
SUBSTITUTE HOUSE BILL 2215

State of Washington 63rd Legislature 2014 Regular Session

By House Government Operations & Elections (originally sponsored by Representatives Robinson, Manweller, S. Hunt, and Haler; by request of Secretary of State)

READ FIRST TIME 01/27/14.

1 AN ACT Relating to reconciling election laws; amending RCW
2 2.04.100, 2.06.080, 2.08.069, 2.08.120, 3.34.050, 3.34.100, 17.28.090,
3 27.12.370, 27.12.100, 28A.315.275, 28A.323.050, 28A.343.010,
4 28A.343.060, 28A.343.350, 35.02.078, 35.02.086, 35.02.100, 35.06.080,
5 35.07.050, 35.10.410, 35.10.420, 35.13.090, 35.16.030, 35.16.050,
6 35.17.310, 35.18.020, 35.23.805, 35A.12.040, 35A.14.080, 36.12.050,
7 36.16.020, 36.16.030, 36.32.030, 36.32.0558, 39.36.050, 52.04.011,
8 52.06.030, 52.14.060, 53.04.020, 53.04.023, 53.04.080, 53.12.172,
9 53.12.221, 54.08.060, 57.12.030, 57.12.039, 57.24.240, 68.52.250,
10 70.44.047, 82.14.036, 82.46.021, 82.80.090, 85.38.060, 85.38.070,
11 87.03.083, 52.26.080, 29A.04.321, 29A.04.330, 29A.08.161, 29A.08.210,
12 29A.08.230, 29A.24.111, 29A.60.221, 35.21.005, 35.22.120, 35A.01.040,
13 53.12.175, 29A.08.107, 53.12.010, 53.12.021, 53.12.115, 53.12.130,
14 53.16.015, 29A.08.810, 29A.68.020, 2.06.010, 29A.60.280, 35.17.260,
15 35.17.380, 35.17.400, 35.18.240, 35.22.055, and 36.32.070; reenacting
16 and amending RCW 28A.343.030, 28A.343.320, 28A.343.660, and 29A.40.110;
17 repealing RCW 28A.343.330 and 52.14.030; and repealing 2013 c 11 s 45.

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

1 **Sec. 1.** RCW 2.04.100 and 1971 c 81 s 3 are each amended to read as
2 follows:

3 If a vacancy occurs in the office of a justice of the supreme
4 court, the governor shall appoint a person to hold the office until the
5 election and qualification of a justice to fill the vacancy, which
6 election shall take place at the next succeeding general election as
7 provided in chapter 29A.24 RCW, and the justice so elected shall hold
8 the office for the remainder of the unexpired term.

9 **Sec. 2.** RCW 2.06.080 and 1969 ex.s. c 221 s 8 are each amended to
10 read as follows:

11 If a vacancy occurs in the office of a judge of the court, the
12 governor shall appoint a person to hold the office until the election
13 and qualification of a judge to fill the vacancy, which election shall
14 take place at the next succeeding general election as provided in
15 chapter 29A.24 RCW and the judge so elected shall hold the office for
16 the remainder of the unexpired term.

17 **Sec. 3.** RCW 2.08.069 and 1955 c 38 s 4 are each amended to read as
18 follows:

19 Unless otherwise provided, upon the taking effect of any act
20 providing for additional judges of the superior court and thereby
21 creating a vacancy, the governor shall appoint a person to hold the
22 office until the election and qualification of a judge to fill the
23 vacancy, which election shall be at the next succeeding general
24 election as provided in chapter 29A.24 RCW, and the judge so elected
25 shall hold office for the remainder of the unexpired term.

26 **Sec. 4.** RCW 2.08.120 and 1955 c 38 s 5 are each amended to read as
27 follows:

28 If a vacancy occurs in the office of judge of the superior court,
29 the governor shall appoint a person to hold the office until the
30 election and qualification of a judge to fill the vacancy, which
31 election shall be at the next succeeding general election as provided
32 in chapter 29A.24 RCW, and the judge so elected shall hold office for
33 the remainder of the unexpired term.

1 **Sec. 5.** RCW 3.34.050 and 1998 c 19 s 2 are each amended to read as
2 follows:

3 At the general election in November 1962 and quadrennially
4 thereafter, there shall be elected by the voters of each district court
5 district the number of judges authorized for the district by the
6 district court districting plan. Judges shall be elected for each
7 district and electoral district, if any, by the qualified electors of
8 the district (~~in the same manner as judges of courts of record are~~
9 ~~elected, except as provided in chapter 29.21 RCW. Not less than ten~~
10 ~~days before the time for filing declarations of candidacy for the~~
11 ~~election of judges for districts entitled to more than one judge, the~~
12 ~~county auditor shall designate each such office of district judge to be~~
13 ~~filled by a number, commencing with the number one and numbering the~~
14 ~~remaining offices consecutively. At the time of the filing of the~~
15 ~~declaration of candidacy, each candidate shall designate by number~~
16 ~~which one, and only one, of the numbered offices for which he or she is~~
17 ~~a candidate and the name of the candidate shall appear on the ballot~~
18 ~~for only the numbered office for which the candidate filed a~~
19 ~~declaration of candidacy)).~~

20 **Sec. 6.** RCW 3.34.100 and 2003 c 97 s 3 are each amended to read as
21 follows:

22 If a district judge dies, resigns, is convicted of a felony, ceases
23 to reside in the district, fails to serve for any reason except
24 temporary disability, or if his or her term of office is terminated in
25 any other manner, the office shall be deemed vacant. The county
26 legislative authority shall fill all vacancies by appointment and the
27 judge thus appointed shall hold office until the next even-year general
28 election and until a successor is elected and qualified, consistent
29 with chapter 29A.24 RCW. However, if a vacancy in the office of
30 district court judge occurs and the total number of district court
31 judges remaining in the county is equal to or greater than the number
32 of district court judges authorized in RCW 3.34.010 then the position
33 shall remain vacant. District judges shall be granted sick leave in
34 the same manner as other county employees. A district judge may
35 receive when vacating office remuneration for unused accumulated leave
36 and sick leave at a rate equal to one day's monetary compensation for
37 each full day of accrued leave and one day's monetary compensation for

1 each four full days of accrued sick leave, the total remuneration for
2 leave and sick leave not to exceed the equivalent of thirty days'
3 monetary compensation.

4 **Sec. 7.** RCW 17.28.090 and 2011 c 336 s 464 are each amended to
5 read as follows:

6 If, from the testimony given before the county commissioners, it
7 appears to that board that the public necessity or welfare requires the
8 formation of the district, it shall, by an order entered on its
9 minutes, declare that to be its finding, and shall further declare and
10 order that the territory within the boundaries so fixed and determined
11 be organized as a district, under an appropriate name to be selected by
12 the county commissioners, subject to approval of the voters of the
13 district as hereinafter provided. The name shall contain the words
14 "mosquito control district."

15 At the time of the declaration establishing and naming the
16 district, the county commissioners shall by resolution call a special
17 election to be held (~~((not less than thirty days and not more than sixty
18 days from the date thereof))~~) on a date provided in RCW 29A.04.321 or
19 29A.04.330, and shall cause to be published a notice of such election
20 at least once a week for three consecutive weeks in a newspaper of
21 general circulation in the county, setting forth the (~~((hours during
22 which the polls will be open, the))~~) boundaries of the proposed district
23 as finally adopted(~~((τ))~~) and the object of the election. If any portion
24 of the proposed district lies in another county, a notice of such
25 election shall likewise be published in that county.

26 The election on the formation of the mosquito control district
27 shall be conducted by the auditor of the county in which the greater
28 area of the proposed district is located in accordance with the general
29 election laws of the state and the results thereof shall be canvassed
30 by that county's canvassing board. For the purpose of conducting an
31 election under this section, the auditor of the county in which the
32 greater area of the proposed district is located may appoint the
33 auditor of any county (~~((or the city clerk of any city))~~) lying wholly or
34 partially within the proposed district as his or her deputies. No
35 person shall be entitled to vote at such election unless he or she is
36 a qualified voter under the laws of the state in effect at the time of

1 such election and has resided within the mosquito control district for
2 at least thirty days preceding the date of the election. The ballot
3 proposition shall be in substantially the following form:

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"Shall a mosquito control district be established for the
area described in a resolution of the board of
commissioners of county adopted on the day
of, ((49)) 20...?"

YES

NO

11 If a majority of the persons voting on the proposition shall vote
12 in favor thereof, the mosquito control district shall thereupon be
13 established and the county commissioners of the county in which the
14 greater area of the district is situated shall immediately file for
15 record in the office of the county auditor of each county in which any
16 portion of the land embraced in the district is situated, and shall
17 also forward to the county commissioners of each of the other counties,
18 if any, in which any portion of the district is situated, and also
19 shall file with the secretary of state, a certified copy of the order
20 of the county commissioners. From and after the date of the filing of
21 the certified copy with the secretary of state, the district named
22 therein is organized as a district, with all the rights, privileges,
23 and powers set forth in this chapter, or necessarily incident thereto.

24 If a majority of the persons voting on the proposition shall vote
25 in favor thereof, all expenses of the election shall be paid by the
26 mosquito control district when organized. If the proposition fails to
27 receive a majority of votes in favor, the expenses of the election
28 shall be borne by the respective counties in which the district is
29 located in proportion to the number of votes cast in said counties.

30 **Sec. 8.** RCW 27.12.370 and 2011 c 10 s 78 are each amended to read
31 as follows:

32 The county legislative authority or authorities shall, by
33 resolution, call a special election to be held in such city or town at
34 the next special election date according to RCW 29A.04.321, and shall

1 cause notice of such election to be given as provided for in RCW
2 29A.52.355.

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

12 "Shall the city or town of be annexed to and be
13 a part of library district?
14 YES
15 NO

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

19 **Sec. 9.** RCW 27.12.100 and 1965 c 63 s 1 are each amended to read
20 as follows:

21 An intercounty rural library district shall be established by joint
22 action of two or more counties proceeding by either of the following
23 alternative methods:

24 (1) The boards of county commissioners of any two or more counties
25 shall adopt identical resolutions proposing the formation of such a
26 district to include all of the areas outside of incorporated cities or
27 towns in such counties as may be designated in such resolutions. In
28 lieu of such resolutions a petition of like purport signed by ten
29 percent of the registered voters residing outside of incorporated
30 cities or towns of a county, may be filed with the county auditor
31 thereof, and shall have the same effect as a resolution. The
32 proposition for the formation of the district as stated on the petition
33 shall be prepared by the attorney general upon request of the state
34 library commission. Action to initiate the formation of such a
35 district shall become ineffective in any county if corresponding action

1 is not completed within one year thereafter by each other county
2 included in such proposal. The county auditor in each county shall
3 check the validity of the signatures on the petition and shall certify
4 to the board of county commissioners the sufficiency of the signatures.
5 If each petition contains the signatures of ten percent of the
6 registered voters residing outside the incorporated cities and towns of
7 the county, each board of county commissioners shall pass a resolution
8 calling an election for the purpose of submitting the question to the
9 voters and setting the date of said election. When such action has
10 been taken in each of the counties involved, notification shall be made
11 by each board of county commissioners to the board of county
12 commissioners of the county having the largest population according to
13 the last federal census, who shall give proper notification to each
14 county auditor. At the next general or special election held in the
15 respective counties there shall be submitted to the voters in the areas
16 outside of incorporated cities and towns a question as to whether an
17 intercounty rural library district shall be established as outlined in
18 the resolutions or petitions. (~~Notice of said election shall be given~~
19 ~~the county auditor pursuant to RCW 29.27.080. The county auditor shall~~
20 ~~provide for the printing of a separate ballot and shall provide for the~~
21 ~~distribution of ballots to the polling places pursuant to RCW~~
22 ~~29.04.020. The county auditor shall instruct the election boards in~~
23 ~~split precincts.)) The respective county canvassing boards in each
24 county to be included within the intercounty rural library district
25 shall canvass the votes and certify the results to the county auditor
26 (~~pursuant to chapter 29.62 RCW~~); the result shall then be certified
27 by each county auditor to the county auditor of the county having the
28 largest population according to the last federal census. If a majority
29 of the electors voting on the proposition in each of the counties
30 affected shall vote in favor of such district it shall thereby become
31 established, and the board of county commissioners of the county having
32 the largest population according to the last federal census shall
33 declare the intercounty rural library district established. If two or
34 more of the counties affected are in an existing intercounty rural
35 library district, then the electors in areas outside incorporated
36 cities and towns in those counties shall vote as a unit and the
37 electors in areas outside incorporated cities and towns in each of the
38 other affected counties shall vote as separate units. If a majority of~~

1 the electors voting on the proposition in the existing district and a
2 majority of the voters in any of the other affected counties shall vote
3 in favor of an expanded intercounty rural library district it shall
4 thereby become established.

5 (2) The county commissioners of two or more counties meeting in
6 joint session attended by a majority of the county commissioners of
7 each county may, by majority vote of those present, order the
8 establishment of an intercounty rural library district to include all
9 of the area outside of incorporated cities and towns in as many of the
10 counties represented at such joint meeting as shall be determined by
11 resolution of such joint meeting. If two or more counties are in an
12 existing intercounty rural library district, then a majority vote of
13 all of the commissioners present from those counties voting as a unit,
14 and a majority vote of the commissioners present from any other county
15 shall cause the joint session to order the establishment of an expanded
16 intercounty rural library district. No county, however, shall be
17 included in such district if a majority of its county commissioners
18 vote against its inclusion in such district.

19 **Sec. 10.** RCW 28A.315.275 and 1999 c 315 s 704 are each amended to
20 read as follows:

21 Notice of special elections as provided for in RCW 28A.315.265
22 shall be given by the county auditor as provided in RCW ~~((29.27.080))~~
23 29A.52.355. The notice of election shall state the purpose for which
24 the election has been called and contain a description of the
25 boundaries of the proposed new district and a statement of any terms of
26 adjustment of bonded indebtedness on which to be voted.

27 **Sec. 11.** RCW 28A.323.050 and 1990 c 33 s 311 are each amended to
28 read as follows:

29 The registered voters residing within a joint school district shall
30 be entitled to vote on the office of school director of their district.

31 Jurisdiction of any such election shall rest with the county
32 auditor of the county administering such joint district as provided in
33 RCW ~~((28A.315.380))~~ 28A.323.040.

34 ~~((At each general election, or upon approval of a request for a
35 special election as provided for in RCW 29.13.020, such county auditor
36 shall:~~

1 ~~(1) See that there shall be at least one polling place in each~~
2 ~~county;~~

3 ~~(2) At least twenty days prior to the elections concerned, certify~~
4 ~~in writing to the superintendent of the school district the number and~~
5 ~~location of the polling places established by such auditor for such~~
6 ~~regular or special elections; and~~

7 ~~(3) Do all things otherwise required by law for the conduct of such~~
8 ~~election.~~

9 ~~It is the intention of this section that the qualified electors of~~
10 ~~a joint school district shall not be forced to go to a different~~
11 ~~polling place on the same day when other elections are being held to~~
12 ~~vote for school directors of their district.))~~

13 **Sec. 12.** RCW 28A.343.010 and 1990 c 33 s 317 are each amended to
14 read as follows:

15 Whenever the directors to be elected in a school district that is
16 not divided into directors' districts are not all to be elected for the
17 same term of years, the county auditor shall distinguish them and
18 ~~((designate the same as provided for in RCW 29.21.140, and))~~ assign
19 position numbers thereto ~~((as provided in RCW 28A.315.470))~~, and each
20 candidate shall indicate on his or her declaration of candidacy the
21 ~~((term for which he or she seeks to be elected and))~~ position number
22 for which he or she is filing. The candidate receiving the largest
23 number of votes for each position shall be deemed elected.

24 **Sec. 13.** RCW 28A.343.030 and 1991 c 363 s 23 and 1991 c 288 s 4
25 are each reenacted and amended to read as follows:

26 The board of directors of every first-class school district other
27 than a school district of the first class having within its boundaries
28 a city with a population of four hundred thousand people or more which
29 is not divided into directors' districts may submit to the voters at
30 any regular school district election a proposition to authorize the
31 board of directors to divide the district into directors' districts or
32 for second-class school districts into director districts or a
33 combination of no fewer than three director districts and no more than
34 two at large positions. If a majority of the votes cast on the
35 proposition is affirmative, the board of directors shall proceed to
36 divide the district into directors' districts following the procedure

1 established in RCW ((29.70.100)) 29A.76.010. Such director districts,
2 if approved, shall not become effective until the next regular school
3 election when a new five member board of directors shall be elected,
4 one from each of the director districts from among the residents of the
5 respective director district, or from among the residents of the entire
6 school district in the case of directors at large, by the electors of
7 the entire district, two for a term of two years and three for a term
8 of four years, unless such district elects its directors for six years,
9 in which case, one for a term of two years, two for a term of four
10 years, and two for a term of six years.

