
SUBSTITUTE HOUSE BILL 1806

State of Washington 64th Legislature 2015 Regular Session

By House State Government (originally sponsored by Representatives Van Werven, Bergquist, Holy, Appleton, Gregory, and S. Hunt)

READ FIRST TIME 02/09/15.

1 AN ACT Relating to correcting references to elections statutes;
2 amending RCW 3.34.050, 14.08.304, 27.12.100, 27.15.020, 27.15.050,
3 28A.315.275, 28A.320.410, 28A.323.050, 28A.343.010, 28A.343.330,
4 28A.343.350, 28A.343.670, 28A.535.030, 35.02.078, 35.02.100,
5 35.02.139, 35.06.080, 35.07.050, 35.10.410, 35.10.420, 35.13.060,
6 35.13.080, 35.13.090, 35.16.030, 35.16.050, 35.17.260, 35.17.310,
7 35.17.400, 35.18.020, 35.20.100, 35.21.203, 35.22.055, 35.22.200,
8 35.22.235, 35.22.245, 35.23.051, 35.23.805, 35.23.850, 35.30.080,
9 35.61.030, 35.61.050, 35.61.270, 35.95A.100, 35A.02.025, 35A.02.050,
10 35A.02.060, 35A.07.050, 35A.08.100, 35A.12.040, 35A.12.180,
11 35A.14.050, 35A.29.120, 35A.29.130, 35A.29.180, 35A.42.050,
12 35A.56.010, 36.16.020, 36.16.030, 36.22.220, 36.32.030, 36.32.0558,
13 36.32.070, 36.69.070, 36.69.090, 36.105.050, 39.36.050, 43.07.140,
14 43.135.060, 46.20.205, 52.04.011, 52.06.030, 52.14.060, 52.14.070,
15 53.04.020, 53.04.080, 53.12.130, 53.12.172, 53.12.221, 53.16.015,
16 53.36.070, 53.36.100, 54.08.060, 54.40.070, 57.04.140, 57.12.030,
17 57.12.039, 57.24.190, 67.38.130, 68.52.250, 70.44.047, 70.44.056,
18 80.36.390, 80.52.050, 82.14.036, 82.46.021, 82.80.090, 85.38.060,
19 85.38.070, 86.15.050, and 87.03.083; and reenacting and amending RCW
20 28A.343.030, 28A.343.320, and 28A.343.660.

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

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

3 At the general election in November 1962 and quadrennially
4 thereafter, there shall be elected by the voters of each district
5 court district the number of judges authorized for the district by
6 the 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)~~)29A.52 RCW. Not less
10 than ten days before the time for filing declarations of candidacy
11 for the election of judges for districts entitled to more than one
12 judge, the county auditor shall designate each such office of
13 district judge to be filled by a number, commencing with the number
14 one and numbering the remaining offices consecutively. At the time of
15 the filing of the declaration of candidacy, each candidate shall
16 designate by number which one, and only one, of the numbered offices
17 for which he or she is a candidate and the name of the candidate
18 shall appear on the ballot for only the numbered office for which the
19 candidate filed a declaration of candidacy.

20 **Sec. 2.** RCW 14.08.304 and 1994 c 223 s 4 are each amended to
21 read as follows:

22 The board of airport district commissioners shall consist of
23 three members. The first commissioners shall be appointed by the
24 county legislative authority. At the next general district election,
25 held as provided in RCW (~~(29.13.020)~~)29A.04.330, three airport
26 district commissioners shall be elected. The terms of office of
27 airport district commissioners shall be two years, or until their
28 successors are elected and qualified and have assumed office in
29 accordance with RCW (~~(29.04.170)~~)29A.60.280. Members of the board of
30 airport district commissioners shall be elected at each regular
31 district general election on a nonpartisan basis in accordance with
32 the general election law. Vacancies on the board of airport district
33 commissioners shall occur and shall be filled as provided in chapter
34 42.12 RCW. Members of the board of airport district commissioners
35 shall receive no compensation for their services, but shall be
36 reimbursed for actual necessary traveling and sustenance expenses
37 incurred while engaged on official business.

1 **Sec. 3.** RCW 27.12.100 and 1965 c 63 s 1 are each amended to read
2 as follows:

3 An intercounty rural library district shall be established by
4 joint action of two or more counties proceeding by either of the
5 following alternative methods:

6 (1) The boards of county commissioners of any two or more
7 counties shall adopt identical resolutions proposing the formation of
8 such a district to include all of the areas outside of incorporated
9 cities or towns in such counties as may be designated in such
10 resolutions. In lieu of such resolutions a petition of like purport
11 signed by ten percent of the registered voters residing outside of
12 incorporated cities or towns of a county, may be filed with the
13 county auditor thereof, and shall have the same effect as a
14 resolution. The proposition for the formation of the district as
15 stated on the petition shall be prepared by the attorney general upon
16 request of the state library commission. Action to initiate the
17 formation of such a district shall become ineffective in any county
18 if corresponding action is not completed within one year thereafter
19 by each other county included in such proposal. The county auditor in
20 each county shall check the validity of the signatures on the
21 petition and shall certify to the board of county commissioners the
22 sufficiency of the signatures. If each petition contains the
23 signatures of ten percent of the registered voters residing outside
24 the incorporated cities and towns of the county, each board of county
25 commissioners shall pass a resolution calling an election for the
26 purpose of submitting the question to the voters and setting the date
27 of said election. When such action has been taken in each of the
28 counties involved, notification shall be made by each board of county
29 commissioners to the board of county commissioners of the county
30 having the largest population according to the last federal census,
31 who shall give proper notification to each county auditor. At the
32 next general or special election held in the respective counties
33 there shall be submitted to the voters in the areas outside of
34 incorporated cities and towns a question as to whether an intercounty
35 rural library district shall be established as outlined in the
36 resolutions or petitions. Notice of said election shall be given by
37 the county auditor (~~pursuant to RCW 29.27.080. The county auditor~~
38 ~~shall provide for the printing of a separate ballot and shall provide~~
39 ~~for the distribution of ballots to the polling places pursuant to RCW~~
40 ~~29.04.020~~)). The county auditor shall instruct the election boards in

1 split precincts. The respective county canvassing boards in each
2 county to be included within the intercounty rural library district
3 shall canvass the votes and certify the results to the county auditor
4 pursuant to chapter ~~((29.62))~~29A.60 RCW; the result shall then be
5 certified by each county auditor to the county auditor of the county
6 having the largest population according to the last federal census.
7 If a majority of the electors voting on the proposition in each of
8 the counties affected shall vote in favor of such district it shall
9 thereby become established, and the board of county commissioners of
10 the county having the largest population according to the last
11 federal census shall declare the intercounty rural library district
12 established. If two or more of the counties affected are in an
13 existing intercounty rural library district, then the electors in
14 areas outside incorporated cities and towns in those counties shall
15 vote as a unit and the electors in areas outside incorporated cities
16 and towns in each of the other affected counties shall vote as
17 separate units. If a majority of the electors voting on the
18 proposition in the existing district and a majority of the voters in
19 any of the other affected counties shall vote in favor of an expanded
20 intercounty rural library district it shall thereby become
21 established.

22 (2) The county commissioners of two or more counties meeting in
23 joint session attended by a majority of the county commissioners of
24 each county may, by majority vote of those present, order the
25 establishment of an intercounty rural library district to include all
26 of the area outside of incorporated cities and towns in as many of
27 the counties represented at such joint meeting as shall be determined
28 by resolution of such joint meeting. If two or more counties are in
29 an existing intercounty rural library district, then a majority vote
30 of all of the commissioners present from those counties voting as a
31 unit, and a majority vote of the commissioners present from any other
32 county shall cause the joint session to order the establishment of an
33 expanded intercounty rural library district. No county, however,
34 shall be included in such district if a majority of its county
35 commissioners vote against its inclusion in such district.

36 **Sec. 4.** RCW 27.15.020 and 1996 c 258 s 1 are each amended to
37 read as follows:

38 Upon receipt of a completed written request to both establish a
39 library capital facility area and submit a ballot proposition under

1 RCW 27.15.050 to finance library capital facilities, that is signed
2 by a majority of the members of the board of trustees of a library
3 district or board of trustees of a city or town library, the county
4 legislative authority or county legislative authorities for the
5 county or counties in which a proposed library capital facility area
6 is to be established shall submit separate ballot propositions to
7 voters to authorize establishing the proposed library capital
8 facility area and authorizing the library capital facility area, if
9 established, to finance library capital facilities by issuing general
10 indebtedness and imposing excess levies to retire the indebtedness.
11 The ballot propositions shall be submitted to voters at a general or
12 special election. If the proposed election date is not a general
13 election, the county legislative authority is encouraged to request
14 an election when another unit of local government with territory
15 located in the proposed library capital facility area is already
16 holding a special election under RCW ((~~29.13.020~~))29A.04.330.
17 Approval of the ballot proposition to create a library capital
18 facility area shall be by a simple majority vote.

19 A completed request submitted under this section shall include:
20 (1) A description of the boundaries of the library capital facility
21 area; and (2) a copy of the resolution of the legislative authority
22 of each city or town, and board of trustees of each library district,
23 with territory included within the proposed library capital facility
24 area indicating both: (a) Its approval of the creation of the
25 proposed library capital facility area; and (b) agreement on how
26 election costs will be paid for submitting ballot propositions to
27 voters that authorize the library capital facility area to incur
28 general indebtedness and impose excess levies to retire the general
29 indebtedness.

30 **Sec. 5.** RCW 27.15.050 and 1996 c 258 s 2 are each amended to
31 read as follows:

32 (1) A library capital facility area may contract indebtedness or
33 borrow money to finance library capital facilities and may issue
34 general obligation bonds for such purpose not exceeding an amount,
35 together with any existing indebtedness of the library capital
36 facility area, equal to one and one-quarter percent of the value of
37 the taxable property in the district and impose excess property tax
38 levies to retire the general indebtedness as provided in RCW
39 39.36.050 if a ballot proposition authorizing both the indebtedness

1 and excess levies is approved by at least three-fifths of the voters
2 of the library capital facility area voting on the proposition, and
3 the total number of voters voting on the proposition constitutes not
4 less than forty percent of the total number of voters in the library
5 capital facility area voting at the last preceding general election.
6 The term "value of the taxable property" has the meaning set forth in
7 RCW 39.36.015. Such a proposition shall be submitted to voters at a
8 general or special election and may be submitted to voters at the
9 same election as the election when the ballot proposition authorizing
10 the establishing of the library capital facility area is submitted.
11 If the proposed election date is not a general election, the county
12 legislative authority is encouraged to request an election when
13 another unit of local government with territory located in the
14 proposed library capital facility area is already holding a special
15 election under RCW (~~(29.13.020)~~)29A.04.330.

16 (2) A library capital facility area may accept gifts or grants of
17 money or property of any kind for the same purposes for which it is
18 authorized to borrow money in subsection (1) of this section.

19 **Sec. 6.** 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
23 (~~(29.27.080)~~)29A.52.355. The notice of election shall state the
24 purpose for which the election has been called and contain a
25 description of the boundaries of the proposed new district and a
26 statement of any terms of adjustment of bonded indebtedness on which
27 to be voted.

28 **Sec. 7.** RCW 28A.320.410 and 1969 ex.s. c 223 s 28A.58.521 are
29 each amended to read as follows:

30 All school district elections, regular or special, shall be
31 conducted according to the election laws of the state as contained in
32 Title 29A RCW, and in the event of a conflict as to the application
33 of the laws of this title or Title 29A RCW, the latter shall prevail.

34 **Sec. 8.** RCW 28A.323.050 and 1990 c 33 s 311 are each amended to
35 read as follows:

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

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

7 At each general election, or upon approval of a request for a
8 special election as provided for in RCW (~~((29.13.020))~~)29A.04.330, such
9 county auditor shall:

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

12 (2) At least twenty days prior to the elections concerned,
13 certify in writing to the superintendent of the school district the
14 number and location of the polling places established by such auditor
15 for such regular or special elections; and

16 (3) Do all things otherwise required by law for the conduct of
17 such election.

18 It is the intention of this section that the qualified electors
19 of a joint school district shall not be forced to go to a different
20 polling place on the same day when other elections are being held to
21 vote for school directors of their district.

22 **Sec. 9.** RCW 28A.343.010 and 1990 c 33 s 317 are each amended to
23 read as follows:

24 Whenever the directors to be elected in a school district that is
25 not divided into directors' districts are not all to be elected for
26 the same term of years, the county auditor shall distinguish them and
27 designate the same as provided for in RCW (~~((29.21.140))~~)29A.24.020,
28 and assign position numbers thereto as provided in RCW
29 (~~((28A.315.470))~~)28A.343.320 and each candidate shall indicate on his
30 or her declaration of candidacy the term for which he or she seeks to
31 be elected and position number for which he or she is filing. The
32 candidate receiving the largest number of votes for each position
33 shall be deemed elected.

34 **Sec. 10.** RCW 28A.343.030 and 1991 c 363 s 23 and 1991 c 288 s 4
35 are each reenacted and amended to read as follows:

36 The board of directors of every first-class school district other
37 than a school district of the first class having within its
38 boundaries a city with a population of four hundred thousand people

1 or more which is not divided into directors' districts may submit to
2 the voters at any regular school district election a proposition to
3 authorize the board of directors to divide the district into
4 directors' districts or for second-class school districts into
5 director districts or a combination of no fewer than three director
6 districts and no more than two at large positions. If a majority of
7 the votes cast on the proposition is affirmative, the board of
8 directors shall proceed to divide the district into directors'
9 districts following the procedure established in RCW
10 ((~~29.70.100~~))29A.76.010. Such director districts, if approved, shall
11 not become effective until the next regular school election when a
12 new five member board of directors shall be elected, one from each of
13 the director districts from among the residents of the respective
14 director district, or from among the residents of the entire school
15 district in the case of directors at large, by the electors of the
16 entire district, two for a term of two years and three for a term of
17 four years, unless such district elects its directors for six years,
18 in which case, one for a term of two years, two for a term of four
19 years, and two for a term of six years.

20 **Sec. 11.** RCW 28A.343.320 and 1990 c 161 s 4 and 1990 c 59 s 98
21 are each reenacted and amended to read as follows:

22 Candidates for the position of school director shall file their
23 declarations of candidacy as provided in Title 29A RCW.

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

33 **Sec. 12.** RCW 28A.343.330 and 1969 ex.s. c 223 s 28A.57.316 are
34 each amended to read as follows:

35 Except as provided in RCW ((~~29.21.010~~))29A.52.210, the positions
36 of school directors and the candidates therefor shall appear
37 separately on the nonpartisan ballot in substantially the following
38 form:

SCHOOL DIRECTOR ELECTION BALLOT

District No.

Date

To vote for a person make a cross (X) in the square at the right of the name of the person for whom you desire to vote.

School District Directors

Position No. 1

Vote for One

- □
..... □
..... □

Position No. 2

Vote for One

- □
..... □
..... □

To Fill Unexpired Term

Position No. 3

2 (or 4) year term

Vote for One

- □
..... □
..... □

The names of candidates shall appear upon the ballot in order of filing for each position. There shall be no rotation of names in the printing of such ballots.

Sec. 13. RCW 28A.343.350 and 1999 c 194 s 1 are each amended to read as follows:

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

6 (1) If, as a result of redrawing the director district
7 boundaries, the director no longer resides in the director district,
8 the director shall retain his or her position for the remainder of
9 his or her term 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,
12 the director shall retain his or her position until a successor is
13 elected and assumes office as follows: (a) If the change in residency
14 occurs after the opening of the regular filing period provided under
15 RCW ((~~29.15.020~~))29A.24.050, in the year two years after the director
16 was elected to office, the director shall remain in office for the
17 remainder of his or her term of office; or (b) if the change in
18 residency occurs prior to the opening of the regular filing period
19 provided under RCW ((~~29.15.020~~))29A.24.050, in the year two years
20 after the director was elected to office, the director shall remain
21 in office until a successor assumes office who has been elected to
22 serve the remainder of the unexpired term of office at the school
23 district general election held in that year.

