
SENATE BILL 5652

State of Washington

55th Legislature

1997 Regular Session

By Senators Stevens and Benton

Read first time 02/05/97. Referred to Committee on Government Operations.

1 AN ACT Relating to the creation of Freedom 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, 36.04.040,
4 2.08.064, and 3.34.010; adding a new section to chapter 36.04 RCW;
5 creating new sections; providing an effective date; and declaring an
6 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 Freedom county, and the areas remaining in Snohomish
10 county after the creation of Freedom county, meet the population
11 requirements in Article XI, section 3 of the state Constitution, and
12 that petitions exist proposing the creation of Freedom county with
13 sufficient valid signatures under the requirements of Article XI,
14 section 3 of the state Constitution, to allow the legislature to create
15 Freedom county.

16 **PART I - LEGAL DESCRIPTIONS**

1 NEW SECTION. **Sec. 101.** A new section is added to chapter 36.04
2 RCW to read as follows:

3 Freedom county shall consist of the territory bounded as follows,
4 to wit: Commencing at the southwest corner of Skagit county; thence
5 east along the eighth standard parallel to the summit of the Cascade
6 mountains; thence southerly along the summit of the Cascade mountains
7 to its intersection with the township line between townships twenty-
8 nine and thirty north; thence west along this township line between
9 townships twenty-nine and thirty to its intersection with the
10 centerline of state highway No. 9; thence northerly along this
11 centerline of state highway No. 9 to its intersection with the township
12 line between townships thirty and thirty-one north; thence west on this
13 township line between townships thirty and thirty-one north to its
14 intersection with the main channel of Port Susan; thence northerly up
15 this main channel of Port Susan to the mouth of the Stillaguamish
16 river; thence northwesterly through the channel of the slough at the
17 head of Camano Island, known as Davis Slough; thence northerly to the
18 place of beginning.

19 **Sec. 102.** RCW 36.04.310 and 1877 p 426 s 3 are each amended to
20 read as follows:

21 Snohomish county shall consist of the territory bounded as follows,
22 to wit: Commencing at the (~~southwest corner of Skagit county; thence~~
23 ~~east along the eighth standard parallel~~) intersection of the main
24 channel of Port Susan and the township line of townships twenty-nine
25 and thirty north of the Willamette Meridian; thence east along this
26 township line between townships twenty-nine and thirty north to its
27 intersection with the centerline of state highway No. 9; thence
28 southerly along this centerline of state highway No. 9 to its
29 intersection with the township line between townships twenty-nine and
30 thirty north; thence east along this township line between townships
31 twenty-nine and thirty to the summit of the Cascade mountains; thence
32 southerly along the summit of the Cascade mountains to the northeast
33 corner of King county, it being a point (~~due east of the northeast~~
34 corner of township twenty-six north, range four east)) on the township
35 line between township twenty-six north and township twenty-seven north,
36 said point lying near the north quarter-corner of section three,
37 township twenty-six north, range thirteen east of the Willamette
38 Meridian; thence due west along (~~the north boundary of King county~~)

1 this township line between township twenty-six north and twenty-seven
2 north to Puget Sound; thence northerly along the channel of Puget Sound
3 and Possession Sound to the entrance of Port Susan, including Gedney
4 Island; thence northerly up the main channel of Port Susan to the
5 (~~mouth of the Stillaguamish river; thence northwesterly through the~~
6 ~~channel of the slough at the head of Camano Island, known as Davis~~
7 ~~Slough; thence northerly to the~~) place of beginning.

8 **Sec. 103.** RCW 36.04.040 and 1899 c 95 s 1 are each amended to read
9 as follows:

10 Chelan county shall consist of the territory bounded as follows, to
11 wit: Beginning at the point of intersection of the middle of the main
12 channel of the Columbia river with the fifth standard parallel north,
13 thence running west along said fifth standard parallel north to the
14 point where said fifth standard parallel north intersects the summit of
15 the main divide between the waters flowing northerly and easterly into
16 the Wenatchee and Columbia rivers, and the waters flowing southerly and
17 westerly into the Yakima river, thence in a general northwesterly
18 direction along the summit of said main divide between the waters
19 flowing northerly and easterly into the Wenatchee and Columbia rivers
20 and the waters flowing southerly and westerly into the Yakima river,
21 following the course of the center of the summit of the watershed
22 dividing the said respective waters, to the center of the summit of the
23 Cascade mountains, at the eastern boundary line of King county; thence
24 north along the east boundary lines of King, Snohomish, Freedom, and
25 Skagit counties to the point upon the said east boundary of Skagit
26 county, where said boundary is intersected by the watershed between the
27 waters flowing northerly and easterly into the Methow river and the
28 waters flowing southerly and westerly into Lake Chelan, thence in a
29 general southeasterly direction along the summit of the main divide
30 between the waters flowing northerly and easterly into the Methow river
31 and the waters flowing westerly and southerly into Lake Chelan and its
32 tributaries; following the course of the center of the summit of the
33 watershed dividing said respective waters, to the point where the
34 seventh standard parallel north intersects said center of the summit of
35 said watershed; thence east along the said seventh standard parallel
36 north to the point of intersection of the middle of the main channel of
37 the Columbia river with said seventh standard parallel north; thence

1 down the middle of the main channel of the Columbia river to the point
2 of beginning.