11 **Sec. 14.** RCW 28A.343.060 and 1991 c 288 s 9 are each amended to
12 read as follows:

13 ((+1)) Any district boundary changes, including changes in
14 director district boundaries, shall be submitted to the county auditor
15 by the school district board of directors within thirty days after the
16 changes have been approved by the board. The board shall submit both
17 legal descriptions and maps.

18 ((-2) ~~Any boundary changes submitted to the county auditor after~~
19 ~~the fourth Monday in June of odd numbered years shall not take effect~~
20 ~~until the following year.~~)

21 **Sec. 15.** RCW 28A.343.320 and 1990 c 161 s 4 and 1990 c 59 s 98 are
22 each reenacted and amended to read as follows:

23 Candidates for the position of school director shall file their
24 declarations of candidacy as provided in ((Title 29)) chapter 29A.24
25 RCW.

26 The positions of school directors in each district shall be dealt
27 with as separate offices for all election purposes, and where more than
28 one position is to be filled, each candidate shall file for one of the
29 positions so designated: PROVIDED, That in school districts containing
30 director districts, or a combination of director districts and director
31 at large positions, candidates shall file for such director districts
32 or at large positions. Position numbers shall be assigned to
33 correspond to director district numbers to the extent possible.

34 **Sec. 16.** RCW 28A.343.350 and 1999 c 194 s 1 are each amended to
35 read as follows:

1 Notwithstanding RCW 42.12.010(4), a school director elected from a
2 director district may continue to serve as a director from the district
3 even though the director no longer resides in the director district,
4 but continues to reside in the school district, under the following
5 conditions:

6 (1) If, as a result of redrawing the director district boundaries,
7 the director no longer resides in the director district, the director
8 shall retain his or her position for the remainder of his or her term
9 of office; and

10 (2) If, as a result of the director changing his or her place of
11 residence the director no longer resides in the director district, the
12 director shall retain his or her position until a successor is elected
13 and assumes office as follows: (a) If the change in residency occurs
14 after the (~~opening of the regular filing period provided under RCW~~
15 ~~29.15.020~~) deadline in RCW 29A.24.171 for a vacancy to trigger an
16 election, in the year two years after the director was elected to
17 office, the director shall remain in office for the remainder of his or
18 her term of office; or (b) if the change in residency occurs prior to
19 the (~~opening of the regular filing period provided under RCW~~
20 ~~29.15.020~~) deadline in RCW 29A.24.171 for a vacancy to trigger an
21 election, in the year two years after the director was elected to
22 office, the position shall be opened for filing and the director shall
23 remain in office until a successor assumes office who has been elected
24 to serve the remainder of the unexpired term of office at the school
25 district general election held in that year.

26 **Sec. 17.** RCW 28A.343.660 and 1991 c 363 s 28 and 1991 c 288 ss 5
27 and 6 are each reenacted and amended to read as follows:

28 Notwithstanding any other provision of law, any school district of
29 the first class having within its boundaries a city with a population
30 of four hundred thousand people or more shall be divided into seven
31 director districts. The boundaries of such director districts shall be
32 established by the members of the school board, such boundaries to be
33 established so that each such district shall comply, as nearly as
34 practicable, with the criteria established in RCW (~~29.70.100~~)
35 29A.76.010. Boundaries of such director districts shall be adjusted by
36 the school board following the procedure established in RCW
37 (~~29.70.100~~) 29A.76.010 after each federal decennial census if

1 population change shows the need thereof to comply with the criteria of
2 RCW ((~~29.70.100~~)) 29A.76.010. No person shall be eligible for the
3 position of school director in any such director district unless such
4 person resides in the particular director district. Residents in the
5 particular director district desiring to be a candidate for school
6 director shall file their declarations of candidacy for such director
7 district and for the position of director in that district and shall be
8 voted upon, in any primary required to be held for the position under
9 Title 29A RCW, by the registered voters of that particular director
10 district. In the general election, each position shall be voted upon
11 by all the registered voters in the school district. The order of the
12 names of candidates shall appear on the primary and general election
13 ballots as required for nonpartisan positions under Title 29A RCW.
14 Except as provided in RCW ((~~28A.315.680~~)) 28A.343.670, every such
15 director so elected in school districts divided into seven director
16 districts shall serve for a term of four years as otherwise provided in
17 RCW ((~~28A.315.460~~)) 28A.343.610.

18 **Sec. 18.** RCW 35.02.078 and 1994 c 216 s 18 are each amended to
19 read as follows:

20 An election shall be held in the area proposed to be incorporated
21 to determine whether the proposed city or town shall be incorporated
22 when the boundary review board takes action on the proposal other than
23 disapproving the proposal, or if the county legislative authority does
24 not disapprove the proposal as provided in RCW 35.02.070. Voters at
25 this election shall determine if the area is to be incorporated.

26 The initial election on the question of incorporation shall be held
27 at the next special election date specified in RCW ((~~29.13.020 that~~
28 ~~occurs sixty or more days~~)) 29A.04.321 or 29A.04.330 after the final
29 public hearing by the county legislative authority or authorities, or
30 action by the boundary review board or boards. The county legislative
31 authority or authorities shall call for this election and, if the
32 incorporation is approved, shall call for other elections to elect the
33 elected officials as provided in this section. If the vote in favor of
34 the incorporation receives forty percent or less of the total vote on
35 the question of incorporation, no new election on the question of
36 incorporation for the area or any portion of the area proposed to be

1 incorporated may be held for a period of three years from the date of
2 the election in which the incorporation failed.

3 If the incorporation is authorized as provided by RCW 35.02.120,
4 separate elections shall be held to nominate and elect persons to fill
5 the various elective offices prescribed by law for the population and
6 type of city or town, and to which it will belong. The primary
7 election to nominate candidates for these elective positions shall be
8 held at the next special election date(~~(, as)~~) specified in RCW
9 (~~(29.13.020, that occurs sixty or more days)~~) 29A.04.321 or 29A.04.330
10 after the election on the question of incorporation. The election to
11 fill these elective positions shall be held at the next special
12 election date(~~(, as)~~) specified in RCW (~~(29.13.020, that occurs thirty~~
13 ~~or more days)~~) 29A.04.321 or 29A.04.330 after certification of the
14 results of the primary election.

15 **Sec. 19.** RCW 35.02.086 and 2009 c 107 s 5 are each amended to read
16 as follows:

17 Each candidate for a city or town elective position shall file a
18 declaration of candidacy with the county auditor of the county in which
19 all or the major portion of the city or town is located (~~(not more than~~
20 ~~sixty days nor less than forty five days)~~) prior to the primary
21 election at which the initial elected officials are nominated. The
22 elective positions shall be as provided in law for the type of city or
23 town and form or plan of government specified in the petition to
24 incorporate, and for the population of the city or town as determined
25 by the county legislative authority or boundary review board where
26 applicable. (~~(Any candidate may withdraw his or her declaration at any~~
27 ~~time within five days after the last day allowed for filing a~~
28 ~~declaration of candidacy. All names of candidates to be voted upon~~
29 ~~shall be printed upon the ballot alphabetically in groups under the~~
30 ~~designation of the respective titles of offices for which they are~~
31 ~~candidates. Names of candidates printed upon the ballot need not be~~
32 ~~rotated.)~~)

33 **Sec. 20.** RCW 35.02.100 and 1986 c 234 s 13 are each amended to
34 read as follows:

35 The notice of election on the question of the incorporation shall
36 be given as provided by RCW (~~(29.27.080)~~) 29A.52.355 but shall further

1 describe the boundaries of the proposed city or town, its name, and the
2 number of inhabitants ascertained by the county legislative authority
3 or the boundary review board to reside in it.

4 **Sec. 21.** RCW 35.06.080 and 1994 c 81 s 9 are each amended to read
5 as follows:

6 The first election of officers of the new corporation after the
7 advancement of classification is approved shall be at the next general
8 municipal election and the officers of the old corporation, as altered
9 by the election when the advancement was approved, shall remain in
10 office until the officers of the new corporation are elected and
11 qualified and assume office in accordance with (~~RCW 29.04.170~~) Title
12 29A RCW. A primary shall be held where necessary to nominate
13 candidates for the elected offices of the corporation as a second-class
14 city. Candidates for city council positions shall run for specific
15 council positions. The council of the old corporation may adopt a
16 resolution providing that the offices of city attorney, clerk, and
17 treasurer are appointive.

18 The three persons who are elected to council positions one through
19 six receiving the greatest number of votes shall be elected to four-
20 year terms of office and the other three persons who are elected to
21 council positions one through six, and the person elected to council
22 position seven, shall be elected to two-year terms of office. The
23 person elected as mayor and the persons elected to any other elected
24 office shall be elected to four-year terms of office. All successors
25 to all elected positions, other than council position number seven,
26 shall be elected to four-year terms of office and successors to council
27 position number seven shall be elected to two-year terms of office.

28 There shall be no election of town offices at this election when
29 the first officers of the new corporation are elected and the offices
30 of the town shall expire when the officers of the new corporation
31 assume office.

32 The ordinances, bylaws, and resolutions adopted by the old
33 corporation shall, as far as consistent with the provisions of this
34 title, continue in force until repealed by the council of the new
35 corporation.

36 The council and officers of the town shall, upon demand, deliver to

1 the proper officers of the new corporation all books of record,
2 documents, and papers in their possession belonging to the old
3 corporation.

4 **Sec. 22.** RCW 35.07.050 and 1965 c 7 s 35.07.050 are each amended
5 to read as follows:

6 Notice of such election shall be given as provided in RCW
7 (~~(29.27.080)~~) 29A.52.355.

8 **Sec. 23.** RCW 35.10.410 and 1985 c 281 s 4 are each amended to read
9 as follows:

10 The submission of a ballot proposal to the voters of two or more
11 contiguous cities for the consolidation of these contiguous cities may
12 be caused by the adoption of a joint resolution, by a majority vote of
13 each city legislative body, seeking consolidation of such contiguous
14 cities. The joint resolution shall provide for submission of the
15 question to the voters at the next general municipal election, if one
16 is to be held more than ninety days but not more than one hundred
17 eighty days after the passage of the joint resolution, or shall call
18 for a special election to be held for that purpose at the next special
19 election date, as specified in RCW (~~(29.13.020)~~) 29A.04.330, that
20 occurs ninety or more days after the passage of the joint resolution.
21 The legislative bodies of the cities also shall notify the county
22 legislative authority of each county in which the cities are located of
23 the proposed consolidation.

24 **Sec. 24.** RCW 35.10.420 and 1995 c 196 s 7 are each amended to read
25 as follows:

26 The submission of a ballot proposal to the voters of two or more
27 contiguous cities for the consolidation of these contiguous cities may
28 also be caused by the filing of a petition with the legislative body of
29 each such city, signed by the voters of each city in number equal to
30 not less than ten percent of voters who voted in the city at the last
31 general municipal election therein, seeking consolidation of such
32 contiguous cities. A copy of the petition shall be forwarded
33 immediately by each city to the auditor of the county or counties
34 within which that city is located.

1 The county auditor or auditors shall determine the sufficiency of
2 the signatures in each petition within ten days of receipt of the
3 copies and immediately notify the cities proposed to be consolidated of
4 the sufficiency. If each of the petitions is found to have sufficient
5 valid signatures, the auditor or auditors shall call a special election
6 at which the question of whether such cities shall consolidate shall be
7 submitted to the voters of each of such cities. If a general election
8 is to be held more than ninety days but not more than one hundred
9 eighty days after the filing of the last petition, the question shall
10 be submitted at that election. Otherwise the question shall be
11 submitted at a special election to be called for that purpose at the
12 next special election date(~~(, as)~~) specified in RCW (~~(29.13.020, that~~
13 ~~occurs ninety or more days after the date when the last petition was~~
14 ~~filed)~~) 29A.04.330.

15 If each of the petitions is found to have sufficient valid
16 signatures, the auditor or auditors also shall notify the county
17 legislative authority of each county in which the cities are located of
18 the proposed consolidation.

19 Petitions shall conform with the requirements for form prescribed
20 in RCW 35A.01.040, except different colored paper may be used on
21 petitions circulated in the different cities. A legal description of
22 the cities need not be included in the petitions.

23 **Sec. 25.** RCW 35.13.090 and 1996 c 286 s 1 are each amended to read
24 as follows:

25 (1) The proposition for or against annexation or for or against
26 annexation and adoption of the comprehensive plan, or for or against
27 creation of a community municipal corporation, or any combination
28 thereof, as the case may be, shall be deemed approved if a majority of
29 the votes cast on that proposition are cast in favor of annexation or
30 in favor of annexation and adoption of the comprehensive plan, or for
31 creation of the community municipal corporation, or any combination
32 thereof, as the case may be.

33 (2) If a proposition for or against assumption of all or any
34 portion of indebtedness was submitted to the registered voters, it
35 shall be deemed approved if a majority of at least three-fifths of the
36 registered voters of the territory proposed to be annexed voting on
37 such proposition vote in favor thereof, and the number of registered

1 voters voting on such proposition constitutes not less than forty
2 percent of the total number of votes cast in such territory at the last
3 preceding general election.

4 (3) If either or both propositions were approved by the registered
5 voters, the county auditor shall on completion of the canvassing of the
6 returns transmit to the county legislative authority and to the clerk
7 of the city or town to which annexation is proposed a certificate of
8 the election results, together with a certified abstract of the vote
9 showing the whole number who voted at the election, the number of votes
10 cast for annexation and the number cast against annexation or for
11 annexation and adoption of the comprehensive plan and the number cast
12 against annexation and adoption of the comprehensive plan or for
13 creation of a community municipal corporation and the number cast
14 against creation of a community municipal corporation, or any
15 combination thereof, as the case may be.

16 (4) If a proposition for assumption of all or of any portion of
17 indebtedness was submitted to the registered voters, the abstract shall
18 include the number of votes cast for assumption of indebtedness and the
19 number of votes cast against assumption of indebtedness, together with
20 a statement of the total number of votes cast in such territory at the
21 last preceding general election.

22 (5) If the proposition for creation of a community municipal
23 corporation was submitted and approved, the abstract shall include the
24 number of votes cast for the candidates for community council positions
25 and certificates of election shall be issued (~~pursuant to RCW~~
26 ~~29.27.100~~) to the successful candidates who shall assume office as
27 soon as qualified.

28 **Sec. 26.** RCW 35.16.030 and 1994 c 273 s 3 are each amended to read
29 as follows:

30 The election returns shall be canvassed as provided in (~~RCW~~
31 ~~29.13.040~~) chapter 29A.60 RCW. If three-fifths of the votes cast on
32 the proposition favor the reduction of the corporate limits, the
33 legislative body of the city or town, by an order entered on its
34 minutes, shall direct the clerk to make and transmit to the office of
35 the secretary of state a certified abstract of the vote. The abstract
36 shall show the total number of voters voting, the number of votes cast
37 for reduction and the number of votes cast against reduction.

1 **Sec. 27.** RCW 35.16.050 and 1996 c 286 s 3 are each amended to read
2 as follows:

3 A certified copy of the ordinance defining the reduced city or town
4 limits together with a map showing the corporate limits as altered
5 shall be filed in accordance with RCW ((~~29.15.026~~)) 29A.76.020 and
6 recorded in the office of the county auditor of the county in which the
7 city or town is situated, upon the effective date of the ordinance.
8 The new boundaries of the city or town shall take effect immediately
9 after they are filed and recorded with the county auditor.

10 **Sec. 28.** RCW 35.17.310 and 1965 c 7 s 35.17.310 are each amended
11 to read as follows:

12 The city clerk shall cause any ordinance or proposition required to
13 be submitted to the voters at an election to be published once in each
14 of the daily newspapers in the city not less than five nor more than
15 twenty days before the election, or if no daily newspaper is published
16 in the city, publication shall be made in each of the weekly newspapers
17 published therein. This publication shall be in addition to the notice
18 required in ((~~chapter 29.27~~)) RCW 29A.52.355.