24 **Sec. 14.** RCW 28A.343.660 and 1991 c 363 s 28 and 1991 c 288 ss 5
25 and 6 are each reenacted and amended to read as follows:

26 Notwithstanding any other provision of law, any school district
27 of the first class having within its boundaries a city with a
28 population of four hundred thousand people or more shall be divided
29 into seven director districts. The boundaries of such director
30 districts shall be established by the members of the school board,
31 such boundaries to be established so that each such district shall
32 comply, as nearly as practicable, with the criteria established in
33 RCW ((~~29.70.100~~))29A.76.010. Boundaries of such director districts
34 shall be adjusted by the school board following the procedure
35 established in RCW ((~~29.70.100~~))29A.76.010 after each federal
36 decennial census if population change shows the need thereof to
37 comply with the criteria of RCW ((~~29.70.100~~))29A.76.010. No person
38 shall be eligible for the position of school director in any such
39 director district unless such person resides in the particular

1 director district. Residents in the particular director district
2 desiring to be a candidate for school director shall file their
3 declarations of candidacy for such director district and for the
4 position of director in that district and shall be voted upon, in any
5 primary required to be held for the position under Title 29A RCW, by
6 the registered voters of that particular director district. In the
7 general election, each position shall be voted upon by all the
8 registered voters in the school district. The order of the names of
9 candidates shall appear on the primary and general election ballots
10 as required for nonpartisan positions under Title 29A RCW. Except as
11 provided in RCW (~~(28A.315.680)~~)28A.343.670, every such director so
12 elected in school districts divided into seven director districts
13 shall serve for a term of four years as otherwise provided in RCW
14 (~~(28A.315.460)~~)28A.343.610.

15 **Sec. 15.** RCW 28A.343.670 and 1995 c 335 s 106 are each amended
16 to read as follows:

17 The school boards of any school district of the first class
18 having within its boundaries a city with a population of four hundred
19 thousand people or more shall establish the director district
20 boundaries. Appointment of a board member to fill any vacancy
21 existing for a new director district prior to the next regular school
22 election shall be by the school board. Prior to the next regular
23 election in the school district and the filing of declarations of
24 candidacy therefor, the incumbent school board shall designate said
25 director districts by number. Directors appointed to fill vacancies
26 as above provided shall be subject to election, one for a six-year
27 term, and one for a two-year term and thereafter the term of their
28 respective successors shall be for four years. The term of office of
29 incumbent members of the board of such district shall not be affected
30 by RCW (~~(28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, and~~
31 ~~28A.315.680)~~)28A.343.300, 28A.343.600, 28A.343.610, 28A.343.660, and
32 28A.343.670.

33 **Sec. 16.** RCW 28A.535.030 and 1990 c 33 s 482 are each amended to
34 read as follows:

35 At the time of the adoption of the resolution provided for in RCW
36 28A.535.020, the board of directors shall direct the school district
37 superintendent to give notice to the county auditor of the suggested
38 time and purpose of such election, and specifying the amount and

1 general character of the indebtedness proposed to be ratified. Such
2 superintendent shall also cause written or printed notices to be
3 posted in at least five places in such school district at least
4 twenty days before such election. In addition to his or her other
5 duties relating thereto, the county auditor shall give notice of such
6 election as provided for in RCW (~~(29.27.080)~~)29A.52.355.

7 **Sec. 17.** RCW 35.02.078 and 1994 c 216 s 18 are each amended to
8 read as follows:

9 An election shall be held in the area proposed to be incorporated
10 to determine whether the proposed city or town shall be incorporated
11 when the boundary review board takes action on the proposal other
12 than disapproving the proposal, or if the county legislative
13 authority does not disapprove the proposal as provided in RCW
14 35.02.070. Voters at this election shall determine if the area is to
15 be incorporated.

16 The initial election on the question of incorporation shall be
17 held at the next special election date specified in RCW
18 (~~(29.13.020)~~)29A.04.330 that occurs sixty or more days after the
19 final public hearing by the county legislative authority or
20 authorities, or action by the boundary review board or boards. The
21 county legislative authority or authorities shall call for this
22 election and, if the incorporation is approved, shall call for other
23 elections to elect the elected officials as provided in this section.
24 If the vote in favor of the incorporation receives forty percent or
25 less of the total vote on the question of incorporation, no new
26 election on the question of incorporation for the area or any portion
27 of the area proposed to be incorporated may be held for a period of
28 three years from the date of the election in which the incorporation
29 failed.

30 If the incorporation is authorized as provided by RCW 35.02.120,
31 separate elections shall be held to nominate and elect persons to
32 fill the various elective offices prescribed by law for the
33 population and type of city or town, and to which it will belong. The
34 primary election to nominate candidates for these elective positions
35 shall be held at the next special election date, as specified in RCW
36 (~~(29.13.020)~~)29A.04.330, that occurs sixty or more days after the
37 election on the question of incorporation. The election to fill these
38 elective positions shall be held at the next special election date,

1 as specified in RCW (~~(29.13.020)~~)29A.04.330, that occurs thirty or
2 more days after certification of the results of the primary election.

3 **Sec. 18.** RCW 35.02.100 and 1986 c 234 s 13 are each amended to
4 read as follows:

5 The notice of election on the question of the incorporation shall
6 be given as provided by RCW (~~(29.27.080 but)~~)29A.52.355 and shall
7 (~~(further)~~) describe the boundaries of the proposed city or town, its
8 name, and the number of inhabitants ascertained by the county
9 legislative authority or the boundary review board to reside in it.

10 **Sec. 19.** RCW 35.02.139 and 1994 c 223 s 9 are each amended to
11 read as follows:

12 An election shall be held to elect city or town elected officials
13 at the next municipal general election occurring more than twelve
14 months after the date of the first election of councilmembers or
15 commissioners. Candidates shall run for specific council or
16 commission positions. The staggering of terms of members of the city
17 or town council shall be established at this election, where the
18 simple majority of the persons elected as councilmembers receiving
19 the greatest numbers of votes shall be elected to four-year terms of
20 office and the remainder of the persons elected as councilmembers
21 shall be elected to two-year terms of office. Newly elected
22 councilmembers or newly elected commissioners shall serve until their
23 successors are elected and qualified. The terms of office of newly
24 elected commissioners shall not be staggered, as provided in chapter
25 35.17 RCW. All councilmembers and commissioners who are elected
26 subsequently shall be elected to four-year terms of office and shall
27 serve until their successors are elected and qualified and assume
28 office in accordance with RCW (~~(29.04.170)~~)29A.60.280.

29 **Sec. 20.** RCW 35.06.080 and 1994 c 81 s 9 are each amended to
30 read as follows:

31 The first election of officers of the new corporation after the
32 advancement of classification is approved shall be at the next
33 general municipal election and the officers of the old corporation,
34 as altered by the election when the advancement was approved, shall
35 remain in office until the officers of the new corporation are
36 elected and qualified and assume office in accordance with RCW
37 (~~(29.04.170)~~)29A.60.280. A primary shall be held where necessary to

1 nominate candidates for the elected offices of the corporation as a
2 second-class city. Candidates for city council positions shall run
3 for specific council positions. The council of the old corporation
4 may adopt a resolution providing that the offices of city attorney,
5 clerk, and treasurer are appointive.

6 The three persons who are elected to council positions one
7 through six receiving the greatest number of votes shall be elected
8 to four-year terms of office and the other three persons who are
9 elected to council positions one through six, and the person elected
10 to council position seven, shall be elected to two-year terms of
11 office. The person elected as mayor and the persons elected to any
12 other elected office shall be elected to four-year terms of office.
13 All successors to all elected positions, other than council position
14 number seven, shall be elected to four-year terms of office and
15 successors to council position number seven shall be elected to two-
16 year terms of office.

17 There shall be no election of town offices at this election when
18 the first officers of the new corporation are elected and the offices
19 of the town shall expire when the officers of the new corporation
20 assume office.

21 The ordinances, bylaws, and resolutions adopted by the old
22 corporation shall, as far as consistent with the provisions of this
23 title, continue in force until repealed by the council of the new
24 corporation.

25 The council and officers of the town shall, upon demand, deliver
26 to the proper officers of the new corporation all books of record,
27 documents, and papers in their possession belonging to the old
28 corporation.

29 **Sec. 21.** RCW 35.07.050 and 1965 c 7 s 35.07.050 are each amended
30 to read as follows:

31 Notice of such election shall be given (~~as provided in RCW~~
32 ~~29.27.080~~)).

33 **Sec. 22.** RCW 35.10.410 and 1985 c 281 s 4 are each amended to
34 read as follows:

35 The submission of a ballot proposal to the voters of two or more
36 contiguous cities for the consolidation of these contiguous cities
37 may be caused by the adoption of a joint resolution, by a majority
38 vote of each city legislative body, seeking consolidation of such

1 contiguous cities. The joint resolution shall provide for submission
2 of the question to the voters at the next general municipal election,
3 if one is to be held more than ninety days but not more than one
4 hundred eighty days after the passage of the joint resolution, or
5 shall call for a special election to be held for that purpose at the
6 next special election date, as specified in RCW
7 ((~~29.13.020~~))29A.04.330, that occurs ninety or more days after the
8 passage of the joint resolution. The legislative bodies of the cities
9 also shall notify the county legislative authority of each county in
10 which the cities are located of the proposed consolidation.

11 **Sec. 23.** RCW 35.10.420 and 1995 c 196 s 7 are each amended to
12 read as follows:

13 The submission of a ballot proposal to the voters of two or more
14 contiguous cities for the consolidation of these contiguous cities
15 may also be caused by the filing of a petition with the legislative
16 body of each such city, signed by the voters of each city in number
17 equal to not less than ten percent of voters who voted in the city at
18 the last general municipal election therein, seeking consolidation of
19 such contiguous cities. A copy of the petition shall be forwarded
20 immediately by each city to the auditor of the county or counties
21 within which that city is located.

22 The county auditor or auditors shall determine the sufficiency of
23 the signatures in each petition within ten days of receipt of the
24 copies and immediately notify the cities proposed to be consolidated
25 of the sufficiency. If each of the petitions is found to have
26 sufficient valid signatures, the auditor or auditors shall call a
27 special election at which the question of whether such cities shall
28 consolidate shall be submitted to the voters of each of such cities.
29 If a general election is to be held more than ninety days but not
30 more than one hundred eighty days after the filing of the last
31 petition, the question shall be submitted at that election. Otherwise
32 the question shall be submitted at a special election to be called
33 for that purpose at the next special election date, as specified in
34 RCW ((~~29.13.020~~))29A.04.330, that occurs ninety or more days after
35 the date when the last petition was filed.

36 If each of the petitions is found to have sufficient valid
37 signatures, the auditor or auditors also shall notify the county
38 legislative authority of each county in which the cities are located
39 of the proposed consolidation.

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

5 **Sec. 24.** RCW 35.13.060 and 1989 c 351 s 2 are each amended to
6 read as follows:

7 Upon granting the petition under the twenty percent annexation
8 petition under the election method, and after the auditor has
9 certified the petition as being sufficient, the legislative body of
10 the city or town shall indicate to the county auditor its preference
11 for the date of the election on the annexation to be held, which
12 shall be one of the dates for special elections provided under RCW
13 ((29.13.020))29A.04.330 that is sixty or more days after the date the
14 preference is indicated. The county auditor shall call the special
15 election at the special election date indicated by the city or town.

16 **Sec. 25.** RCW 35.13.080 and 1973 1st ex.s. c 164 s 7 are each
17 amended to read as follows:

18 Notice of an annexation election shall particularly describe the
19 boundaries of the area proposed to be annexed, describe the
20 boundaries of the proposed service area if the simultaneous creation
21 of a community municipal corporation is provided for, state the
22 objects of the election as prayed in the petition or as stated in the
23 resolution and require the voters to cast ballots which shall contain
24 the words "For annexation" and "Against annexation" or words
25 equivalent thereto, or contain the words "For annexation and adoption
26 of comprehensive plan" and "Against annexation and adoption of
27 comprehensive plan" or words equivalent thereto in case the
28 simultaneous adoption of a comprehensive plan is proposed, and, if
29 appropriate, the words "For creation of community municipal
30 corporation" and "Against creation of community municipal
31 corporation" or words equivalent thereto, or contain the words "For
32 annexation and creation of community municipal corporation" and
33 "Against annexation and creation of community municipal corporation"
34 or words equivalent thereto in case the simultaneous creation of a
35 community municipal corporation is proposed, and which in case the
36 assumption of indebtedness is proposed, shall contain as a separate
37 proposition, the words "For assumption of indebtedness" and "Against
38 assumption of indebtedness" or words equivalent thereto and if only a

1 portion of the indebtedness of the annexing city or town is to be
2 assumed, an appropriate separate proposition for and against the
3 assumption of such portion of the indebtedness shall be submitted to
4 the voters. If the creation of a community municipal corporation and
5 election of community councilmembers is provided for, the notice
6 shall also require the voters within the service area to cast ballots
7 for candidates for positions on such council. The notice shall be
8 posted for at least two weeks prior to the date of election in four
9 public places within the area proposed to be annexed and published in
10 accordance with the notice required by RCW (~~(29.27.080)~~)29A.52.355
11 prior to the date of election in a newspaper of general circulation
12 in the area proposed to be annexed.

13 **Sec. 26.** RCW 35.13.090 and 1996 c 286 s 1 are each amended to
14 read as follows:

15 (1) The proposition for or against annexation or for or against
16 annexation and adoption of the comprehensive plan, or for or against
17 creation of a community municipal corporation, or any combination
18 thereof, as the case may be, shall be deemed approved if a majority
19 of the votes cast on that proposition are cast in favor of annexation
20 or in favor of annexation and adoption of the comprehensive plan, or
21 for creation of the community municipal corporation, or any
22 combination thereof, as the case may be.

23 (2) If a proposition for or against assumption of all or any
24 portion of indebtedness was submitted to the registered voters, it
25 shall be deemed approved if a majority of at least three-fifths of
26 the registered voters of the territory proposed to be annexed voting
27 on such proposition vote in favor thereof, and the number of
28 registered voters voting on such proposition constitutes not less
29 than forty percent of the total number of votes cast in such
30 territory at the last preceding general election.

31 (3) If either or both propositions were approved by the
32 registered voters, the county auditor shall on completion of the
33 canvassing of the returns transmit to the county legislative
34 authority and to the clerk of the city or town to which annexation is
35 proposed a certificate of the election results, together with a
36 certified abstract of the vote showing the whole number who voted at
37 the election, the number of votes cast for annexation and the number
38 cast against annexation or for annexation and adoption of the
39 comprehensive plan and the number cast against annexation and

1 adoption of the comprehensive plan or for creation of a community
2 municipal corporation and the number cast against creation of a
3 community municipal corporation, or any combination thereof, as the
4 case may be.

5 (4) If a proposition for assumption of all or of any portion of
6 indebtedness was submitted to the registered voters, the abstract
7 shall include the number of votes cast for assumption of indebtedness
8 and the number of votes cast against assumption of indebtedness,
9 together with a statement of the total number of votes cast in such
10 territory at the last preceding general election.

11 (5) If the proposition for creation of a community municipal
12 corporation was submitted and approved, the abstract shall include
13 the number of votes cast for the candidates for community council
14 positions and certificates of election shall be issued pursuant to
15 RCW ((~~29.27.100~~))29A.52.360 to the successful candidates who shall
16 assume office as soon as qualified.

17 **Sec. 27.** RCW 35.16.030 and 1994 c 273 s 3 are each amended to
18 read as follows:

19 The election returns shall be canvassed as provided in RCW
20 ((~~29.13.040~~))29A.60.010. If three-fifths of the votes cast on the
21 proposition favor the reduction of the corporate limits, the
22 legislative body of the city or town, by an order entered on its
23 minutes, shall direct the clerk to make and transmit to the office of
24 the secretary of state a certified abstract of the vote. The abstract
25 shall show the total number of voters voting, the number of votes
26 cast for reduction and the number of votes cast against reduction.

27 **Sec. 28.** RCW 35.16.050 and 1996 c 286 s 3 are each amended to
28 read as follows:

29 A certified copy of the ordinance defining the reduced city or
30 town limits together with a map showing the corporate limits as
31 altered shall be filed in accordance with RCW ((~~29.15.026~~))29A.76.020
32 and recorded in the office of the county auditor of the county in
33 which the city or town is situated, upon the effective date of the
34 ordinance. The new boundaries of the city or town shall take effect
35 immediately after they are filed and recorded with the county
36 auditor.

1 **Sec. 29.** RCW 35.17.260 and 1996 c 286 s 4 are each amended to
2 read as follows:

3 Ordinances may be initiated by petition of registered voters of
4 the city filed with the commission. If the petition accompanying the
5 proposed ordinance is signed by the registered voters in the city
6 equal in number to twenty-five percent of the votes cast for all
7 candidates for mayor at the last preceding city election, and if it
8 contains a request that, unless passed by the commission, the
9 ordinance be submitted to a vote of the registered voters of the
10 city, the commission shall either:

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

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

22 **Sec. 30.** RCW 35.17.310 and 1965 c 7 s 35.17.310 are each amended
23 to read as follows:

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

31 **Sec. 31.** RCW 35.17.400 and 1994 c 223 s 11 are each amended to
32 read as follows:

33 The first election of commissioners shall be held at the next
34 special election that occurs at least sixty days after the election
35 results are certified where the proposition to organize under the
36 commission form was approved by city voters, and the commission first
37 elected shall commence to serve as soon as they have been elected and
38 have qualified and shall continue to serve until their successors

1 have been elected and qualified and have assumed office in accordance
2 with RCW ((~~29.04.170~~))29A.60.280. The date of the second election for
3 commissioners shall be in accordance with RCW ((~~29.13.020~~))29A.04.330
4 such that the term of the first commissioners will be as near as
5 possible to, but not in excess of, four years calculated from the
6 first day in January in the year after the year in which the first
7 commissioners were elected.

