H-3367.5

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2415**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives Hudgins, Gregerson, Pollet, and Wylie

AN ACT Relating to conforming elections for certain special districts with Title 29A RCW; amending RCW 29A.04.330, 85.38.010, 85.05.065, 85.05.085, 85.06.015, 85.08.015, 85.08.025, 85.08.300, 85.08.305, 85.08.850, 85.08.860, 85.08.870, 85.20.030, 85.22.030, 85.24.015, 85.32.150, 85.38.050, 85.38.060, 85.38.070, 85.38.090, 85.38.100, 85.38.105, 85.38.115, 85.38.120, 85.38.125, 86.09.020, 86.09.172, 86.09.259, 86.09.601, 86.09.622, 86.15.050, 85.38.127, 85.38.290, 87.03.005, 87.03.020, 87.03.030, 87.03.040, 87.03.075, 87.03.080, 87.03.081, 87.03.190, 87.03.215, 87.03.470, 87.03.480, 87.03.485, 87.03.535, 87.03.560, 87.03.590, 87.03.615, 87.03.630, 87.03.635, 87.03.650, 87.03.675, 87.03.740, 87.03.845, 87.03.847, 87.04.010, 87.04.070, 87.19.010, 87.19.020, 87.22.120, 87.22.125, 87.28.103, 87.52.015, 87.52.030, 87.52.080, 87.52.090, 87.53.040, 87.53.050, 87.56.010, 87.84.020, 87.84.070, 89.08.110, 89.08.120, 89.08.130, 89.08.140, 89.08.160, 89.08.190, and 89.08.200; creating new sections; repealing RCW 85.38.110, 85.38.130, 86.09.377, 86.09.379, 87.03.031, 87.03.032, 87.03.033, 87.03.034, 87.03.035, 87.03.045, 87.03.051, 87.03.071, 87.03.085, 87.03.090, 87.03.095, 87.03.100, 87.03.105, 87.03.110, 87.53.060, and 42.17A.010; and repealing 2002 c 43 s 1 (uncodified).

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

**PART I**

**GENERAL PROVISIONS**

**Sec.**  RCW 29A.04.330 and 2015 c 146 s 2 are each amended to read as follows:

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

This section shall not apply to:

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

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

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

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

(2) Subsection (1) of this section does not apply to diking and drainage and related districts governed by Title 85 RCW, flood control and related districts governed by Title 86 RCW, irrigation and related districts governed by Title 87 RCW, and conservation districts governed by chapter 89.08 RCW, all of which shall hold general elections on the statewide general election date in even-numbered years.

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

(a) The second Tuesday in February;

(b) The fourth Tuesday in April;

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

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

((~~(3)~~)) (4) A resolution calling for a special election on a date set forth in subsection ((~~(2)~~)) (3)(a) and (b) of this section must be presented to the county auditor at least sixty days prior to the election date. A resolution calling for a special election on a date set forth in subsection ((~~(2)~~)) (3)(c) of this section must be presented to the county auditor no later than the Friday immediately before the first day of regular candidate filing. A resolution calling for a special election on a date set forth in subsection ((~~(2)~~)) (3)(d) of this section must be presented to the county auditor no later than the day of the primary.

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

((~~(5)~~)) (6) This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

NEW SECTION. **Sec.**  Whenever, as a result of the application of this act, the term of office of an elected official is scheduled to expire under RCW 29A.60.280 but a general election for that office has not yet been held, the elected official shall continue to serve until a successor is elected and qualified and assumes office in accordance with RCW 29A.60.280.

**Sec.**  RCW 85.38.010 and 1991 c 349 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) "Governing body" means the board of commissioners, board of supervisors, or board of directors of a special district.

(2) "Owner of land" means the record owner of at least a majority ownership interest in a separate and legally created lot or parcel of land, as determined by the records of the county auditor, except that if the lot or parcel has been sold under a real estate contract, the vendee or grantee shall be deemed to be the owner of such land for purposes of authorizing voting rights. It is assumed, unless shown otherwise, that the name appearing as the owner of property on the property tax rolls is the current owner.

(3) "Qualified voter of a special district" means a natural person who is ((~~either: (a) A natural person who is~~)) a registered voter under general state election laws((~~, registered to vote in the state of Washington for a period of not less than thirty days before the election, and the owner of land located in the special district for a period of not less than thirty days before the election; (b) a corporation or partnership that has owned land located in the special district for a period of not less than sixty days before the election; or (c) the state, its agencies or political subdivisions that own land in the special district or lands proposed to be annexed into the special district except that the state, its agencies and political subdivisions shall not be eligible to vote to elect a member of the governing board of a special district~~)) and who resides within the special district or proposed special district.

(4) "Special district" means: (a) A diking district; (b) a drainage district; (c) a diking, drainage, and/or sewerage improvement district; (d) an intercounty diking and drainage district; (e) a consolidated diking district, drainage district, diking improvement district, and/or drainage improvement district; or (f) a flood control district.

(5) "Special district general election" means the election of a special district regularly held ((~~on the first Tuesday after the first Monday in February in each even-numbered year at which a member of the special district governing body is regularly elected~~)) as provided in RCW 29A.04.321.

**PART II**

**DIKING AND DRAINAGE DISTRICTS**

**Sec.**  RCW 85.05.065 and 1985 c 396 s 31 are each amended to read as follows:

Diking districts shall possess the authority and shall be created as provided in chapter 85.38 RCW, ((~~district voting rights shall be determined,~~)) and district elections shall be held as provided in chapter 85.38 RCW and Title 29A RCW.