19 **Sec. 29.** RCW 35.18.020 and 1994 c 223 s 12 are each amended to
20 read as follows:

21 (1) The number of councilmembers in a city or town operating with
22 a council-manager plan of government shall be based upon the latest
23 population of the city or town that is determined by the office of
24 financial management as follows:

25 (a) A city or town having not more than two thousand inhabitants,
26 five councilmembers; and

27 (b) A city or town having more than two thousand, seven
28 councilmembers.

29 (2) Except for the initial staggering of terms, councilmembers
30 shall serve for four-year terms of office. All councilmembers shall
31 serve until their successors are elected and qualified and assume
32 office in accordance with RCW ((~~29.04.170~~)) 29A.60.280. Councilmembers
33 may be elected on a citywide or townwide basis, or from wards or
34 districts, or any combination of these alternatives. Candidates shall
35 run for specific positions. Wards or districts shall be redrawn as
36 provided in chapter ((~~29.70~~)) 29A.76 RCW. Wards or districts shall be

1 used as follows: (a) Only a resident of the ward or district may be a
2 candidate for, or hold office as, a councilmember of the ward or
3 district; and (b) only voters of the ward or district may vote at a
4 primary to nominate candidates for a councilmember of the ward or
5 district. Voters of the entire city or town may vote at the general
6 election to elect a councilmember of a ward or district, unless the
7 city or town had prior to January 1, 1994, limited the voting in the
8 general election for any or all council positions to only voters
9 residing within the ward or district associated with the council
10 positions. If a city or town had so limited the voting in the general
11 election to only voters residing within the ward or district, then the
12 city or town shall be authorized to continue to do so.

13 (3) When a city or town has qualified for an increase in the number
14 of councilmembers from five to seven by virtue of the next succeeding
15 population determination made by the office of financial management,
16 two additional council positions shall be filled at the next municipal
17 general election with the person elected to one of the new council
18 positions receiving the greatest number of votes being elected for a
19 four-year term of office and the person elected to the other additional
20 council position being elected for a two-year term of office. The two
21 additional councilmembers shall assume office immediately when
22 qualified in accordance with RCW ((~~29.01.135~~)) 29A.04.133, but the term
23 of office shall be computed from the first day of January after the
24 year in which they are elected. Their successors shall be elected to
25 four-year terms of office.

26 Prior to the election of the two new councilmembers, the city or
27 town council shall fill the additional positions by appointment not
28 later than forty-five days following the release of the population
29 determination, and each appointee shall hold office only until the new
30 position is filled by election.

31 (4) When a city or town has qualified for a decrease in the number
32 of councilmembers from seven to five by virtue of the next succeeding
33 population determination made by the office of financial management,
34 two council positions shall be eliminated at the next municipal general
35 election if four council positions normally would be filled at that
36 election, or one council position shall be eliminated at each of the
37 next two succeeding municipal general elections if three council
38 positions normally would be filled at the first municipal general

1 election after the population determination. The council shall by
2 ordinance indicate which, if any, of the remaining positions shall be
3 elected at-large or from wards or districts.

4 (5) Vacancies on a council shall occur and shall be filled as
5 provided in chapter 42.12 RCW.

6 **Sec. 30.** RCW 35.23.805 and 1994 c 81 s 25 are each amended to read
7 as follows:

8 In a city initially classified as a second-class city prior to
9 January 1, 1993, that retained its second-class city plan of government
10 when the city reorganized as a noncharter code city, the terms of
11 office of mayor, city clerk, city treasurer and councilmembers shall be
12 four years, and until their successors are elected and qualified and
13 assume office in accordance with RCW ((~~29.04.170~~)) 29A.60.280, but not
14 more than six councilmembers normally shall be elected in any one year
15 to fill a full term.

16 **Sec. 31.** RCW 35A.12.040 and 1994 c 223 s 31 are each amended to
17 read as follows:

18 Officers shall be elected at biennial municipal elections to be
19 conducted as provided in chapter 35A.29 RCW. The mayor and the
20 councilmembers shall be elected for four-year terms of office and until
21 their successors are elected and qualified and assume office in
22 accordance with RCW ((~~29.04.170~~)) 29A.60.280. At any first election
23 upon reorganization, councilmembers shall be elected as provided in RCW
24 35A.02.050. Thereafter the requisite number of councilmembers shall be
25 elected biennially as the terms of their predecessors expire and shall
26 serve for terms of four years. The positions to be filled on the city
27 council shall be designated by consecutive numbers and shall be dealt
28 with as separate offices for all election purposes. Election to
29 positions on the council shall be by majority vote from the city at
30 large, unless provision is made by charter or ordinance for election by
31 wards. The mayor and councilmembers shall qualify by taking an oath or
32 affirmation of office and as may be provided by law, charter, or
33 ordinance.

34 **Sec. 32.** RCW 35A.14.080 and 1979 ex.s. c 124 s 5 are each amended
35 to read as follows:

1 (~~On the Monday next succeeding the annexation election,~~) The
2 county canvassing board shall proceed to canvass the returns thereof
3 and shall submit the statement of canvass to the county legislative
4 authority.

5 The proposition for or against annexation or for or against
6 annexation and adoption of the proposed zoning regulation, as the case
7 may be, shall be deemed approved if a majority of the votes cast on
8 that proposition are cast in favor of annexation or in favor of
9 annexation and adoption of the proposed zoning regulation, as the case
10 may be. If a proposition for or against assumption of all or any
11 portion of indebtedness was submitted to the electorate, it shall be
12 deemed approved if a majority of at least three-fifths of the electors
13 of the territory proposed to be annexed voting on such proposition vote
14 in favor thereof, and the number of persons voting on such proposition
15 constitutes not less than forty percent of the total number of votes
16 cast in such territory at the last preceding general election. If
17 either or both propositions were approved by the electors, the county
18 legislative authority shall enter a finding to that effect on its
19 minutes, a certified copy of which shall be forthwith transmitted to
20 and filed with the clerk of the city to which annexation is proposed,
21 together with a certified abstract of the vote showing the whole number
22 who voted at the election, the number of votes cast for annexation and
23 the number cast against annexation or for annexation and adoption of
24 the proposed zoning regulation and the number cast against annexation
25 and adoption of the proposed zoning regulation, as the case may be, and
26 if a proposition for assumption of all or any portion of indebtedness
27 was submitted to the electorate, the abstract shall include the number
28 of votes cast for assumption of indebtedness and the number of votes
29 cast against assumption of indebtedness, together with a statement of
30 the total number of votes cast in such territory at the last preceding
31 general election.

32 **Sec. 33.** RCW 36.12.050 and 1963 c 4 s 36.12.050 are each amended
33 to read as follows:

34 When the returns have been received and compared, and the results
35 ascertained by the board, if three-fifths of the legal votes cast by
36 those voting on the proposition are in favor of any particular place

1 the proposition has been adopted. ((The board of county commissioners
2 must give notice of the result by posting notices thereof in all the
3 election precincts in the county.))

4 **Sec. 34.** RCW 36.16.020 and 1979 ex.s. c 126 s 26 are each amended
5 to read as follows:

6 The term of office of all county ((and precinct)) officers shall be
7 four years and until their successors are elected and qualified and
8 assume office in accordance with RCW ((29.04.170)) 29A.60.280:
9 PROVIDED, That this section and RCW 36.16.010 shall not apply to county
10 commissioners.

11 **Sec. 35.** RCW 36.16.030 and 1996 c 108 s 1 are each amended to read
12 as follows:

13 Except as provided elsewhere in this section, in every county there
14 shall be elected from among the qualified voters of the county a county
15 assessor, a county auditor, a county clerk, a county coroner, three
16 county commissioners, a county prosecuting attorney, a county sheriff
17 and a county treasurer, except that in each county with a population of
18 less than forty thousand no coroner shall be elected and the
19 prosecuting attorney shall be ex officio coroner. Whenever the
20 population of a county increases to forty thousand or more, the
21 prosecuting attorney shall continue as ex officio coroner until a
22 coroner is elected, at the next general election at which the office of
23 prosecuting attorney normally would be elected, and assumes office as
24 provided in RCW ((29.04.170)) 29A.60.280. In any county where the
25 population has once attained forty thousand people and a current
26 coroner is in office and a subsequent census indicates less than forty
27 thousand people, the county legislative authority may maintain the
28 office of coroner by resolution or ordinance. If the county
29 legislative authority has not passed a resolution or enacted an
30 ordinance to maintain the office of coroner, the elected coroner shall
31 remain in office for the remainder of the term for which he or she was
32 elected, but no coroner shall be elected at the next election at which
33 that office would otherwise be filled and the prosecuting attorney
34 shall be the ex officio coroner. In a county with a population of two
35 hundred fifty thousand or more, the county legislative authority may
36 replace the office of coroner with a medical examiner system and

1 appoint a medical examiner as specified in RCW 36.24.190. A noncharter
2 county may have five county commissioners as provided in RCW 36.32.010
3 and 36.32.055 through 36.32.0558.

4 **Sec. 36.** RCW 36.32.030 and 1979 ex.s. c 126 s 27 are each amended
5 to read as follows:

6 The terms of office of county commissioners shall be four years and
7 until their successors are elected and qualified and assume office in
8 accordance with RCW ((~~29.04.170~~)) 29A.60.280: PROVIDED, That the terms
9 shall be staggered so that either one or two commissioners are elected
10 at a general election held in an even-numbered year.

11 **Sec. 37.** RCW 36.32.0558 and 2003 c 238 s 2 are each amended to
12 read as follows:

13 Vacancies on a board of county commissioners consisting of five
14 members shall be filled as provided in RCW 36.32.070, except that:

15 (1) Whenever there are three or more vacancies, the governor shall
16 appoint one or more commissioners until there are a total of three
17 commissioners;

18 (2) Whenever there are two vacancies, the three commissioners shall
19 fill one of the vacancies;

20 (3) Whenever there is one vacancy, the four commissioners shall
21 fill the single vacancy; and

22 (4) Whenever there is a vacancy after the general election in a
23 year that the position appears on the ballot and before the start of
24 the next term, the term of the successor who is of the same party as
25 the incumbent may commence once he or she has qualified as defined in
26 RCW ((~~29.01.135~~)) 29A.04.133 and shall continue through the term for
27 which he or she was elected.

28 **Sec. 38.** RCW 39.36.050 and 1984 c 186 s 3 are each amended to read
29 as follows:

30 The governing body of a taxing district desiring to place a ballot
31 proposition authorizing indebtedness before the voters may submit the
32 proposition at any special election held on the dates authorized in
33 ((~~chapter 29.13~~)) RCW 29A.04.321 and 29A.04.330. The ballot
34 proposition shall include the maximum amount of the indebtedness to be

1 authorized, the maximum term any bonds may have, a description of the
2 purpose or purposes of the bond issue, and whether excess property tax
3 levies authorized under RCW 84.52.056 will be authorized.

4 When it is required that such bonds be retired by excess property
5 tax levies, or when the governing body desires such bonds be retired by
6 excess property tax levies, the ballot proposition shall also include
7 authorization for such excess bond retirement property tax levies
8 provided under RCW 84.52.056.

9 Notice of the proposed election shall be published as required by
10 (~~RCW 29.27.080~~) 29A.52.355.

11 **Sec. 39.** RCW 52.04.011 and 1999 c 105 s 1 are each amended to read
12 as follows:

13 (1) A territory adjacent to a fire protection district and not
14 within the boundaries of a city, town, or other fire protection
15 district may be annexed to the fire protection district by petition of
16 fifteen percent of the qualified registered electors residing within
17 the territory proposed to be annexed. Such territory may be located in
18 a county or counties other than the county or counties within which the
19 fire protection district is located. The petition shall be filed with
20 the fire commissioners of the fire protection district and if the fire
21 commissioners concur in the petition they shall file the petition with
22 the county auditor of the county within which the territory is located.
23 If this territory is located in more than one county, the original
24 petition shall be filed with the auditor of the county within which the
25 largest portion of the territory is located, who shall be designated as
26 the lead auditor, and a copy shall be filed with the auditor of each
27 other county within which such territory is located. Within thirty
28 days after the date of the filing of the petition the auditor shall
29 examine the signatures on the petition and certify to the sufficiency
30 or insufficiency of the signatures. If this territory is located in
31 more than one county, the auditor of each other county who receives a
32 copy of the petition shall examine the signatures and certify to the
33 lead auditor the number of valid signatures and the number of
34 registered voters residing in that portion of the territory that is
35 located within the county. The lead auditor shall certify the
36 sufficiency or insufficiency of the signatures.

1 After the county auditor has certified the sufficiency of the
2 petition, the county legislative authority or authorities, or the
3 boundary review board or boards, of the county or counties in which
4 such territory is located shall consider the proposal under the same
5 basis that a proposed incorporation of a fire protection district is
6 considered, with the same authority to act on the proposal as in a
7 proposed incorporation, as provided under chapter 52.02 RCW. If the
8 proposed annexation is approved by the county legislative authority or
9 boundary review board, the board of fire commissioners shall adopt a
10 resolution requesting the county auditor to call a special election, as
11 specified under RCW ((29.13.020)) 29A.04.330, at which the ballot
12 proposition is to be submitted. No annexation shall occur when the
13 territory proposed to be annexed is located in more than one county
14 unless the county legislative authority or boundary review board of
15 each county approves the proposed annexation.

16 (2) The county legislative authority or authorities of the county
17 or counties within which such territory is located have the authority
18 and duty to determine on an equitable basis, the amount of any
19 obligation which the territory to be annexed to the district shall
20 assume to place the property owners of the existing district on a fair
21 and equitable relationship with the property owners of the territory to
22 be annexed as a result of the benefits of annexing to a district
23 previously supported by the property owners of the existing district.
24 If a boundary review board has had its jurisdiction invoked on the
25 proposal and approves the proposal, the county legislative authority of
26 the county within which such territory is located may exercise the
27 authority granted in this subsection and require such an assumption of
28 indebtedness. This obligation may be paid to the district in yearly
29 benefit charge installments to be fixed by the county legislative
30 authority. This benefit charge shall be collected with the annual tax
31 levies against the property in the annexed territory until fully paid.
32 The amount of the obligation and the plan of payment established by the
33 county legislative authority shall be described in general terms in the
34 notice of election for annexation and shall be described in the ballot
35 proposition on the proposed annexation that is presented to the voters
36 for their approval or rejection. Such benefit charge shall be limited
37 to an amount not to exceed a total of fifty cents per thousand dollars

1 of assessed valuation: PROVIDED, HOWEVER, That the special election on
2 the proposed annexation shall be held only within the boundaries of the
3 territory proposed to be annexed to the fire protection district.

4 (3) On the entry of the order of the county legislative authority
5 incorporating the territory into the existing fire protection district,
6 the territory shall become subject to the indebtedness, bonded or
7 otherwise, of the existing district. If the petition is signed by
8 sixty percent of the qualified registered electors residing within the
9 territory proposed to be annexed, and if the board of fire
10 commissioners concur, an election in the territory and a hearing on the
11 petition shall be dispensed with and the county legislative authority
12 shall enter its order incorporating the territory into the existing
13 fire protection district.

14 **Sec. 40.** RCW 52.06.030 and 1989 c 63 s 14 are each amended to read
15 as follows:

16 The board of the merger district may, by resolution, reject or
17 approve the petition as presented, or it may modify the terms and
18 conditions of the proposed merger, and shall transmit the petition,
19 together with a copy of its resolution to the merging district.

20 If the petition is approved as presented or as modified, the board
21 of the merging district shall send an elector-signed petition, if there
22 is one, to the auditor or auditors of the county or counties in which
23 the merging district is located, who shall within thirty days examine
24 the signatures and certify to the sufficiency or insufficiency of the
25 signatures. If the merging district is located in more than one
26 county, the auditor of the county within which the largest portion of
27 the merging district is located shall be the lead auditor. Each other
28 auditor shall certify to the lead auditor the number of valid
29 signatures and the number of registered voters of the merging district
30 who reside in the county. The lead auditor shall certify as to the
31 sufficiency or insufficiency of the signatures. No signatures may be
32 withdrawn from the petition after the filing. A certificate of
33 sufficiency shall be provided to the board of the merging district,
34 which shall adopt a resolution requesting the county auditor or
35 auditors to call a special election, as provided in RCW (~~(29.13.020)~~)
36 29A.04.330, for the purpose of presenting the question of merging the
37 districts to the voters of the merging district.

