

1 county shall be submitted to the voters residing within the boundaries
2 of the proposed Pioneer county. The question shall be presented on the
3 ballot in substantially the following form: Shall the new county of
4 Pioneer be created? - yes or no? If a majority of those voting on the
5 question vote in favor of creation of Pioneer county, Pioneer county
6 shall be created as provided in this act. If a majority of those
7 voting on the question vote against creation of Pioneer county, Pioneer
8 county shall not be created and sections 201 and 202, 301 through 313,
9 401 through 404, 501 through 504, and 601 and 602 of this act are null
10 and void.

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

21 NEW SECTION. **Sec. 103.** The Whatcom county auditor shall conduct
22 the election described in section 101 of this act. The cost of
23 conducting the election shall be paid by Whatcom county if Pioneer
24 county is not created. If Pioneer county is created, Pioneer county
25 shall reimburse Whatcom county for all election costs including the
26 election to create Pioneer county, and the primary and general election
27 to elect the interim county officers.

28 NEW SECTION. **Sec. 104.** Pioneer county shall consist of the
29 territory bounded as follows, to wit: Beginning at the point the
30 forty-ninth parallel of northern latitude intersects with the range
31 line between ranges two and three east of the Willamette Meridian;
32 thence south along this range line between ranges two and three east to
33 the township line between townships thirty-nine and thirty-eight north
34 of the Willamette Meridian; thence west along this township line
35 between townships thirty-nine and thirty-eight north to the Willamette
36 Meridian; thence north along the Willamette Meridian to the forty-ninth

1 parallel of northern latitude; thence east along the forty-ninth
2 parallel to the place of beginning.

3 **PART II - LEGAL DESCRIPTIONS**

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

6 Pioneer county shall consist of the territory bounded as follows,
7 to wit: Beginning at the point the forty-ninth parallel of northern
8 latitude intersects with the range line between ranges two and three
9 east of the Willamette Meridian; thence south along this range line
10 between ranges two and three east to the township line between
11 townships thirty-nine and thirty-eight north of the Willamette
12 Meridian; thence west along this township line between townships
13 thirty-nine and thirty-eight north to the Willamette Meridian; thence
14 north along the Willamette Meridian to the forty-ninth parallel of
15 northern latitude; thence east along the forty-ninth parallel to the
16 place of beginning.

17 **Sec. 202.** RCW 36.04.370 and 1 H.C. s 34 are each amended to read
18 as follows:

19 Whatcom county shall consist of the territory bounded as follows,
20 to wit: Commencing on the forty-ninth parallel of northern latitude at
21 the point ~~((dividing the American and British possessions))~~ boundary
22 line between the United States and Canada in the middle of the Gulf of
23 Georgia; thence southeasterly along ((said)) this boundary line between
24 the United States and Canada to where it deflects at the north entrance
25 to the Haro Strait; thence southeasterly along the northeasterly
26 boundary of San Juan county to the ninth standard parallel, or the
27 northwest corner of Skagit county; thence due east along ((said)) the
28 ninth standard parallel to the summit of the Cascade mountains; thence
29 northerly along the summit of ((said)) the Cascade mountains to the
30 forty-ninth parallel of north latitude; thence west along ((said)) the
31 forty-ninth parallel to its intersection with the range line between
32 ranges two and three east of the Willamette Meridian; thence south
33 along this range line between ranges two and three east to the township
34 line between townships thirty-nine and thirty-eight north of the
35 Willamette Meridian; thence west along this township line between
36 townships thirty-nine and thirty-eight north to the Willamette

1 Meridian; thence north along the Willamette Meridian to the forty-ninth
2 parallel of northern latitude; thence east along the forty-ninth
3 parallel to the place of beginning.

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

5 NEW SECTION. **Sec. 301.** The official date of creating Pioneer
6 county shall be January 1, 1999. As provided in section 305 of this
7 act, an interim transition period shall exist commencing on the date
8 the interim elected officials of Pioneer county assume office and
9 continuing until the official date of creating Pioneer county.

10 The following shall occur during this interim period: (1) County
11 facilities and services will continue to be provided by Whatcom county
12 in those portions of Whatcom county that will be stricken and become
13 part of Pioneer county; (2) property and activities in the portion of
14 Whatcom county that will become part of Pioneer county shall remain
15 subject to the governmental jurisdiction and taxing authority of
16 Whatcom county; (3) interim elected officials for Pioneer county shall
17 assume partial jurisdiction to provide for a smooth transition of the
18 area into Pioneer county; and (4) the voters of Pioneer county shall be
19 the resident voters of Whatcom county who reside in what will become
20 Pioneer county, and these Pioneer county voters shall elect the elected
21 officials for Pioneer county who assume office at the end of the
22 interim period and shall vote on any ballot propositions submitted to
23 them by the interim board of county commissioners of Pioneer county.