8 **Sec. 32.** RCW 35.18.020 and 1994 c 223 s 12 are each amended to
9 read as follows:

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

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

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

18 (2) Except for the initial staggering of terms, councilmembers
19 shall serve for four-year terms of office. All councilmembers shall
20 serve until their successors are elected and qualified and assume
21 office in accordance with RCW ((~~29.04.170~~))29A.60.280. Councilmembers
22 may be elected on a citywide or townwide basis, or from wards or
23 districts, or any combination of these alternatives. Candidates shall
24 run for specific positions. Wards or districts shall be redrawn as
25 provided in chapter ((~~29.70~~))29A.76 RCW. Wards or districts shall be
26 used as follows: (a) Only a resident of the ward or district may be a
27 candidate for, or hold office as, a councilmember of the ward or
28 district; and (b) only voters of the ward or district may vote at a
29 primary to nominate candidates for a councilmember of the ward or
30 district. Voters of the entire city or town may vote at the general
31 election to elect a councilmember of a ward or district, unless the
32 city or town had prior to January 1, 1994, limited the voting in the
33 general election for any or all council positions to only voters
34 residing within the ward or district associated with the council
35 positions. If a city or town had so limited the voting in the general
36 election to only voters residing within the ward or district, then
37 the city or town shall be authorized to continue to do so.

38 (3) When a city or town has qualified for an increase in the
39 number of councilmembers from five to seven by virtue of the next

1 succeeding population determination made by the office of financial
2 management, two additional council positions shall be filled at the
3 next municipal general election with the person elected to one of the
4 new council positions receiving the greatest number of votes being
5 elected for a four-year term of office and the person elected to the
6 other additional council position being elected for a two-year term
7 of office. The two additional councilmembers shall assume office
8 immediately when qualified in accordance with RCW
9 (~~29.01.135~~)29A.04.133, but the term of office shall be computed
10 from the first day of January after the year in which they are
11 elected. Their successors shall be elected to four-year terms of
12 office.

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

18 (4) When a city or town has qualified for a decrease in the
19 number of councilmembers from seven to five by virtue of the next
20 succeeding population determination made by the office of financial
21 management, two council positions shall be eliminated at the next
22 municipal general election if four council positions normally would
23 be filled at that election, or one council position shall be
24 eliminated at each of the next two succeeding municipal general
25 elections if three council positions normally would be filled at the
26 first municipal general election after the population determination.
27 The council shall by ordinance indicate which, if any, of the
28 remaining positions shall be elected at-large or from wards or
29 districts.

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

32 **Sec. 33.** RCW 35.20.100 and 1997 c 25 s 1 are each amended to
33 read as follows:

34 There shall be three departments of the municipal court, which
35 shall be designated as Department Nos. 1, 2 and 3. However, when the
36 administration of justice and the accomplishment of the work of the
37 court make additional departments necessary, the legislative body of
38 the city may create additional departments as they are needed. The
39 departments shall be established in such places as may be provided by

1 the legislative body of the city, and each department shall be
2 presided over by a municipal judge. However, notwithstanding the
3 priority of action rule, for a defendant incarcerated at a jail
4 facility outside the city limits but within the county in which the
5 city is located, the city may, pursuant to an interlocal agreement
6 under chapter 39.34 RCW, contract with the county to transfer
7 jurisdiction and venue over the defendant to a district court and to
8 provide all judicial services at the district court as would be
9 provided by a department of the municipal court. The judges shall
10 select, by majority vote, one of their number to act as presiding
11 judge of the municipal court for a term of one year, and he or she
12 shall be responsible for administration of the court and assignment
13 of calendars to all departments. A change of venue from one
14 department of the municipal court to another department shall be
15 allowed in accordance with the provisions of RCW 3.66.090 in all
16 civil and criminal proceedings. The city shall assume the costs of
17 the elections of the municipal judges in accordance with the
18 provisions of RCW (~~(29.13.045)~~)29A.04.410.

19 **Sec. 34.** RCW 35.21.203 and 1989 c 250 s 2 are each amended to
20 read as follows:

21 The necessary expenses of defending an elective city or town
22 official in a judicial hearing to determine the sufficiency of a
23 recall charge as provided in RCW (~~(29.82.023)~~)29A.56.140 shall be
24 paid by the city or town if the official requests such defense and
25 approval is granted by the city or town council. The expenses paid by
26 the city or town may include costs associated with an appeal of the
27 decision rendered by the superior court concerning the sufficiency of
28 the recall charge.

29 **Sec. 35.** RCW 35.22.055 and 1974 ex.s. c 1 s 1 are each amended
30 to read as follows:

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

1 candidate shall file for one, but only one, of the positions so
2 designated.

3 In the printing of ballots, the positions of the names of
4 candidates for each numbered position shall be (~~changed as many~~
5 ~~times as there are candidates for the numbered positions, following~~
6 ~~insofar as applicable the procedure provided for in RCW 29.30.040 for~~
7 ~~the rotation of names on primary ballots, the intention being that~~
8 ~~ballots at the polls will reflect as closely as practicable the~~
9 ~~rotation procedure as provided for therein~~)) in accordance with RCW
10 29A.36.121.

11 **Sec. 36.** RCW 35.22.200 and 2001 c 73 s 2 are each amended to
12 read as follows:

13 The legislative powers of a charter city shall be vested in a
14 mayor and a city council, to consist of such number of members and to
15 have such powers as may be provided for in its charter. The charter
16 may provide for direct legislation by the people through the
17 initiative and referendum upon any matter within the scope of the
18 powers, functions, or duties of the city. The mayor and council and
19 such other elective officers as may be provided for in such charter
20 shall be elected at such times and in such manner as provided in
21 Title 29A RCW, and for such terms and shall perform such duties as
22 may be prescribed in the charter, and shall receive compensation in
23 accordance with the process or standards of a charter provision or
24 ordinance which conforms with RCW 35.21.015.

25 **Sec. 37.** RCW 35.22.235 and 2003 c 111 s 2301 are each amended to
26 read as follows:

27 All regular elections in first-class cities having a mayor-
28 council form of government whose charters provide for twelve
29 councilmembers elected for a term of two years, two being elected
30 from each of six wards, and for the election of a mayor, treasurer,
31 and comptroller for terms of two years, shall be held biennially as
32 provided in RCW 29A.04.330. The term of each councilmember, mayor,
33 treasurer, and comptroller shall be four years and until his or her
34 successor is elected and qualified and assumes office in accordance
35 with RCW (~~29A.20.040~~) 29A.60.280. The terms of the councilmembers
36 shall be so staggered that six councilmembers shall be elected to
37 office at each regular election.

1 **Sec. 38.** RCW 35.22.245 and 2003 c 111 s 2302 are each amended to
2 read as follows:

3 All regular elections in first-class cities having a mayor-
4 council form of government whose charters provide for seven
5 councilmembers, one to be elected from each of six wards and one at
6 large, for a term of two years, and for the election of a mayor,
7 comptroller, treasurer and attorney for two year terms, shall be held
8 biennially as provided in RCW 29A.04.330. The terms of the six
9 councilmembers to be elected by wards shall be four years and until
10 their successors are elected and qualified and the term of the
11 councilmember to be elected at large shall be two years and until
12 their successors are elected and qualified. The terms of the
13 councilmembers shall be so staggered that three ward councilmembers
14 and the councilmember at large shall be elected at each regular
15 election. The term of the mayor, attorney, treasurer, and comptroller
16 shall be four years and until their successors are elected and
17 qualified and assume office in accordance with RCW
18 (~~(29A.20.040)~~)29A.60.280.

19 **Sec. 39.** RCW 35.23.051 and 1997 c 361 s 13 are each amended to
20 read as follows:

21 General municipal elections in second-class cities shall be held
22 biennially in the odd-numbered years and shall be subject to general
23 election law.

24 The terms of office of the mayor, city attorney, clerk, and
25 treasurer shall be four years and until their successors are elected
26 and qualified and assume office in accordance with RCW
27 (~~(29.04.170)~~)29A.60.280: PROVIDED, That if the offices of city
28 attorney, clerk, and treasurer are made appointive, the city
29 attorney, clerk, and treasurer shall not be appointed for a definite
30 term: PROVIDED FURTHER, That the term of the elected treasurer shall
31 not commence in the same biennium in which the term of the mayor
32 commences, nor in which the terms of the city attorney and clerk
33 commence if they are elected.

34 Council positions shall be numbered in each second-class city so
35 that council position seven has a two-year term of office and council
36 positions one through six shall each have four-year terms of office.
37 Each councilmember shall remain in office until a successor is
38 elected and qualified and assumes office in accordance with RCW
39 (~~(29.04.170)~~)29A.60.280.

1 In its discretion the council of a second-class city may divide
2 the city by ordinance, into a convenient number of wards, not
3 exceeding six, fix the boundaries of the wards, and change the ward
4 boundaries from time to time and as provided in RCW
5 (~~29.70.100~~)29A.76.010. No change in the boundaries of any ward
6 shall be made within one hundred twenty days next before the date of
7 a general municipal election, nor within twenty months after the
8 wards have been established or altered. However, if a boundary change
9 results in one ward being represented by more councilmembers than the
10 number to which it is entitled, those having the shortest unexpired
11 terms shall be assigned by the council to wards where there is a
12 vacancy, and the councilmembers so assigned shall be deemed to be
13 residents of the wards to which they are assigned for purposes of
14 determining whether those positions are vacant.

15 Whenever such city is so divided into wards, the city council
16 shall designate by ordinance the number of councilmembers to be
17 elected from each ward, apportioning the same in proportion to the
18 population of the wards. Thereafter the councilmembers so designated
19 shall be elected by the voters resident in such ward, or by general
20 vote of the whole city as may be designated in such ordinance.
21 Council position seven shall not be associated with a ward and the
22 person elected to that position may reside anywhere in the city and
23 voters throughout the city may vote at a primary to nominate
24 candidates for position seven, when a primary is necessary, and at a
25 general election to elect the person to council position seven.
26 Additional territory that is added to the city shall, by act of the
27 council, be annexed to contiguous wards without affecting the right
28 to redistrict at the expiration of twenty months after last previous
29 division. The removal of a councilmember from the ward for which he
30 or she was elected shall create a vacancy in such office.

31 Wards shall be redrawn as provided in chapter (~~29.70~~)29A.76
32 RCW. Wards shall be used as follows: (1) Only a resident of the ward
33 may be a candidate for, or hold office as, a councilmember of the
34 ward; and (2) only voters of the ward may vote at a primary to
35 nominate candidates for a councilmember of the ward. Voters of the
36 entire city may vote at the general election to elect a councilmember
37 of a ward, unless the city had prior to January 1, 1994, limited the
38 voting in the general election for any or all council positions to
39 only voters residing within the ward associated with the council
40 positions. If a city had so limited the voting in the general

1 election to only voters residing within the ward, then the city shall
2 be authorized to continue to do so. The elections for the remaining
3 council position or council positions that are not associated with a
4 ward shall be conducted as if the wards did not exist.

5 **Sec. 40.** RCW 35.23.805 and 1994 c 81 s 25 are each amended to
6 read as follows:

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

15 **Sec. 41.** RCW 35.23.850 and 1995 c 134 s 10 are each amended to
16 read as follows:

17 In any city initially classified as a second-class city prior to
18 January 1, 1993, that retained its second-class city plan of
19 government when the city reorganized as a noncharter code city, the
20 city council may divide the city into wards, not exceeding six in
21 all, or change the boundaries of existing wards at any time less than
22 one hundred twenty days before a municipal general election. No
23 change in the boundaries of wards shall affect the term of any
24 councilmember, and councilmembers shall serve out their terms in the
25 wards of their residences at the time of their elections. However, if
26 these boundary changes result in one ward being represented by more
27 councilmembers than the number to which it is entitled, those having
28 the shortest unexpired terms shall be assigned by the council to
29 wards where there is a vacancy, and the councilmembers so assigned
30 shall be deemed to be residents of the wards to which they are
31 assigned for purposes of determining whether those positions are
32 vacant.

33 The representation of each ward in the city council shall be in
34 proportion to the population as nearly as is practicable.

35 Wards shall be redrawn as provided in chapter ((29.70))29A.76
36 RCW. Wards shall be used as follows: (1) Only a resident of the ward
37 may be a candidate for, or hold office as, a councilmember of the
38 ward; and (2) only voters of the ward may vote at a primary to

1 nominate candidates for a councilmember of the ward. Voters of the
2 entire city may vote at the general election to elect a councilmember
3 of a ward, unless the city had prior to January 1, 1994, limited the
4 voting in the general election for any or all council positions to
5 only voters residing within the ward associated with the council
6 positions. If a city had so limited the voting in the general
7 election to only voters residing within the ward, then the city shall
8 be authorized to continue to do so. The elections for the remaining
9 council position or council positions that are not associated with a
10 ward shall be conducted as if the wards did not exist.

11 **Sec. 42.** RCW 35.30.080 and 2003 c 42 s 2 are each amended to
12 read as follows:

13 (1) When a majority of the legislative body of an unclassified
14 city determines that it would serve the best interests and general
15 welfare of such municipality to change the election procedures of
16 such city to the procedures specified in this section, such
17 legislative body may, by resolution, declare its intention to adopt
18 such procedures for the city. Such resolution must be adopted at
19 least one hundred eighty days before the general municipal election
20 at which the new election procedures are implemented. Within ten days
21 after the passage of the resolution, the legislative body shall cause
22 it to be published at least once in a newspaper of general
23 circulation within the city.

24 (2) All general municipal elections in an unclassified city
25 adopting a resolution under subsection (1) of this section shall be
26 held biennially in the odd-numbered years as provided in RCW
27 (~~(29.13.020)~~)29A.04.330 and shall be held in accordance with the
28 general election laws of the state.

29 The term of the treasurer shall not commence in the same biennium
30 in which the term of the mayor commences. Candidates for the city
31 council shall run for specific council positions. The staggering of
32 terms of city officers shall be established at the first election,
33 where the simple majority of the persons elected as councilmembers
34 receiving the greatest numbers of votes shall be elected to four-year
35 terms of office and the remainder of the persons elected as
36 councilmembers and the treasurer shall be elected to two-year terms
37 of office. Thereafter, all elected city officers shall be elected for
38 four-year terms and until their successors are elected and qualified
39 and assume office in accordance with RCW (~~(29.04.170)~~)29A.60.280.

1 **Sec. 43.** RCW 35.61.030 and 2002 c 88 s 3 are each amended to
2 read as follows:

3 (1) Except as provided in subsection (2) of this section for
4 review by a boundary review board, the ballot proposition authorizing
5 creation of a metropolitan park district that is submitted to voters
6 for their approval or rejection shall appear on the ballot of the
7 next general election or at the next special election date specified
8 under RCW (~~(29.13.020)~~)29A.04.330 occurring sixty or more days after
9 the last resolution proposing the creation of the park district is
10 adopted or the date the county auditor certifies that the petition
11 proposing the creation of the park district contains sufficient valid
12 signatures. Where the petition or copy thereof is filed with two or
13 more county auditors in the case of a proposed district in two or
14 more counties, the county auditors shall confer and issue a joint
15 certification upon finding that the required number of signatures on
16 the petition has been obtained.

17 (2) Where the proposed district is located wholly or in part in a
18 county in which a boundary review board has been created, notice of
19 the proposal to create a metropolitan park district shall be filed
20 with the boundary review board as provided under RCW 36.93.090 and
21 the special election at which a ballot proposition authorizing
22 creation of the park district shall be held on the special election
23 date specified under RCW (~~(29.13.020)~~)29A.04.330 that is sixty or
24 more days after the date the boundary review board is deemed to have
25 approved the proposal, approves the proposal, or modifies and
26 approves the proposal. The creation of a metropolitan park district
27 is not subject to review by a boundary review board if the proposed
28 district only includes one or more cities and in such cases the
29 special election at which a ballot proposition authorizing creation
30 of the park district shall be held as if a boundary review board does
31 not exist in the county or counties.

32 (3) The petition proposing the creation of a metropolitan park
33 district, or the resolution submitting the question to the voters,
34 shall choose and describe the composition of the initial board of
35 commissioners of the district that is proposed under RCW 35.61.050
36 and shall choose a name for the district. The proposition shall
37 include the following terms:

1 "For the formation of a metropolitan park district to be
2 governed by [insert board composition described in ballot
3 proposition]."

4 "Against the formation of a metropolitan park district."

5 **Sec. 44.** RCW 35.61.050 and 2002 c 88 s 5 are each amended to
6 read as follows:

7 (1) The resolution or petition submitting the ballot proposition
8 shall designate the composition of the board of metropolitan park
9 commissioners from among the alternatives provided under subsections
10 (2) through (4) of this section. The ballot proposition shall clearly
11 describe the designated composition of the board.