**Sec.**  RCW 85.05.085 and 1985 c 396 s 37 are each amended to read as follows:

The board of dike commissioners shall consist of three elected commissioners. The initial commissioners shall be appointed, and the elected commissioners elected, as provided in chapter 85.38 RCW and Title 29A RCW. The board of dike commissioners shall have the exclusive charge of the construction and maintenance of all dikes or dike systems which may be constructed within the district, and shall be the executive officers thereof, with full power to bind the district by their acts in the performance of their duties, as provided by law.

**Sec.**  RCW 85.06.015 and 1985 c 396 s 32 are each amended to read as follows:

Drainage districts shall possess the authority and shall be created as provided in chapter 85.38 RCW, ((~~district voting rights shall be determined,~~)) and district elections shall be held as provided in chapter 85.38 RCW and Title 29A RCW.

**Sec.**  RCW 85.08.015 and 1985 c 396 s 33 are each amended to read as follows:

Diking, drainage, or sewerage improvement districts shall possess the authority and shall be created as provided in chapter 85.38 RCW, ((~~district voting rights shall be determined,~~)) and district elections shall be held as provided in chapter 85.38 RCW and Title 29A RCW.

**Sec.**  RCW 85.08.025 and 1991 c 349 s 3 are each amended to read as follows:

Each qualified voter of a diking improvement or drainage improvement district ((~~who owns more than ten acres of land within the district shall be entitled to two additional votes for each ten acres or major fraction thereof located within the district, up to a maximum total of forty votes for any voter, or in the case of community property, a maximum total of twenty votes per member of the marital community: PROVIDED, That this additional voting provision shall only apply in districts that were not in operation and did not have improvements as of May 14, 1925~~)) is entitled to one vote. For purposes of this section, "qualified voter" is defined in RCW 85.38.010.

**Sec.**  RCW 85.08.300 and 1985 c 396 s 45 are each amended to read as follows:

The board of supervisors of the district shall consist of three elected supervisors. The initial supervisors shall be appointed, and the first elected supervisor elected, as provided in chapter 85.38 RCW and Title 29A RCW. The board of supervisors shall have charge of the construction and maintenance of the systems of improvements, subject to the limitations hereinafter set forth, and may employ a superintendent of construction and maintenance who may be one of the two elected supervisors. The supervisors may be employed upon the construction or maintenance, receiving the same compensation as other labor of like character.

When a district contains not more than five hundred acres, ((~~or when a petition is presented to the county legislative authority signed by the owners of fifty percent of the acreage of the district praying for such action,~~)) the county engineer shall act as the sole supervisor of the district; and in such case the allowance of all claims against the district shall be by the county legislative authority.

**Sec.**  RCW 85.08.305 and 1985 c 396 s 23 are each amended to read as follows:

((~~The county engineer shall continue to act as a supervisor of a diking, drainage, or sewerage improvement district that is governed by a three-member board of supervisors until a replacement assumes office after being elected at the 1987 special district general election. At that election two supervisors shall be elected, with the person receiving the greatest number of votes being elected to a six-year term, and the person receiving the second greatest number of votes being elected to a four-year term. Thereafter, all~~)) All supervisors shall be elected to ((~~six-year~~)) four-year terms.

**Sec.**  RCW 85.08.850 and 2001 c 149 s 2 are each amended to read as follows:

The petition requesting the merger shall be signed by the board of supervisors of, or by ten ((~~landowners~~)) qualified voters located within, the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district and presented to the clerk or clerks of the appropriate county legislative authority or authorities, at a regular or special meeting.

**Sec.**  RCW 85.08.860 and 1957 c 94 s 5 are each amended to read as follows:

If it appears to the board or boards of county commissioners that all portions of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district will, as a result of the proceedings, be merged with the irrigation district or irrigation districts and that the board or boards of directors of the irrigation district or irrigation districts into which the drainage improvement, joint drainage improvement district, or consolidated drainage improvement district will be merged, which irrigation district or irrigation districts shall be named in the petition, are agreeable to the merger, and that the assent or assents thereto, in writing, by said irrigation district board or boards have been filed with the board or boards of county commissioners, the board or boards of county commissioners shall ((~~order an~~)) request a special election to be held, consistent with RCW 29A.04.330, in the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district to approve or disapprove the merger ((~~and shall fix the time thereof and cause notice to be published~~)).

**Sec.**  RCW 85.08.870 and 1957 c 94 s 6 are each amended to read as follows:

The notice shall be given and the election conducted in the manner, so far as is applicable, as for the election of members of the board of supervisors of a drainage improvement district, in accordance with chapter 85.38 RCW and Title 29A RCW. The notice shall advise of the election so ordered and the date, time and place thereof, state the filing of the petition, the names of those signing the petition and prayer thereof, and shall require the voters to cast ballots with the words "Merger, Yes" or "Merger, No."

**Sec.**  RCW 85.20.030 and 1985 c 396 s 48 are each amended to read as follows:

Whenever a petition is presented as provided in RCW 85.20.020, the county legislative authority shall ((~~order an~~)) request a special election to be held, consistent with RCW 29A.04.330, to determine if the district shall be reorganized. ((~~The county legislative authority shall specify the election date which may or may not be at the normal special district general election.~~)) Notice of the election shall be posted and published, and the election shall be conducted((~~, as for~~)) in the same manner as any special district election conducted under chapter 85.38 RCW and Title 29A RCW. The notice shall state the number of the district so petitioning to reorganize((~~, the place where~~)) and the time when the election is to be held. ((~~The auditor shall certify the results of the election to the county legislative authority.~~)) If the proposition to reorganize the district is approved by a simple majority vote of the voters voting on the proposition, the district shall be reorganized as either a diking improvement district or drainage improvement district upon the county legislative authority ordering the reorganization. The district shall be liable to the county for its costs incurred for the election.