24 To avoid double voting powers, the voters of Whatcom county during
25 this interim period shall only be the voters of Whatcom county residing
26 in what will remain of Whatcom county on the official date of creating
27 Pioneer county and voters of Pioneer county shall not participate in
28 any county election matters relating to Whatcom county. During the
29 period from the effective date of this section until the official date
30 of creating Pioneer county, any ballot proposition authorizing debt or
31 excess levies for Whatcom county shall only encumber the property in
32 Whatcom county as the boundaries exist on the official date of creating
33 Pioneer county.

34 During the interim period, Whatcom county shall receive federal,
35 state, and other moneys allocated to that county as if Pioneer county
36 were not created. Pioneer county shall be eligible to receive federal,
37 state, and other moneys after the official date of creating the county.

1 NEW SECTION. **Sec. 302.** Interim elected officials of Pioneer
2 county shall be elected in 1998 for each of the elected positions of a
3 county with the population of Pioneer county as specified under RCW
4 36.16.030. The Whatcom county auditor shall open a three day special
5 filing period for persons to file declarations of their candidacies for
6 the interim county elected officials for Pioneer county. A primary
7 shall be held to nominate candidates for Pioneer county elected
8 positions at the February, 1998 special election date specified in RCW
9 29.13.010. Each candidate for the office of county commissioner shall
10 file for one of the three separate county commissioner positions and
11 county commissioner districts shall be used to nominate candidates for
12 the interim offices of county commissioner. The candidates' names
13 shall appear on the ballot in alphabetical order under the title of the
14 position for which each has filed.

15 An election shall be held to elect the interim county elected
16 officials at the April, 1998 election date specified in RCW 29.13.010.
17 The newly elected county officials shall assume office immediately upon
18 the certification of the election with limited powers during the
19 interim period as provided in this act and full powers commencing
20 January 1, 1999. The county officials elected in 1998 shall hold
21 office until their successors are elected, qualified, and assume office
22 in January 1, 2000.

23 NEW SECTION. **Sec. 303.** A primary and general election shall be
24 held at the normal times in 1999 to nominate and elect the successors
25 of the county elected officials elected in 1998, who shall take office
26 on January 1, 2000. This primary and general election shall be
27 conducted by the Pioneer county auditor, with the assistance of Whatcom
28 county election officials. The two county commissioners who are
29 elected receiving the two greatest numbers of votes shall be elected to
30 four-year terms of office, and the other county commissioner who is
31 elected shall be elected to a two-year term of office. All the other
32 county elected officials shall be elected to four-year terms of office.

33 NEW SECTION. **Sec. 304.** All ordinances, rules, and regulations of
34 Whatcom county that were in effect in the portion of Pioneer county
35 that will be stricken from Whatcom county shall remain in effect until
36 the effective date of an amendment or repeal of these ordinances,

1 rules, or regulations by the board of county commissioners of Pioneer
2 county.

3 NEW SECTION. **Sec. 305.** An interim period shall exist commencing
4 on the date the interim Pioneer county elected officials assume office
5 and continuing until the official date of creating Pioneer county.

6 During this interim period, the interim county elected officials
7 are authorized to provide for the transition of the area into Pioneer
8 county, including the authority to adopt ordinances that become
9 effective on or after the official date of creating Pioneer county and
10 to enter into contracts and agreements facilitating the transition into
11 a new county and ensuring a continuation of governmental services
12 during the interim period and after the official date of creating
13 Pioneer county.

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

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

30 During the interim period, the interim board of commissioners and
31 other interim county elected officials may acquire needed facilities,
32 supplies, equipment, insurance, and staff during this interim period as
33 if Pioneer county were in existence.