1 If there is no elector-signed petition, the merging district board
2 shall adopt a resolution requesting the county auditor or auditors to
3 call a special election in the merging district, as specified under RCW
4 (~~(29.13.020)~~) 29A.04.330, for the purpose of presenting the question of
5 the merger to the electors.

6 **Sec. 41.** RCW 52.14.060 and 1994 c 223 s 53 are each amended to
7 read as follows:

8 The initial three members of the board of fire commissioners shall
9 be elected at the same election as when the ballot proposition is
10 submitted to the voters authorizing the creation of the fire protection
11 district. If the district is not authorized to be created, the
12 election of the initial fire commissioners shall be null and void. If
13 the district is authorized to be created, the initial fire
14 commissioners shall take office immediately when qualified. Candidates
15 shall file for each of the three separate fire commissioner positions.
16 Elections shall be held as provided in chapter (~~(29.21)~~) 29A.52 RCW,
17 with the county auditor opening up a special filing period as provided
18 in RCW (~~(29.15.170)~~) 29A.24.171 and (~~(29.15.180)~~) 42.12.070, as if
19 there were a vacancy. The person who receives the greatest number of
20 votes for each position shall be elected to that position. The terms
21 of office of the initial fire commissioners shall be staggered as
22 follows: (1) The person who is elected receiving the greatest number
23 of votes shall be elected to a six-year term of office if the election
24 is held in an odd-numbered year or a five-year term of office if the
25 election is held in an even-numbered year; (2) the person who is
26 elected receiving the next greatest number of votes shall be elected to
27 a four-year term of office if the election is held in an odd-numbered
28 year or a three-year term of office if the election is held in an even-
29 numbered year; and (3) the other person who is elected shall be elected
30 to a two-year term of office if the election is held in an odd-numbered
31 year or a one-year term of office if the election is held in an even-
32 numbered year. The initial commissioners shall take office immediately
33 when elected and qualified and their terms of office shall be
34 calculated from the first day of January in the year following their
35 election.

36 The term of office of each subsequent commissioner shall be six

1 years. Each commissioner shall serve until a successor is elected and
2 qualified and assumes office in accordance with RCW ((29.04.170))
3 29A.60.280.

4 **Sec. 42.** RCW 53.04.020 and 1992 c 147 s 1 are each amended to read
5 as follows:

6 At any general election or at any special election which may be
7 called for that purpose, the county legislative authority of any county
8 in this state may, or on petition of ten percent of the registered
9 voters of such county based on the total vote cast in the last general
10 county election, shall, by resolution submit to the voters of such
11 county the proposition of creating a port district coextensive with the
12 limits of such county. Such petition shall be filed with the county
13 auditor, who shall within fifteen days examine the signatures thereof
14 and certify to the sufficiency or insufficiency thereof(~~(, and for such~~
15 ~~purpose the county auditor shall have access to all registration books~~
16 ~~in the possession of the officers of any incorporated city or town in~~
17 ~~such proposed port district)~~). If such petition be found to be
18 insufficient, it shall be returned to the persons filing the same, who
19 may amend or add names thereto for ten days, when the same shall be
20 returned to the county auditor, who shall have an additional fifteen
21 days to examine the same and attach his or her certificate thereto. No
22 person having signed such petition shall be allowed to withdraw his or
23 her name therefrom after the filing of the same with the county
24 auditor. Whenever such petition shall be certified to as sufficient,
25 the county auditor shall forthwith transmit the same, together with his
26 or her certificate of sufficiency attached thereto, to the legislative
27 authority of the county, who shall submit such proposition at the next
28 general election or, if such petition so requests, the county
29 legislative authority shall, at their first meeting after the date of
30 such certificate, by resolution, call a special election to be held in
31 accordance with RCW ((29.13.010)) 29A.04.321 and ((29.13.020))
32 29A.04.330. The notice of election shall state the boundaries of the
33 proposed port district and the object of such election. In submitting
34 the question to the voters for their approval or rejection, the
35 proposition shall be expressed on the ballot substantially in the
36 following terms:

1 "Port of, Yes." (giving the name of the principal
2 seaport city within such proposed port district, or if there be more
3 than one city of the same class within such district, such name as may
4 be determined by the legislative authority of the county).

5 "Port of, No." (giving the name of the principal
6 seaport city within such port district, or if there be more than one
7 city of the same class within such district, such name as may be
8 determined by the legislative authority of the county).

9 **Sec. 43.** RCW 53.04.023 and 1997 c 256 s 1 are each amended to read
10 as follows:

11 A less than countywide port district with an assessed valuation of
12 at least one hundred fifty million dollars may be created in a county
13 that already has a less than countywide port district located within
14 its boundaries. Except as provided in this section, such a port
15 district shall be created in accordance with the procedure to create a
16 countywide port district.

17 The effort to create such a port district is initiated by the
18 filing of a petition with the county auditor calling for the creation
19 of such a port district, describing the boundaries of the proposed port
20 district, designating either three or five commissioner positions,
21 describing commissioner districts if the petitioners propose that the
22 commissioners represent districts, and providing a name for the
23 proposed port district. The petition must be signed by voters residing
24 within the proposed port district equal in number to at least ten
25 percent of such voters who voted at the last county general election.

26 A public hearing on creation of the proposed port district shall be
27 held by the county legislative authority if the county auditor
28 certifies that the petition contained sufficient valid signatures.
29 Notice of the public hearing must be published in the county's official
30 newspaper at least ten days prior to the date of the public hearing.
31 After taking testimony, the county legislative authority may make
32 changes in the boundaries of the proposed port district if it finds
33 that such changes are in the public interest and shall determine if the
34 creation of the port district is in the public interest. No area may
35 be added to the boundaries unless a subsequent public hearing is held
36 on the proposed port district.

1 The county legislative authority shall submit a ballot proposition
2 authorizing the creation of the proposed port district to the voters of
3 the proposed port district, at any special election date provided in
4 RCW ((~~29.13.020~~)) 29A.04.321 or 29A.04.330, if it finds the creation of
5 the port district to be in the public interest.

6 The port district shall be created if a majority of the voters
7 voting on the ballot proposition favor the creation of the port
8 district. The initial port commissioners shall be elected at the same
9 election, from districts or at large, as provided in the petition
10 initiating the creation of the port district. The election shall be
11 otherwise conducted as provided in RCW 53.12.172, but the election of
12 commissioners shall be null and void if the port district is not
13 created.

14 **Sec. 44.** RCW 53.04.080 and 1990 c 259 s 16 are each amended to
15 read as follows:

16 At any general election or at any special election which may be
17 called for that purpose the county legislative authority of any county
18 in this state in which there exists a port district which is not
19 coextensive with the limits of the county, shall on petition of the
20 commissioners of such port district, by resolution, submit to the
21 voters residing within the limits of any territory which the existing
22 port district desires to annex or include in its enlarged port
23 district, the proposition of enlarging the limits of such existing port
24 districts so as to include therein the whole of the territory embraced
25 within the boundaries of such county, or such territory as may be
26 described in the petition by legal subdivisions. Such petition shall
27 be filed with the county auditor, who shall forthwith transmit the same
28 to the county legislative authority, who shall submit such proposition
29 at the next general election, or, if such petition so request, the
30 county legislative authority, shall at their first meeting after the
31 date of filing such petition, by resolution, call a special election to
32 be held in accordance with RCW ((~~29.13.010~~)) 29A.04.321 and
33 ((~~29.13.020~~)) 29A.04.330. The notice of election shall state the
34 boundaries of the proposed enlarged port district and the object of the
35 special election. In submitting the question to the voters of the
36 territory proposed to be annexed or included for their approval or

1 rejection, the proposition shall be expressed on the ballots
2 substantially in the following terms:

3 "Enlargement of the port of, yes." (Giving ((then
4 [the])) the name of the port district which it is proposed to enlarge);

5 "Enlargement of the port of, no." (Giving the name of
6 the port district which it is proposed to enlarge).

7 Such election, whether general or special, shall be held in each
8 precinct wholly or partially embraced within the limits of the
9 territory proposed to be annexed or included and shall be conducted and
10 the votes cast thereat counted, canvassed, and the returns thereof made
11 in the manner provided by law for holding general or special county
12 elections.

13 **Sec. 45.** RCW 53.12.172 and 1994 c 223 s 85 are each amended to
14 read as follows:

15 (1) In every port district the term of office of each port
16 commissioner shall be four years in each port district that is
17 countywide with a population of one hundred thousand or more, or either
18 six or four years in all other port districts as provided in RCW
19 53.12.175, and until a successor is elected and qualified and assumes
20 office in accordance with RCW ((~~29.04.170~~)) 29A.60.280.

21 (2) The initial port commissioners shall be elected at the same
22 election as when the ballot proposition is submitted to voters
23 authorizing the creation of the port district. If the port district is
24 created the persons elected at this election shall serve as the initial
25 port commission. No primary shall be held. The person receiving the
26 greatest number of votes for commissioner from each commissioner
27 district shall be elected as the commissioner of that district.

28 (3) The terms of office of the initial port commissioners shall be
29 staggered as follows in a port district that is countywide with a
30 population of one hundred thousand or more: (a) The two persons who
31 are elected receiving the two greatest numbers of votes shall be
32 elected to four-year terms of office if the election is held in an odd-
33 numbered year, or three-year terms of office if the election is held in
34 an even-numbered year, and shall hold office until successors are
35 elected and qualified and assume office in accordance with RCW
36 ((~~29.04.170~~)) 29A.60.280; and (b) the other person who is elected shall
37 be elected to a two-year term of office if the election is held in an

1 odd-numbered year, or a one-year term of office if the election is held
2 in an even-numbered year, and shall hold office until a successor is
3 elected and qualified and assumes office in accordance with RCW
4 ((~~29.04.170~~)) 29A.60.280.

5 (4) The terms of office of the initial port commissioners in all
6 other port districts shall be staggered as follows: (a) The person who
7 is elected receiving the greatest number of votes shall be elected to
8 a six-year term of office if the election is held in an odd-numbered
9 year or to a five-year term of office if the election is held in an
10 even-numbered year, and shall hold office until a successor is elected
11 and qualified and assumes office in accordance with RCW ((~~29.04.170~~))
12 29A.60.280; (b) the person who is elected receiving the next greatest
13 number of votes shall be elected to a four-year term of office if the
14 election is held in an odd-numbered year or to a three-year term of
15 office if the election is held in an even-numbered year, and shall hold
16 office until a successor is elected and qualified and assumes office in
17 accordance with RCW ((~~29.04.170~~)) 29A.60.280; and (c) the other person
18 who is elected shall be elected to a two-year term of office if the
19 election is held in an odd-numbered year or a one-year term of office
20 if the election is held in an even-numbered year, and shall hold office
21 until a successor is elected and qualified and assumes office in
22 accordance with RCW ((~~29.04.170~~)) 29A.60.280.

23 (5) The initial port commissioners shall take office immediately
24 after being elected and qualified, but the length of their terms shall
25 be calculated from the first day in January in the year following their
26 elections.

27 **Sec. 46.** RCW 53.12.221 and 1992 c 146 s 4 are each amended to read
28 as follows:

29 Port commissioners of countywide port districts with populations of
30 one hundred thousand or more who are holding office as of June 11,
31 1992, shall retain their positions for the remainder of their terms
32 until their successors are elected and qualified, and assume office in
33 accordance with RCW ((~~29.04.170~~)) 29A.60.280. Their successors shall
34 be elected to four-year terms of office except as otherwise provided in
35 RCW 53.12.130.

1 **Sec. 47.** RCW 54.08.060 and 1994 c 223 s 55 are each amended to
2 read as follows:

3 Whenever a proposition for the formation of a public utility
4 district is to be submitted to voters in any county, the county
5 legislative authority may by resolution call a special election, and at
6 the request of petitioners for the formation of such district contained
7 in the petition shall do so and shall provide for holding the same at
8 the earliest practicable time. If the boundaries of the proposed
9 district embrace an area less than the entire county, such election
10 shall be confined to the area so included. The notice of such election
11 shall state the boundaries of the proposed district and the object of
12 such election; in other respects, such election shall be held and
13 called in the same manner as provided by law for the holding and
14 calling of general elections: PROVIDED, That notice thereof shall be
15 given for not less than ten days nor more than thirty days prior to
16 such special election. In submitting the proposition to the voters for
17 their approval or rejection, such proposition shall be expressed on the
18 ballots in substantially the following terms:

19 Public Utility District No. YES
20 Public Utility District No. NO

21 At the same special election on the proposition to form a public
22 utility district, there shall also be an election for three public
23 utility district commissioners. However, the election of such
24 commissioners shall be null and void if the proposition to form the
25 public utility district does not receive approval by a majority of the
26 voters voting on the proposition. No primary shall be held. A special
27 filing period shall be opened as provided in RCW (~~29.15.170 and~~
28 ~~29.15.180~~) 29A.24.171. The person receiving the greatest number of
29 votes for the commissioner of each commissioner district shall be
30 elected as the commissioner of that district. Commissioner districts
31 shall be established as provided in RCW 54.12.010. The terms of the
32 initial commissioners shall be staggered as follows: (1) The person
33 who is elected receiving the greatest number of votes shall be elected
34 to a six-year term of office if the election is held in an even-
35 numbered year or a five-year term if the election is held in an odd-
36 numbered year; (2) the person who is elected receiving the next
37 greatest number of votes shall be elected to a four-year term of office
38 if the election is held in an even-numbered year or a three-year term

1 of office if the election is held in an odd-numbered year; and (3) the
2 other person who is elected shall be elected to a two-year term of
3 office if the election is held in an even-numbered year or a one-year
4 term of office if the election is held in an odd-numbered year. The
5 commissioners first to be elected at such special election shall assume
6 office immediately when they are elected and qualified, but the length
7 of their terms of office shall be calculated from the first day in
8 January in the year following their elections.

9 The term "general election" as used herein means biennial general
10 elections at which state and county officers in a noncharter county are
11 elected.

12 **Sec. 48.** RCW 57.12.030 and 1996 c 230 s 403 are each amended to
13 read as follows:

14 Except as in this section otherwise provided, the term of office of
15 each district commissioner shall be six years, such term to be computed
16 from the first day of January following the election, and commissioners
17 shall serve until their successors are elected and qualified and assume
18 office in accordance with RCW (~~(29.04.170)~~) 29A.60.280.

19 Three initial district commissioners shall be elected at the same
20 election at which the proposition is submitted to the voters as to
21 whether such district shall be formed. The election of initial
22 district commissioners shall be null and void if the ballot proposition
23 to form the district is not approved. Each candidate shall run for one
24 of three separate commissioner positions. A special filing period
25 shall be opened as provided in RCW (~~(29.15.170 and 29.15.180)~~)
26 29A.24.171. The person receiving the greatest number of votes for each
27 position shall be elected to that position.

28 The initial district commissioners shall assume office immediately
29 when they are elected and qualified. Staggering of the terms of office
30 for the initial district commissioners shall be accomplished as
31 follows: (1) The person who is elected receiving the greatest number
32 of votes shall be elected to a six-year term of office if the election
33 is held in an odd-numbered year or a five-year term of office if the
34 election is held in an even-numbered year; (2) the person who is
35 elected receiving the next greatest number of votes shall be elected to
36 a four-year term of office if the election is held in an odd-numbered
37 year or a three-year term of office if the election is held in an even-

1 numbered year; and (3) the other person who is elected shall be elected
2 to a two-year term of office if the election is held in an odd-numbered
3 year or a one-year term of office if the election is held in an even-
4 numbered year. The terms of office shall be calculated from the first
5 day of January after the election.

6 Thereafter, commissioners shall be elected to six-year terms of
7 office. Commissioners shall serve until their successors are elected
8 and qualified and assume office in accordance with RCW ((~~29.04.170~~))
9 29A.60.280.

10 **Sec. 49.** RCW 57.12.039 and 2001 c 63 s 4 are each amended to read
11 as follows:

12 (1) Notwithstanding RCW 57.12.020 and 57.12.030, the board of
13 commissioners may provide by majority vote that subsequent
14 commissioners be elected from commissioner districts within the
15 district. If the board exercises this option, it shall divide the
16 district into three, five, or seven if the number of commissioners has
17 been increased under RCW 57.12.015, commissioner districts of
18 approximately equal population following current precinct and district
19 boundaries.