3 **PART II - TRANSITION PERIOD AND OFFICIAL DATE OF CREATION**

4 NEW SECTION. **Sec. 201.** The official date of creating Freedom
5 county shall be January 1, 1999. As provided in section 205 of this
6 act, an interim transition period shall exist commencing on the date
7 the interim elected officials of Freedom county assume office and
8 continuing until the official date of creating Freedom county.

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

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

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

1 NEW SECTION. **Sec. 202.** Interim elected officials of Freedom
2 county shall be elected in 1997 for each of the elected positions of a
3 county with the population of Freedom county as specified under RCW
4 36.16.030. If necessary, a primary shall be held on the date of the
5 primary in 1997 to nominate candidates for any of the interim county
6 elective offices, and the interim county elective officials shall be
7 elected at the 1997 general election. The interim county elected
8 officials shall assume office immediately after their election and
9 qualification and shall hold office until their successors are elected,
10 qualified, and assume office.

11 On or before July 1, 1997, the governor shall divide Freedom county
12 into three county commissioner districts, each comprising approximately
13 the same population. These county commissioner districts shall be used
14 as provided in RCW 36.32.040 for residency purposes and in a primary to
15 nominate candidates for the county commissioner position from each
16 district. The commissioner districts shall remain in effect unless
17 altered by the interim board of county commissioners or a subsequent
18 board of county commissioners.

19 NEW SECTION. **Sec. 203.** A primary and general election shall be
20 held at the normal times in 1998 to nominate and elect the successors
21 of the interim county elected officials, who shall take office on the
22 official date of creating Freedom county. This primary and general
23 election shall be conducted by the interim Freedom county auditor, with
24 the assistance of Snohomish county election officials. The two county
25 commissioners who are elected receiving the two greatest numbers of
26 votes shall be elected to four-year terms of office, and the other
27 county commissioner who is elected shall be elected to a two-year term
28 of office. All the other county elected officials shall be elected to
29 four-year terms of office.

30 NEW SECTION. **Sec. 204.** All ordinances, rules, and regulations of
31 Snohomish county that were in effect in the portion of Freedom county
32 that will be stricken from Snohomish county shall remain in effect
33 until the effective date of an amendment or repeal of these ordinances,
34 rules, or regulations by the board of county commissioners of Freedom
35 county.

1 NEW SECTION. **Sec. 205.** An interim period shall exist commencing
2 on the date the interim Freedom county elected officials assume office
3 and continuing until the official date of creating Freedom county.

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

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

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

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

33 During the interim period, the interim board of county
34 commissioners may adopt rules establishing policies and procedures
35 under the state environmental policy act, chapter 43.21C RCW, and may
36 use these rules and procedures in making determinations under the state
37 environmental policy act, chapter 43.21C RCW. During this interim
38 period, Freedom county and the interim county elected officials shall
39 be subject to the following as though the county were officially

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

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

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

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

1 single road district shall exist in Freedom county that includes all
2 unincorporated territory in Freedom county.

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

12 NEW SECTION. **Sec. 206.** (1) During the interim period, meetings of
13 the interim board of county commissioners may be held at any location
14 within Freedom county selected by the interim board of county
15 commissioners. The county voters shall make the selection of the
16 permanent county seat at the general election in 1998.

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

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

32 NEW SECTION. **Sec. 207.** The department of community, trade, and
33 economic development shall establish an initial annual salary for each
34 elected official position in Freedom county. The annual salary for
35 each county elected official position in Freedom county shall be the
36 average annual salary for the same position in noncharter counties of
37 approximately the same population. The decision of the department of

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

5 NEW SECTION. **Sec. 208.** Snohomish county shall assist Freedom
6 county during this interim period and after the interim period for a
7 reasonable period until Freedom county is able to handle its affairs,
8 including, but not limited to, providing services, work, staff,
9 materials, supplies, equipment, and other property, and loaning money
10 to Freedom county.

11 Freedom county shall pay Snohomish county for the value of
12 assistance it provides to Freedom county after the interim period,
13 which could be in the form of crediting the value of this assistance
14 against any amount that Snohomish county may be required to provide
15 Freedom county under sections 301 through 303 of this act.