**Sec.**  RCW 85.22.030 and 1985 c 396 s 50 are each amended to read as follows:

Whenever a petition is presented as provided in RCW 85.22.020, the county legislative authority shall ((~~order an~~)) request a special election to be held, consistent with RCW 29A.04.330, to determine if the district shall be reorganized. ((~~The county legislative authority shall specify the election date which may or may not be the same as the regular special district general election.~~)) Notice of the election shall be posted and published, and the election shall be conducted((~~, as for~~)) in the same manner as any special district election conducted under chapter 85.38 RCW and Title 29A RCW. The notice shall state the number of the district so petitioning to reorganize((~~, the place where~~)) and the time when the election is to be held. ((~~The auditor shall certify the results of the election to the county legislative authority.~~)) If the proposition to reorganize the district is approved by a simple majority vote of the voters voting on the proposition, the district shall be reorganized as either a diking improvement district or drainage improvement district upon the county legislative authority ordering the reorganization. The district shall be liable to the county for its costs incurred for the election.

**Sec.**  RCW 85.24.015 and 1985 c 396 s 34 are each amended to read as follows:

Intercounty diking and drainage districts shall possess the authority and shall be created as provided in chapter 85.38 RCW, ((~~district voting rights shall be determined,~~)) and district elections shall be held as provided in chapter 85.38 RCW and Title 29A RCW.

**Sec.**  RCW 85.32.150 and 1961 c 131 s 16 are each amended to read as follows:

Whenever lands, or lands with improvements thereon, lying outside of the existing territorial limits of such district are ultimately placed upon the assessment roll of such district in the manner provided by this chapter so that such lands are subject to maintenance benefits as provided, ((~~the owner of~~)) a qualified voter who resides on such land shall be deemed to be an elector within such district, and shall have the same right to participate in all district affairs and to vote upon all matters submitted to the electors of said district, including that of electing or becoming commissioners for the district, all in the manner provided for voting and elections under existing law pertaining to drainage districts. ((~~If such owner is a corporation, one of its duly constituted officers shall be deemed to have the right as an elector to vote on behalf of such corporation.~~))

**Sec.**  RCW 85.38.050 and 1991 c 349 s 9 are each amended to read as follows:

The county legislative authority or authorities shall conduct the public hearing at the date, time, and place indicated in the notice. Public hearings may be continued to other dates, times, and places specified by the county legislative authority or authorities before the adjournment of the public hearing. Each county legislative authority may alter those portions of boundaries of the proposed special district that are located within the county, but if territory is added that was not described in the original proposed boundaries, an additional hearing on the proposal shall be held with notice being published as provided in RCW 85.38.040.

After receiving the public testimony, the county legislative authority may ((~~cause an~~)) request a special election to be held, consistent with RCW 29A.04.330, to authorize the creation of a special district if it finds:

(1) That creation of the special district will be conducive to the public health, convenience and welfare;

(2) That the creation of the special district will be of special benefit to a majority of the lands included within the special district; and

(3) That the proposed improvements are feasible and economical, and that the benefits of these improvements exceed costs for the improvements.

If the proposed special district is located within two or more counties, the county legislative authorities may ((~~cause an~~)) request a special election to be held to authorize the creation of the special district upon making the findings set forth in subsections (1) through (3) of this section.

The county legislative authority or authorities may also choose not to ((~~allow~~)) request such an election to be held, consistent with RCW 29A.04.330, by either failing to act or finding that one or more of these factors are not met.

**Sec.**  RCW 85.38.060 and 2015 c 53 s 100 are each amended to read as follows:

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

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

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

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

**Sec.**  RCW 85.38.070 and 2015 c 53 s 101 are each amended to read as follows:

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

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

~~(3)~~)) The initial members of the governing body of a newly created special district shall be appointed by the legislative authority of the county within which the special district, or the largest portion of the special district, is located. These initial governing body members shall serve until their successors are elected and qualified at the next special district general election held at least ninety days after the special district is established. At that election the first elected members of the governing body shall be elected. No primary elections may be held for the initial election. Any qualified voter of a special district may become a candidate for such a position by ((~~filing written notice of this intention with the county auditor at least thirty, but not more than sixty, days before a special district general election. The county auditor in consultation with the special district shall establish the filing period~~)) filing a declaration of candidacy as provided in chapter 29A.24 RCW. The names of all candidates for such positions shall be listed alphabetically. At this first election, the candidate receiving the greatest number of votes shall have a ((~~six-year~~)) four-year term, the candidate receiving the second greatest number of votes shall have a four-year term, and the candidate receiving the third greatest number of votes shall have a two-year term of office. The initially elected members of a governing body shall take office immediately when qualified as defined in RCW 29A.04.133((~~. Thereafter the candidate receiving the greatest number of votes shall be elected for a six-year term of office. Members of a governing body~~)) and shall hold their office until their successors are elected and qualified, and assume office as soon as the election returns have been certified.

((~~(4)~~)) (3) The ((~~requirements for the filing period and method for filing declarations of candidacy for the governing body of the district and the arrangement of candidate names on the ballot~~)) procedures for all special district elections conducted after the initial election in the district ((~~shall be the same as the requirements for the initial election in the district~~)) must comply with this chapter and Title 29A RCW, and a primary election must be held. ((~~No primary elections may be held for the governing body of a special district~~)) Members of the governing body shall be elected for a four-year term of office and shall hold their office until their successors are elected and qualified, and assume office as soon as the election returns have been certified.