20 (2) Commissioner districts shall be used as follows: (a) Only a
21 registered voter who resides in a commissioner district may be a
22 candidate for, or serve as, a commissioner of the commissioner
23 district; and (b) only voters of a commissioner district may vote at a
24 primary to nominate candidates for a commissioner of the commissioner
25 district. Voters of the entire district may vote at a general election
26 to elect a person as a commissioner of the commissioner district.
27 Commissioner districts shall be redrawn as provided in chapter
28 ((~~29.70~~)) 29A.76 RCW.

29 (3) In districts in which commissioners are nominated from
30 commissioner districts, at the inception of a five-member or a seven-
31 member board of commissioners, the new commissioner districts shall be
32 numbered one through five or one through seven and the incumbent
33 commissioners shall represent up to five commissioner districts
34 depending on the amount of commissioners. If, as a result of redrawing
35 the district boundaries two or three of the incumbent commissioners
36 reside in one of the new commissioner districts, the commissioners who
37 reside in the same commissioner district shall determine by lot which

1 of the first three or five numbered commissioner districts they shall
2 represent for the remainder of their respective terms. A primary shall
3 be held to nominate candidates from the remaining districts where
4 necessary and commissioners shall be elected at large at the general
5 election. The persons elected as commissioners from the remaining
6 commissioner districts shall take office immediately after
7 qualification as defined under RCW ((~~29.01.135~~)) 29A.04.133.

8 **Sec. 50.** RCW 57.24.240 and 2007 c 31 s 2 are each amended to read
9 as follows:

10 (1) If a resolution calling for an annexation election as provided
11 in RCW 57.24.230 is presented for hearing, the legislative authority of
12 each county in which the territory proposed for annexation is located
13 shall hear the resolution or may adjourn and reconvene the hearing as
14 deemed necessary for its purposes. The hearing, however, may not
15 exceed four weeks in duration. Any person, firm, or corporation may
16 appear before the legislative authority or authorities and make
17 objections to the proposed boundary lines or to annexation of the
18 territory described in the resolution.

19 (2) Upon a final hearing, each county legislative authority may
20 make changes to the proposed boundary lines within the county as it
21 deems proper and shall formally establish and define the boundaries.
22 Each legislative authority also shall find whether the proposed
23 annexation will be conducive to the public health, welfare, and
24 convenience and whether it will be of special benefit to the land
25 included within the boundaries of the proposed annexation. No lands
26 that will not, in the judgment of the legislative authority, benefit by
27 inclusion therein, may be included within the boundaries of the
28 territory as established and defined. The legislative authority may
29 not include within the territory proposed for annexation any territory
30 outside of the boundary lines described in the resolution adopted by
31 the district under RCW 57.24.230(2).

32 (3) Upon the entry of the findings of the final hearing, each
33 county legislative authority, if it finds the proposed annexation
34 satisfies the requirements of subsection (2) of this section, shall
35 give notice of a special election to be held within the boundaries of
36 the territory proposed for annexation for the purpose of determining
37 whether the same shall be annexed to the district. The notice shall:

1 (a) Describe the boundaries established by the legislative
2 authority;

3 (b) State the name of the district to which the territory is
4 proposed to be annexed;

5 (c) Be published in a newspaper of general circulation in the
6 territory proposed for annexation at least once a week for a minimum of
7 two successive weeks prior to the election;

8 (d) Be posted for the same period in at least four public places
9 within the boundaries of the territory proposed for annexation; and

10 (e) Designate the places within the territory proposed for
11 annexation where the election shall be held.

12 (4) The proposition to the voters shall be expressed on ballots
13 containing the words:

14 For Annexation to District

15 or

16 Against Annexation to District

17 (~~The county legislative authority shall name the persons to act as~~
18 ~~judges at that election.~~)

19 **Sec. 51.** RCW 68.52.250 and 1990 c 259 s 34 are each amended to
20 read as follows:

21 Special elections submitting propositions to the registered voters
22 of the district may be called at any time by resolution of the cemetery
23 commissioners in accordance with RCW (~~(29.13.010)~~) 29A.04.321 and
24 (~~(29.13.020)~~) 29A.04.330, and shall be called, noticed, held, conducted
25 and canvassed in the same manner and by the same officials as provided
26 for the election to determine whether the district shall be created.

27 **Sec. 52.** RCW 70.44.047 and 1997 c 99 s 6 are each amended to read
28 as follows:

29 If, as the result of redrawing the boundaries of commissioner
30 districts as permitted or required under the provisions of this
31 chapter, chapter (~~(29.70)~~) 29A.76 RCW, or any other statute, more than
32 the correct number of commissioners who are associated with
33 commissioner districts reside in the same commissioner district, a
34 commissioner or commissioners residing in that redrawn commissioner
35 district equal in number to the number of commissioners in excess of
36 the correct number shall be assigned to the drawn commissioner district

1 or districts in which less than the correct number of commissioners
2 associated with commissioner districts reside. The commissioner or
3 commissioners who are so assigned shall be those with the shortest
4 unexpired term or terms of office, but if the number of such
5 commissioners with the same terms of office exceeds the number that are
6 to be assigned, the board of commissioners shall select by lot from
7 those commissioners which one or ones are assigned. A commissioner who
8 is so assigned shall be deemed to be a resident of the commissioner
9 district to which he or she is assigned for purposes of determining
10 whether a position is vacant.

11 **Sec. 53.** RCW 82.14.036 and 1983 c 99 s 2 are each amended to read
12 as follows:

13 Any referendum petition to repeal a county or city ordinance
14 imposing a tax or altering the rate of the tax authorized under RCW
15 82.14.030(2) shall be filed with a filing officer, as identified in the
16 ordinance, within seven days of passage of the ordinance. Within ten
17 days, the filing officer shall confer with the petitioner concerning
18 form and style of the petition, issue an identification number for the
19 petition, and write a ballot title for the measure. The ballot title
20 shall be posed as a question so that an affirmative answer to the
21 question and an affirmative vote on the measure results in the tax or
22 tax rate increase being imposed and a negative answer to the question
23 and a negative vote on the measure results in the tax or tax rate
24 increase not being imposed. The petitioner shall be notified of the
25 identification number and ballot title within this ten-day period.

26 After this notification, the petitioner shall have thirty days in
27 which to secure on petition forms the signatures of not less than
28 fifteen percent of the registered voters of the county for county
29 measures, or not less than fifteen percent of the registered voters of
30 the city for city measures, and to file the signed petitions with the
31 filing officer. Each petition form shall contain the ballot title and
32 the full text of the measure to be referred. The filing officer shall
33 verify the sufficiency of the signatures on the petitions. If
34 sufficient valid signatures are properly submitted, the filing officer
35 shall submit the referendum measure to the county or city voters at a
36 general or special election held on one of the dates provided in RCW
37 ((29.13.010)) 29A.04.321 or 29A.04.330 as determined by the county

1 legislative authority or city council, which election shall not take
2 place later than one hundred twenty days after the signed petition has
3 been filed with the filing officer.

4 After April 22, 1983, the referendum procedure provided in this
5 section shall be the exclusive method for subjecting any county or city
6 ordinance imposing a tax or altering the rate under RCW 82.14.030(2) to
7 a referendum vote.

8 Any county or city tax authorized under RCW 82.14.030(2) that has
9 been imposed prior to April 22, 1983, is not subject to the referendum
10 procedure provided for in this section.

11 **Sec. 54.** RCW 82.46.021 and 2000 c 103 s 16 are each amended to
12 read as follows:

13 Any referendum petition to repeal a county or city ordinance
14 imposing a tax or altering the rate of the tax authorized under RCW
15 82.46.010(3) shall be filed with a filing officer, as identified in the
16 ordinance, within seven days of passage of the ordinance. Within ten
17 days, the filing officer shall confer with the petitioner concerning
18 form and style of the petition, issue an identification number for the
19 petition, and write a ballot title for the measure. The ballot title
20 shall be posed as a question so that an affirmative answer to the
21 question and an affirmative vote on the measure results in the tax or
22 tax rate increase being imposed and a negative answer to the question
23 and a negative vote on the measure results in the tax or tax rate
24 increase not being imposed. The petitioner shall be notified of the
25 identification number and ballot title within this ten-day period.

26 After this notification, the petitioner shall have thirty days in
27 which to secure on petition forms the signatures of not less than
28 fifteen percent of the registered voters of the county for county
29 measures, or not less than fifteen percent of the registered voters of
30 the city for city measures, and to file the signed petitions with the
31 filing officer. Each petition form shall contain the ballot title and
32 the full text of the measure to be referred. The filing officer shall
33 verify the sufficiency of the signatures on the petitions. If
34 sufficient valid signatures are properly submitted, the filing officer
35 shall submit the referendum measure to the county or city voters at a
36 general or special election held on one of the dates provided in RCW
37 ((29.13.010)) 29A.04.321 or 29A.04.330 as determined by the county

1 legislative authority or city council, which election shall not take
2 place later than one hundred twenty days after the signed petition has
3 been filed with the filing officer.

4 After April 22, 1983, the referendum procedure provided for in this
5 section shall be the exclusive method for subjecting any county or city
6 ordinance imposing a tax or increasing the rate under RCW 82.46.010(3)
7 to a referendum vote.

8 Any county or city tax authorized under RCW 82.46.010(3) that has
9 been imposed prior to April 22, 1983, is not subject to the referendum
10 procedure provided for in this section.

11 **Sec. 55.** RCW 82.80.090 and 1990 c 42 s 214 are each amended to
12 read as follows:

13 A referendum petition to repeal a county or city ordinance imposing
14 a tax or fee authorized under RCW 82.80.020 and 82.80.030 must be filed
15 with a filing officer, as identified in the ordinance, within seven
16 days of passage of the ordinance. Within ten days, the filing officer
17 shall confer with the petitioner concerning form and style of the
18 petition, issue an identification number for the petition, and write a
19 ballot title for the measure. The ballot title shall be posed as a
20 question so that an affirmative answer to the question and an
21 affirmative vote on the measure results in the tax or fee being imposed
22 and a negative answer to the question and a negative vote on the
23 measure results in the tax or fee not being imposed. The petitioner
24 shall be notified of the identification number and ballot title within
25 this ten-day period.

26 After this notification, the petitioner has thirty days in which to
27 secure on petition forms the signatures of not less than fifteen
28 percent of the registered voters of the county for county measures, or
29 not less than fifteen percent of the registered voters of the city for
30 city measures, and to file the signed petitions with the filing
31 officer. Each petition form must contain the ballot title and the full
32 text of the measure to be referred. The filing officer shall verify
33 the sufficiency of the signatures on the petitions. If sufficient
34 valid signatures are properly submitted, the filing officer shall
35 submit the referendum measure to the county or city voters at a general
36 or special election held on one of the dates provided in RCW
37 ((29.13.010)) 29A.04.321 or 29A.04.330 as determined by the county or

1 city legislative authority, which election shall not take place later
2 than one hundred twenty days after the signed petition has been filed
3 with the filing officer.

4 The referendum procedure provided in this section is the exclusive
5 method for subjecting any county or city ordinance imposing a tax or
6 fee under RCW 82.80.020 and 82.80.030 to a referendum vote.

7 **Sec. 56.** RCW 85.38.060 and 1991 c 349 s 10 are each amended to
8 read as follows:

9 The county legislative authority or authorities shall cause an
10 election on the question of creating the special district to be held if
11 findings as provided in RCW 85.38.050 are made. The county legislative
12 authority or authorities shall designate a time and date for such
13 election, which shall be one of the special election dates provided for
14 in RCW (~~((29.13.020, together with the site or sites at which votes may
15 be cast))~~) 29A.04.321 or 29A.04.330. The persons allowed to vote on the
16 creation of a special district shall be those persons who, if the
17 special district were created, would be qualified voters of the special
18 district as described in RCW 85.38.010. The county auditor or auditors
19 of the counties within which the proposed special district is located
20 shall conduct the election and prepare a list of presumed eligible
21 voters.

22 Notices for the election shall be published as provided in RCW
23 85.38.040. The special district shall be created if the proposition to
24 create the special district is approved by a simple majority vote of
25 the voters voting on the proposition and the special district may
26 assume operations whenever the initial members of the governing body
27 are appointed as provided in RCW 85.38.070.

28 Any special district created after July 28, 1985, may only have
29 special assessments measured and imposed, and budgets adopted, as
30 provided in RCW 85.38.140 through 85.38.170.

31 If the special district is created, the county or counties may
32 charge the special district for the costs incurred by the county
33 engineer or engineers pursuant to RCW 85.38.030 and the costs of the
34 auditor or auditors related to the election to authorize the creation
35 of the special district pursuant to this section. Such county actions
36 shall be deemed to be special benefits of the property located within

1 the special district that are paid through the imposition of special
2 assessments.

3 **Sec. 57.** RCW 85.38.070 and 1991 c 349 s 11 are each amended to
4 read as follows:

5 (1) Except as provided in RCW 85.38.090, each special district
6 shall be governed by a three-member governing body. The term of office
7 for each member of a special district governing body shall be six years
8 and until his or her successor is elected and qualified. One member of
9 the governing body shall be elected at the time of special district
10 general elections in each even-numbered year for a term of six years
11 beginning as soon as the election returns have been certified for
12 assumption of office by elected officials of cities.

13 (2) The terms of office of members of the governing bodies of
14 special districts, who are holding office on July 28, 1985, shall be
15 altered to provide staggered six-year terms as provided in this
16 subsection. The member who on July 28, 1985, has the longest term
17 remaining shall have his or her term altered so that the position will
18 be filled at the February 1992, special district general election; the
19 member with the second longest term remaining shall have his or her
20 term altered so that the position will be filled at the December, 1989,
21 special district general election; and the member with the third
22 longest term of office shall have his or her term altered so that the
23 position will be filled at the December, 1987, special district general
24 election.

25 (3) The initial members of the governing body of a newly created
26 special district shall be appointed by the legislative authority of the
27 county within which the special district, or the largest portion of the
28 special district, is located. These initial governing body members
29 shall serve until their successors are elected and qualified at the
30 next special district general election held at least ninety days after
31 the special district is established. At that election the first
32 elected members of the governing body shall be elected. No primary
33 elections may be held. Any voter of a special district may become a
34 candidate for such a position by filing written notice of this
35 intention with the county auditor at least thirty, but not more than
36 sixty, days before a special district general election. The county
37 auditor in consultation with the special district shall establish the

1 filing period. The names of all candidates for such positions shall be
2 listed alphabetically. At this first election, the candidate receiving
3 the greatest number of votes shall have a six-year term, the candidate
4 receiving the second greatest number of votes shall have a four-year
5 term, and the candidate receiving the third greatest number of votes
6 shall have a two-year term of office. The initially elected members of
7 a governing body shall take office immediately when qualified as
8 defined in RCW ((~~29.01.135~~)) 29A.04.133. Thereafter the candidate
9 receiving the greatest number of votes shall be elected for a six-year
10 term of office. Members of a governing body shall hold their office
11 until their successors are elected and qualified, and assume office as
12 soon as the election returns have been certified.

13 (4) The requirements for the filing period and method for filing
14 declarations of candidacy for the governing body of the district and
15 the arrangement of candidate names on the ballot for all special
16 district elections conducted after the initial election in the district
17 shall be the same as the requirements for the initial election in the
18 district. No primary elections may be held for the governing body of
19 a special district.

20 (5) Whenever a vacancy occurs in the governing body of a special
21 district, the legislative authority of the county within which the
22 special district, or the largest portion of the special district, is
23 located, shall appoint a district voter to serve until a person is
24 elected, at the next special district general election occurring sixty
25 or more days after the vacancy has occurred, to serve the remainder of
26 the unexpired term. The person so elected shall take office
27 immediately when qualified as defined in RCW ((~~29.01.135~~)) 29A.04.133.

28 If an election for the position which became vacant would otherwise
29 have been held at this special district election, only one election
30 shall be held and the person elected to fill the succeeding term for
31 that position shall take office immediately when qualified as defined
32 in RCW ((~~29.01.135~~)) 29A.04.133 and shall serve both the remainder of
33 the unexpired term and the succeeding term. A vacancy occurs upon the
34 death, resignation, or incapacity of a governing body member or
35 whenever the governing body member ceases being a qualified voter of
36 the special district.

37 (6) An elected or appointed member of a special district governing
38 body, or a candidate for a special district governing body, must be a

1 qualified voter of the special district: PROVIDED, That the state, its
2 agencies and political subdivisions, or their designees under RCW
3 85.38.010(3) shall not be eligible for election or appointment.