16 Snohomish county shall continue financing maintenance and
17 construction of county facilities, and providing county services, in
18 Freedom county during this interim period as if Freedom county were not
19 authorized to be created. During the interim period, each officer of
20 Snohomish county shall retain authority over the portions in Snohomish
21 county of what will become Freedom county as if Freedom county were not
22 authorized to be created.

23 NEW SECTION. **Sec. 209.** Budgets for the interim period and the
24 initial budget for Freedom county effective for the first calendar year
25 after the interim period shall be adopted as provided in this section.

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

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

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

11 NEW SECTION. **Sec. 210.** During the interim period, the interim
12 board of county commissioners may borrow money from the state treasurer
13 in amounts and on terms deemed prudent and reasonable by the state
14 treasurer. The state treasurer may withhold moneys from the funds
15 otherwise payable to the new county to assure repayment.

16 NEW SECTION. **Sec. 211.** Counties, cities, towns, and other local
17 government agencies and state agencies may make loans of staff and
18 equipment, and technical and financial assistance to Freedom county
19 during the interim period to facilitate its transition. Such loans and
20 assistance may be with or without compensation.

21 NEW SECTION. **Sec. 212.** The department of community, trade, and
22 economic development shall identify federal, state, and local agencies
23 that should receive notification that Freedom county is about to be
24 created and shall assist Freedom county during its interim period in
25 providing such notification to the identified agencies.

26 NEW SECTION. **Sec. 213.** The interim county officers of Freedom
27 county during the interim period are subject to all state laws limiting
28 the authority of or imposing obligations on such offices as if the new
29 county were fully established.

30 **PART III - DEBTS AND LIABILITIES, PROPERTY, AND ASSETS**

31 NEW SECTION. **Sec. 301.** Freedom county shall be liable for a just
32 proportion of the debts and liabilities of Snohomish county, and

1 entitled to its just proportion of the property and assets of Snohomish
2 county.

3 The division and distribution of these debts and liabilities,
4 property, and assets shall be determined as provided in sections 302
5 and 303 of this act, and the provisions of chapter 36.09 RCW shall not
6 apply to the just distribution of these debts and liabilities,
7 property, and assets.

8 NEW SECTION. **Sec. 302.** A negotiation party shall be appointed to
9 distribute the debts and liabilities, property, and assets of Snohomish
10 county between Snohomish county and Freedom county.

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

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

26 NEW SECTION. **Sec. 303.** (1) The division and distribution of debts
27 and liabilities, property, and assets of Snohomish county between
28 Freedom county and Snohomish county shall conform with the requirements
29 and policies contained in this section.

30 (2) The physical location of real property, including roads and
31 bridges, shall determine ownership of the real property. Real property
32 of Snohomish county that is located within Freedom county shall become
33 the property of Freedom county upon creation. All real property,
34 including roads and bridges, of Snohomish county that is located within
35 what will remain of Snohomish county shall remain the property of
36 Snohomish county.

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

6 (3) Freedom county shall be liable to Snohomish county for any
7 debts and liabilities of Snohomish county associated with real
8 property, including roads and bridges, located in Freedom county of
9 which it obtains ownership. Any debts or liabilities associated with
10 real property, including roads and bridges, located within Snohomish
11 county after the creation of Freedom county of which Snohomish county
12 retains ownership shall be the liability of Snohomish county.

13 (4) All equipment owned by Snohomish county that is used in
14 administration, construction, or maintenance of roads or bridges must
15 be apportioned between Freedom county and Snohomish county, so that
16 Freedom county receives a portion of this equipment that is in the same
17 proportion that the number of miles of county roads in Freedom county,
18 that were part of Snohomish county, is to the total number of miles of
19 county roads in Snohomish county before the creation of Freedom county.

20 (5) All other assets of Snohomish county including personal
21 property, leasehold interest, intangible property, such as cash,
22 securities, and receivables including back taxes, surplus moneys, and
23 any other monetary instruments, shall be apportioned in an equitable
24 manner which provides for a just apportionment between Snohomish county
25 and Freedom county.

26 All remaining debts and liabilities of Snohomish county shall be
27 apportioned in an equitable manner which provides for a just
28 apportionment between Snohomish county and Freedom county.

29 (6) In apportioning the assets, debts, and liabilities between
30 Snohomish county and Freedom county, the remaining assets, debts, and
31 liabilities of Snohomish county must be apportioned so that Freedom
32 county is assigned an amount of these assets, debts, and liabilities
33 that is in the same proportion as the assessed valuation of Freedom
34 county, that was part of Snohomish county, is to the total assessed
35 valuation in Snohomish county before creation of Freedom county. The
36 assessed valuations must be those used for taxes imposed in the year
37 1997 for collection in 1998.