34 During the interim period, the interim board of county
35 commissioners may adopt rules establishing policies and procedures
36 under the state environmental policy act, chapter 43.21C RCW, and may
37 use these rules and procedures in making determinations under the state
38 environmental policy act, chapter 43.21C RCW. During this interim

1 period, Pioneer county and the interim county elected officials shall
2 be subject to the following as though the county were officially
3 created: RCW 36.16.050 relating to the filing of bonds; RCW 4.24.470
4 relating to immunity; chapter 42.17 RCW relating to open government;
5 chapter 40.14 RCW relating to the preservation and disposition of
6 public records; chapters 42.20 and 42.23 RCW relating to ethics and
7 conflicts of interest; chapters 42.30 and 42.32 RCW relating to open
8 public meetings and minutes; RCW 36.72.075 relating to the designation
9 of an official newspaper, except that the interim board of county
10 commissioners may designate its official county newspaper at any
11 meeting during the interim period; RCW 36.16.138 relating to liability
12 insurance; RCW 36.32.240 through 36.32.270, chapter 36.77 RCW, and
13 statutes referenced therein, relating to public contracts and bidding;
14 and chapter 39.34 RCW relating to interlocal cooperation.

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

23 During the interim period, the interim board of county
24 commissioners may submit ballot propositions to the voters of Pioneer
25 county authorizing single year excess property tax levies as provided
26 in RCW 84.52.052, as well as voter-approved general indebtedness and
27 multiple year excess levies to retire the general indebtedness as
28 provided in RCW 84.52.056 and 39.36.050, with the property taxes to be
29 collected in 1999 and thereafter.

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

1 after any territory in Pioneer county is stricken, and a single road
2 district shall exist in Pioneer county that includes all unincorporated
3 territory in Pioneer 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 Pioneer county on the official date of creating
12 Pioneer county. RCW 82.14.036 shall apply during the interim period.

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

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

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

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

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

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

12 Pioneer county shall pay Whatcom county for the value of assistance
13 it provides to Pioneer county after the interim period, which could be
14 in the form of crediting the value of this assistance against any
15 amount that Whatcom county may be required to provide Pioneer county
16 under sections 401 through 404 of this act.

17 Whatcom county shall continue financing maintenance and
18 construction of county facilities, and providing county services, in
19 Pioneer county from the effective date of this section through the
20 interim period as if Pioneer county were not authorized to be created.
21 During the period from the effective date of this section through the
22 interim period, each officer of Whatcom county shall retain authority
23 over the portions in Whatcom county of what will become Pioneer county
24 as if Pioneer county were not authorized to be created.

25 NEW SECTION. **Sec. 309.** Budgets for the interim period and the
26 initial budget for Pioneer county effective for the first calendar year
27 after the interim period shall be adopted as provided in this section.

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

32 In addition, the interim board of county commissioners shall adopt
33 a budget for calendar year 1999 and may impose property taxes in 1998
34 to be collected in 1999. A public hearing shall be held on the
35 proposed budget for this budget prior to its adoption. A budget
36 message shall be prepared for the proposed budget that contains an
37 explanation of the budget document, an outline of the recommended

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

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

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

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

28 NEW SECTION. **Sec. 313.** The interim county officers of Pioneer
29 county during the interim period are subject to all state laws limiting
30 the authority of or imposing obligations on such offices as if the new
31 county were fully established.

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

1 NEW SECTION. **Sec. 401.** Pioneer county shall be liable for a just
2 proportion of the debts and liabilities of Whatcom county, and entitled
3 to its just proportion of the property and assets of Whatcom county.

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

9 NEW SECTION. **Sec. 402.** A negotiation party shall be appointed to
10 distribute the debts and liabilities, property, and assets of Whatcom
11 county between Whatcom county and Pioneer county.

12 Each negotiation party shall consist of six persons, three
13 appointed by the executive of Whatcom county and the other three
14 appointed by the interim board of county commissioners of Pioneer
15 county.

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

27 NEW SECTION. **Sec. 403.** (1) The division and distribution of debts
28 and liabilities, property, and assets of Whatcom county between Pioneer
29 county and Whatcom county shall conform with the requirements and
30 policies contained in this section.

31 (2) The physical location of real property, including roads and
32 bridges, shall determine ownership of the real property. Real property
33 of Whatcom county that is located within Pioneer county shall become
34 the property of Pioneer county upon creation. All real property,
35 including roads and bridges, of Whatcom county that is located within
36 what will remain of Whatcom county shall remain the property of Whatcom
37 county. No valuation, financial apportionment of equities, or

1 compensation for equities of real property, roads, and bridges shall be
2 required.

3 Any radio communication facilities located in Pioneer county or
4 Whatcom county deemed necessary by the respective counties for the
5 health, safety, and welfare shall be subject to a long-term lease
6 negotiated by the respective negotiating parties during the interim
7 period.