4 **Sec. 58.** RCW 87.03.083 and 1979 ex.s. c 185 s 15 are each amended
5 to read as follows:

6 Every member of an irrigation district board of directors is
7 subject to recall and discharge by the legal voters of such district
8 pursuant to the provisions of chapter ((29.82)) 29A.56 RCW.

9 **Sec. 59.** RCW 52.26.080 and 2011 c 141 s 3 are each amended to read
10 as follows:

11 (1) The board shall adopt rules for the conduct of business. The
12 board shall adopt bylaws to govern authority affairs, which may
13 include:

- 14 (a) The time and place of regular meetings;
- 15 (b) Rules for calling special meetings;
- 16 (c) The method of keeping records of proceedings and official acts;
- 17 (d) Procedures for the safekeeping and disbursement of funds; and
- 18 (e) Any other provisions the board finds necessary to include.

19 (2) The governing board shall be determined by the plan. However,
20 only elected officials of participating fire protection jurisdictions
21 and elected commissioners of the authority as provided in subsection
22 (3) of this section are eligible to serve on the board.

23 (3)(a) A regional fire protection service authority plan may create
24 one or more regional fire protection service authority commissioner
25 positions to serve on a governing board. The following provisions
26 define the qualifications, compensation, terms, and responsibilities of
27 regional fire protection service authority commissioner positions:

28 (i) RCW 52.14.010 governs the compensation, qualifications, and
29 ability to serve as a volunteer firefighter; and

30 (ii) ((RCW 52.14.030 governs the polling places for elections; and
31 ~~(iii)~~)) RCW 52.14.050 governs commissioner vacancies.

32 (b) The terms of office for regional fire protection service
33 authority commissioner positions may be established by the plan,
34 however, no single term may exceed six years and the terms of multiple
35 positions must be staggered.

1 (c) Regional fire protection service authority commissioners shall
2 take an oath of office in the manner specified by RCW 52.14.070.

3 (4)(a) A regional fire protection service authority plan may create
4 commissioner districts. If commissioner districts are created, the
5 population of each commissioner district must be approximately equal.
6 Commissioner districts must be redrawn as provided in chapter 29A.76
7 RCW.

8 (b) Commissioner districts shall be used as follows: (i) Only a
9 registered voter who resides in a commissioner district may be a
10 candidate for, or serve as, a commissioner of the commissioner
11 district; and (ii) only voters of a commissioner district may vote at
12 a primary to nominate candidates for a commissioner of the commissioner
13 district. All voters of the proposed authority must be eligible to
14 vote at a general election to elect a commissioner of the commissioner
15 district. If a plan includes elected officials from participating fire
16 protection jurisdictions, the commissioner districts may be based, in
17 part, on the jurisdictional boundaries of the participating
18 jurisdictions.

19 **Sec. 60.** RCW 29A.04.321 and 2013 c 11 s 8 are each amended to read
20 as follows:

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

1 RCW 2.06.080; (d) the election of county officers in any county
2 governed by a charter containing provisions calling for general county
3 elections at this time; and (e) the approval or rejection of state
4 measures, including proposed constitutional amendments, matters
5 pertaining to any proposed constitutional convention, initiative
6 measures and referendum measures proposed by the electorate, referendum
7 bills, and any other matter provided by the legislature for submission
8 to the electorate.

9 (2) A county legislative authority may call a special county
10 election by presenting a resolution to the county auditor prior to the
11 proposed election date. A special election called by the county
12 legislative authority shall be held on one of the following dates as
13 decided by such governing body:

- 14 (a) The second Tuesday in February;
- 15 (b) The fourth Tuesday in April;
- 16 (c) The day of the primary as specified by RCW 29A.04.311; or
- 17 (d) The first Tuesday after the first Monday in November.

18 (3) A resolution calling for a special election on a date set forth
19 in subsection (2)(a) and (b) of this section must be presented to the
20 county auditor at least forty-six days prior to the election date. A
21 resolution calling for a special election on a date set forth in
22 subsection (2)(c) of this section must be presented to the county
23 auditor no later than the Friday immediately before the first day of
24 regular candidate filing. A resolution calling for a special election
25 on a date set forth in subsection (2)(d) of this section must be
26 presented to the county auditor no later than the day of the primary.

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

32 (5) This section shall supersede the provisions of any and all
33 other statutes, whether general or special in nature, having different
34 dates and deadlines for such state, county, city, town, and district
35 elections, the purpose of this section being to establish mandatory
36 dates and deadlines for (~~holding~~) elections. This section shall not
37 be construed as fixing the time for holding primary elections, or
38 elections for the recall of any elective public officer.

1 **Sec. 61.** RCW 29A.04.330 and 2013 c 11 s 9 are each amended to read
2 as follows:

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

6 This section shall not apply to:

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

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

12 (c) Consolidation proposals as provided for in RCW 28A.315.235 and
13 nonhigh capital fund aid proposals as provided for in chapter 28A.540
14 RCW; and

15 (d) Special flood control districts consisting of three or more
16 counties.

17 (2) The county auditor, as ex officio supervisor of elections, upon
18 request in the form of a resolution of the governing body of a city,
19 town, or district, presented to the auditor prior to the proposed
20 election date, shall call a special election in such city, town, or
21 district, and for the purpose of such special election he or she may
22 combine, unite, or divide precincts. Such a special election shall be
23 held on one of the following dates as decided by the governing body:

24 (a) The second Tuesday in February;

25 (b) The fourth Tuesday in April;

26 (c) The day of the primary election as specified by RCW 29A.04.311;

27 or

28 (d) The first Tuesday after the first Monday in November.

29 (3) A resolution calling for a special election on a date set forth
30 in subsection (2)(a) and (b) of this section must be presented to the
31 county auditor at least forty-six days prior to the election date. A
32 resolution calling for a special election on a date set forth in
33 subsection (2)(c) of this section must be presented to the county
34 auditor no later than the Friday immediately before the first day of
35 regular candidate filing. A resolution calling for a special election
36 on a date set forth in subsection (2)(d) of this section must be
37 presented to the county auditor no later than the day of the primary.

1 (4) In addition to subsection (2)(a) through (d) of this section,
2 a special election to validate an excess levy or bond issue may be
3 called at any time to meet the needs resulting from fire, flood,
4 earthquake, or other act of God, except that no special election may be
5 held between the first day for candidates to file for public office and
6 the last day to certify the returns of the general election other than
7 as provided in subsection (2)(c) and (d) of this section. Such special
8 election shall be conducted and notice thereof given in the manner
9 provided by law.

10 (5) This section shall supersede the provisions of any and all
11 other statutes, whether general or special in nature, having different
12 dates and deadlines for such city, town, and district elections, the
13 purpose of this section being to establish mandatory dates for
14 ~~((holding))~~ elections.

15 **Sec. 62.** RCW 29A.08.161 and 2004 c 271 s 107 are each amended to
16 read as follows:

17 No record may be created or maintained by a state or local
18 governmental agency or a political organization that identifies a voter
19 with the information marked on the voter's ballot(~~(, including the~~
20 ~~choice that a voter makes on a partisan primary ballot regarding~~
21 ~~political party affiliation))~~).

22 **Sec. 63.** RCW 29A.08.210 and 2009 c 369 s 16 are each amended to
23 read as follows:

24 An applicant for voter registration shall complete an application
25 providing the following information concerning his or her
26 qualifications as a voter in this state:

27 (1) The former address of the applicant if previously registered to
28 vote;

29 (2) The applicant's full name;

30 (3) The applicant's date of birth;

31 (4) The address of the applicant's residence for voting purposes;

32 (5) The mailing address of the applicant if that address is not the
33 same as the address in subsection (4) of this section;

34 (6) The sex of the applicant;

35 (7) The applicant's Washington state driver's license number,
36 Washington state identification card number, or the last four digits of

1 the applicant's social security number if he or she does not have a
2 Washington state driver's license or Washington state identification
3 card;

4 (8) A check box allowing the applicant to indicate that he or she
5 is a member of the armed forces, national guard, or reserves, or that
6 he or she is an overseas voter;

7 (9) A check box allowing the applicant to confirm that he or she is
8 at least eighteen years of age or will be eighteen years of age by the
9 next election;

10 (10) Clear and conspicuous language, designed to draw the
11 applicant's attention, stating that the applicant must be a United
12 States citizen in order to register to vote;

13 (11) A check box and declaration confirming that the applicant is
14 a citizen of the United States;

15 (12) The following warning:

16 "If you knowingly provide false information on this voter
17 registration form or knowingly make a false declaration about your
18 qualifications for voter registration you will have committed a class
19 C felony that is punishable by imprisonment for up to five years, a
20 fine of up to ten thousand dollars, or both."

21 (13) The ((oath)) declaration required by RCW 29A.08.230 and a
22 space for the applicant's signature; and

23 (14) Any other information that the secretary of state determines
24 is necessary to establish the identity of the applicant and prevent
25 duplicate or fraudulent voter registrations.

26 This information shall be recorded on a single registration form to
27 be prescribed by the secretary of state.

28 **Sec. 64.** RCW 29A.08.230 and 2013 c 11 s 14 are each amended to
29 read as follows:

30 For all voter registrations, the registrant shall sign the
31 following ((oath)) declaration:

32 "I declare that the facts on this voter registration form are true.
33 I am a citizen of the United States, I will have lived at this address
34 in Washington for at least thirty days immediately before the next
35 election at which I vote, I will be at least eighteen years old when I
36 vote, I am not disqualified from voting due to a court order, and I am

1 not under the authority of the department of corrections
2 (~~supervision~~) for a Washington felony conviction."

3 **Sec. 65.** RCW 29A.24.111 and 2006 c 206 s 5 are each amended to
4 read as follows:

5 Filing fee petitions may be rejected for the following reasons:

6 (1) The petition is not in the proper form;

7 (2) The petition clearly bears insufficient signatures;

8 (3) The petition is not accompanied by a declaration of candidacy;

9 (4) The time within which the petition and the declaration of
10 candidacy could have been filed has expired.

11 If the petition is accepted, the officer with whom it is filed
12 shall canvass the signatures contained on it and shall reject the
13 signatures of those persons who are not registered voters and the
14 signatures of those persons who are not registered to vote within the
15 jurisdiction of the office for which the filing fee petition is filed.
16 He or she shall additionally reject any signature that appears on the
17 filing fee petitions of two or more candidates for the same office, and
18 (~~shall also reject, each time it appears, the name~~) all but the first
19 valid signature of any person who signs the same petition more than
20 once.

21 If the officer with whom the petition is filed refuses to accept
22 the petition or refuses to certify the petition as bearing sufficient
23 valid signatures, the person filing the petition may appeal that action
24 to the superior court. The application for judicial review shall take
25 precedence over other cases and matters and shall be speedily heard and
26 determined.

27 **Sec. 66.** RCW 29A.40.110 and 2011 c 349 s 18, 2011 c 348 s 4, and
28 2011 c 10 s 41 are each reenacted and amended to read as follows:

29 (1) The opening and subsequent processing of return envelopes for
30 any primary or election may begin upon receipt. The tabulation of
31 (~~absentee~~) ballots must not commence until after 8:00 p.m. on the day
32 of the primary or election.

33 (2) All received return envelopes must be placed in secure
34 locations from the time of delivery to the county auditor until their
35 subsequent opening. After opening the return envelopes, the county
36 canvassing board shall place all of the ballots in secure storage until

1 processing. Ballots may be taken from the inner envelopes and all the
2 normal procedural steps may be performed to prepare these ballots for
3 tabulation.

4 (3) The canvassing board, or its designated representatives, shall
5 examine the postmark on the return envelope and signature on the
6 declaration before processing the ballot. The ballot must either be
7 received no later than 8:00 p.m. on the day of the primary or election,
8 or must be postmarked no later than the day of the primary or election.
9 All personnel assigned to verify signatures must receive training on
10 statewide standards for signature verification. Personnel shall verify
11 that the voter's signature on the ballot declaration is the same as the
12 signature of that voter in the registration files of the county.
13 Verification may be conducted by an automated verification system
14 approved by the secretary of state. A variation between the signature
15 of the voter on the ballot declaration and the signature of that voter
16 in the registration files due to the substitution of initials or the
17 use of common nicknames is permitted so long as the surname and
18 handwriting are clearly the same.

19 (4) If the postmark is missing or illegible, the date on the ballot
20 declaration to which the voter has attested determines the validity, as
21 to the time of voting, for that ballot. For overseas voters and
22 service voters, the date on the declaration to which the voter has
23 attested determines the validity, as to the time of voting, for that
24 ballot. Any overseas voter or service voter may return the signed
25 declaration and voted ballot by fax or e-mail by 8:00 p.m. on the day
26 of the primary or election, and the county auditor must use established
27 procedures to maintain the secrecy of the ballot.

28 **Sec. 67.** RCW 29A.60.221 and 2004 c 271 s 176 are each amended to
29 read as follows:

30 (1) If (~~the requisite number of any federal, state, county, city,~~
31 ~~or district offices have not been nominated in a primary by reason of~~)
32 two or more (~~persons having~~) candidates in the same race in a primary
33 receive an equal and requisite number of votes for (~~being placed on~~)
34 qualifying for the general election ballot, the official empowered by
35 state law to certify candidates for the general election ballot shall
36 give notice to the (~~several persons so having the equal and requisite~~
37 ~~number of votes to attend at the appropriate office at the time~~

1 ~~designated by that official, who shall then and there proceed))~~
2 candidates of the time and place where the official shall publicly
3 ~~((to))~~ decide by lot which of those persons will be declared
4 ~~((nominated and placed on))~~ qualified for the general election ballot.

5 (2) If ~~((the requisite number of any federal, state, county, city,~~
6 ~~district, or precinct officers have not been elected by reason of))~~ two
7 or more ~~((persons having))~~ candidates in the same race in the general
8 election receive an equal and highest number of votes ~~((for one and the~~
9 ~~same office))~~, the official empowered by state law to issue the
10 original certificate of election shall give notice to the ~~((several~~
11 ~~persons so having the highest and equal number of votes to attend at~~
12 ~~the appropriate office at the time to be appointed by that official,~~
13 ~~who shall then and there proceed))~~ candidates of the time and place
14 where the official shall publicly ~~((to))~~ decide by lot which of those
15 persons will be declared duly elected, and the official shall make out
16 and deliver to the person thus duly declared elected a certificate of
17 election.

18 **Sec. 68.** RCW 35.21.005 and 2008 c 196 s 1 are each amended to read
19 as follows:

20 Wherever in this title petitions are required to be signed and
21 filed, the following rules shall govern the sufficiency thereof:

22 (1) A petition may include any page or group of pages containing an
23 identical text or prayer intended by the circulators, signers or
24 sponsors to be presented and considered as one petition and containing
25 the following essential elements when applicable, except that the
26 elements referred to in (d) and (e) of this subsection are essential
27 for petitions referring or initiating legislative matters to the
28 voters, but are directory as to other petitions:

29 (a) The text or prayer of the petition which shall be a concise
30 statement of the action or relief sought by petitioners and shall
31 include a reference to the applicable state statute or city ordinance,
32 if any;

33 (b) If the petition initiates or refers an ordinance, a true copy
34 thereof;

35 (c) If the petition seeks the annexation, incorporation,
36 withdrawal, or reduction of an area for any purpose, an accurate legal

1 description of the area proposed for such action and if practical, a
2 map of the area;

3 (d) Numbered lines for signatures with space provided beside each
4 signature for the name and address of the signer and the date of
5 signing;

6 (e) The warning statement prescribed in subsection (2) of this
7 section.

8 (2) Petitions shall be printed or typed on single sheets of white
9 paper of good quality and each sheet of petition paper having a space
10 thereon for signatures shall contain the text or prayer of the petition
11 and the following warning:

12 WARNING

13 Every person who signs this petition with any other than his or
14 her true name, or who knowingly signs more than one of these
15 petitions, or signs a petition seeking an election when he or
16 she is not a legal voter, or signs a petition when he or she is
17 otherwise not qualified to sign, or who makes herein any false
18 statement, shall be guilty of a misdemeanor.

19 Each signature shall be executed in ink or indelible pencil and
20 shall be followed by the name and address of the signer and the date of
21 signing.

22 (3) The term "signer" means any person who signs his or her own
23 name to the petition.