((~~(5)~~)) (4) Whenever a vacancy occurs in the governing body of a special district, the legislative authority of the county within which the special district, or the largest portion of the special district, is located, shall appoint a district voter to serve until a person is elected, at the next special district general election occurring sixty or more days after the vacancy has occurred, to serve the remainder of the unexpired term. The person so elected shall take office immediately when qualified as defined in RCW 29A.04.133.

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

((~~(6)~~)) (5) An elected or appointed member of a special district governing body, or a candidate for a special district governing body, must be a qualified voter of the special district((~~: PROVIDED, That the state, its agencies and political subdivisions, or their designees under RCW 85.38.010(3) shall not be eligible for election or appointment~~)).

**Sec.**  RCW 85.38.090 and 2010 c 131 s 1 are each amended to read as follows:

(1) Whenever the governing body of a special district has more than three members, the governing body shall be reduced to three members as of January 1, 1986, by eliminating the positions of those district governing body members with the shortest remaining terms of office. The remaining three governing body members shall have staggered terms with the one having the shortest remaining term having his or her position filled at the 1987 special district general election, the one with the next shortest remaining term having his or her position filled at the 1989 special district general election, and the one with the longest remaining term having his or her position filled at the 1992 special district general election. If any of these remaining three governing body members have identical remaining terms of office, the newly calculated remaining terms of these persons shall be determined by lot with the county auditor who assists the special district in its elections managing such lot procedure. The newly established terms shall be recorded by the county auditor.

(2) However, whenever five or more special districts have consolidated under chapter 85.36 RCW and the consolidated district has five members in its governing body on July 28, 1985, the consolidated district may adopt a resolution retaining a five-member governing body. At any time thereafter, such a district may adopt a resolution and reduce the size of the governing body to three members with the reduction occurring as provided in subsection (1) of this section, but the years of the effective dates shall be extended so that the reduction occurs at the next January 1st occurring after the date of the adoption of the resolution. Whenever a special district is so governed by a five-member governing body, two members shall be elected at each of two consecutive special district general elections, and one member shall be elected at the following special district general election, each to serve a ((~~six-year~~)) four-year staggered term.

(3) Nothing in this section permits the governing body of a flood control district that is subject to RCW 85.38.290 to reduce the size of its governing body.

**Sec.**  RCW 85.38.100 and 1991 c 349 s 5 are each amended to read as follows:

General and special elections shall be held in each special district on the ((~~first Tuesday after the first Monday in February in each even-numbered year. The auditor of the county within which a special district, or the largest portion of a special district, is located may provide for special elections whenever necessary~~)) dates provided in RCW 29A.04.330.

**Sec.**  RCW 85.38.105 and 2009 c 144 s 1 are each amended to read as follows:

((~~(1) The owner of land located in a special district who is a qualified voter of the special district shall receive two votes at any election. This section does not apply to special flood control districts consisting of three or more counties.~~

~~(2) If multiple undivided interests, other than community property interests, exist in a lot or parcel and no person owns a majority undivided interest, the owners of undivided interests at least equal to a majority interest may designate in writing:~~

~~(a) Which owner is eligible to vote and may cast two votes; or~~

~~(b) Which two owners are eligible to vote and may cast one vote each.~~

~~(3) If land is owned as community property, each spouse is entitled to one vote if both spouses otherwise qualify to vote, unless one spouse designates in writing that the other spouse may cast both votes.~~

~~(4) A corporation, partnership, or governmental entity shall designate:~~

~~(a) A natural person to cast its two votes; or~~

~~(b) Two natural persons to each cast one of its votes.~~

~~(5) Except as provided in RCW 85.08.025 and 86.09.377, no owner of land may cast more than two votes or have more than two votes cast for him or her in a special district election.~~)) Each qualified voter may cast one vote for each office or ballot question in each election.

**Sec.**  RCW 85.38.115 and 1991 c 349 s 6 are each amended to read as follows:

No election shall be held to elect a member of a special district governing body, or to fill the remainder of an unexpired term which arose from a vacancy on the governing body, if no one ((~~or only one person~~)) files for the position.

((~~If only one person files for the position, he or she shall be considered to have been elected to the position at the election that otherwise would have taken place for such position.~~))

If no one files for the position and the upcoming election is one at which someone would have been elected to fill the expired term, the position shall be treated as vacant at the expiration of the term.

If no one files for the position and the upcoming election is one at which someone would have been elected to fill the remaining term of office, the person appointed to fill the vacancy shall be considered to have been elected to the position at the election and shall serve for the remainder of the unexpired term.

**Sec.**  RCW 85.38.120 and 1991 c 349 s 14 are each amended to read as follows:

The auditor of the county within which a special district, or the largest portion of a special district, is located shall assist such special district with its elections as provided in this section.

(1) The county auditor shall publish notice of an election to create a special district and notice of all special district elections ((~~not conducted by mail~~)) in a newspaper of general circulation in the special district at least once not more than ten nor less than three days before the election. The notices shall describe the election((~~,~~)) and give its date and times to be held((~~, and indicate the election site or sites in the special district where ballots may be cast~~)).

(2) If a special district has at least five hundred qualified voters, then the county auditor shall publish in a newspaper of general circulation in the special district a notice of the filing period and place for filing a declaration of candidacy under chapter 29A.24 RCW to become a member of the governing body. This notice shall be published at least seven days prior to the closing of the filing period. If the special district has less than five hundred qualified voters, then the special district shall mail or deliver this notice to each qualified voter of the special district at least seven days prior to the closing of the filing period.

(3) All costs of the county auditor incurred related to such elections shall be reimbursed by the special district.