12 (2) The commissioners of the district may be selected by
13 election, in which case at the same election at which the proposition
14 is submitted to the voters as to whether a metropolitan park district
15 is to be formed, five park commissioners shall be elected. The
16 election of park commissioners shall be null and void if the
17 metropolitan park district is not created. Candidates shall run for
18 specific commission positions. No primary shall be held to nominate
19 candidates. The person receiving the greatest number of votes for
20 each position shall be elected as a commissioner. The staggering of
21 the terms of office shall occur as follows: (a) The two persons who
22 are elected receiving the two greatest numbers of votes shall be
23 elected to six-year terms of office if the election is held in an
24 odd-numbered year or five-year terms of office if the election is
25 held in an even-numbered year; (b) the two persons who are elected
26 receiving the next two greatest numbers of votes shall be elected to
27 four-year terms of office if the election is held in an odd-numbered
28 year or three-year terms of office if the election is held in an
29 even-numbered year; and (c) the other person who is elected shall be
30 elected to a two-year term of office if the election is held in an
31 odd-numbered year or a one-year term of office if the election is
32 held in an even-numbered year. The initial commissioners shall take
33 office immediately when they are elected and qualified, and for
34 purposes of computing their terms of office the terms shall be
35 assumed to commence on the first day of January in the year after
36 they are elected. Thereafter, all commissioners shall be elected to
37 six-year terms of office. All commissioners shall serve until their
38 respective successors are elected and qualified and assume office in

1 accordance with RCW (~~(29.04.170)~~)29A.60.280. Vacancies shall occur
2 and shall be filled as provided in chapter 42.12 RCW.

3 (3) In a district wholly located within a city or within the
4 unincorporated area of a county, the governing body of such city or
5 legislative authority of such county may be designated to serve in an
6 ex officio capacity as the board of metropolitan park commissioners,
7 provided that when creation of the district is proposed by citizen
8 petition, the city or county approves by resolution such designation.

9 (4) Where the proposed district is located within more than one
10 city, more than one county, or any combination of cities and
11 counties, each city governing body and county legislative authority
12 may be designated to collectively serve ex officio as the board of
13 metropolitan park commissioners through selection of one or more
14 members from each to serve as the board, provided that when creation
15 of the district is proposed by citizen petition, each city governing
16 body and county legislative authority approve by resolution such
17 designation. Within six months of the date of certification of
18 election results approving creation of the district, the size and
19 membership of the board shall be determined through interlocal
20 agreement of each city and county. The interlocal agreement shall
21 specify the method for filling vacancies on the board.

22 (5) Metropolitan park districts created by a vote of the people
23 prior to June 13, 2002, may not change the composition and method of
24 selection of their governing authority without approval of the
25 voters. Should such a change be desired, the board of park
26 commissioners shall submit a ballot proposition to the voters of the
27 metropolitan park district.

28 **Sec. 45.** RCW 35.61.270 and 1985 c 469 s 35 are each amended to
29 read as follows:

30 If the park commissioners concur in the petition, they shall
31 cause the proposal to be submitted to the electors of the territory
32 proposed to be annexed, at an election to be held in the territory,
33 which shall be called, canvassed and conducted in accordance with the
34 general election laws. The board of park commissioners by resolution
35 shall fix a time for the holding of the election to determine the
36 question of annexation, and in addition to the notice required by RCW
37 (~~(29.27.080)~~)29A.52.355 shall give notice thereof by causing notice
38 to be published once a week for two consecutive weeks in a newspaper
39 of general circulation in the park district, and by posting notices

1 in five public places within the territory proposed to be annexed in
2 the district.

3 The ballot to be used at the election shall be in the following
4 form:

- 5 "For annexation to metropolitan park district."
6 "Against annexation to metropolitan park district."

7 **Sec. 46.** RCW 35.95A.100 and 2002 c 248 s 11 are each amended to
8 read as follows:

9 (1) Every authority has the power to impose annual regular
10 property tax levies in an amount equal to one dollar and fifty cents
11 or less per thousand dollars of assessed value of property in the
12 authority area when specifically authorized to do so by a majority of
13 the voters voting on a proposition submitted at a special election or
14 at the regular election of the authority. A proposition authorizing
15 the tax levies will not be submitted by an authority more than twice
16 in any twelve-month period. Ballot propositions must conform with RCW
17 ((~~29.30.111~~))29A.36.210. The number of years during which the regular
18 levy will be imposed may be limited as specified in the ballot
19 proposition or may be unlimited in duration. In the event an
20 authority is levying property taxes, which in combination with
21 property taxes levied by other taxing districts subject to the
22 limitations provided in RCW 84.52.043 and 84.52.050, exceed these
23 limitations, the authority's property tax levy shall be reduced or
24 eliminated consistent with RCW 84.52.010.

25 (2) The limitation in RCW 84.55.010 does not apply to the first
26 levy imposed under this section following the approval of the levies
27 by the voters under subsection (1) of this section.

28 **Sec. 47.** RCW 35A.02.025 and 1979 ex.s. c 18 s 4 are each amended
29 to read as follows:

30 Upon the filing of a referendum petition in the manner provided
31 in RCW 35A.29.170 signed by qualified electors in number equal to not
32 less than ten percent of the votes cast in the last general municipal
33 election, such resolution as authorized by RCW 35A.02.020 shall be
34 referred to the voters for confirmation or rejection in the next
35 general municipal election if one is to be held within one hundred
36 and eighty days from the date of filing of the referendum petition,

1 or at a special election to be called for that purpose in accordance
2 with RCW ((~~29.13.020~~))29A.04.330.

3 **Sec. 48.** RCW 35A.02.050 and 1994 c 223 s 25 are each amended to
4 read as follows:

5 The first election of officers where required for reorganization
6 under a different general plan of government newly adopted in a
7 manner provided in RCW 35A.02.020, 35A.02.030, 35A.06.030, or
8 35A.06.060, as now or hereafter amended, shall be at the next general
9 municipal election if one is to be held more than ninety days but not
10 more than one hundred and eighty days after certification of a
11 reorganization ordinance or resolution, or otherwise at a special
12 election to be held for that purpose in accordance with RCW
13 ((~~29.13.020~~))29A.04.330. In the event that the first election of
14 officers is to be held at a general municipal election, such election
15 shall be preceded by a primary election pursuant to RCW ((~~29.21.010~~
16 ~~and 29.13.070~~))29A.52.210 and 29A.04.311. In the event that the first
17 election of all officers is to be held at a special election rather
18 than at a general election, and notwithstanding any provisions of any
19 other law to the contrary, such special election shall be preceded by
20 a primary election to be held on a date authorized by RCW
21 ((~~29.13.010~~))29A.04.321, and the persons nominated at that primary
22 election shall be voted upon at the next succeeding special election
23 that is authorized by RCW ((~~29.13.010~~))29A.04.321: PROVIDED, That in
24 the event the ordinances calling for reclassification or
25 reclassification and reorganization under the provisions of Title 35A
26 RCW have been filed with the secretary of state pursuant to RCW
27 35A.02.040 in an even-numbered year at least ninety days prior to a
28 state general election then the election of new officers shall be
29 concurrent with the state primary and general election and shall be
30 conducted as set forth in general election law.

31 Upon reorganization, candidates for all offices shall file or be
32 nominated for and successful candidates shall be elected to specific
33 council positions. The initial terms of office for those elected at a
34 first election of all officers shall be as follows: (1) A simple
35 majority of the persons who are elected as councilmembers receiving
36 the greatest numbers of votes and the mayor in a city with a mayor-
37 council plan of government shall be elected to four-year terms of
38 office, if the election is held in an odd-numbered year, or three-
39 year terms of office, if the election is held in an even-numbered

1 year; and (2) the other persons who are elected as councilmembers
2 shall be elected to two-year terms of office, if the election is held
3 in an odd-numbered year, or one-year terms of office, if the election
4 is held in an even-numbered year. The newly elected officials shall
5 take office immediately when they are elected and qualified, but the
6 length of their terms of office shall be calculated from the first
7 day of January in the year following the election. Thereafter, each
8 person elected as a councilmember or mayor in a city with a mayor-
9 council plan of government shall be elected to a four-year term of
10 office. Each councilmember and mayor in a city with a mayor-council
11 plan of government shall serve until a successor is elected and
12 qualified and assumes office as provided in RCW
13 (~~(29.04.170)~~)29A.60.280.

14 The former officers shall, upon the election and qualification of
15 new officers, deliver to the proper officers of the reorganized
16 noncharter code city all books of record, documents and papers in
17 their possession belonging to such municipal corporation before the
18 reorganization thereof.

19 **Sec. 49.** RCW 35A.02.060 and 1990 c 259 s 3 are each amended to
20 read as follows:

21 When a petition which is sufficient under the rules set forth in
22 RCW 35A.01.040 is filed with the legislative body of an incorporated
23 city or town, signed by qualified electors of such municipality in
24 number equal to not less than ten percent of the votes cast at the
25 last general municipal election, seeking adoption by the city or town
26 of the classification of noncharter code city and the reorganization
27 of the city or town under one of the plans of government authorized
28 in this title, the county auditor shall file with the legislative
29 body thereof a certificate of sufficiency of such petition.
30 Thereupon, the legislative body shall cause such proposal to be
31 submitted to the voters at the next general municipal election if one
32 is to be held within one hundred eighty days after certification of
33 the sufficiency of the petition, or at a special election to be held
34 for that purpose not less than ninety days nor more than one hundred
35 and eighty days from such certification of sufficiency. Ballot titles
36 for elections under this chapter shall be prepared by the city
37 attorney (~~(as provided in RCW 35A.29.120)~~).

1 **Sec. 50.** RCW 35A.07.050 and 1990 c 259 s 6 are each amended to
2 read as follows:

3 When a petition which is sufficient under the rules set forth in
4 RCW 35A.01.040 is filed with the legislative body of a charter city,
5 signed by registered voters of such city in number equal to not less
6 than ten percent of the votes cast at the last general municipal
7 election, seeking adoption by the city of the classification of
8 charter code city, the county auditor shall file with the legislative
9 body thereof a certificate of sufficiency of such petition. Thereupon
10 the legislative body shall cause such proposal to be submitted to the
11 voters at the next general municipal election if one is to be held
12 within one hundred eighty days, or at a special election to be held
13 for that purpose not less than ninety days nor more than one hundred
14 and eighty days after the filing of such petition. Ballot titles for
15 such election shall be prepared by the city attorney (~~as provided in~~
16 ~~RCW 35A.29.120~~)).

17 **Sec. 51.** RCW 35A.08.100 and 1967 ex.s. c 119 s 35A.08.100 are
18 each amended to read as follows:

19 Ballot titles for elections under this chapter shall be prepared
20 by the city attorney (~~as provided in RCW 35A.29.120~~)). The ballot
21 statement in the election for adopting or rejecting the proposed
22 charter shall clearly state that, upon adoption of the proposed
23 charter, the city would be governed by its charter and by this title.

24 **Sec. 52.** RCW 35A.12.040 and 1994 c 223 s 31 are each amended to
25 read as follows:

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

1 for election by wards. The mayor and councilmembers shall qualify by
2 taking an oath or affirmation of office and as may be provided by
3 law, charter, or ordinance.

4 **Sec. 53.** RCW 35A.12.180 and 1994 c 223 s 34 are each amended to
5 read as follows:

6 At any time not within three months previous to a municipal
7 general election the council of a noncharter code city organized
8 under this chapter may divide the city into wards or change the
9 boundaries of existing wards. No change in the boundaries of wards
10 shall affect the term of any councilmember, and councilmembers shall
11 serve out their terms in the wards of their residences at the time of
12 their elections: PROVIDED, That if this results in one ward being
13 represented by more councilmembers than the number to which it is
14 entitled those having the shortest unexpired terms shall be assigned
15 by the council to wards where there is a vacancy, and the
16 councilmembers so assigned shall be deemed to be residents of the
17 wards to which they are assigned for purposes of those positions
18 being vacant. The representation of each ward in the city council
19 shall be in proportion to the population as nearly as is practicable.

20 Wards shall be redrawn as provided in chapter ~~((29.70))~~29A.76
21 RCW. Wards shall be used as follows: (1) Only a resident of the ward
22 may be a candidate for, or hold office as, a councilmember of the
23 ward; and (2) only voters of the ward may vote at a primary to
24 nominate candidates for a councilmember of the ward. Voters of the
25 entire city may vote at the general election to elect a councilmember
26 of a ward, unless the city had prior to January 1, 1994, limited the
27 voting in the general election for any or all council positions to
28 only voters residing within the ward associated with the council
29 positions. If a city had so limited the voting in the general
30 election to only voters residing within the ward, then the city shall
31 be authorized to continue to do so.

32 **Sec. 54.** RCW 35A.14.050 and 1989 c 351 s 5 are each amended to
33 read as follows:

34 After consideration of the proposed annexation as provided in RCW
35 35A.14.200, the county annexation review board, within thirty days
36 after the final day of hearing, shall take one of the following
37 actions:

38 (1) Approval of the proposal as submitted.

1 (2) Subject to RCW 35.02.170, modification of the proposal by
2 adjusting boundaries to include or exclude territory; except that any
3 such inclusion of territory shall not increase the total area of
4 territory proposed for annexation by an amount exceeding the original
5 proposal by more than five percent: PROVIDED, That the county
6 annexation review board shall not adjust boundaries to include
7 territory not included in the original proposal without first
8 affording to residents and property owners of the area affected by
9 such adjustment of boundaries an opportunity to be heard as to the
10 proposal.

11 (3) Disapproval of the proposal.

12 The written decision of the county annexation review board shall
13 be filed with the board of county commissioners and with the
14 legislative body of the city concerned. If the annexation proposal is
15 modified by the county annexation review board, such modification
16 shall be fully set forth in the written decision. If the decision of
17 the boundary review board or the county annexation review board is
18 favorable to the annexation proposal, or the proposal as modified by
19 the review board, the legislative body of the city at its next
20 regular meeting if to be held within thirty days after receipt of the
21 decision of the boundary review board or the county annexation review
22 board, or at a special meeting to be held within that period, shall
23 indicate to the county auditor its preference for a special election
24 date for submission of such annexation proposal, with any
25 modifications made by the review board, to the voters of the
26 territory proposed to be annexed. The special election date that is
27 so indicated shall be one of the dates for special elections provided
28 under RCW ((~~29.13.020~~))29A.04.330 that is sixty or more days after
29 the date the preference is indicated. The county legislative
30 authority shall call the special election at the special election
31 date so indicated by the city. If the boundary review board or the
32 county annexation review board disapproves the annexation proposal,
33 no further action shall be taken thereon, and no proposal for
34 annexation of the same territory, or substantially the same as
35 determined by the board, shall be initiated or considered for twelve
36 months thereafter.

37 **Sec. 55.** RCW 35A.29.120 and 1993 c 256 s 13 are each amended to
38 read as follows:

1 When any question is to be submitted to the voters of a code
2 city, or when a proposition is to be submitted to the voters of an
3 area under provisions of this title, the question or proposition
4 shall be advertised as provided for nominees for office, and in such
5 cases there shall also be printed on the ballot a ballot title for
6 the question or proposition in the form applicable under RCW
7 (~~29.79.055, 29.27.060,~~) 82.14.036, 82.46.021, or 82.80.090 or as
8 otherwise expressly required by state law. The ballot title shall be
9 prepared by the attorney for the code city(~~(, or as specified in RCW~~
10 ~~29.27.060 for elections held outside of a code city)~~).

11 **Sec. 56.** RCW 35A.29.130 and 1967 ex.s. c 119 s 35A.29.130 are
12 each amended to read as follows:

13 Upon the filing of a ballot title as defined in RCW 35A.29.120,
14 the county auditor shall forthwith notify the persons proposing the
15 measure of the exact language of the ballot title. If the persons
16 filing any local question covered by RCW 35A.29.120 are dissatisfied
17 with the ballot title formulated by the attorney for the code city or
18 by the county prosecuting attorney, they may appeal to the superior
19 court of the county where the question is to appear on the ballot, as
20 provided in RCW (~~29.27.067~~)29A.36.090.