8 (3) Pioneer county shall be liable to Whatcom county for any debts
9 and liabilities of Whatcom county associated with real property,
10 including roads and bridges, located in Pioneer county of which it
11 obtains ownership. Any debts or liabilities associated with real
12 property, including roads and bridges, located within Whatcom county
13 after the creation of Pioneer county of which Whatcom county retains
14 ownership shall be the liability of Whatcom county. No valuation,
15 financial apportionment of equities, or compensation for equities of
16 real property, roads, and bridges shall be required.

17 (4) All equipment owned by Whatcom county that is used in
18 administration, construction, or maintenance of roads or bridges must
19 be apportioned between Pioneer county and Whatcom county, so that
20 Pioneer county receives a portion of this equipment that is in the same
21 proportion that the number of miles of county roads in Pioneer county,
22 that were part of Whatcom county, is to the total number of miles of
23 county roads in Whatcom county before the creation of Pioneer county.

24 (5) All other assets of Whatcom county including personal property,
25 leasehold interest, intangible property, such as cash, securities, and
26 receivables including back taxes, surplus moneys, and any other
27 monetary instruments, shall be apportioned in an equitable manner which
28 provides for a just apportionment between Whatcom county and Pioneer
29 county.

30 All remaining debts and liabilities of Whatcom county shall be
31 apportioned in an equitable manner which provides for a just
32 apportionment between Whatcom county and Pioneer county.

33 (6) In apportioning the assets, debts, and liabilities between
34 Whatcom county and Pioneer county, the remaining assets, debts, and
35 liabilities of Whatcom county must be apportioned so that Pioneer
36 county is assigned an amount of these assets, debts, and liabilities
37 that is in the same proportion as the assessed valuation of Pioneer
38 county, that was part of Whatcom county, is to the total assessed
39 valuation in Whatcom county before creation of Pioneer county. The

1 assessed valuations must be those used for taxes imposed in the year
2 1998 for collection in 1999.

3 This section may not be construed to affect the rights of
4 creditors.

5 (7) The final figure determined under subsection (6) of this
6 section shall be adjusted by crediting Whatcom county with any costs it
7 incurred or will incur related to the creation of Pioneer county, which
8 are subject to repayment by Pioneer county, any election costs it
9 incurred or will incur related to Pioneer county, and the amount of any
10 money it lent to Pioneer county. Any resulting obligation of Whatcom
11 county to Pioneer county may be satisfied by agreements for Whatcom
12 county to provide services, maintenance, and construction in Pioneer
13 county after the interim period or future payments to Pioneer county.
14 Any resulting obligation of Pioneer county to Whatcom county may be
15 satisfied by future payments to Whatcom county.

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

18 NEW SECTION. **Sec. 404.** Any real or personal property taxes,
19 including any road taxes levied under RCW 36.82.040, levied by
20 Snohomish county in 1998 for collection in 1999 with respect to the
21 area of proposed Pioneer county that is in Snohomish county shall be
22 transferred to Pioneer county.

23 **PART V - COURTS**

24 **Sec. 501.** RCW 2.08.063 and 1992 c 189 s 3 are each amended to read
25 as follows:

26 There shall be in the county of Lincoln one judge of the superior
27 court; in the county of Skagit, three judges of the superior court; in
28 the county of Walla Walla, two judges of the superior court; in the
29 county of Whitman, one judge of the superior court; in the county of
30 Yakima six judges of the superior court; in the county of Adams, one
31 judge of the superior court; in the ((county)) counties of Whatcom and
32 Pioneer jointly, three judges of the superior court.

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

1 The number of district judges to be elected in each county shall
2 be: Adams, two; Asotin, one; Benton, three; Chelan, two; Clallam, two;
3 Clark, five; Columbia, one; Cowlitz, two; Douglas, one; Ferry, one;
4 Franklin, one; Pioneer, one; Garfield, one; Grant, two; Grays Harbor,
5 two; Island, one; Jefferson, one; King, twenty-six; Kitsap, three;
6 Kittitas, two; Klickitat, two; Lewis, two; Lincoln, one; Mason, one;
7 Okanogan, two; Pacific, two; Pend Oreille, one; Pierce, eleven; San
8 Juan, one; Skagit, two; Skamania, one; Whatcom, seven; Spokane, nine;
9 Stevens, one; Thurston, two; Wahkiakum, one; Walla Walla, two; Whatcom,
10 two; Whitman, one; Yakima, four. This number may be increased only as
11 provided in RCW 3.34.020.

12 NEW SECTION. **Sec. 503.** A district court judge of Pioneer county
13 shall be elected at the 1998 general election to a four-year term of
14 office.

