilitate its transition. Such loans and  
26 assistance may be with or without compensation.

27 NEW SECTION. **Sec. 312.** The department of community, trade, and  
28 economic development shall identify federal, state, and local agencies  
29 that should receive notification that Skykomish county is about to be  
30 created and shall assist Skykomish county during its interim period in  
31 providing such notification to the identified agencies.

32 NEW SECTION. **Sec. 313.** The interim county officers of Skykomish  
33 county during the interim period are subject to all state laws limiting  
34 the authority of or imposing obligations on such offices as if the new  
35 county were fully established.

1 **PART IV - DEBTS AND LIABILITIES, PROPERTY, AND ASSETS**

2 NEW SECTION. **Sec. 401.** Skykomish county shall be liable for a  
3 just proportion of the debts and liabilities of Snohomish county and  
4 King county, and entitled to its just proportion of the property and  
5 assets of Snohomish county and King county.

6 The division and distribution of these debts and liabilities,  
7 property, and assets shall be determined as provided in sections 402  
8 and 403 of this act, and the provisions of chapter 36.09 RCW shall not  
9 apply to the just distribution of these debts and liabilities,  
10 property, and assets.

11 NEW SECTION. **Sec. 402.** A negotiation party shall be appointed to  
12 distribute the debts and liabilities, property, and assets of Snohomish  
13 county between Snohomish county and Skykomish county, and a separate  
14 negotiation party shall be appointed to distribute the debts and  
15 liabilities, property, and assets of King county between King county  
16 and Skykomish county.

17 Each negotiation party shall consist of six persons, three  
18 appointed by the executive of either Snohomish county or King county  
19 and the other three appointed by the interim board of county  
20 commissioners of Skykomish county.

21 The first meeting of each negotiation party shall be at a  
22 convenient time, date, and place designated by the Snohomish county  
23 executive or the King county executive, which must be within thirty  
24 days after the date members of the interim board of county  
25 commissioners of Skykomish county assume office. If an impasse is  
26 reached in the negotiations of either negotiating party, either the  
27 parent county or Skykomish county may petition the department of  
28 community, trade, and economic development to engage in, and the  
29 department of community, trade, and economic development is authorized  
30 to provide, arbitration to determine the just division and distribution  
31 of the debts and liabilities, property, and assets. The results of the  
32 arbitration are binding on the parent county and Skykomish county.

33 NEW SECTION. **Sec. 403.** (1) The division and distribution of debts  
34 and liabilities, property, and assets of Snohomish county between  
35 Skykomish county and Snohomish county shall conform with the  
36 requirements and policies contained in this section. The division and

1 distribution of debts and liabilities, property, and assets of King  
2 county between Skykomish county and King county shall conform with the  
3 requirements and policies contained in this section.

4 As used in this section, the term "parent county" shall mean King  
5 county or Snohomish county.

6 (2) The physical location of real property, including roads and  
7 bridges, shall determine ownership of the real property. Real property  
8 of a parent county that is located within Skykomish county shall become  
9 the property of Skykomish county upon creation. All real property,  
10 including roads and bridges, of a parent county that is located within  
11 what will remain of the parent county shall remain the property of the  
12 parent county. There shall be no valuation, financial apportionment of  
13 equities, or compensation for equities of real property, roads, and  
14 bridges.

15 Any radio communication facilities located in Skykomish county,  
16 King county, or Snohomish county deemed necessary by the respective  
17 counties for the health, safety, and welfare shall be subject to a  
18 long-term lease negotiated by the respective negotiating parties during  
19 the interim period.

20 (3) Skykomish county shall be liable to the parent counties for any  
21 debts and liabilities of the parent counties associated with real  
22 property, including roads and bridges, located in Skykomish county of  
23 which it obtains ownership. Any debts or liabilities associated with  
24 real property, including roads and bridges, located within Snohomish  
25 county or King county after the creation of Skykomish county of which  
26 either parent county retains ownership shall be the liability of the  
27 parent counties respectively.

28 (4) All equipment owned by a parent county that is used in  
29 administration, construction, or maintenance of roads or bridges must  
30 be apportioned between Skykomish county and a parent county, so that  
31 Skykomish county receives a portion of this equipment that is in the  
32 same proportion that the number of miles of county roads in Skykomish  
33 county, that were part of that parent county, is to the total number of  
34 miles of county roads in the parent county before the creation of  
35 Skykomish county.

36 (5) All other assets of the parent county including personal  
37 property, leasehold interest, intangible property, such as cash,  
38 securities, and receivables including back taxes, surplus moneys, and  
39 any other monetary instruments, shall be apportioned in an equitable



1 manner which provides for a just apportionment between the parent  
2 counties and Skykomish county.