21 **Sec. 57.** RCW 35A.29.180 and 1967 ex.s. c 119 s 35A.29.180 are
22 each amended to read as follows:

23 Elective officers of code cities may be recalled in the manner
24 provided in chapter (~~29.82~~)29A.56 RCW.

25 **Sec. 58.** RCW 35A.42.050 and 1983 c 3 s 67 are each amended to
26 read as follows:

27 In addition to provisions of general law relating to public
28 officials and others in public administration, employment or public
29 works, the duties and conduct of such officers and other persons
30 shall be governed by: (1) Chapter 9A.68 RCW relating to bribery of a
31 public officer; (2) Article II, section 30 of the Constitution of the
32 state of Washington relating to bribery or corrupt solicitation; (3)
33 RCW 35.17.150 relating to misconduct in code cities having a
34 commission form of government; (4) chapter 42.23 RCW in regard to
35 interest in contracts; (5) chapter (~~29.85~~)29A.84 RCW relating to
36 misconduct in connection with elections; (6) RCW 49.44.060 (~~and~~
37 ~~49.44.070~~) relating to grafting by employees; (7) RCW 49.44.020 and

1 49.44.030 relating to the giving or solicitation of a bribe to a
2 labor representative; (8) chapter 42.20 RCW relating to misconduct of
3 a public officer; (9) RCW 49.52.050 and 49.52.090 relating to
4 rebating by employees; and (10) chapter 9.18 RCW relating to bribery
5 and grafting.

6 **Sec. 59.** RCW 35A.56.010 and 1996 c 230 s 1605 are each amended
7 to read as follows:

8 Except as otherwise provided in this title, state laws relating
9 to special service or taxing districts shall apply to, grant powers,
10 and impose duties upon code cities and their officers to the same
11 extent as such laws apply to and affect other classes of cities and
12 towns and their employees, including, without limitation, the
13 following: (1) Chapter 70.94 RCW, relating to air pollution control;
14 (2) chapter 68.52 RCW, relating to cemetery districts; (3) chapter
15 ((29.68))29A.28 RCW, relating to congressional districts; (4)
16 chapters 14.07 and 14.08 RCW, relating to municipal airport
17 districts; (5) chapter 36.88 RCW, relating to county road improvement
18 districts; (6) Title 85 RCW, relating to diking districts, drainage
19 districts, and drainage improvement districts; (7) chapter 36.54 RCW,
20 relating to ferry districts; (8) Title 52 RCW, relating to fire
21 protection districts; (9) Title 86 RCW, relating to flood control
22 districts and flood control; (10) chapter 70.46 RCW, relating to
23 health districts; (11) chapters 87.03 through 87.84 and 89.12 RCW,
24 relating to irrigation districts; (12) chapter 35.61 RCW, relating to
25 metropolitan park districts; (13) chapter 35.58 RCW, relating to
26 metropolitan municipalities; (14) chapter 17.28 RCW, relating to
27 mosquito control districts; (15) chapter 17.12 RCW, relating to
28 agricultural pest districts; (16) Title 53 RCW, relating to port
29 districts; (17) chapter 70.44 RCW, relating to public hospital
30 districts; (18) Title 54 RCW, relating to public utility districts;
31 (19) chapter 91.08 RCW, relating to public waterway districts; (20)
32 chapter 89.12 RCW, relating to reclamation districts; (21) chapters
33 57.02 through 57.36 RCW, relating to water-sewer districts; and (22)
34 chapter 17.04 RCW, relating to weed districts.

35 **Sec. 60.** RCW 36.16.020 and 1979 ex.s. c 126 s 26 are each
36 amended to read as follows:

37 The term of office of all county and precinct officers shall be
38 four years and until their successors are elected and qualified and

1 assume office in accordance with RCW ((~~29.04.170~~))29A.60.280:
2 PROVIDED, That this section and RCW 36.16.010 shall not apply to
3 county commissioners.

4 **Sec. 61.** RCW 36.16.030 and 1996 c 108 s 1 are each amended to
5 read as follows:

6 Except as provided elsewhere in this section, in every county
7 there shall be elected from among the qualified voters of the county
8 a county assessor, a county auditor, a county clerk, a county
9 coroner, three county commissioners, a county prosecuting attorney, a
10 county sheriff and a county treasurer, except that in each county
11 with a population of less than forty thousand no coroner shall be
12 elected and the prosecuting attorney shall be ex officio coroner.
13 Whenever the population of a county increases to forty thousand or
14 more, the prosecuting attorney shall continue as ex officio coroner
15 until a coroner is elected, at the next general election at which the
16 office of prosecuting attorney normally would be elected, and assumes
17 office as provided in RCW ((~~29.04.170~~))29A.60.280. In any county
18 where the population has once attained forty thousand people and a
19 current coroner is in office and a subsequent census indicates less
20 than forty thousand people, the county legislative authority may
21 maintain the office of coroner by resolution or ordinance. If the
22 county legislative authority has not passed a resolution or enacted
23 an ordinance to maintain the office of coroner, the elected coroner
24 shall remain in office for the remainder of the term for which he or
25 she was elected, but no coroner shall be elected at the next election
26 at which that office would otherwise be filled and the prosecuting
27 attorney shall be the ex officio coroner. In a county with a
28 population of two hundred fifty thousand or more, the county
29 legislative authority may replace the office of coroner with a
30 medical examiner system and appoint a medical examiner as specified
31 in RCW 36.24.190. A noncharter county may have five county
32 commissioners as provided in RCW 36.32.010 and 36.32.055 through
33 36.32.0558.

34 **Sec. 62.** RCW 36.22.220 and 1992 c 163 s 12 are each amended to
35 read as follows:

36 The county auditor of each county, as ex officio supervisor of
37 all primaries and elections, general or special, within the county
38 under Title 29A RCW, may appoint one or more well-qualified persons

1 to act as assistants or deputies; however, not less than two persons
2 of the auditor's office who conduct primaries and elections in the
3 county shall be certified under chapter ((29.60))29A.04 RCW as
4 elections administrators.

5 **Sec. 63.** RCW 36.32.030 and 1979 ex.s. c 126 s 27 are each
6 amended to read as follows:

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

12 **Sec. 64.** RCW 36.32.0558 and 2003 c 238 s 2 are each amended to
13 read as follows:

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

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

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

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

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

29 **Sec. 65.** RCW 36.32.070 and 2003 c 238 s 3 are each amended to
30 read as follows:

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

33 (1) If there are three vacancies, the governor of the state shall
34 appoint two of the officers. The two commissioners thus appointed
35 shall then meet and select the third commissioner. If the two
36 appointed commissioners fail to agree upon selection of the third

1 after the expiration of five days from the day they were appointed,
2 the governor shall appoint the remaining commissioner.

3 (2) Whenever there are two vacancies in the office of county
4 commissioner, the governor shall appoint one commissioner, and the
5 two commissioners then in office shall appoint the third
6 commissioner. If they fail to agree upon a selection after the
7 expiration of five days from the day of the governor's appointment,
8 the governor shall appoint the third commissioner.

9 (3) Whenever there is one vacancy in the office of county
10 commissioner, the two remaining commissioners shall fill the vacancy.
11 If the two commissioners fail to agree upon a selection after the
12 expiration of five days from the day the vacancy occurred, the
13 governor shall appoint the third commissioner.

14 (4) Whenever there is a vacancy in the office of county
15 commissioner after the general election in a year that the position
16 appears on the ballot and before the start of the next term, the term
17 of the successor who is of the same party as the incumbent may
18 commence once he or she has qualified as defined in RCW
19 ((~~29.01.135~~))29A.04.133 and shall continue through the term for which
20 he or she was elected.

21 **Sec. 66.** RCW 36.69.070 and 1994 c 223 s 43 are each amended to
22 read as follows:

23 A ballot proposition authorizing the formation of the proposed
24 park and recreation district shall be submitted to the voters of the
25 proposed district for their approval or rejection at the next general
26 state election occurring sixty or more days after the county
27 legislative authority fixes the boundaries of the proposed district.
28 Notices of the election for the formation of the park and recreation
29 district shall state generally and briefly the purpose thereof and
30 shall give the boundaries of the proposed district and name the day
31 of the election and the hours during which the polls will be open.
32 The proposition to be submitted to the voters shall be stated in such
33 manner that the voters may indicate yes or no upon the proposition of
34 forming the proposed park and recreation district.

35 The initial park and recreation commissioners shall be elected at
36 the same election, but this election shall be null and void if the
37 district is not authorized to be formed. No primary shall be held to
38 nominate candidates for the initial commissioner positions.
39 Candidates shall run for specific commission positions. A special

1 filing period shall be opened as provided in RCW (~~29.15.170~~ and
2 ~~29.15.180~~) 29A.24.171 and 29A.24.181. The person who receives the
3 greatest number of votes for each commission position shall be
4 elected to that position. The three persons who are elected receiving
5 the greatest number of votes shall be elected to four-year terms of
6 office if the election is held in an odd-numbered year or three-year
7 terms of office if the election is held in an even-numbered year. The
8 other two persons who are elected shall be elected to two-year terms
9 of office if the election is held in an odd-numbered year or one-year
10 terms of office if the election is held in an even-numbered year. The
11 initial commissioners shall take office immediately upon being
12 elected and qualified, but the length of such terms shall be computed
13 from the first day of January in the year following this election.

14 **Sec. 67.** RCW 36.69.090 and 1996 c 324 s 2 are each amended to
15 read as follows:

16 A park and recreation district shall be governed by a board of
17 five commissioners. Except for the initial commissioners, all
18 commissioners shall be elected to staggered four-year terms of office
19 and shall serve until their successors are elected and qualified and
20 assume office in accordance with RCW (~~29.04.170~~) 29A.60.280.
21 Candidates shall run for specific commissioner positions.

22 Elections for park and recreation district commissioners shall be
23 held biennially in conjunction with the general election in each odd-
24 numbered year. Elections shall be held in accordance with the
25 provisions of Title 29A RCW dealing with general elections, except
26 that there shall be no primary to nominate candidates. All persons
27 filing and qualifying shall appear on the general election ballot and
28 the person receiving the largest number of votes for each position
29 shall be elected.

30 **Sec. 68.** RCW 36.105.050 and 1991 c 363 s 103 are each amended to
31 read as follows:

32 The initial members of the community council shall be elected at
33 the same election as the ballot proposition is submitted authorizing
34 the creation of the community council. However, the election of the
35 initial community councilmembers shall be null and void if the ballot
36 proposition authorizing the creation of the community council is not
37 approved.

1 No primary election shall be held to nominate candidates for
2 initial council positions. The initial community council shall
3 consist of the candidate for each council position who receives the
4 greatest number of votes for that council position. Staggering of
5 terms of office shall be accomplished by having the majority of the
6 winning candidates who receive the greatest number of votes being
7 elected to four-year terms of office, and the remaining winning
8 candidates being elected to two-year terms of office, if the election
9 was held in an even-numbered year, or the majority of the winning
10 candidates who receive the greatest number of votes being elected to
11 three-year terms of office, and the remaining winning candidates
12 being elected to one-year terms of office, if the election was held
13 in an odd-numbered year, with the term computed from the first day of
14 January in the year following the election. Initial councilmembers
15 shall take office immediately when qualified in accordance with RCW
16 ((~~29.01.135~~))29A.04.133.

17 However, where the county operates under a charter providing for
18 the election of members of the county legislative authority in odd-
19 numbered years, the terms of office of the initial councilmembers
20 shall be four years and two years, if the election of the initial
21 councilmembers was held on an odd-numbered year, or three years and
22 one year, if the election of the initial councilmembers was held on
23 an even-numbered year.

24 **Sec. 69.** RCW 39.36.050 and 1984 c 186 s 3 are each amended to
25 read as follows:

26 The governing body of a taxing district desiring to place a
27 ballot proposition authorizing indebtedness before the voters may
28 submit the proposition at any special election held on the dates
29 authorized in ((~~chapter 29.13~~)) RCW 29A.04.330. The ballot
30 proposition shall include the maximum amount of the indebtedness to
31 be authorized, the maximum term any bonds may have, a description of
32 the purpose or purposes of the bond issue, and whether excess
33 property tax levies authorized under RCW 84.52.056 will be
34 authorized.

35 When it is required that such bonds be retired by excess property
36 tax levies, or when the governing body desires such bonds be retired
37 by excess property tax levies, the ballot proposition shall also
38 include authorization for such excess bond retirement property tax
39 levies provided under RCW 84.52.056.

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

3 **Sec. 70.** RCW 43.07.140 and 1991 c 72 s 55 are each amended to
4 read as follows:

5 The secretary of state is hereby specifically authorized to
6 print, reprint, and distribute the following materials:

- 7 (1) Lists of active corporations;
- 8 (2) The provisions of Title 23 RCW;
- 9 (3) The provisions of Title 23B RCW;
- 10 (4) The provisions of Title 24 RCW;
- 11 (5) The provisions of chapter 25.10 RCW;
- 12 (6) The provisions of Title 29A RCW;
- 13 (7) The provisions of chapter 18.100 RCW;
- 14 (8) The provisions of chapter 19.77 RCW;
- 15 (9) The provisions of chapter 43.07 RCW;
- 16 (10) The provisions of the Washington state Constitution;
- 17 (11) The provisions of chapters 40.14, 40.16, and 40.20 RCW, and
18 any statutes, rules, schedules, indexes, guides, descriptions, or
19 other materials related to the public records of state or local
20 government or to the state archives; and
- 21 (12) Rules and informational publications related to the
22 statutory provisions set forth above.

23 **Sec. 71.** RCW 43.135.060 and 1998 c 321 s 15 are each amended to
24 read as follows:

25 (1) After July 1, 1995, the legislature shall not impose
26 responsibility for new programs or increased levels of service under
27 existing programs on any political subdivision of the state unless
28 the subdivision is fully reimbursed by the state for the costs of the
29 new programs or increases in service levels. Reimbursement by the
30 state may be made by: (a) A specific appropriation; or (b) increases
31 in state distributions of revenue to political subdivisions occurring
32 after January 1, 1998.

33 (2) If by order of any court, or legislative enactment, the costs
34 of a federal or local government program are transferred to or from
35 the state, the otherwise applicable state expenditure limit shall be
36 increased or decreased, as the case may be, by the dollar amount of
37 the costs of the program.

1 (3) The legislature, in consultation with the office of financial
2 management or its successor agency, shall determine the costs of any
3 new programs or increased levels of service under existing programs
4 imposed on any political subdivision or transferred to or from the
5 state.

6 (4) Subsection (1) of this section does not apply to the costs
7 incurred for voting devices or machines under RCW
8 (~~(29.04.200)~~) 29A.12.150.

9 **Sec. 72.** RCW 46.20.205 and 1999 c 6 s 24 are each amended to
10 read as follows:

11 (1) Whenever any person after applying for or receiving a
12 driver's license or identicard moves from the address named in the
13 application or in the license or identicard issued to him or her, the
14 person shall within ten days thereafter notify the department of the
15 address change. The notification must be in writing on a form
16 provided by the department and must include the number of the
17 person's driver's license. The written notification, or other means
18 as designated by rule of the department, is the exclusive means by
19 which the address of record maintained by the department concerning
20 the licensee or identicard holder may be changed.

21 (a) The form must contain a place for the person to indicate that
22 the address change is not for voting purposes. The department of
23 licensing shall notify the secretary of state by the means described
24 in RCW (~~(29.07.270(3))~~) 29A.08.350 of all change of address
25 information received by means of this form except information on
26 persons indicating that the change is not for voting purposes.

27 (b) Any notice regarding the cancellation, suspension,
28 revocation, disqualification, probation, or nonrenewal of the
29 driver's license, commercial driver's license, driving privilege, or
30 identicard mailed to the address of record of the licensee or
31 identicard holder is effective notwithstanding the licensee's or
32 identicard holder's failure to receive the notice.

33 (2) When a licensee or holder of an identicard changes his or her
34 name of record, the person shall notify the department of the name
35 change. The person must make the notification within ten days of the
36 date that the name change is effective. The notification must be in
37 writing on a form provided by the department and must include the
38 number of the person's driver's license. The department of licensing
39 shall not change the name of record of a person under this section

1 unless the person has again satisfied the department regarding his or
2 her identity in the manner provided by RCW 46.20.035.

3 **Sec. 73.** RCW 52.04.011 and 1999 c 105 s 1 are each amended to
4 read as follows:

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

30 After the county auditor has certified the sufficiency of the
31 petition, the county legislative authority or authorities, or the
32 boundary review board or boards, of the county or counties in which
33 such territory is located shall consider the proposal under the same
34 basis that a proposed incorporation of a fire protection district is
35 considered, with the same authority to act on the proposal as in a
36 proposed incorporation, as provided under chapter 52.02 RCW. If the
37 proposed annexation is approved by the county legislative authority
38 or boundary review board, the board of fire commissioners shall adopt
39 a resolution requesting the county auditor to call a special

1 election, as specified under RCW (~~(29.13.020)~~)29A.04.330, at which
2 the ballot proposition is to be submitted. No annexation shall occur
3 when the territory proposed to be annexed is located in more than one
4 county unless the county legislative authority or boundary review
5 board of each county approves the proposed annexation.

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

32 (3) On the entry of the order of the county legislative authority
33 incorporating the territory into the existing fire protection
34 district, the territory shall become subject to the indebtedness,
35 bonded or otherwise, of the existing district. If the petition is
36 signed by sixty percent of the qualified registered electors residing
37 within the territory proposed to be annexed, and if the board of fire
38 commissioners concur, an election in the territory and a hearing on
39 the petition shall be dispensed with and the county legislative

1 authority shall enter its order incorporating the territory into the
2 existing fire protection district.