**Sec.**  RCW 85.38.125 and 2011 c 10 s 83 are each amended to read as follows:

((~~(1) If a special district has less than five hundred qualified voters, then the~~)) A special district must contract with the county auditor to conduct the special district elections in a manner consistent with Title 29A RCW.

((~~(2) If a special district has at least five hundred qualified voters, the special district may contract with the county auditor to conduct the election. A special district with at least five hundred qualified voters may also choose to conduct its own elections. A special district that conducts its own elections must enter into an agreement with the county auditor that specifies the responsibilities of both parties.~~))

**PART III**

**FLOOD CONTROL DISTRICTS**

**Sec.**  RCW 86.09.020 and 1985 c 396 s 36 are each amended to read as follows:

Flood control districts shall possess the authority and shall be created as provided in chapter 85.38 RCW, ((~~district voting rights shall be determined,~~)) and district elections shall be held as provided in chapter 85.38 RCW and Title 29A RCW.

**Sec.**  RCW 86.09.172 and 1937 c 72 s 58 are each amended to read as follows:

No contract, however, requiring the levy of assessments for more than one year shall be entered into by the district ((~~as above provided~~)) under RCW 86.09.163 through 86.09.169 unless a proposition of entering into such a contract shall have first been submitted to the electors of the district ((~~as herein provided for the calling, noticing, conducting and canvassing of special district elections~~)) in a general or special election, and by said electors approved.

**Sec.**  RCW 86.09.259 and 2013 c 23 s 448 are each amended to read as follows:

A flood control district shall be managed by a board of directors consisting of three members. The initial directors shall be appointed, and the elected directors elected, as provided in chapter 85.38 RCW and Title 29A RCW. The directors shall elect a chair from their number and shall either elect one of their number, or appoint a voter of the district, as secretary to hold office at its pleasure and who shall keep a record of its proceedings.

**Sec.**  RCW 86.09.601 and 1937 c 72 s 201 are each amended to read as follows:

For the purpose of authorizing such utility bonds, an election shall be ((~~called, noticed, held and canvassed by the same officers, and in the same manner, as provided herein for the calling, noticing, holding and canvassing of~~)) conducted in the same manner as an election to authorize general obligation bonds.

**Sec.**  RCW 86.09.622 and 1985 c 396 s 83 are each amended to read as follows:

Flood control districts may be dissolved upon a favorable sixty percent vote of the electors voting at ((~~an~~)) a general election ((~~for that purpose called, noticed, conducted and canvassed in the manner provided in this chapter for special elections~~)) or a special election called pursuant to RCW 29A.04.330 and no further district obligations shall thereafter be incurred: PROVIDED, That the election shall not abridge or cancel any of the outstanding obligations of the district, and the county legislative authority of the county within which the major portion of the district is situated shall each year at the time and in the manner provided in this chapter for the levy of district assessments, levy assessments against the lands in the district and the same shall be collected and enforced in the manner provided herein, until the outstanding obligations of the district are fully paid.

**Sec.**  RCW 86.15.050 and 2015 c 53 s 102 are each amended to read as follows:

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

(2) When proposed by citizen petition or by resolution of the board of county commissioners, a ballot proposition authorizing election of the supervisors of a zone shall be submitted by ordinance to the voters residing in the zone at any general election, or at any special election which may be called for that purpose, consistent with RCW 29A.04.330.

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

(4) Upon receipt of a citizen petition under subsection (3)(b) of this section, the county auditor shall determine whether the petition is signed by a sufficient number of registered voters, using the registration records and returns of the preceding general election, and, no later than forty-five days after receipt of the petition, shall attach to the petition the auditor's certificate stating whether or not sufficient signatures have been obtained. If the signatures are found by the auditor to be insufficient, the petition shall be returned to the person filing it.

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

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

**□** "For the direct election of flood control zone district supervisors."

**□** "Against the direct election of flood control zone district supervisors."

(7) The ordinance or petition submitting the ballot proposition shall designate the proposed composition of the supervisors of zones, which shall be clearly described in the ballot proposition. The ballot proposition shall state that the zone supervisors shall thereafter be selected by election, and, at the same election at which the proposition is submitted to the voters as to whether to elect zone supervisors, three zone supervisors shall be elected. The election of zone supervisors is null and void if the voters, by a simple majority, do not approve the direct election of the zone supervisors. Candidates shall run for specific supervisor positions. No primary may be held to nominate candidates for the initial election. The person receiving the greatest number of votes for each position shall be elected as a supervisor. The staggering of the terms of office shall occur as follows: (a) The person who is elected receiving the greatest number of votes shall be elected to a ((~~six-year~~)) four-year term of office ((~~if the election is held in an odd-numbered year or a five-year term of office if the election is held in an even-numbered year~~)); (b) the person who is elected receiving the second greatest number of votes shall be elected to a four-year term of office ((~~if the election is held in an odd-numbered year or a three-year term of office if the election is held in an even-numbered year~~)); and (c) the other person who is elected shall be elected to a two-year term of office ((~~if the election is held in an odd-numbered year or a one-year term of office if the election is held in an even-numbered year~~)). The initial supervisors shall take office immediately when they are elected and qualified, and for purposes of computing their terms of office the terms shall be assumed to commence on the first day of January in the year after they are elected. Thereafter, all supervisors shall be elected to ((~~six-year~~)) four-year terms of office, and primary elections shall be held. All supervisors shall serve until their respective successors are elected and qualified and assume office in accordance with RCW 29A.60.280. Vacancies may occur and shall be filled as provided in chapter 42.12 RCW.

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

**Sec.**  RCW 85.38.127 and 2009 c 144 s 2 are each amended to read as follows:

All registered voters who reside within a special flood control district consisting of three or more counties are qualified voters in special flood control district elections.