3 All remaining debts and liabilities of the parent county shall be  
4 apportioned in an equitable manner which provides for a just  
5 apportionment between the parent counties and Skykomish county.

6 (6) In apportioning the assets, debts, and liabilities between each  
7 parent county and Skykomish county, the remaining assets, debts, and  
8 liabilities of the parent county must be apportioned so that Skykomish  
9 county is assigned an amount of these assets, debts, and liabilities  
10 that is in the same proportion as the assessed valuation of Skykomish  
11 county, that was part of that parent county, is to the total assessed  
12 valuation in the parent county before creation of Skykomish county.  
13 The assessed valuations must be those used for taxes imposed in the  
14 year 1998 for collection in 1999.

15 This section may not be construed to affect the rights of  
16 creditors.

17 (7) The final figure determined under subsection (6) of this  
18 section shall be adjusted by crediting a parent county with any costs  
19 it incurred or will incur related to the creation of Skykomish county,  
20 which are subject to repayment by Skykomish county, any election costs  
21 it incurred or will incur related to Skykomish county, and the amount  
22 of any money it lent to Skykomish county. Any resulting obligation of  
23 a parent county to Skykomish county may be satisfied by agreements for  
24 the parent county to provide services, maintenance, and construction in  
25 Skykomish county after the interim period or future payments to  
26 Skykomish county. Any resulting obligation of Skykomish county to a  
27 parent county may be satisfied by future payments to the parent county.

28 (8) The distribution of debts and liabilities shall not be  
29 construed to affect the rights of creditors.

30 NEW SECTION. **Sec. 404.** Any real or personal property taxes,  
31 including any road taxes levied under RCW 36.82.040, levied by  
32 Snohomish or King county in 1998 for collection in 1999 with respect to  
33 the area of proposed Skykomish county that is in Snohomish or King  
34 county shall be transferred to Skykomish county.

35 **PART V - COURTS**

1       **Sec. 501.** RCW 2.08.064 and 1993 sp.s. c 14 s 1 are each amended to  
2 read as follows:

3       There shall be in the counties of Benton and Franklin jointly, five  
4 judges of the superior court; in the county of Clallam, two judges of  
5 the superior court; in the county of Jefferson, one judge of the  
6 superior court; in the ((county)) counties of Snohomish and Skykomish  
7 jointly, thirteen judges of the superior court; in the counties of  
8 Asotin, Columbia and Garfield jointly, one judge of the superior court;  
9 in the county of Cowlitz, four judges of the superior court; in the  
10 counties of Klickitat and Skamania jointly, one judge of the superior  
11 court.

12       **Sec. 502.** RCW 3.34.010 and 1995 c 168 s 1 are each amended to read  
13 as follows:

14       The number of district judges to be elected in each county shall  
15 be: Adams, two; Asotin, one; Benton, three; Chelan, two; Clallam, two;  
16 Clark, five; Columbia, one; Cowlitz, two; Douglas, one; Ferry, one;  
17 Franklin, one; Garfield, one; Grant, two; Grays Harbor, two; Island,  
18 one; Jefferson, one; King, twenty-six; Kitsap, three; Kittitas, two;  
19 Klickitat, two; Lewis, two; Lincoln, one; Mason, one; Okanogan, two;  
20 Pacific, two; Pend Oreille, one; Pierce, eleven; San Juan, one; Skagit,  
21 two; Skamania, one; Skykomish, one; Snohomish, seven; Spokane, nine;  
22 Stevens, one; Thurston, two; Wahkiakum, one; Walla Walla, two; Whatcom,  
23 two; Whitman, one; Yakima, four. This number may be increased only as  
24 provided in RCW 3.34.020.

25       NEW SECTION. **Sec. 503.** A district court judge of Skykomish county  
26 shall be elected at the 1998 general election to a four-year term of  
27 office.

28       NEW SECTION. **Sec. 504.** The district court for Skykomish county  
29 shall obtain jurisdiction over all new matters over which the court  
30 otherwise has jurisdiction pursuant to the state Constitution and state  
31 law filed after the interim period. The district courts of Snohomish  
32 and King counties shall retain jurisdiction of any matters pending  
33 before them or on appeal from them prior to the end of the interim  
34 period unless all parties to such matter stipulate to a change of venue  
35 to the district court of Skykomish county.

1 All pleadings, process, documents, and files in the offices of  
2 officers of the district courts of Snohomish or King counties  
3 pertaining to actions and proceedings transferred to the district court  
4 of Skykomish county must be certified and transferred to the  
5 appropriate county officers of the district court of Skykomish county.