3 **Sec. 74.** RCW 52.06.030 and 1989 c 63 s 14 are each amended to
4 read as follows:

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

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

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

33 **Sec. 75.** RCW 52.14.060 and 1994 c 223 s 53 are each amended to
34 read as follows:

35 The initial three members of the board of fire commissioners
36 shall be elected at the same election as when the ballot proposition
37 is submitted to the voters authorizing the creation of the fire
38 protection district. If the district is not authorized to be created,

1 the election of the initial fire commissioners shall be null and
2 void. If the district is authorized to be created, the initial fire
3 commissioners shall take office immediately when qualified.
4 Candidates shall file for each of the three separate fire
5 commissioner positions. Elections shall be held as provided in
6 chapter ~~((29.21))~~29A.52 RCW, with the county auditor opening up a
7 special filing period as provided in RCW ~~((29.15.170—~~
8 ~~29.15.180))~~29A.24.171 and 29A.24.181, as if there were a vacancy. The
9 person who receives the greatest number of votes for each position
10 shall be elected to that position. The terms of office of the initial
11 fire commissioners shall be staggered as follows: (1) The person who
12 is elected receiving the greatest number of votes shall be elected to
13 a six-year term of office if the election is held in an odd-numbered
14 year or a five-year term of office if the election is held in an
15 even-numbered year; (2) the person who is elected receiving the next
16 greatest number of votes shall be elected to a four-year term of
17 office if the election is held in an odd-numbered year or a three-
18 year term of office if the election is held in an even-numbered year;
19 and (3) the other person who is elected shall be elected to a two-
20 year term of office if the election is held in an odd-numbered year
21 or a one-year term of office if the election is held in an even-
22 numbered year. The initial commissioners shall take office
23 immediately when elected and qualified and their terms of office
24 shall be calculated from the first day of January in the year
25 following their election.

26 The term of office of each subsequent commissioner shall be six
27 years. Each commissioner shall serve until a successor is elected and
28 qualified and assumes office in accordance with RCW
29 ~~((29.04.170))~~29A.60.280.

30 **Sec. 76.** RCW 52.14.070 and 1989 c 63 s 23 are each amended to
31 read as follows:

32 Before beginning the duties of office, each fire commissioner
33 shall take and subscribe the official oath for the faithful discharge
34 of the duties of office as required by RCW ~~((29.01.135))~~29A.04.133,
35 which oath shall be filed in the office of the auditor of the county
36 in which all, or the largest portion of, the district is located.

37 **Sec. 77.** RCW 53.04.020 and 1992 c 147 s 1 are each amended to
38 read as follows:

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

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

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

1 **Sec. 78.** RCW 53.04.080 and 1990 c 259 s 16 are each amended to
2 read as follows:

3 At any general election or at any special election which may be
4 called for that purpose the county legislative authority of any
5 county in this state in which there exists a port district which is
6 not coextensive with the limits of the county, shall on petition of
7 the commissioners of such port district, by resolution, submit to the
8 voters residing within the limits of any territory which the existing
9 port district desires to annex or include in its enlarged port
10 district, the proposition of enlarging the limits of such existing
11 port districts so as to include therein the whole of the territory
12 embraced within the boundaries of such county, or such territory as
13 may be described in the petition by legal subdivisions. Such petition
14 shall be filed with the county auditor, who shall forthwith transmit
15 the same to the county legislative authority, who shall submit such
16 proposition at the next general election, or, if such petition so
17 request, the county legislative authority, shall at their first
18 meeting after the date of filing such petition, by resolution, call a
19 special election to be held in accordance with RCW (~~29.13.010 and~~
20 ~~29.13.020~~) 29A.04.321 and 29A.04.330. The notice of election shall
21 state the boundaries of the proposed enlarged port district and the
22 object of the special election. In submitting the question to the
23 voters of the territory proposed to be annexed or included for their
24 approval or rejection, the proposition shall be expressed on the
25 ballots substantially in the following terms:

26 "Enlargement of the port of, yes." (Giving (~~then~~
27 ~~{the}~~) the name of the port district which it is proposed to
28 enlarge);

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

31 Such election, whether general or special, shall be held in each
32 precinct wholly or partially embraced within the limits of the
33 territory proposed to be annexed or included and shall be conducted
34 and the votes cast thereat counted, canvassed, and the returns
35 thereof made in the manner provided by law for holding general or
36 special county elections.

37 **Sec. 79.** RCW 53.12.130 and 1994 c 223 s 88 are each amended to
38 read as follows:

1 Two additional port commissioners shall be elected at the next
2 district general election following the election at which voters
3 authorized the increase in port commissioners to five members.

4 The port commissioners shall divide the port district into five
5 commissioner districts prior to the first day of June in the year in
6 which the two additional commissioners shall be elected, unless the
7 voters approved the nomination of the two additional commissioners
8 from district-wide commissioner districts as permitted in RCW
9 53.12.010(2). The new commissioner districts shall be numbered one
10 through five and the three incumbent commissioners shall represent
11 commissioner districts one through three. If, as a result of
12 redrawing the district boundaries two or three of the incumbent
13 commissioners reside in one of the new commissioner districts, the
14 commissioners who reside in the same commissioner district shall
15 determine by lot which of the first three numbered commissioner
16 districts they shall represent for the remainder of their respective
17 terms. A primary shall be held to nominate candidates from districts
18 four and five where necessary and commissioners shall be elected from
19 commissioner districts four and five at the general election. The
20 persons elected as commissioners from commissioner districts four and
21 five shall take office immediately after qualification as defined
22 under RCW (~~(29.01.135)~~)29A.04.133.

23 In a port district where commissioners are elected to four-year
24 terms of office, the additional commissioner thus elected receiving
25 the highest number of votes shall be elected to a four-year term of
26 office and the other additional commissioner thus elected shall be
27 elected to a term of office of two years, if the election is held in
28 an odd-numbered year, or the additional commissioner thus elected
29 receiving the highest number of votes shall be elected to a term of
30 office of three years and the other shall be elected to a term of
31 office of one year, if the election is held in an even-numbered year.
32 In a port district where the commissioners are elected to six-year
33 terms of office, the additional commissioner thus elected receiving
34 the highest number of votes shall be elected to a six-year term of
35 office and the other additional commissioner shall be elected to a
36 four-year term of office, if the election is held in an odd-numbered
37 year, or the additional commissioner receiving the highest number of
38 votes shall be elected to a term of office of five-years and the
39 other shall be elected to a three-year term of office, if the
40 election is held in an even-numbered year. The length of terms of

1 office shall be computed from the first day of January in the year
2 following this election.

3 Successor commissioners from districts four and five shall be
4 elected to terms of either six or four years, depending on the length
5 of terms of office to which commissioners of that port district are
6 elected.

7 **Sec. 80.** RCW 53.12.172 and 1994 c 223 s 85 are each amended to
8 read as follows:

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

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

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

37 (4) The terms of office of the initial port commissioners in all
38 other port districts shall be staggered as follows: (a) The person
39 who is elected receiving the greatest number of votes shall be

1 elected to a six-year term of office if the election is held in an
2 odd-numbered year or to a five-year term of office if the election is
3 held in an even-numbered year, and shall hold office until a
4 successor is elected and qualified and assumes office in accordance
5 with RCW ((~~29.04.170~~))29A.60.280; (b) the person who is elected
6 receiving the next greatest number of votes shall be elected to a
7 four-year term of office if the election is held in an odd-numbered
8 year or to a three-year term of office if the election is held in an
9 even-numbered year, and shall hold office until a successor is
10 elected and qualified and assumes office in accordance with RCW
11 ((~~29.04.170~~))29A.60.280; and (c) the other person who is elected
12 shall be elected to a two-year term of office if the election is held
13 in an odd-numbered year or a one-year term of office if the election
14 is held in an even-numbered year, and shall hold office until a
15 successor is elected and qualified and assumes office in accordance
16 with RCW ((~~29.04.170~~))29A.60.280.

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

21 **Sec. 81.** RCW 53.12.221 and 1992 c 146 s 4 are each amended to
22 read as follows:

23 Port commissioners of countywide port districts with populations
24 of one hundred thousand or more who are holding office as of June 11,
25 1992, shall retain their positions for the remainder of their terms
26 until their successors are elected and qualified, and assume office
27 in accordance with RCW ((~~29.04.170~~))29A.60.280. Their successors
28 shall be elected to four-year terms of office except as otherwise
29 provided in RCW 53.12.130.

30 **Sec. 82.** RCW 53.16.015 and 1994 c 223 s 90 are each amended to
31 read as follows:

32 The port commission of a port district that uses commissioner
33 districts may redraw the commissioner district boundaries as provided
34 in chapter ((~~29.70~~))29A.76 RCW at any time and submit the redrawn
35 boundaries to the county auditor if the port district is not
36 coterminous with a county that has the same number of county
37 legislative authority districts as the port has port commissioners.
38 The new commissioner districts shall be used at the next election at

1 which a port commissioner is regularly elected that occurs at least
2 one hundred eighty days after the redrawn boundaries have been
3 submitted. Each commissioner district shall encompass as nearly as
4 possible the same population.

5 **Sec. 83.** RCW 53.36.070 and 1983 c 3 s 162 are each amended to
6 read as follows:

7 Any port district organized under the laws of this state shall,
8 in addition to the powers otherwise provided by law, have the power
9 to raise revenue by the levy and collection of an annual tax on all
10 taxable property within such port district of not to exceed forty-
11 five cents per thousand dollars of assessed value against the
12 assessed valuation of the taxable property in such port district, for
13 dredging, canal construction, or land leveling or filling purposes,
14 the proceeds of any such levy to be used exclusively for such
15 dredging, canal construction, or land leveling and filling purposes:
16 PROVIDED, That no such levy for dredging, canal construction, or land
17 leveling or filling purposes under the provisions of RCW 53.36.070
18 and 53.36.080 shall be made unless and until the question of
19 authorizing the making of such additional levy shall have been
20 submitted to a vote of the electors of the district in the manner
21 provided by law for the submission of the question of making
22 additional levies in school districts of the first class at an
23 election held under the provisions of RCW (~~(29.13.020)~~)29A.04.330 and
24 shall have been authorized by a majority of the electors voting
25 thereon.

26 **Sec. 84.** RCW 53.36.100 and 1994 c 278 s 1 are each amended to
27 read as follows:

28 (1) A port district having adopted a comprehensive scheme of
29 harbor improvements and industrial developments may thereafter raise
30 revenue, for six years only, and a second six years if the procedures
31 are followed under subsection (2) of this section, in addition to all
32 other revenues now authorized by law, by an annual levy not to exceed
33 forty-five cents per thousand dollars of assessed value against the
34 assessed valuation of the taxable property in such port district. In
35 addition, if voters approve a ballot proposition authorizing
36 additional levies by a simple majority vote, a port district located
37 in a county bordering on the Pacific Ocean having adopted a
38 comprehensive scheme of harbor improvements and industrial

1 developments may impose these levies for a third six-year period.
2 Said levies shall be used exclusively for the exercise of the powers
3 granted to port districts under chapter 53.25 RCW except as provided
4 in RCW 53.36.110. The levy of such taxes is herein authorized
5 notwithstanding the provisions of RCW 84.52.050 and 84.52.043. The
6 revenues derived from levies made under RCW 53.36.100 and 53.36.110
7 not expended in the year in which the levies are made may be paid
8 into a fund for future use in carrying out the powers granted under
9 chapter 53.25 RCW, which fund may be accumulated and carried over
10 from year to year, with the right to continue to levy the taxes
11 provided for in RCW 53.36.100 and 53.36.110 for the purposes herein
12 authorized.

13 (2) If a port district intends to levy a tax under this section
14 for one or more years after the first six years these levies were
15 imposed, the port commission shall publish notice of this intention,
16 in one or more newspapers of general circulation within the district,
17 by June 1 of the year in which the first levy of the seventh through
18 twelfth year period is to be made. If within ninety days of the date
19 of publication a petition is filed with the county auditor containing
20 the signatures of eight percent of the number of voters registered
21 and voting in the port district for the office of the governor at the
22 last preceding gubernatorial election, the county auditor shall
23 canvass the signatures in the same manner as prescribed in RCW
24 (~~(29.79.200)~~)29A.72.230 and certify their sufficiency to the port
25 commission within two weeks. The proposition to make these levies in
26 the seventh through twelfth year period shall be submitted to the
27 voters of the port district at a special election, called for this
28 purpose, no later than the date on which a primary election would be
29 held under RCW (~~(29.13.070)~~)29A.04.311. The levies may be made in the
30 seventh through twelfth year period only if approved by a majority of
31 the voters of the port district voting on the proposition.

32 **Sec. 85.** RCW 54.08.060 and 1994 c 223 s 55 are each amended to
33 read as follows:

34 Whenever a proposition for the formation of a public utility
35 district is to be submitted to voters in any county, the county
36 legislative authority may by resolution call a special election, and
37 at the request of petitioners for the formation of such district
38 contained in the petition shall do so and shall provide for holding
39 the same at the earliest practicable time. If the boundaries of the

1 proposed district embrace an area less than the entire county, such
2 election shall be confined to the area so included. The notice of
3 such election shall state the boundaries of the proposed district and
4 the object of such election; in other respects, such election shall
5 be held and called in the same manner as provided by law for the
6 holding and calling of general elections: PROVIDED, That notice
7 thereof shall be given for not less than ten days nor more than
8 thirty days prior to such special election. In submitting the
9 proposition to the voters for their approval or rejection, such
10 proposition shall be expressed on the ballots in substantially the
11 following terms:

12 Public Utility District No. YES
13 Public Utility District No. NO

14 At the same special election on the proposition to form a public
15 utility district, there shall also be an election for three public
16 utility district commissioners. However, the election of such
17 commissioners shall be null and void if the proposition to form the
18 public utility district does not receive approval by a majority of
19 the voters voting on the proposition. No primary shall be held. A
20 special filing period shall be opened as provided in RCW ((~~29.15.170~~
21 ~~and 29.15.180~~))29A.24.171 and 29A.24.181. The person receiving the
22 greatest number of votes for the commissioner of each commissioner
23 district shall be elected as the commissioner of that district.
24 Commissioner districts shall be established as provided in RCW
25 54.12.010. The terms of the initial commissioners shall be staggered
26 as follows: (1) The person who is elected receiving the greatest
27 number of votes shall be elected to a six-year term of office if the
28 election is held in an even-numbered year or a five-year term if the
29 election is held in an odd-numbered year; (2) the person who is
30 elected receiving the next greatest number of votes shall be elected
31 to a four-year term of office if the election is held in an even-
32 numbered year or a three-year term of office if the election is held
33 in an odd-numbered year; and (3) the other person who is elected
34 shall be elected to a two-year term of office if the election is held
35 in an even-numbered year or a one-year term of office if the election
36 is held in an odd-numbered year. The commissioners first to be
37 elected at such special election shall assume office immediately when
38 they are elected and qualified, but the length of their terms of

1 office shall be calculated from the first day in January in the year
2 following their elections.

3 The term "general election" as used herein means biennial general
4 elections at which state and county officers in a noncharter county
5 are elected.

6 **Sec. 86.** RCW 54.40.070 and 1994 c 223 s 61 are each amended to
7 read as follows:

8 Within thirty days after the public utility district commission
9 divides the district into District A and District B, the county
10 legislative authority shall call a special election, to be held at
11 the next special election date provided for under RCW
12 (~~((29.13.010))~~)29A.04.321 that occurs sixty or more days after the
13 call, at which time the initial commissioners for District A and
14 District B shall be elected. No primary shall be held and a special
15 filing period shall be opened as provided in RCW (~~((29.15.170 and~~
16 ~~29.15.180))~~)29A.24.171 and 29A.24.181. The person receiving the
17 greatest number of votes for each position shall be elected.

18 The person who is elected receiving the greatest number of votes
19 shall be elected to a four-year term of office, and the other person
20 who is elected shall be elected to a two-year term of office, if the
21 election is held in an even-numbered year, or the person who is
22 elected receiving the greatest number of votes shall be elected to a
23 three-year term of office, and the other person who is elected shall
24 be elected to a one-year term of office, if the election is held in
25 an odd-numbered year. The length of these terms of office shall be
26 calculated from the first day in January in the year following their
27 elections.

28 The newly elected commissioners shall assume office immediately
29 after being elected and qualified and shall serve until their
30 successors are elected and qualified and assume office in accordance
31 with RCW (~~((29.04.170))~~)29A.60.280. Each successor shall be elected to
32 a four-year term of office.