15 NEW SECTION. **Sec. 504.** The district court for Pioneer county
16 shall obtain jurisdiction over all new matters over which the court
17 otherwise has jurisdiction pursuant to the state Constitution and state
18 law filed after the interim period. The district court of Whatcom
19 county shall retain jurisdiction of any matters pending before it or on
20 appeal from it prior to the end of the interim period unless all
21 parties to such matter stipulate to a change of venue to the district
22 court of Pioneer county.

23 All pleadings, process, documents, and files in the offices of
24 officers of the district court of Whatcom county pertaining to actions
25 and proceedings transferred to the district court of Pioneer county
26 must be certified and transferred to the appropriate county officers of
27 the district court of Pioneer county.

28 **PART VI - MISCELLANEOUS**

29 NEW SECTION. **Sec. 601.** All records, documents, and papers in the
30 offices of Whatcom county that provide the functions of a county
31 auditor, county assessor, county treasurer, and other county officers,
32 affecting the title or possession of real property in Pioneer county,
33 assessed valuation of property located in Pioneer county, registration
34 of voters residing in Pioneer county, or other appropriate matters,
35 must be certified by the appropriate county official of Whatcom county

1 and transferred to the appropriate county officials and officers of
2 Pioneer county at no cost to Pioneer county. Certified copies shall be
3 provided if the original records, documents, or papers are not
4 transferred. The appropriate county officials of Whatcom county and
5 Pioneer county may agree to transfers utilizing electronic,
6 photostatic, mechanical, or other methods that adequately ensure the
7 accuracy of the transferred information. Subject to copyright
8 restrictions, Whatcom county shall provide computer programs and
9 software for maintenance and daily application of recordkeeping and
10 data base management at no cost to Pioneer county.

11 Any original document relating to real property or matters in
12 Pioneer county that Whatcom county deems expendable and will be
13 destroyed shall be transferred to Pioneer county.

14 The records, documents, and papers, or certified copies, shall be
15 transferred when Pioneer county has facilities and staffing that are
16 adequate to provide sufficient security for the transferred items and
17 allow reasonable access to these items.

18 NEW SECTION. **Sec. 602.** Except as provided in this section, the
19 creation of Pioneer county shall not affect the boundaries of a city,
20 town, or special district, including a port district or public utility
21 district, of any kind.

22 (1) Effective on the official date of creating Pioneer county, the
23 road district in Whatcom county shall have any territory removed that
24 is included in Pioneer county.

25 (2) Effective on the official date of creating Pioneer county, the
26 Whatcom county library system shall become the Whatcom Pioneer
27 intercounty rural library district with the same boundaries it had as
28 the Whatcom county library system, and the library trustees shall
29 remain in office for the remainder of their terms of office. An
30 agreement shall be reached to include the board of county commissioners
31 of Pioneer county in the process to appoint their successors, with the
32 vote on each appointment distributed among the members of the county
33 legislative authorities so that the combined total vote of all the
34 members of a single county legislative authority is in direct
35 proportion to the percentage of population from that county residing in
36 the library district and each member of that county legislative
37 authority receives an equal portion of that vote.

1 (3) Effective on the official date of creating Pioneer county,
2 boundaries of the prior Whatcom transportation authority shall be
3 reduced to the boundaries of Whatcom county as they exist after
4 territory is stricken from Whatcom county to create Pioneer county. To
5 avoid the impairment of any contract, any indebtedness of the Whatcom
6 transportation authority or Whatcom county that is associated with its
7 authority to act as a public transportation authority that is secured
8 with its taxing authority, shall remain in effect and the taxes shall
9 continue to be imposed in the portion of Pioneer county that was
10 stricken from Whatcom county until the indebtedness is retired. In
11 return, Whatcom county shall continue providing transit service to the
12 portion of Pioneer county that was stricken from Whatcom county during
13 the period in which such taxes are imposed.

14 NEW SECTION. **Sec. 603.** If any provision of this act or its
15 application to any person or circumstance is held invalid, the
16 remainder of the act or the application of the provision to other
17 persons or circumstances is not affected.

18 NEW SECTION. **Sec. 604.** Sections 1 and 101 through 104 of this act
19 are necessary for the immediate preservation of the public peace,
20 health, or safety, or support of the state government and its existing
21 public institutions, and take effect immediately. Sections 201 and 202
22 of this act take effect January 1, 1999. Sections 301 through 313, 401
23 through 404, 501 through 504, 601, and 602 of this act take effect upon
24 certification that a majority of those voting on the question of the
25 creation of Pioneer county voted in favor of the creation of Pioneer
26 county.

--- END ---