**Sec.**  RCW 85.38.290 and 2010 c 131 s 2 are each amended to read as follows:

The following provisions apply to the governing bodies of flood control districts that, upon creation, have territory in three or more counties:

(1) The governing body shall include one member from each county with territory in the district, and two additional members selected as provided by this section. No more than two governing members may be from the same county.

(2) The initial members of the governing body must be chosen by each county legislative authority within which the district resides, with each county choosing one member, and the two counties with the largest populations within the district choosing one additional member each. The initial governing body members shall serve until their successors are elected and qualified at the next special district general election. No primary election may be held for the initial election.

(3) At this first election, the members receiving the two greatest number of votes shall serve ((~~six-year~~)) four-year terms, ((~~the members receiving the third and fourth greatest number of votes shall serve four-year terms,~~)) and the remaining members shall serve two-year terms of office.

(4) The ((~~requirements for the filing period, method for filing declarations of candidacy, and the arrangement of candidate names on the ballot~~)) procedures for all special district general elections conducted after the initial election in the district shall be the same as the requirements for the initial election in the district, in accordance with this chapter and Title 29A RCW, and a primary election shall be held. ((~~No primary elections may be held for the governing body of a flood control district that, upon creation, has territory in three or more counties.~~))

(5) A vacancy occurs upon the death, resignation, or incapacity of a governing body member, or whenever the governing body member ceases to be a registered voter of the district.

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

(b) If an election for the position that became vacant would otherwise have been held at this special district general election, only one election shall be held and the person elected to fill the succeeding term for that position shall take office immediately when qualified as defined in RCW 29A.04.133 and shall serve both the remainder of the unexpired term and the succeeding term.

(7) An elected or appointed member of the governing body, or a candidate for the governing body, must be a registered voter of the flood control district who has resided within the district for ((~~[a]~~)) a period of not less than thirty days before the election. ((~~In accordance with RCW 85.38.127, land ownership is not a requirement for serving on the governing body of the district.~~))

**PART IV**

**IRRIGATION DISTRICTS**

**Sec.**  RCW 87.03.005 and 1923 c 138 s 1 are each amended to read as follows:

Whenever fifty or a majority of the ((~~holders of title to, or of evidence of title to~~)) qualified voters who reside on land susceptible of "irrigation" desire to organize an irrigation district for any or all of the purposes mentioned in RCW 87.03.010 and 87.03.015, they may propose the organization of an irrigation district in the manner provided herein; and when so organized, such district shall have all the powers that may now or hereafter be conferred by law.

**Sec.**  RCW 87.03.020 and 2007 c 218 s 79 are each amended to read as follows:

For the purpose of organizing an irrigation district, a petition, signed by the required number of ((~~holders of title or evidence of title to land~~)) qualified voters who reside within the proposed district, shall be presented to the board of county commissioners of the county in which the lands, or the greater portion thereof, are situated, which petition shall contain the following:

(1) A description of the lands to be included in the operation of the district, in legal subdivisions or fractions thereof, and the name of the county or counties in which said lands are situated.

(2) The signature and post office address of each petitioner, together with the legal description of the particular lands within the proposed district owned by said respective petitioners.

(3) A general statement of the probable source or sources of water supply and a brief outline of the plan of improvement, which may be in the alternative, contemplated by the organization of the district.

(4) A statement of the number of directors, either three or five, desired for the administration of the district and of the name by which the petitioners desire the district to be designated.

(5) Any other matter deemed material.

(6) A prayer requesting the board to take the steps necessary to organize the district.

The petition must be accompanied by a good and sufficient bond, to be approved by the board of county commissioners, in double the amount of the probable cost of organizing the district, and conditioned that the bondspersons will pay all of the cost in case such organization shall not be effected. Said petition shall be presented at a regular meeting of the said board, or at any special meeting ordered to consider and act upon said petition, and shall be published once a week, for at least two weeks (three issues) before the time at which the same is to be presented, in some newspaper of general circulation printed and published in the county where said petition is to be presented, together with a notice signed by the clerk of the board of county commissioners stating the time of the meeting at which the same will be presented. There shall also be published a notice of the hearing on said petition in a newspaper published at Olympia, Washington, to be designated by the director of ecology from year to year, which said notice shall be published for at least two weeks (three issues) prior to the date of said meeting and shall contain the name of the county or counties and the number of each township and range in which the lands embraced within the boundaries of the proposed district are situated, also the time, place and purpose for said meeting, which said notice shall be signed by the petitioner whose name first appears upon the said petition. If any portion of the lands within said proposed district lie within another county or counties, then the said petition and notice shall be published for the time above provided in one newspaper printed and published in each of said counties. The said notice, together with a map of the district, shall also be served by registered mail at least thirty days before the said hearing upon the state director of ecology at Olympia, Washington, who shall, at the expense of the district in case it is later organized, otherwise at the expense of the petitioners' bondspersons, make such investigation of the sufficiency of the source and supply of water for the purposes of the proposed district, as he or she may deem necessary, and file a report of his or her findings, together with a statement of his or her costs, with the board of county commissioners at or prior to the time set for said hearing. When the petition is presented, the board of county commissioners shall hear the same, shall receive such evidence as it may deem material, and may adjourn such hearing from time to time, not exceeding four weeks in all, and on the final hearing shall establish and define the boundaries of the district along such lines as in the judgment of the board will best reclaim the lands involved and enter an order to that effect: PROVIDED, That said board shall not modify the boundaries so as to except from the operation of the district any territory within the boundaries outlined in the petition, which is susceptible of irrigation by the same system of works applicable to other lands in such proposed district and for which a water supply is available; nor shall any lands which, in the judgment of said board, will not be benefited, be included within such district; any lands included within any district, which have a partial or full water right shall be given equitable credit therefor in the apportionment of the assessments in this act provided for: AND PROVIDED FURTHER, That any owner, whose lands are susceptible of irrigation from the same source, and in the judgment of the board it is practicable to irrigate the same by the proposed district system, shall, upon application to the board at the time of the hearing, be entitled to have such lands included in the district.