33 **Sec. 87.** RCW 57.04.140 and 1997 c 447 s 4 are each amended to
34 read as follows:

35 (1) As an alternative means to forming a water-sewer district, a
36 county legislative authority may authorize the formation of a water-
37 sewer district to serve a new development that at the time of
38 formation does not have any residents, at written request of sixty

1 percent of the owners of the area to be included in the proposed
2 district. The county legislative authority shall review the proposed
3 district according to the procedures and criteria in RCW 57.02.040.

4 (2) The county legislative authority shall appoint the initial
5 water-sewer commissioners of the district. The commissioners shall
6 serve until seventy-five percent of the development is sold and
7 occupied, or until some other time as specified by the county
8 legislative authority when the district is approved. Commissioners
9 serving under this section are not entitled to any form of
10 compensation from the district.

11 (3) New commissioners shall be elected according to the
12 procedures in chapter 57.12 RCW at the next election held under RCW
13 (~~(29.13.010)~~)29A.04.321 that follows more than ninety days after the
14 date seventy-five percent of the development is sold and occupied, or
15 after the time specified by the county legislative authority when the
16 district is approved.

17 (4) A water-sewer district created under this section may be
18 transferred to a city or county, or dissolved if the district is
19 inactive, by order of the county legislative authority at the written
20 request of sixty percent of the owners of the area included in the
21 district.

22 **Sec. 88.** RCW 57.12.030 and 1996 c 230 s 403 are each amended to
23 read as follows:

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

30 Three initial district commissioners shall be elected at the same
31 election at which the proposition is submitted to the voters as to
32 whether such district shall be formed. The election of initial
33 district commissioners shall be null and void if the ballot
34 proposition to form the district is not approved. Each candidate
35 shall run for one of three separate commissioner positions. A special
36 filing period shall be opened as provided in RCW (~~(29.15.170 and~~
37 ~~29.15.180)~~)29A.24.171 and 29A.24.181. The person receiving the
38 greatest number of votes for each position shall be elected to that
39 position.

1 The initial district commissioners shall assume office
2 immediately when they are elected and qualified. Staggering of the
3 terms of office for the initial district commissioners shall be
4 accomplished as follows: (1) The person who is elected receiving the
5 greatest number of votes shall be elected to a six-year term of
6 office if the election is held in an odd-numbered year or a five-year
7 term of office if the election is held in an even-numbered year; (2)
8 the person who is elected receiving the next greatest number of votes
9 shall be elected to a four-year term of office if the election is
10 held in an odd-numbered year or a three-year term of office if the
11 election is held in an even-numbered year; and (3) the other person
12 who is elected shall be elected to a two-year term of office if the
13 election is held in an odd-numbered year or a one-year term of office
14 if the election is held in an even-numbered year. The terms of office
15 shall be calculated from the first day of January after the election.

16 Thereafter, commissioners shall be elected to six-year terms of
17 office. Commissioners shall serve until their successors are elected
18 and qualified and assume office in accordance with RCW
19 (~~(29.04.170)~~)29A.60.280.

20 **Sec. 89.** RCW 57.12.039 and 2001 c 63 s 4 are each amended to
21 read as follows:

22 (1) Notwithstanding RCW 57.12.020 and 57.12.030, the board of
23 commissioners may provide by majority vote that subsequent
24 commissioners be elected from commissioner districts within the
25 district. If the board exercises this option, it shall divide the
26 district into three, five, or seven if the number of commissioners
27 has been increased under RCW 57.12.015, commissioner districts of
28 approximately equal population following current precinct and
29 district boundaries.

30 (2) Commissioner districts shall be used as follows: (a) Only a
31 registered voter who resides in a commissioner district may be a
32 candidate for, or serve as, a commissioner of the commissioner
33 district; and (b) only voters of a commissioner district may vote at
34 a primary to nominate candidates for a commissioner of the
35 commissioner district. Voters of the entire district may vote at a
36 general election to elect a person as a commissioner of the
37 commissioner district. Commissioner districts shall be redrawn as
38 provided in chapter (~~(29.70)~~)29A.76 RCW.

1 (3) In districts in which commissioners are nominated from
2 commissioner districts, at the inception of a five-member or a seven-
3 member board of commissioners, the new commissioner districts shall
4 be numbered one through five or one through seven and the incumbent
5 commissioners shall represent up to five commissioner districts
6 depending on the amount of commissioners. If, as a result of
7 redrawing the district boundaries two or three of the incumbent
8 commissioners reside in one of the new commissioner districts, the
9 commissioners who reside in the same commissioner district shall
10 determine by lot which of the first three or five numbered
11 commissioner districts they shall represent for the remainder of
12 their respective terms. A primary shall be held to nominate
13 candidates from the remaining districts where necessary and
14 commissioners shall be elected at large at the general election. The
15 persons elected as commissioners from the remaining commissioner
16 districts shall take office immediately after qualification as
17 defined under RCW (~~29.01.135~~)29A.04.133.

18 **Sec. 90.** RCW 57.24.190 and 1996 c 230 s 910 are each amended to
19 read as follows:

20 The annexation resolution under RCW 57.24.180 shall be subject to
21 referendum for forty-five days after the passage thereof. Upon the
22 filing of a timely and sufficient referendum petition with the board
23 of commissioners, signed by registered voters in number equal to not
24 less than ten percent of the registered voters in the area to be
25 annexed who voted in the last municipal general election, the
26 question of annexation shall be submitted to the voters of such area
27 in a general election if one is to be held within ninety days or at a
28 special election called for that purpose by the board of
29 commissioners in accordance with RCW (~~29.13.010~~ and
30 ~~29.13.020~~)29A.04.321 and 29A.04.330. Notice of that election shall
31 be given under RCW 57.24.020 and the election shall be conducted
32 under RCW 57.24.040. The annexation shall be deemed approved by the
33 voters unless a majority of the votes cast on the proposition are in
34 opposition thereto.

35 After the expiration of the forty-fifth day from but excluding
36 the date of passage of the annexation resolution, if no timely and
37 sufficient referendum petition has been filed, the area annexed shall
38 become a part of the district upon the date fixed in the resolution

1 of annexation upon transmitting the resolution to the county
2 legislative authority.

3 **Sec. 91.** RCW 67.38.130 and 1984 c 131 s 4 are each amended to
4 read as follows:

5 The governing body of a cultural arts, stadium and convention
6 district may levy or cause to levy the following ad valorem taxes:

7 (1) Regular ad valorem property tax levies in an amount equal to
8 twenty-five cents or less per thousand dollars of the assessed value
9 of property in the district in each year for six consecutive years
10 when specifically authorized so to do by a majority of at least
11 three-fifths of the electors thereof approving a proposition
12 authorizing the levies submitted at a general or special election, at
13 which election the number of persons voting "yes" on the proposition
14 shall constitute three-fifths of a number equal to forty percentum of
15 the total votes cast in such taxing district at the last preceding
16 general election; or by a majority of at least three-fifths of the
17 electors thereof voting on the proposition when the number of
18 electors voting yes on the proposition exceeds forty percentum of the
19 total votes cast in such taxing district in the last preceding
20 general election. Ballot propositions shall conform with RCW
21 (~~(29.30.111)~~)29A.36.210.

22 In the event a cultural arts, stadium and convention district is
23 levying property taxes, which in combination with property taxes
24 levied by other taxing districts subject to the one percent
25 limitation provided for in Article VII, section 2, of our state
26 Constitution result in taxes in excess of the limitation provided for
27 in RCW 84.52.043, the cultural arts, stadium and convention district
28 property tax levy shall be reduced or eliminated before the property
29 tax levies of other taxing districts are reduced: PROVIDED, That no
30 cultural arts, stadium, and convention district may pledge
31 anticipated revenues derived from the property tax herein authorized
32 as security for payments of bonds issued pursuant to subsection (1)
33 of this section: PROVIDED, FURTHER, That such limitation shall not
34 apply to property taxes approved pursuant to subsections (2) and (3)
35 of this section.

36 The limitation in RCW 84.55.010 shall apply to levies after the
37 first levy authorized under this section following the approval of
38 such levy by voters pursuant to this section.

1 (2) An annual excess ad valorem property tax for general district
2 purposes when authorized by the district voters in the manner
3 prescribed by section 2, Article VII of the Constitution and by RCW
4 84.52.052.

5 (3) Multi-year excess ad valorem property tax levies used to
6 retire general obligation bond issues when authorized by the district
7 voters in the manner prescribed by section 2, Article VII of the
8 Constitution and by RCW 84.52.056.

9 The district shall include in its regular property tax levy for
10 each year a sum sufficient to pay the interest and principal on all
11 outstanding general obligation bonds issued without voter approval
12 pursuant to RCW 67.38.110 and may include a sum sufficient to create
13 a sinking fund for the redemption of all outstanding bonds.

14 **Sec. 92.** RCW 68.52.250 and 1990 c 259 s 34 are each amended to
15 read as follows:

16 Special elections submitting propositions to the registered
17 voters of the district may be called at any time by resolution of the
18 cemetery commissioners in accordance with RCW (~~29.13.010~~ and
19 ~~29.13.020~~) 29A.04.321 and 29A.04.330, and shall be called, noticed,
20 held, conducted and canvassed in the same manner and by the same
21 officials as provided for the election to determine whether the
22 district shall be created.

23 **Sec. 93.** RCW 70.44.047 and 1997 c 99 s 6 are each amended to
24 read as follows:

25 If, as the result of redrawing the boundaries of commissioner
26 districts as permitted or required under the provisions of this
27 chapter, chapter (~~29.70~~) 29A.76 RCW, or any other statute, more than
28 the correct number of commissioners who are associated with
29 commissioner districts reside in the same commissioner district, a
30 commissioner or commissioners residing in that redrawn commissioner
31 district equal in number to the number of commissioners in excess of
32 the correct number shall be assigned to the drawn commissioner
33 district or districts in which less than the correct number of
34 commissioners associated with commissioner districts reside. The
35 commissioner or commissioners who are so assigned shall be those with
36 the shortest unexpired term or terms of office, but if the number of
37 such commissioners with the same terms of office exceeds the number
38 that are to be assigned, the board of commissioners shall select by

1 lot from those commissioners which one or ones are assigned. A
2 commissioner who is so assigned shall be deemed to be a resident of
3 the commissioner district to which he or she is assigned for purposes
4 of determining whether a position is vacant.

5 **Sec. 94.** RCW 70.44.056 and 1997 c 99 s 5 are each amended to
6 read as follows:

7 In all existing public hospital districts in which an increase in
8 the number of district commissioners is proposed, the additional
9 commissioner positions shall be deemed to be vacant and the board of
10 commissioners of the public hospital district shall appoint qualified
11 persons to fill those vacancies in accordance with RCW 42.12.070.

12 Each person who is appointed shall serve until a qualified person
13 is elected at the next general election of the district occurring one
14 hundred twenty days or more after the date of the election at which
15 the voters of the district approved the ballot proposition
16 authorizing the increase in the number of commissioners. If needed,
17 special filing periods shall be authorized as provided in RCW
18 (~~29.15.170 and 29.15.180~~) 29A.24.171 and 29A.24.181 for qualified
19 persons to file for the vacant office. A primary shall be held to
20 nominate candidates if sufficient time exists to hold a primary and
21 more than two candidates file for the vacant office. Otherwise, no
22 primary shall be held and the candidate receiving the greatest number
23 of votes for each position shall be elected. Except for the initial
24 terms of office, persons elected to each of these additional
25 commissioner positions shall be elected to a six-year term. The newly
26 elected commissioners shall assume office as provided in RCW
27 (~~29.04.170~~) 29A.60.280.

28 The initial terms of the new commissioners shall be staggered as
29 follows: (1) When the number of commissioners is increased from three
30 to five, the person elected receiving the greatest number of votes
31 shall be elected to a six-year term of office, and the other person
32 shall be elected to a four-year term; (2) when the number of
33 commissioners is increased from three or five to seven, the terms of
34 the new commissioners shall be staggered over the next three district
35 general elections so that two commissioners will be elected at the
36 first district general election following the election where the
37 additional commissioners are elected, two commissioners will be at
38 the second district general election after the election of the
39 additional commissioners, and three commissioners will be elected at

1 the third district general election following the election of the
2 additional commissioners, with the persons elected receiving the
3 greatest number of votes elected to serve the longest terms.

4 **Sec. 95.** RCW 80.36.390 and 1987 c 229 s 13 are each amended to
5 read as follows:

6 (1) As used in this section, "telephone solicitation" means the
7 unsolicited initiation of a telephone call by a commercial or
8 nonprofit company or organization to a residential telephone customer
9 and conversation for the purpose of encouraging a person to purchase
10 property, goods, or services or soliciting donations of money,
11 property, goods, or services. "Telephone solicitation" does not
12 include:

13 (a) Calls made in response to a request or inquiry by the called
14 party. This includes calls regarding an item that has been purchased
15 by the called party from the company or organization during a period
16 not longer than twelve months prior to the telephone contact;

17 (b) Calls made by a not-for-profit organization to its own list
18 of bona fide or active members of the organization;

19 (c) Calls limited to polling or soliciting the expression of
20 ideas, opinions, or votes; or

21 (d) Business-to-business contacts.

22 For purposes of this section, each individual real estate agent
23 or insurance agent who maintains a separate list from other
24 individual real estate or insurance agents shall be treated as a
25 company or organization. For purposes of this section, an
26 organization as defined in RCW (~~((29.01.090 or 29.01.100))~~) 29A.04.086
27 or 29A.04.097 and organized pursuant to chapter 29A.80 RCW
28 (~~((29.42.010))~~) shall not be considered a commercial or nonprofit
29 company or organization.

30 (2) A person making a telephone solicitation must identify him or
31 herself and the company or organization on whose behalf the
32 solicitation is being made and the purpose of the call within the
33 first thirty seconds of the telephone call.

34 (3) If, at any time during the telephone contact, the called
35 party states or indicates that he or she does not wish to be called
36 again by the company or organization or wants to have his or her name
37 and individual telephone number removed from the telephone lists used
38 by the company or organization making the telephone solicitation,
39 then:

1 (a) The company or organization shall not make any additional
2 telephone solicitation of the called party at that telephone number
3 within a period of at least one year; and

4 (b) The company or organization shall not sell or give the called
5 party's name and telephone number to another company or organization:
6 PROVIDED, That the company or organization may return the list,
7 including the called party's name and telephone number, to the
8 company or organization from which it received the list.

9 (4) A violation of subsection (2) or (3) of this section is
10 punishable by a fine of up to one thousand dollars for each
11 violation.

12 (5) The attorney general may bring actions to enforce compliance
13 with this section. For the first violation by any company or
14 organization of this section, the attorney general shall notify the
15 company with a letter of warning that the section has been violated.

16 (6) A person aggrieved by repeated violations of this section may
17 bring a civil action in superior court to enjoin future violations,
18 to recover damages, or both. The court shall award damages of at
19 least one hundred dollars for each individual violation of this
20 section. If the aggrieved person prevails in a civil action under
21 this subsection, the court shall award the aggrieved person
22 reasonable attorneys' fees and cost of the suit.

23 (7) The utilities and transportation commission shall by rule
24 ensure that telecommunications companies inform their residential
25 customers of the provisions of this section. The notification may be
26 made by (a) annual inserts in the billing statements mailed to
27 residential customers, or (b) conspicuous publication of the notice
28 in the consumer information pages of local telephone directories.

29 **Sec. 96.** RCW 80.52.050 and 1982 c 88 s 1 are each amended to
30 read as follows:

31 The election required under RCW 80.52.040 shall be conducted in
32 the manner provided in this section.

33 (1)(a) If the applicant is a public utility district, joint
34 operating agency, city, or county, the election shall be among the
35 voters of the public utility district, city, or county, or among the
36 voters of the local governmental entities comprising the membership
37 of the joint operating agency.

38 (b) If the applicant is any public agency other than those
39 described in subsection (1)(a) of this section, or is an assignee of

1 a joint operating agency and not itself a joint operating agency, the
2 election shall be conducted statewide in the manner provided in Title
3 29A RCW for statewide elections.

4 (2) The election shall be held at the next statewide general
5 election occurring more than ninety days after submission of a
6 request by an applicant to the secretary of state unless a special
7 election is requested by the applicant as provided in this section.

8 (3) If no statewide election can be held under subsection (2) of
9 this section within one hundred twenty days of the submission to the
10 secretary of state of a request by an applicant for financing
11 authority under this chapter, the applicant may request that a
12 special election be held if such election is necessary to avoid
13 significant delay in construction or acquisition of the energy
14 project. Within ten days of receipt of such a request for a special
15 election, the secretary of state shall designate a date for the
16 election pursuant to RCW (~~(29.13.010)~~)29A.04.321 and certify the date
17 to the county auditor of each county in which an election is to be
18 held under this section.

19 (4) Prior to an election under this section, the applicant shall
20 submit to the secretary of state a cost-effectiveness study, prepared
21 by an independent consultant approved by the state finance committee,
22 pertaining to the major public energy project under consideration.
23 The study shall be available for public review and comment for thirty
24 days. At the end of the thirty-day period, the applicant shall
25 prepare a final draft of the study which includes the public comment,
26 if any.