24 (4) To be sufficient a petition must contain valid signatures of
25 qualified registered voters or property owners, as the case may be, in
26 the number required by the applicable statute or ordinance. Within
27 three working days after the filing of a petition, the officer with
28 whom the petition is filed shall transmit the petition to the county
29 auditor for petitions signed by registered voters, or to the county
30 assessor for petitions signed by property owners for determination of
31 sufficiency. The officer or officers whose duty it is to determine the
32 sufficiency of the petition shall proceed to make such a determination
33 with reasonable promptness and shall file with the officer receiving
34 the petition for filing a certificate stating the date upon which such
35 determination was begun, which date shall be referred to as the
36 terminal date. Additional pages of one or more signatures may be added

1 to the petition by filing the same with the appropriate filing officer
2 prior to such terminal date. Any signer of a filed petition may
3 withdraw his or her signature by a written request for withdrawal filed
4 with the receiving officer prior to such terminal date. Such written
5 request shall so sufficiently describe the petition as to make
6 identification of the person and the petition certain. The name of any
7 person seeking to withdraw shall be signed exactly the same as
8 contained on the petition and, after the filing of such request for
9 withdrawal, prior to the terminal date, the signature of any person
10 seeking such withdrawal shall be deemed withdrawn.

11 (5) Petitions containing the required number of signatures shall be
12 accepted as prima facie valid until their invalidity has been proved.

13 (6) A variation on petitions between the signatures on the petition
14 and that on the voter's permanent registration caused by the
15 substitution of initials instead of the first or middle names, or both,
16 shall not invalidate the signature on the petition if the surname and
17 handwriting are the same.

18 (7) (~~Signatures, including the original, of any person who has~~
19 ~~signed a petition two or more times shall be stricken.~~) If a person
20 signs a petition more than once, all but the first valid signature must
21 be rejected.

22 (8) Signatures followed by a date of signing which is more than six
23 months prior to the date of filing of the petition shall be stricken.

24 (9) When petitions are required to be signed by the owners of
25 property, the determination shall be made by the county assessor.
26 Where validation of signatures to the petition is required, the
27 following shall apply:

28 (a) The signature of a record owner, as determined by the records
29 of the county auditor, shall be sufficient without the signature of his
30 or her spouse;

31 (b) In the case of mortgaged property, the signature of the
32 mortgagor shall be sufficient, without the signature of his or her
33 spouse;

34 (c) In the case of property purchased on contract, the signature of
35 the contract purchaser, as shown by the records of the county auditor,
36 shall be deemed sufficient, without the signature of his or her spouse;

37 (d) Any officer of a corporation owning land within the area
38 involved who is duly authorized to execute deeds or encumbrances on

1 behalf of the corporation, may sign on behalf of such corporation, and
2 shall attach to the petition a certified excerpt from the bylaws of
3 such corporation showing such authority;

4 (e) When the petition seeks annexation, any officer of a
5 corporation owning land within the area involved, who is duly
6 authorized to execute deeds or encumbrances on behalf of the
7 corporation, may sign under oath on behalf of such corporation. If an
8 officer signs the petition, he or she must attach an affidavit stating
9 that he or she is duly authorized to sign the petition on behalf of
10 such corporation;

11 (f) When property stands in the name of a deceased person or any
12 person for whom a guardian has been appointed, the signature of the
13 executor, administrator, or guardian, as the case may be, shall be
14 equivalent to the signature of the owner of the property; and

15 (g) When a parcel of property is owned by multiple owners, the
16 signature of an owner designated by the multiple owners is sufficient.

17 (10) The officer or officers responsible for determining the
18 sufficiency of the petition shall do so in writing and transmit the
19 written certificate to the officer with whom the petition was
20 originally filed.

21 **Sec. 69.** RCW 35.22.120 and 1965 c 7 s 35.22.120 are each amended
22 to read as follows:

23 On petition of a number (equal to fifteen percent of the total
24 number of votes cast at the last preceding general state election) of
25 qualified voters of any municipality having adopted a charter under the
26 laws of this state, asking the adoption of a specified charter
27 amendment, providing for any matter within the realm of local affairs,
28 or municipal business, the said amendment shall be submitted to the
29 voters at the next regular municipal election(~~(, occurring thirty days~~
30 ~~or more after said petition is filed)) according to RCW 29A.04.330, and
31 if approved by a majority of the local electors of the municipality
32 voting upon it, such amendment shall become a part of the charter
33 organic law governing such municipality.~~

34 **Sec. 70.** RCW 35A.01.040 and 2008 c 196 s 2 are each amended to
35 read as follows:

1 shall be followed by the name and address of the signer and the date of
2 signing.

3 (3) The term "signer" means any person who signs his or her own
4 name to the petition.

5 (4) To be sufficient a petition must contain valid signatures of
6 qualified registered voters or property owners, as the case may be, in
7 the number required by the applicable statute or ordinance. Within
8 three working days after the filing of a petition, the officer with
9 whom the petition is filed shall transmit the petition to the county
10 auditor for petitions signed by registered voters, or to the county
11 assessor for petitions signed by property owners for determination of
12 sufficiency. The officer or officers whose duty it is to determine the
13 sufficiency of the petition shall proceed to make such a determination
14 with reasonable promptness and shall file with the officer receiving
15 the petition for filing a certificate stating the date upon which such
16 determination was begun, which date shall be referred to as the
17 terminal date. Additional pages of one or more signatures may be added
18 to the petition by filing the same with the appropriate filing officer
19 prior to such terminal date. Any signer of a filed petition may
20 withdraw his or her signature by a written request for withdrawal filed
21 with the receiving officer prior to such terminal date. Such written
22 request shall so sufficiently describe the petition as to make
23 identification of the person and the petition certain. The name of any
24 person seeking to withdraw shall be signed exactly the same as
25 contained on the petition and, after the filing of such request for
26 withdrawal, prior to the terminal date, the signature of any person
27 seeking such withdrawal shall be deemed withdrawn.

28 (5) Petitions containing the required number of signatures shall be
29 accepted as prima facie valid until their invalidity has been proved.

30 (6) A variation on petitions between the signatures on the petition
31 and that on the voter's permanent registration caused by the
32 substitution of initials instead of the first or middle names, or both,
33 shall not invalidate the signature on the petition if the surname and
34 handwriting are the same.

35 (~~Signatures, including the original, of any person who has~~
36 ~~signed a petition two or more times shall be stricken.~~) If a person
37 signs a petition more than once, all but the first valid signature must
38 be rejected.

1 (8) Signatures followed by a date of signing which is more than six
2 months prior to the date of filing of the petition shall be stricken.

3 (9) When petitions are required to be signed by the owners of
4 property, the determination shall be made by the county assessor.
5 Where validation of signatures to the petition is required, the
6 following shall apply:

7 (a) The signature of a record owner, as determined by the records
8 of the county auditor, shall be sufficient without the signature of his
9 or her spouse;

10 (b) In the case of mortgaged property, the signature of the
11 mortgagor shall be sufficient, without the signature of his or her
12 spouse;

13 (c) In the case of property purchased on contract, the signature of
14 the contract purchaser, as shown by the records of the county auditor,
15 shall be deemed sufficient, without the signature of his or her spouse;

16 (d) Any officer of a corporation owning land within the area
17 involved who is duly authorized to execute deeds or encumbrances on
18 behalf of the corporation, may sign on behalf of such corporation, and
19 shall attach to the petition a certified excerpt from the bylaws of
20 such corporation showing such authority;

21 (e) When the petition seeks annexation, any officer of a
22 corporation owning land within the area involved, who is duly
23 authorized to execute deeds or encumbrances on behalf of the
24 corporation, may sign under oath on behalf of such corporation. If an
25 officer signs the petition, he or she must attach an affidavit stating
26 that he or she is duly authorized to sign the petition on behalf of
27 such corporation;

28 (f) When property stands in the name of a deceased person or any
29 person for whom a guardian has been appointed, the signature of the
30 executor, administrator, or guardian, as the case may be, shall be
31 equivalent to the signature of the owner of the property; and

32 (g) When a parcel of property is owned by multiple owners, the
33 signature of an owner designated by the multiple owners is sufficient.

34 (10) The officer or officers responsible for determining the
35 sufficiency of the petition shall do so in writing and transmit the
36 written certificate to the officer with whom the petition was
37 originally filed.

1 **Sec. 71.** RCW 53.12.175 and 2013 c 160 s 1 are each amended to read
2 as follows:

3 A ballot proposition to reduce the terms of office of port
4 commissioners from six years to four years shall be submitted to the
5 voters of any port district that otherwise would have commissioners
6 with six-year terms of office upon either resolution of the port
7 commissioners or petition of voters of the port district proposing the
8 reduction in terms of office, which petition has been signed by voters
9 of the port district equal in number to at least ten percent of the
10 number of voters in the port district voting at the last general
11 election. The petition shall be submitted to the county auditor. If
12 the petition was signed by sufficient valid signatures, the ballot
13 proposition shall be submitted at the next general election (~~that~~
14 ~~occurs sixty or more days after the adoption of the resolution or~~
15 ~~submission of the petition~~) according to RCW 29A.04.330.

16 If the ballot proposition reducing the terms of office of port
17 commissioners is approved by a simple majority vote of the voters
18 voting on the proposition, the commissioner or commissioners who are
19 elected at that election shall be elected to four-year terms of office.
20 The terms of office of the other commissioners shall not be reduced,
21 but each successor shall be elected to a four-year term of office.

22 **Sec. 72.** RCW 29A.08.107 and 2009 c 369 s 9 are each amended to
23 read as follows:

24 (1) If the driver's license number, state identification card
25 number, or last four digits of the social security number provided by
26 the applicant match the information maintained by the Washington
27 department of licensing or the social security administration, and the
28 applicant provided all information required by RCW 29A.08.010, the
29 applicant must be registered to vote.

30 (2) If the driver's license number, state identification card
31 number, or last four digits of the social security number provided by
32 the applicant do not match the information maintained by the Washington
33 department of licensing or the social security administration, or if
34 the applicant does not provide a Washington driver's license, a
35 Washington state identification card, or a social security number, the
36 applicant must be provisionally registered to vote. An identification
37 notice must be sent to the voter to obtain the correct driver's license

1 number, state identification card number, last four digits of the
2 social security number, or one of the following forms of alternate
3 identification:

4 (a) Valid photo identification;

5 (b) A valid enrollment card of a federally recognized Indian tribe
6 in Washington state;

7 (c) A copy of a current utility bill;

8 (d) A current bank statement;

9 (e) A copy of a current government check;

10 (f) A copy of a current paycheck; or

11 (g) A government document, other than a voter registration card,
12 that shows both the name and address of the voter.

13 (3) The ballot of a provisionally registered voter may not be
14 counted until the voter provides a driver's license number, a state
15 identification card number, or the last four digits of a social
16 security number that matches the information maintained by the
17 Washington department of licensing or the social security
18 administration, or until the voter provides alternate identification.
19 The identification must be provided no later than the day before
20 certification of the primary or election. If the voter provides one of
21 the forms of identification in subsection (2) of this section, the
22 voter's registration status must be changed from provisionally
23 registered to registered.

24 (4) A provisional registration must remain on the official list of
25 registered voters through at least two general elections for federal
26 office. If, after two general elections for federal office, the voter
27 still has not verified his or her identity, the provisional
28 registration may be canceled.

29 (5) The requirements of this section do not apply to an overseas or
30 service voter (~~who registers to vote by signing the return envelope of~~
31 ~~an absentee ballot~~), or to a registered voter transferring his or her
32 registration.

33 **Sec. 73.** RCW 53.12.010 and 2002 c 51 s 1 are each amended to read
34 as follows:

35 (1) The powers of the port district shall be exercised through a
36 port commission consisting of three or, when permitted by this title,
37 five members. Every port district that is not coextensive with a

1 county having a population of five hundred thousand or more shall be
2 divided into the same number of commissioner districts as there are
3 commissioner positions, each having approximately equal population,
4 unless provided otherwise under subsection (2) of this section. Where
5 a port district with three commissioner positions is coextensive with
6 the boundaries of a county that has a population of less than five
7 hundred thousand and the county has three county legislative authority
8 districts, the port commissioner districts shall be the county
9 legislative authority districts. In other instances where a port
10 district is divided into commissioner districts, the port commission
11 shall divide the port district into commissioner districts unless the
12 commissioner districts have been described pursuant to RCW 53.04.031.
13 The commissioner districts shall be altered as provided in chapter
14 53.16 RCW.

15 Commissioner districts shall be used as follows: (a) Only a
16 registered voter who resides in a commissioner district may be a
17 candidate for, or hold office as, a commissioner of the commissioner
18 district; and (b) only the voters of a commissioner district may vote
19 at a primary to nominate candidates for a commissioner of the
20 commissioner district. Voters of the entire port district may vote at
21 a general election to elect a person as a commissioner of the
22 commissioner district.

23 (2)(a) In port districts with five commissioners, two of the
24 commissioner districts may include the entire port district if approved
25 by the voters of the district either at the time of formation or at a
26 subsequent port district election at which the issue is proposed
27 pursuant to a resolution adopted by the board of commissioners and
28 delivered to the county auditor.

29 (b) In a port district with five commissioners, where two of the
30 commissioner districts include the entire port district, the port
31 district may be divided into five commissioner districts if proposed
32 pursuant to a resolution adopted by the board of commissioners or
33 pursuant to a petition by the voters and approved by the voters of the
34 district at the next general or special election (~~occurring sixty or~~
35 ~~more days~~) after the (~~adoption of the~~) resolution or petition is
36 submitted, consistent with RCW 29A.04.330. A petition proposing such
37 an increase must be submitted to the county auditor of the county in

1 which the port district is located and signed by voters of the port
2 district at least equal in number to ten percent of the number of
3 voters in the port district who voted at the last general election.

4 Upon approval by the voters, the commissioner district boundaries
5 shall be redrawn into five districts within one hundred twenty days and
6 submitted to the county auditor pursuant to RCW 53.16.015. The new
7 commissioner districts shall be numbered one through five and the three
8 incumbent commissioners representing the three former districts shall
9 represent commissioner districts one through three. The two at large
10 incumbent commissioners shall represent commissioner districts four and
11 five. If, as a result of redrawing the district boundaries more than
12 one of the incumbent commissioners resides in one of the new
13 commissioner districts, the commissioners who reside in the same
14 commissioner district shall determine by lot which of the numbered
15 commissioner districts they shall represent for the remainder of their
16 respective terms.

17 **Sec. 74.** RCW 53.12.021 and 1994 c 223 s 82 are each amended to
18 read as follows:

19 Any less than countywide port district that uses commissioner
20 districts may cease using commissioner districts as provided in this
21 section.

22 A ballot proposition authorizing the elimination of commissioner
23 districts shall be submitted to the voters of a less than countywide
24 port district that is divided into commissioner districts if (1) a
25 petition is submitted to the port commission proposing that the port
26 district cease using commissioner districts, that is signed by
27 registered voters of the port district equal in number to at least ten
28 percent of the number of voters who voted at the last district general
29 election; or (2) the port commissioners adopt a resolution proposing
30 that the port district cease using commissioner districts. The port
31 commission shall transfer the petition or resolution immediately to the
32 county auditor who shall, when a petition is submitted, review the
33 signatures and certify its sufficiency. A ballot proposition
34 authorizing the elimination of commissioner districts shall be
35 submitted at the next district general election (~~(occurring sixty or~~
36 ~~more days)) after a petition with sufficient signatures (~~was~~) or a
37 resolution is submitted, consistent with RCW 29A.04.330. If the ballot~~

1 proposition authorizing the port district to cease using commissioner
2 districts is approved by a simple majority vote, the port district
3 shall cease using commissioner districts at all subsequent elections.

4 **Sec. 75.** RCW 53.12.115 and 1994 c 223 s 86 are each amended to
5 read as follows:

6 A ballot proposition shall be submitted to the voters of any port
7 district authorizing an increase in the number of port commissioners to
8 five whenever the port commission adopts a resolution proposing the
9 increase in number of port commissioners or a petition proposing such
10 an increase has been submitted to the county auditor of the county in
11 which the port district is located that has been signed by voters of
12 the port district at least equal in number to ten percent of the number
13 of voters in the port district who voted at the last general election.
14 The ballot proposition shall be submitted at the next general or
15 special election (~~((occurring sixty or more days))~~) after the petition
16 (~~((was submitted))~~) or resolution (~~((was adopted))~~) is submitted,
17 consistent with RCW 29A.04.330.