At said hearing the board shall also give the district a name and shall ((~~order~~)) request that ((~~an~~)) a special election be held ((~~therein~~)), consistent with RCW 29A.04.330, for the purpose of determining whether or not the district shall be organized under the provisions of this act and for the purpose of electing directors.

The clerk of the board of county commissioners shall then give notice of the election ordered to be held as aforesaid, which notice shall describe the district boundaries as established, and shall give the name by which said proposed district has been designated, and shall state the purposes and objects of said election, and shall be published once a week, for at least two weeks (three issues) prior to said election, in a newspaper of general circulation published in the county where the petition aforesaid was presented; and if any portion of said proposed district lies within another county or counties, then said notice shall be published in like manner in a newspaper within each of said counties. ((~~Said election notice shall also require the electors to cast ballots which~~)) Ballots for this election shall contain the words "Irrigation District—Yes," and "Irrigation District—No," and also the names of persons to be voted for as directors of the district: PROVIDED, That where in this act publication is required to be made in a newspaper of any county, the same may be made in a newspaper of general circulation in such county, selected by the person or body charged with making the publication and such newspaper shall be the official paper for such purpose.

**Sec.**  RCW 87.03.030 and 1951 c 201 s 1 are each amended to read as follows:

(1) All elections of irrigation districts, general or special, for any district purpose and in any county of the state shall be called, noticed, and conducted in accordance with the laws of the state, ((~~specifically relating to irrigation districts~~)) Title 29A RCW. A person is a "qualified voter" or an "elector" as used in this title if he or she is a natural person who is a registered voter under general state election laws and who resides within the district. Each qualified voter or elector is entitled to vote in an irrigation district election for his or her district.

(2) Any qualified voter may become a candidate for a director position by filing a declaration of candidacy as provided in chapter 29A.24 RCW.

**Sec.**  RCW 87.03.040 and 1955 c 57 s 3 are each amended to read as follows:

((~~The board of county commissioners shall meet on the second Monday after the election and canvass the returns, and if it appears that~~)) After an election pursuant to RCW 87.03.020, if at least two-thirds of all the votes cast are in favor of the district, the board shall by an order declare the district duly organized and shall declare the qualified persons receiving the highest number of votes to be duly elected directors, and shall cause a certified copy of the order to be filed for record in the offices of the auditor and assessor of each county in which any portion of the district is situated. From the date of the filing the organization of the district shall be complete and the directors may, upon qualifying, enter immediately upon the duties of their office, and shall hold office until their successors are elected and qualified. Upon filing the order, the county assessor shall write the name of the district on the permanent tax roll in a column provided for that purpose opposite each description of land in the district. Such column shall be carried forward each year on the current tax roll. In the event of a change in the boundaries of a district, the assessor shall note it in the column upon the tax roll.

**Sec.**  RCW 87.03.075 and 2013 c 23 s 485 are each amended to read as follows:

Voting in an irrigation district shall be by ballot. Ballots shall ((~~be of uniform size and quality, provided by the district, and for~~)) comply with the requirements of chapter 29A.36 RCW. For the election of directors ((~~shall contain only the names of the candidates who have filed with the secretary of the district a declaration in writing of their candidacy, or a petition of nomination as hereinafter provided, not later than five o'clock p.m. on the first Monday in November. Ballots shall contain space for sticker voting or for the writing in of the name of an undeclared candidate. Ballots shall be issued by the election board according to the number of votes an elector is entitled to cast. A person filing a declaration of candidacy, or petition of nomination as hereinafter provided, shall designate therein the position for which he or she is a candidate. No ballots on any form other than the official form shall be received or counted.~~

~~In any election for directors where the number of votes which may be received will have no bearing on the length of the term to be served, the candidates for the position of director, in lieu of filing a declaration of candidacy hereunder, shall file with the secretary of the district a petition of nomination signed by at least ten qualified electors of the district, or of the division if the district has been divided into director divisions, not later than five o'clock p.m. on the first Monday in November. If, after the expiration of the date for filing petitions of nomination, it appears that only one qualified candidate has been nominated thereby for each position to be filled it shall not be necessary to hold an election, and the board of directors shall at their next meeting declare such candidate elected as director. The secretary shall immediately make and deliver to such person a certificate of election signed by him or her and bearing the seal of the district. The procedure set forth in this paragraph shall not apply to any other irrigation district elections~~)), candidates must comply with the procedures in chapter 29A.24 RCW to be listed on the ballot.