27 (5) The secretary of state shall certify the ballot issue for the
28 election to be held under this section to the county auditor of each
29 county in which an election is to be held. The certification shall
30 include the statement of the proposition as provided in RCW
31 80.52.060. The costs of the election shall be relieved by the
32 applicant in the manner provided by RCW (~~(29.13.045)~~)29A.04.410. In
33 addition, the applicant shall reimburse the secretary of state for
34 the applicant's share of the costs related to the preparation and
35 distribution of the voters' pamphlet required by subsection (6) of
36 this section and such other costs as are attributable to any election
37 held pursuant to this section.

38 (6) Prior to an election under this section, the secretary of
39 state shall provide an opportunity for supporters and opponents of
40 the requested financing authority to present their respective views

1 in a voters' pamphlet which shall be distributed to the voters of the
2 local governmental entities participating in the election. Upon
3 submission of an applicant's request for an election pursuant to this
4 section, the applicant shall provide the secretary of state with the
5 following information regarding each major public energy project for
6 which the applicant seeks financing authority at such election, which
7 information shall be included in the voters' pamphlet:

8 (a) The name, location, and type of major public energy project,
9 expressed in common terms;

10 (b) The dollar amount and type of bonds being requested;

11 (c) If the bond issuance is intended to finance the acquisition
12 of all or a portion of the project, the anticipated total cost of the
13 acquisition of the project;

14 (d) If the bond issuance is intended to finance the planning or
15 construction of all or a portion of the project, the anticipated
16 total cost of construction of the project;

17 (e) The projected average rate increase for consumers of the
18 electricity to be generated by the project. The rate increase shall
19 be that which will be necessary to repay the total indebtedness
20 incurred for the project, including estimated interest;

21 (f) A summary of the final cost-effectiveness study conducted
22 under subsection (4) of this section;

23 (g) The anticipated functional life of the project;

24 (h) The anticipated decommissioning costs of the project; and

25 (i) If a special election is requested by the applicant, the
26 reasons for requesting a special election.

27 **Sec. 97.** RCW 82.14.036 and 1983 c 99 s 2 are each amended to
28 read as follows:

29 Any referendum petition to repeal a county or city ordinance
30 imposing a tax or altering the rate of the tax authorized under RCW
31 82.14.030(2) shall be filed with a filing officer, as identified in
32 the ordinance, within seven days of passage of the ordinance. Within
33 ten days, the filing officer shall confer with the petitioner
34 concerning form and style of the petition, issue an identification
35 number for the petition, and write a ballot title for the measure.
36 The ballot title shall be posed as a question so that an affirmative
37 answer to the question and an affirmative vote on the measure results
38 in the tax or tax rate increase being imposed and a negative answer
39 to the question and a negative vote on the measure results in the tax

1 or tax rate increase not being imposed. The petitioner shall be
2 notified of the identification number and ballot title within this
3 ten-day period.

4 After this notification, the petitioner shall have thirty days in
5 which to secure on petition forms the signatures of not less than
6 fifteen percent of the registered voters of the county for county
7 measures, or not less than fifteen percent of the registered voters
8 of the city for city measures, and to file the signed petitions with
9 the filing officer. Each petition form shall contain the ballot title
10 and the full text of the measure to be referred. The filing officer
11 shall verify the sufficiency of the signatures on the petitions. If
12 sufficient valid signatures are properly submitted, the filing
13 officer shall submit the referendum measure to the county or city
14 voters at a general or special election held on one of the dates
15 provided in RCW (~~(29.13.010)~~)29A.04.321 as determined by the county
16 legislative authority or city council, which election shall not take
17 place later than one hundred twenty days after the signed petition
18 has been filed with the filing officer.

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

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

26 **Sec. 98.** RCW 82.46.021 and 2000 c 103 s 16 are each amended to
27 read as follows:

28 Any referendum petition to repeal a county or city ordinance
29 imposing a tax or altering the rate of the tax authorized under RCW
30 82.46.010(3) shall be filed with a filing officer, as identified in
31 the ordinance, within seven days of passage of the ordinance. Within
32 ten days, the filing officer shall confer with the petitioner
33 concerning form and style of the petition, issue an identification
34 number for the petition, and write a ballot title for the measure.
35 The ballot title shall be posed as a question so that an affirmative
36 answer to the question and an affirmative vote on the measure results
37 in the tax or tax rate increase being imposed and a negative answer
38 to the question and a negative vote on the measure results in the tax
39 or tax rate increase not being imposed. The petitioner shall be

1 notified of the identification number and ballot title within this
2 ten-day period.

3 After this notification, the petitioner shall have thirty days in
4 which to secure on petition forms the signatures of not less than
5 fifteen percent of the registered voters of the county for county
6 measures, or not less than fifteen percent of the registered voters
7 of the city for city measures, and to file the signed petitions with
8 the filing officer. Each petition form shall contain the ballot title
9 and the full text of the measure to be referred. The filing officer
10 shall verify the sufficiency of the signatures on the petitions. If
11 sufficient valid signatures are properly submitted, the filing
12 officer shall submit the referendum measure to the county or city
13 voters at a general or special election held on one of the dates
14 provided in RCW (~~(29.13.010)~~)29A.04.321 as determined by the county
15 legislative authority or city council, which election shall not take
16 place later than one hundred twenty days after the signed petition
17 has been filed with the filing officer.

18 After April 22, 1983, the referendum procedure provided for in
19 this section shall be the exclusive method for subjecting any county
20 or city ordinance imposing a tax or increasing the rate under RCW
21 82.46.010(3) to a referendum vote.

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

25 **Sec. 99.** RCW 82.80.090 and 1990 c 42 s 214 are each amended to
26 read as follows:

27 A referendum petition to repeal a county or city ordinance
28 imposing a tax or fee authorized under RCW (~~(82.80.020 and)~~)
29 82.80.030 must be filed with a filing officer, as identified in the
30 ordinance, within seven days of passage of the ordinance. Within ten
31 days, the filing officer shall confer with the petitioner concerning
32 form and style of the petition, issue an identification number for
33 the petition, and write a ballot title for the measure. The ballot
34 title shall be posed as a question so that an affirmative answer to
35 the question and an affirmative vote on the measure results in the
36 tax or fee being imposed and a negative answer to the question and a
37 negative vote on the measure results in the tax or fee not being
38 imposed. The petitioner shall be notified of the identification
39 number and ballot title within this ten-day period.

1 After this notification, the petitioner has thirty days in which
2 to secure on petition forms the signatures of not less than fifteen
3 percent of the registered voters of the county for county measures,
4 or not less than fifteen percent of the registered voters of the city
5 for city measures, and to file the signed petitions with the filing
6 officer. Each petition form must contain the ballot title and the
7 full text of the measure to be referred. The filing officer shall
8 verify the sufficiency of the signatures on the petitions. If
9 sufficient valid signatures are properly submitted, the filing
10 officer shall submit the referendum measure to the county or city
11 voters at a general or special election held on one of the dates
12 provided in RCW (~~(29.13.010)~~)29A.04.321 as determined by the county
13 or city legislative authority, which election shall not take place
14 later than one hundred twenty days after the signed petition has been
15 filed with the filing officer.

16 The referendum procedure provided in this section is the
17 exclusive method for subjecting any county or city ordinance imposing
18 a tax or fee under RCW (~~(82.80.020 and)~~) 82.80.030 to a referendum
19 vote.

20 **Sec. 100.** RCW 85.38.060 and 1991 c 349 s 10 are each amended to
21 read as follows:

22 The county legislative authority or authorities shall cause an
23 election on the question of creating the special district to be held
24 if findings as provided in RCW 85.38.050 are made. The county
25 legislative authority or authorities shall designate a time and date
26 for such election, which shall be one of the special election dates
27 provided for in RCW (~~(29.13.020)~~)29A.04.330, together with the site
28 or sites at which votes may be cast. The persons allowed to vote on
29 the creation of a special district shall be those persons who, if the
30 special district were created, would be qualified voters of the
31 special district as described in RCW 85.38.010. The county auditor or
32 auditors of the counties within which the proposed special district
33 is located shall conduct the election and prepare a list of presumed
34 eligible voters.

35 Notices for the election shall be published as provided in RCW
36 85.38.040. The special district shall be created if the proposition
37 to create the special district is approved by a simple majority vote
38 of the voters voting on the proposition and the special district may

1 assume operations whenever the initial members of the governing body
2 are appointed as provided in RCW 85.38.070.

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

6 If the special district is created, the county or counties may
7 charge the special district for the costs incurred by the county
8 engineer or engineers pursuant to RCW 85.38.030 and the costs of the
9 auditor or auditors related to the election to authorize the creation
10 of the special district pursuant to this section. Such county actions
11 shall be deemed to be special benefits of the property located within
12 the special district that are paid through the imposition of special
13 assessments.

14 **Sec. 101.** RCW 85.38.070 and 1991 c 349 s 11 are each amended to
15 read as follows:

16 (1) Except as provided in RCW 85.38.090, each special district
17 shall be governed by a three-member governing body. The term of
18 office for each member of a special district governing body shall be
19 six years and until his or her successor is elected and qualified.
20 One member of the governing body shall be elected at the time of
21 special district general elections in each even-numbered year for a
22 term of six years beginning as soon as the election returns have been
23 certified for assumption of office by elected officials of cities.

24 (2) The terms of office of members of the governing bodies of
25 special districts, who are holding office on July 28, 1985, shall be
26 altered to provide staggered six-year terms as provided in this
27 subsection. The member who on July 28, 1985, has the longest term
28 remaining shall have his or her term altered so that the position
29 will be filled at the February 1992, special district general
30 election; the member with the second longest term remaining shall
31 have his or her term altered so that the position will be filled at
32 the December, 1989, special district general election; and the member
33 with the third longest term of office shall have his or her term
34 altered so that the position will be filled at the December, 1987,
35 special district general election.

36 (3) The initial members of the governing body of a newly created
37 special district shall be appointed by the legislative authority of
38 the county within which the special district, or the largest portion
39 of the special district, is located. These initial governing body

1 members shall serve until their successors are elected and qualified
2 at the next special district general election held at least ninety
3 days after the special district is established. At that election the
4 first elected members of the governing body shall be elected. No
5 primary elections may be held. Any voter of a special district may
6 become a candidate for such a position by filing written notice of
7 this intention with the county auditor at least thirty, but not more
8 than sixty, days before a special district general election. The
9 county auditor in consultation with the special district shall
10 establish the filing period. The names of all candidates for such
11 positions shall be listed alphabetically. At this first election, the
12 candidate receiving the greatest number of votes shall have a six-
13 year term, the candidate receiving the second greatest number of
14 votes shall have a four-year term, and the candidate receiving the
15 third greatest number of votes shall have a two-year term of office.
16 The initially elected members of a governing body shall take office
17 immediately when qualified as defined in RCW (~~((29.01.135))~~)29A.04.133.
18 Thereafter the candidate receiving the greatest number of votes shall
19 be elected for a six-year term of office. Members of a governing body
20 shall hold their office until their successors are elected and
21 qualified, and assume office as soon as the election returns have
22 been certified.

23 (4) The requirements for the filing period and method for filing
24 declarations of candidacy for the governing body of the district and
25 the arrangement of candidate names on the ballot for all special
26 district elections conducted after the initial election in the
27 district shall be the same as the requirements for the initial
28 election in the district. No primary elections may be held for the
29 governing body of a special district.

30 (5) Whenever a vacancy occurs in the governing body of a special
31 district, the legislative authority of the county within which the
32 special district, or the largest portion of the special district, is
33 located, shall appoint a district voter to serve until a person is
34 elected, at the next special district general election occurring
35 sixty or more days after the vacancy has occurred, to serve the
36 remainder of the unexpired term. The person so elected shall take
37 office immediately when qualified as defined in RCW
38 (~~((29.01.135))~~)29A.04.133.

39 If an election for the position which became vacant would
40 otherwise have been held at this special district election, only one

1 election shall be held and the person elected to fill the succeeding
2 term for that position shall take office immediately when qualified
3 as defined in RCW (~~29.01.135~~)29A.04.133 and shall serve both the
4 remainder of the unexpired term and the succeeding term. A vacancy
5 occurs upon the death, resignation, or incapacity of a governing body
6 member or whenever the governing body member ceases being a qualified
7 voter of the special district.

8 (6) An elected or appointed member of a special district
9 governing body, or a candidate for a special district governing body,
10 must be a qualified voter of the special district: PROVIDED, That the
11 state, its agencies and political subdivisions, or their designees
12 under RCW 85.38.010(3) shall not be eligible for election or
13 appointment.

14 **Sec. 102.** RCW 86.15.050 and 2003 c 304 s 1 are each amended to
15 read as follows:

16 (1) The board of county commissioners of each county shall be ex
17 officio, by virtue of their office, supervisors of the zones created
18 in each county. In any zone with more than two thousand residents, an
19 election of supervisors other than the board of county commissioners
20 may be held as provided in this section.

21 (2) When proposed by citizen petition or by resolution of the
22 board of county commissioners, a ballot proposition authorizing
23 election of the supervisors of a zone shall be submitted by ordinance
24 to the voters residing in the zone at any general election, or at any
25 special election which may be called for that purpose.

26 (3) The ballot proposition shall be submitted (a) if the board of
27 county supervisors enacts an ordinance submitting the proposition
28 after adopting a resolution proposing the election of supervisors of
29 a zone; or (b) if a petition proposing the election of supervisors of
30 a zone is submitted to the county auditor of the county in which the
31 zone is located that is signed by registered voters within the zone,
32 numbering at least fifteen percent of the votes cast in the last
33 county general election by registered voters within the zone.

34 (4) Upon receipt of a citizen petition under subsection (3)(b) of
35 this section, the county auditor shall determine whether the petition
36 is signed by a sufficient number of registered voters, using the
37 registration records and returns of the preceding general election,
38 and, no later than forty-five days after receipt of the petition,
39 shall attach to the petition the auditor's certificate stating

1 whether or not sufficient signatures have been obtained. If the
2 signatures are found by the auditor to be insufficient, the petition
3 shall be returned to the person filing it.

4 (5) The ballot proposition authorizing election of supervisors of
5 zones shall appear on the ballot of the next general election or at
6 the next special election date specified under RCW
7 (~~29.13.020~~) 29A.04.330 occurring sixty or more days after the last
8 resolution proposing election of supervisors or the date the county
9 auditor certifies that the petition proposing such election contains
10 sufficient valid signatures.

11 (6) The petition proposing the election of zone supervisors, or
12 the ordinance submitting the question to the voters, shall describe
13 the proposed election process. The ballot proposition shall include
14 the following:

15 "For the direct election of flood control zone district
16 supervisors."

17 "Against the direct election of flood control zone district
18 supervisors."

19 (7) The ordinance or petition submitting the ballot proposition
20 shall designate the proposed composition of the supervisors of zones,
21 which shall be clearly described in the ballot proposition. The
22 ballot proposition shall state that the zone supervisors shall
23 thereafter be selected by election, and, at the same election at
24 which the proposition is submitted to the voters as to whether to
25 elect zone supervisors, three zone supervisors shall be elected. The
26 election of zone supervisors is null and void if the voters, by a
27 simple majority, do not approve the direct election of the zone
28 supervisors. Candidates shall run for specific supervisor positions.
29 No primary may be held to nominate candidates. The person receiving
30 the greatest number of votes for each position shall be elected as a
31 supervisor. The staggering of the terms of office shall occur as
32 follows: (a) The person who is elected receiving the greatest number
33 of votes shall be elected to a six-year term of office if the
34 election is held in an odd-numbered year or a five-year term of
35 office if the election is held in an even-numbered year; (b) the
36 person who is elected receiving the second greatest number of votes
37 shall be elected to a four-year term of office if the election is
38 held in an odd-numbered year or a three-year term of office if the
39 election is held in an even-numbered year; and (c) the other person

1 who is elected shall be elected to a two-year term of office if the
2 election is held in an odd-numbered year or a one-year term of office
3 if the election is held in an even-numbered year. The initial
4 supervisors shall take office immediately when they are elected and
5 qualified, and for purposes of computing their terms of office the
6 terms shall be assumed to commence on the first day of January in the
7 year after they are elected. Thereafter, all supervisors shall be
8 elected to six-year terms of office. All supervisors shall serve
9 until their respective successors are elected and qualified and
10 assume office in accordance with RCW ((29.04.170))29A.60.280.
11 Vacancies may occur and shall be filled as provided in chapter 42.12
12 RCW.

13 (8) The costs and expenses directly related to the election of
14 zone supervisors shall be borne by the zone.

15 **Sec. 103.** RCW 87.03.083 and 1979 ex.s. c 185 s 15 are each
16 amended to read as follows:

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

--- END ---