6 **PART VI - MISCELLANEOUS**

7 NEW SECTION. **Sec. 601.** All records, documents, and papers in the  
8 offices of Snohomish and King counties that provide the functions of a  
9 county auditor, county assessor, county treasurer, and other county  
10 officers, affecting the title or possession of real property in  
11 Skykomish county, assessed valuation of property located in Skykomish  
12 county, registration of voters residing in Skykomish county, or other  
13 appropriate matters, must be certified by the appropriate county  
14 official of Snohomish or King county and transferred to the appropriate  
15 county officials and officers of Skykomish county at no cost to  
16 Skykomish county. Certified copies shall be provided if the original  
17 records, documents, or papers are not transferred. The appropriate  
18 county officials of Snohomish or King county and Skykomish county may  
19 agree to transfers utilizing electronic, photostatic, mechanical, or  
20 other methods that adequately ensure the accuracy of the transferred  
21 information. Subject to copyright restrictions, Snohomish county and  
22 King county shall provide computer programs and software for  
23 maintenance and daily application of recordkeeping and data base  
24 management at no cost to Skykomish county.

25 Any original document relating to real property or matters in  
26 Skykomish county that King or Snohomish county deems expendable and  
27 will be destroyed shall be transferred to Skykomish county.

28 The records, documents, and papers, or certified copies, shall be  
29 transferred when Skykomish county has facilities and staffing that are  
30 adequate to provide sufficient security for the transferred items and  
31 allow reasonable access to these items.

32 NEW SECTION. **Sec. 602.** Except as provided in this section, the  
33 creation of Skykomish county shall not affect the boundaries of a city,  
34 town, or special district, including a port district or public utility  
35 district, of any kind.

1 (1) Effective on the official date of creating Skykomish county,  
2 the road district in Snohomish county and the road district in King  
3 county shall have any territory removed that is included in Skykomish  
4 county.

5 (2) Effective on the official date of creating Skykomish county,  
6 the Sno-Isl intercounty rural library district shall become the Sno-  
7 Isl-Sky intercounty rural library district with the same boundaries it  
8 had as the Sno-Isl intercounty rural library district, and the library  
9 trustees shall remain in office for the remainder of their terms of  
10 office. An agreement shall be reached to include the board of county  
11 commissioners of Skykomish county in the process to appoint their  
12 successors, with the vote on each appointment distributed among the  
13 members of the county legislative authorities so that the combined  
14 total vote of all the members of a single county legislative authority  
15 is in direct proportion to the percentage of population from that  
16 county residing in the library district and each member of that county  
17 legislative authority receives an equal portion of that vote.

18 (3) Effective on the official date of creating Skykomish county,  
19 the King county rural library district shall become the Sky-King  
20 intercounty rural library district with the same boundaries it had as  
21 the King county rural library district and the library trustees shall  
22 remain in office for the remainder of their terms of office. An  
23 agreement shall be reached to include the board of county commissioners  
24 of Skykomish county in the process to appoint their successors, with  
25 the vote on each appointment distributed among the members of the  
26 county legislative authorities so that the combined total vote of all  
27 the members of a single county legislative authority is in direct  
28 proportion to the percentage of population from that county residing in  
29 the library district and each member of that county legislative  
30 authority receives an equal portion of that vote.

31 (4) Effective on the official date of creating Skykomish county,  
32 the boundaries of the prior metropolitan municipal corporation of  
33 Seattle, which was assumed by King county, shall be reduced to the  
34 boundaries of King county as they exist after territory is stricken  
35 from King county to create Skykomish county. To avoid the impairment  
36 of any contract, any indebtedness of the metropolitan municipal  
37 corporation of Seattle, or of King county that is associated with its  
38 authority to act as a metropolitan municipal corporation, that is  
39 secured with its taxing authority, shall remain in effect and the taxes

1 shall continue to be imposed in the portion of Skykomish county that  
2 was stricken from King county until the indebtedness is retired. In  
3 return, King county shall continue providing transit service to the  
4 portion of Skykomish county that was stricken from King county during  
5 the period in which such taxes are imposed.

6 NEW SECTION. **Sec. 603.** If any provision of this act or its  
7 application to any person or circumstance is held invalid, the  
8 remainder of the act or the application of the provision to other  
9 persons or circumstances is not affected.

10 NEW SECTION. **Sec. 604.** Sections 1 and 101 through 104 of this act  
11 are necessary for the immediate preservation of the public peace,  
12 health, or safety, or support of the state government and its existing  
13 public institutions, and take effect immediately. Sections 201 through  
14 204 of this act take effect January 1, 1999. Sections 301 through 313,  
15 401 through 404, 501 through 504, 601, and 602 of this act take effect  
16 upon certification that a majority of those voting on the question of  
17 the creation of Skykomish county voted in favor of the creation of  
18 Skykomish county.

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