38 This section may not be construed to affect the rights of
39 creditors.

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

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

14 **PART IV - COURTS**

15 **Sec. 401.** RCW 2.08.064 and 1993 sp.s. c 14 s 1 are each amended to
16 read as follows:

17 There shall be in the counties of Benton and Franklin jointly, five
18 judges of the superior court; in the county of Clallam, two judges of
19 the superior court; in the county of Jefferson, one judge of the
20 superior court; in the ((county)) counties of Snohomish and Freedom
21 jointly, thirteen judges of the superior court; in the counties of
22 Asotin, Columbia and Garfield jointly, one judge of the superior court;
23 in the county of Cowlitz, four judges of the superior court; in the
24 counties of Klickitat and Skamania jointly, one judge of the superior
25 court.

26 **Sec. 402.** RCW 3.34.010 and 1995 c 168 s 1 are each amended to read
27 as follows:

28 The number of district judges to be elected in each county shall
29 be: Adams, two; Asotin, one; Benton, three; Chelan, two; Clallam, two;
30 Clark, five; Columbia, one; Cowlitz, two; Douglas, one; Ferry, one;
31 Franklin, one; Freedom, one; Garfield, one; Grant, two; Grays Harbor,
32 two; Island, one; Jefferson, one; King, twenty-six; Kitsap, three;
33 Kittitas, two; Klickitat, two; Lewis, two; Lincoln, one; Mason, one;
34 Okanogan, two; Pacific, two; Pend Oreille, one; Pierce, eleven; San
35 Juan, one; Skagit, two; Skamania, one; Snohomish, seven; Spokane, nine;
36 Stevens, one; Thurston, two; Wahkiakum, one; Walla Walla, two; Whatcom,

1 two; Whitman, one; Yakima, four. This number may be increased only as
2 provided in RCW 3.34.020.

3 NEW SECTION. **Sec. 403.** A district court judge of Freedom county
4 shall be elected at the 1998 general election to a four-year term of
5 office.

6 NEW SECTION. **Sec. 404.** The district court for Freedom county
7 shall obtain jurisdiction over all new matters over which the court
8 otherwise has jurisdiction pursuant to the state Constitution and state
9 law filed after the interim period. The district court of Snohomish
10 county shall retain jurisdiction of any matters pending before it or on
11 appeal from it prior to the end of the interim period unless all
12 parties to such matter stipulate to a change of venue to the district
13 court of Freedom county.

14 All pleadings, process, documents, and files in the offices of
15 officers of the district court of Snohomish county pertaining to
16 actions and proceedings transferred to the district court of Freedom
17 county must be certified and transferred to the appropriate county
18 officers of the district court of Freedom county.

19 **PART V - MISCELLANEOUS**

20 NEW SECTION. **Sec. 501.** All records, documents, and papers in the
21 offices of Snohomish county that provide the functions of a county
22 auditor, county assessor, county treasurer, and other county officers,
23 affecting the title or possession of real property in Freedom county,
24 assessed valuation of property located in Freedom county, registration
25 of voters residing in Freedom county, or other appropriate matters,
26 must be certified by the appropriate county official of Snohomish
27 county and transferred to the appropriate county officials and officers
28 of Freedom county at no cost to Freedom county. Certified copies shall
29 be provided if the original records, documents, or papers are not
30 transferred. The appropriate county officials of Snohomish county and
31 Freedom county may agree to transfers utilizing electronic,
32 photostatic, mechanical, or other methods that adequately ensure the
33 accuracy of the transferred information. Subject to copyright
34 restrictions, Snohomish county shall provide computer programs and

1 software for maintenance and daily application of recordkeeping and
2 data base management at no cost to Freedom county.

3 Any original document relating to real property or matters in
4 Freedom county that Snohomish county deems expendable and will be
5 destroyed shall be transferred to Freedom county.

6 The records, documents, and papers, or certified copies, shall be
7 transferred when Freedom county has facilities and staffing that are
8 adequate to provide sufficient security for the transferred items and
9 allow reasonable access to these items.

10 NEW SECTION. **Sec. 502.** Except as provided in this section, the
11 creation of Freedom county shall not affect the boundaries of a city,
12 town, or special district of any kind.

13 (1) Effective on the official date of creating Freedom county, the
14 road district in Snohomish county shall have any territory removed that
15 is included in Freedom county.

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

29 NEW SECTION. **Sec. 503.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

33 NEW SECTION. **Sec. 504.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of the
35 state government and its existing public institutions, and takes effect

1 immediately, except sections 101 through 103 of this act take effect
2 January 1, 1999.

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