18 At the next general or special election following the election in
19 which an increase in the number of port commissioners was authorized,
20 candidates for the two additional port commissioner positions shall be
21 elected as provided in RCW 53.12.130, and the voters may be asked to
22 approve the nomination of commissioners from district-wide commissioner
23 districts as permitted in RCW 53.12.010(2).

24 **Sec. 76.** RCW 53.12.130 and 1994 c 223 s 88 are each amended to
25 read as follows:

26 Two additional port commissioners shall be elected at the next
27 district general election following the election at which voters
28 authorized the increase in port commissioners to five members.

29 The port commissioners shall divide the port district into five
30 commissioner districts (~~((prior to the first day of June))~~) in the year
31 in which the two additional commissioners shall be elected, consistent
32 with chapter 29A.16 RCW and chapter 29A.76 RCW, unless the voters
33 approved the nomination of the two additional commissioners from
34 district-wide commissioner districts as permitted in RCW 53.12.010(2).
35 The new commissioner districts shall be numbered one through five and
36 the three incumbent commissioners shall represent commissioner

1 districts one through three. If, as a result of redrawing the district
2 boundaries two or three of the incumbent commissioners reside in one of
3 the new commissioner districts, the commissioners who reside in the
4 same commissioner district shall determine by lot which of the first
5 three numbered commissioner districts they shall represent for the
6 remainder of their respective terms. A primary shall be held to
7 nominate candidates from districts four and five where necessary and
8 commissioners shall be elected from commissioner districts four and
9 five at the general election. The persons elected as commissioners
10 from commissioner districts four and five shall take office immediately
11 after qualification as defined under RCW ((29.01.135)) 29A.04.133.

12 In a port district where commissioners are elected to four-year
13 terms of office, the additional commissioner thus elected receiving the
14 highest number of votes shall be elected to a four-year term of office
15 and the other additional commissioner thus elected shall be elected to
16 a term of office of two years, if the election is held in an odd-
17 numbered year, or the additional commissioner thus elected receiving
18 the highest number of votes shall be elected to a term of office of
19 three years and the other shall be elected to a term of office of one
20 year, if the election is held in an even-numbered year. In a port
21 district where the commissioners are elected to six-year terms of
22 office, the additional commissioner thus elected receiving the highest
23 number of votes shall be elected to a six-year term of office and the
24 other additional commissioner shall be elected to a four-year term of
25 office, if the election is held in an odd-numbered year, or the
26 additional commissioner receiving the highest number of votes shall be
27 elected to a term of office of five-years and the other shall be
28 elected to a three-year term of office, if the election is held in an
29 even-numbered year. The length of terms of office shall be computed
30 from the first day of January in the year following this election.

31 Successor commissioners from districts four and five shall be
32 elected to terms of either six or four years, depending on the length
33 of terms of office to which commissioners of that port district are
34 elected.

35 **Sec. 77.** RCW 53.16.015 and 1994 c 223 s 90 are each amended to
36 read as follows:

37 The port commission of a port district that uses commissioner

1 districts may redraw the commissioner district boundaries as provided
2 in (~~chapter 29.70~~) RCW 29A.76.010 at any time and submit the redrawn
3 boundaries to the county auditor if the port district is not
4 coterminous with a county that has the same number of county
5 legislative authority districts as the port has port commissioners.
6 The new commissioner districts shall be used at the next election at
7 which a port commissioner is regularly elected (~~that occurs at least~~
8 ~~one hundred eighty days after the redrawn boundaries have been~~
9 ~~submitted~~), consistent with RCW 29A.16.040. Each commissioner
10 district shall encompass as nearly as possible the same population.

11 **Sec. 78.** RCW 29A.08.810 and 2011 c 10 s 20 are each amended to
12 read as follows:

13 (1) Registration of a person as a voter is presumptive evidence of
14 his or her right to vote. A challenge to the person's right to vote
15 must be based on personal knowledge of one of the following:

16 (a) The challenged voter has been convicted of a felony and the
17 voter's (~~civil rights have~~) right to vote has not been restored;

18 (b) The challenged voter has been judicially declared ineligible to
19 vote due to mental incompetency;

20 (c) The challenged voter does not live at the residential address
21 provided, in which case the challenger must either:

22 (i) Provide the challenged voter's actual residence on the
23 challenge form; or

24 (ii) Submit evidence that he or she exercised due diligence to
25 verify that the challenged voter does not reside at the address
26 provided and to attempt to contact the challenged voter to learn the
27 challenged voter's actual residence, including that the challenger
28 personally:

29 (A) Sent a letter with return service requested to the challenged
30 voter's residential address provided, and to the challenged voter's
31 mailing address, if provided;

32 (B) Visited the residential address provided and contacted persons
33 at the address to determine whether the voter resides at the address
34 and, if not, obtained and submitted with the challenge form a signed
35 affidavit subject to the penalties of perjury from a person who owns or
36 manages property, resides, or is employed at the address provided, that

1 to his or her personal knowledge the challenged voter does not reside
2 at the address as provided on the voter registration;

3 (C) Searched local telephone directories, including online
4 directories, to determine whether the voter maintains a telephone
5 listing at any address in the county;

6 (D) Searched county auditor property records to determine whether
7 the challenged voter owns any property in the county; and

8 (E) Searched the statewide voter registration database to determine
9 if the voter is registered at any other address in the state;

10 (d) The challenged voter will not be eighteen years of age by the
11 next election; or

12 (e) The challenged voter is not a citizen of the United States.

13 (2) A person's right to vote may be challenged by another
14 registered voter or the county prosecuting attorney.

15 (3) The challenger must file a signed affidavit subject to the
16 penalties of perjury swearing that, to his or her personal knowledge
17 and belief, having exercised due diligence to personally verify the
18 evidence presented, the challenged voter either is not qualified to
19 vote or does not reside at the address given on his or her voter
20 registration record based on one of the reasons allowed in subsection
21 (1) of this section. The challenger must provide the factual basis for
22 the challenge, including any information required by subsection (1)(c)
23 of this section, in the signed affidavit. The challenge may not be
24 based on unsupported allegations or allegations by anonymous third
25 parties. All documents pertaining to the challenge are public records.

26 (4) Challenges based on a felony conviction under RCW 29A.08.520
27 must be heard according to RCW 29A.08.520 and rules adopted by the
28 secretary of state.

29 **Sec. 79.** RCW 29A.68.020 and 2013 c 11 s 72 are each amended to
30 read as follows:

31 Any of the following causes may be asserted by a registered voter
32 to challenge the right to assume office of a candidate declared elected
33 to that office:

34 (1) For misconduct on the part of any election officer involved
35 therein;

36 (2) Because the person whose right is being contested was not, at
37 the time the person was declared elected, eligible to that office;

1 (3) Because the person whose right is being contested was, previous
2 to the election, convicted of a felony by a court of competent
3 jurisdiction, the conviction not having been reversed nor the person's
4 (~~(civil rights)~~) right to vote restored after the conviction;

5 (4) Because the person whose right is being contested gave a bribe
6 or reward to a voter or to an election officer for the purpose of
7 procuring the election, or offered to do so;

8 (5) On account of illegal votes.

9 (a) Illegal votes include but are not limited to the following:

10 (i) More than one vote cast by a single voter;

11 (ii) A vote cast by a person disqualified under Article VI, section
12 3 of the state Constitution.

13 (b) Illegal votes do not include votes cast by improperly
14 registered voters who were not properly challenged under RCW 29A.08.810
15 and 29A.08.820.

16 All election contests must proceed under RCW 29A.68.011.

17 **Sec. 80.** RCW 2.06.010 and 1969 ex.s. c 221 s 1 are each amended to
18 read as follows:

19 There is hereby established a court of appeals as a court of
20 record. For the purpose of RCW 2.06.010 through 2.06.100 the following
21 terms shall have the following meanings:

22 (1) "Rules" means rules of the supreme court.

23 (2) "Chief justice" means chief justice of the supreme court.

24 (3) "Court" means court of appeals.

25 (4) "Judge" means judge of the court of appeals.

26 (5) "Division" means a division of the court of appeals.

27 (6) "District" means a geographic subdivision of a division from
28 which judges of the court of appeals are elected.

29 (~~(7) "General election" means the biennial election at which
30 members of the house of representatives are elected.~~)

31 **Sec. 81.** RCW 29A.60.280 and 2003 c 111 s 504 are each amended to
32 read as follows:

33 (1) The legislature finds that certain laws are in conflict
34 governing the assumption of office of various local officials. The
35 purpose of this section is to provide a common date for the assumption
36 of office for all the elected officials of counties, cities, towns, and

1 special purpose districts (~~other than school districts~~) where the
2 ownership of property is not a prerequisite of voting. (~~A person~~
3 ~~elected to the office of school director begins his or her term of~~
4 ~~office at the first official meeting of the board of directors after~~
5 ~~certification of the election results.~~) It is also the purpose of
6 this section to remove these conflicts and delete old statutory
7 language concerning such elections which is no longer necessary.

8 (2) A person elected to the office of school director begins his or
9 her term of office at the first official meeting of the board of
10 directors after certification of the election results.

11 (3) For elective offices of counties, cities, towns, and special
12 purpose districts (~~other than school districts~~) where the ownership
13 of property is not a prerequisite of voting, the term of incumbents
14 ends and the term of successors begins after the successor is elected
15 and qualified, and the term commences immediately after December 31st
16 following the election, except as follows:

17 (a) Where the term of office varies from this standard according to
18 statute; and

19 (b) If the election results have not been certified prior to
20 January 1st after the election, in which event the time of commencement
21 for the new term occurs when the successor becomes qualified in
22 accordance with RCW 29A.04.133.

23 (~~(+3)~~) (4) For elective offices governed by this section, the oath
24 of office must be taken as the last step of qualification as defined in
25 RCW 29A.04.133 but may be taken either:

26 (a) Up to ten days prior to the scheduled date of assuming office;
27 or

28 (b) At the last regular meeting of the governing body of the
29 applicable county, city, town, or special district held before the
30 winner is to assume office.

31 **Sec. 82.** RCW 35.17.260 and 1996 c 286 s 4 are each amended to read
32 as follows:

33 Ordinances may be initiated by petition of registered voters of the
34 city filed with the commission. If the petition accompanying the
35 proposed ordinance is signed by the registered voters in the city equal
36 in number to twenty-five percent of the votes cast for all candidates
37 for mayor at the last preceding city election, and if it contains a

1 request that, unless passed by the commission, the ordinance be
2 submitted to a vote of the registered voters of the city, the
3 commission shall either:

4 (1) Pass the proposed ordinance without alteration within twenty
5 days after the county auditor's certificate of sufficiency has been
6 received by the commission; or

7 (2) Immediately after the county auditor's certificate of
8 sufficiency for the petition is received, cause to be called a special
9 election to be held on the next election date, as provided in RCW
10 (~~(29.13.020, that occurs not less than forty five days thereafter)~~)
11 29A.04.330, for submission of the proposed ordinance without
12 alteration, to a vote of the people, unless a general election will
13 occur within ninety days, in which event submission must be made on the
14 general election ballot.

15 **Sec. 83.** RCW 35.17.380 and 1965 c 7 s 35.17.380 are each amended
16 to read as follows:

17 Upon petition of electors in any city equal in number to twenty-
18 five percent of the votes cast for all candidates for mayor at the last
19 preceding city election therein, the mayor by proclamation shall cause
20 to be submitted the question of organizing the city under the
21 commission form of government at ((a)) the next special election ((~~at~~
22 ~~a time specified therein and within sixty days after the filing of the~~
23 ~~petition~~)) as provided in RCW 29A.04.330. If the plan is not adopted
24 at the special election called, it shall not be resubmitted to the
25 voters of the city for adoption within two years thereafter.

26 **Sec. 84.** RCW 35.17.400 and 1994 c 223 s 11 are each amended to
27 read as follows:

28 The first election of commissioners shall be held at the next
29 special election that occurs ((~~at least sixty days~~)) after the election
30 results are certified where the proposition to organize under the
31 commission form was approved by city voters, and the commission first
32 elected shall commence to serve as soon as they have been elected and
33 have qualified and shall continue to serve until their successors have
34 been elected and qualified and have assumed office in accordance with
35 RCW ((~~29.04.170~~)) 29A.60.280. The date of the second election for
36 commissioners shall be in accordance with RCW ((~~29.13.020~~)) 29A.04.330

1 such that the term of the first commissioners will be as near as
2 possible to, but not in excess of, four years calculated from the first
3 day in January in the year after the year in which the first
4 commissioners were elected.

5 **Sec. 85.** RCW 35.18.240 and 1965 c 7 s 35.18.240 are each amended
6 to read as follows:

7 Petitions to reorganize a city or town on the council-manager plan
8 must be signed by registered voters resident therein equal in number to
9 at least twenty percent of the votes cast for all candidates for mayor
10 at the last preceding municipal election. In addition to the signature
11 and residence addresses of the petitioners thereon, a petition must
12 contain an affidavit stating the number of signers thereon at the time
13 the affidavit is made.

14 Petitions containing the required number of signatures shall be
15 accepted by the city or town clerk as prima facie valid until their
16 invalidity has been proved.

17 A variation on such petitions between the signatures on the
18 petition and that on the voter's permanent registration caused by the
19 substitution of initials instead of the first or middle names or both
20 shall not invalidate the signature on the petition if the surname and
21 handwriting are the same. ~~((Signatures, including the original, of any
22 voter who has signed such petitions two or more times shall be
23 stricken.))~~ If a person signs a petition more than once, all but the
24 first valid signature must be rejected.

25 **Sec. 86.** RCW 35.22.055 and 1974 ex.s. c 1 s 1 are each amended to
26 read as follows:

27 Notwithstanding any other provision of law, whenever the population
28 of a city is three hundred thousand persons or more, not less than ten
29 days before the time for filing declarations of candidacy for election
30 of freeholders under Article XI, section 10 (Amendment 40), of the
31 state Constitution, the ~~((city clerk))~~ county auditor shall designate
32 the positions to be filled by consecutive number, commencing with one.
33 The positions to be designated shall be dealt with as separate offices
34 for all election purposes, and each candidate shall file for one, but
35 only one, of the positions so designated.

1 (~~In the printing of ballots, the positions of the names of~~
2 ~~candidates for each numbered position shall be changed as many times as~~
3 ~~there are candidates for the numbered positions, following insofar as~~
4 ~~applicable the procedure provided for in RCW 29.30.040 for the rotation~~
5 ~~of names on primary ballots, the intention being that ballots at the~~
6 ~~polls will reflect as closely as practicable the rotation procedure as~~
7 ~~provided for therein.))~~

8 **Sec. 87.** RCW 36.32.070 and 2003 c 238 s 3 are each amended to read
9 as follows:

10 Whenever there is a vacancy in the board of county commissioners,
11 except as provided in RCW 36.32.0558, it shall be filled as follows:

12 (1) If there are three vacancies, the governor of the state shall
13 appoint two of the officers. The two commissioners thus appointed
14 shall then meet and select the third commissioner. If the two
15 appointed commissioners fail to agree upon selection of the third after
16 the expiration of (~~five~~) sixty days from the day they were appointed,
17 the governor shall appoint the remaining commissioner.

18 (2) Whenever there are two vacancies in the office of county
19 commissioner, the governor shall appoint one commissioner, and the two
20 commissioners then in office shall appoint the third commissioner. If
21 they fail to agree upon a selection after the expiration of (~~five~~)
22 sixty days from the day of the governor's appointment, the governor
23 shall appoint the third commissioner.

24 (3) Whenever there is one vacancy in the office of county
25 commissioner, the two remaining commissioners shall fill the vacancy.
26 If the two commissioners fail to agree upon a selection after the
27 expiration of (~~five~~) sixty days from the day the vacancy occurred,
28 the governor shall appoint the third commissioner.

29 (4) Whenever there is a vacancy in the office of county
30 commissioner after the general election in a year that the position
31 appears on the ballot and before the start of the next term, the term
32 of the successor who is of the same party as the incumbent may commence
33 once he or she has qualified as defined in RCW (~~29.01.135~~) 29A.04.133
34 and shall continue through the term for which he or she was elected.

35 NEW SECTION. **Sec. 88.** The following acts or parts of acts are
36 each repealed:

- 1 (1) RCW 28A.343.330 (Ballots--Form) and 1969 ex.s. c 223 s
2 28A.57.316;
- 3 (2) RCW 52.14.030 (Polling places) and 1994 c 223 s 51, 1984 c 230
4 s 31, & 1939 c 34 s 24; and
- 5 (3) 2013 c 11 s 45.

--- END ---