**Sec.**  RCW 87.03.080 and 2013 c 23 s 486 are each amended to read as follows:

An election of directors in an irrigation district shall be held on the ((~~second Tuesday of December of each year~~)) date provided in RCW 29A.04.321, and the term of each director shall be three years from the ((~~first Tuesday of January~~)) beginning of his or her term following ((~~his or her~~)) the election. ((~~The~~)) No primary shall be held for the initial organization election, and the directors elected at the organization election shall serve until their successors are elected and qualified. At the first ((~~annual~~)) election occurring thirty days or more after the date of the order establishing the district, there shall be elected directors to succeed those chosen at the organization election. If the board consists of three directors the candidate receiving the highest number of votes shall serve a term of three years; the next highest, two years; and the next highest, one year. In case of five directors, the two candidates receiving the highest number of votes shall each serve a term of three years; the next two highest, two years; and the next highest, one year; or until successors are elected and qualified. In case of seven directors, the three candidates receiving the highest number of votes shall each serve a term of three years, the next two highest, two years, and the next two highest, one year, or until their successors are elected and qualified. Whenever a district with three directors desires to increase the number of its directors to five directors or whenever a district with five directors desires to increase the number of its directors to seven directors, the board of directors, acting on its own initiative or on the written petition of at least twenty electors of the district, shall ((~~submit the question~~)) request that the question be submitted to the electors of the district at a regular or special district election called consistent with RCW 29A.04.330. In the event the electors by a majority of the votes cast favor an increase in the number of directors, there shall be elected at the next annual district election two additional directors. The person receiving the highest number of votes shall serve for a three year term and the next highest, a two year term.

The number of directors may be decreased to five or three, as the case may be, substantially in the same manner as that provided for the increase of directors. In case of three directors the term of one director only shall expire annually.

After the first election of directors, a primary must be held for subsequent elections of directors, consistent with Title 29A RCW.

**Sec.**  RCW 87.03.081 and 2013 c 23 s 487 are each amended to read as follows:

A vacancy in the office of director shall be filled by appointment by the board of county commissioners of the county in which the proceedings for the organization of the district were had. At the next ((~~annual~~)) election occurring thirty days or more after the date of the appointment, a successor shall be elected who shall take office on the ((~~first Tuesday in January following~~)) date specified in RCW 29A.60.280 and shall serve for the remainder of the unexpired term.

A director appointed to fill a vacancy occurring after the expiration of the term of a director shall serve until his or her successor is elected and qualified. At the next election of directors occurring thirty days or more after the appointment, a successor shall be elected who shall take office on the ((~~first Tuesday in January next~~)) date specified in RCW 29A.60.280 and shall serve for the term for which he or she was elected.

Failure on the part of any irrigation district to hold one or more ((~~annual~~)) elections for selection of officers, or otherwise to provide district officers shall not dissolve the district or impair its powers, where later officers for the district are appointed or elected and qualify as such and exercise the powers and duties of their offices in the manner provided by law.

**Sec.**  RCW 87.03.190 and 1923 c 138 s 7, part are each amended to read as follows:

Upon receipt of said findings the district board shall thereupon finally determine the plan of development and estimate and determine the amount of money to be raised and shall immediately thereafter ((~~call~~)) request a special election as provided by ((~~law~~)) RCW 29A.04.330.

**Sec.**  RCW 87.03.215 and 1983 c 167 s 215 are each amended to read as follows:

Said bonds and interest thereon and all payments due or to become due to the United States or the state of Washington under any contract between the district and the United States or the state of Washington accompanying which bonds of the district have not been deposited with the United States or the state of Washington, as in RCW 87.03.140 provided, shall be paid by revenue derived from an annual assessment upon the real property of the district, and all the real property in the district shall be and remain liable to be assessed for such payments until fully paid as hereinafter provided. And in addition to this provision and the other provisions herein made for the payment of said bonds and interest thereon as the same may become due, said bonds, or the contract with the United States or the state of Washington accompanying which bonds have not been deposited with the United States or the state of Washington, shall become a lien upon all the water rights and other property acquired by any irrigation district formed under the provisions of this chapter, and upon any canal or canals, ditch or ditches, flumes, feeders, storage reservoirs, machinery and other works and improvements acquired, owned or constructed by said irrigation district, and if default shall be made in the payment of the principal of said bonds or interest thereon, or any payment required by the contract with the United States, or the state of Washington, according to the terms thereof, the owner of said bonds, or any part thereof or the United States or the state of Washington as the case may be, shall have the right to enter upon and take possession of all the water rights, canals, ditches, flumes, feeders, storage reservoirs, machinery, property and improvements of said irrigation district, and to hold and control the same, and enjoy the rents, issues and profits thereof, until the lien hereby created can be enforced in a civil action in the same manner and under the same proceedings as given in the foreclosure of a mortgage on real estate. This section shall apply to all bonds heretofore issued or any contract heretofore made with the United States, or which may hereafter be issued or made by any district: PROVIDED, That when any such contract made after December 1, 1981, between any district and the United States or the state of Washington covers only the real property in a portion or portions of the district, all payments due or to become due to the United States or the state of Washington shall be paid by revenue derived from an annual assessment upon the real property only in that portion or portions of the district covered by the contract and the real property shall be and remain liable to be assessed for such payments until fully paid and any assessment lien which attaches thereto shall be the exclusive lien notwithstanding other liens provided for in this section. In the event of a contract between the district and the United States or the state of Washington accompanying which bonds of the district have not been deposited with the United States or the state of Washington as provided in RCW 87.03.140 and the contract covers real property in only a portion or portions of the district, the question of whether the district should enter the contract shall be submitted only to those qualified electors who ((~~hold title or evidence of title to real property within~~)) reside in that portion or portions of the district and in the same manner as provided in RCW 87.03.200.

**Sec.**  RCW 87.03.470 and 1983 c 167 s 220 are each amended to read as follows:

(1) The board of directors may, at any time when in their judgment it may be advisable, ((~~call~~)) request a special election ((~~and~~)), consistent with RCW 29A.04.330, to submit to the qualified ((~~electors~~)) voters of the district the question whether or not a special assessment shall be levied for the purpose of raising money to be applied to any of the purposes provided in this chapter including any purpose for which the bonds of the district or the proceeds thereof might be lawfully used. Such election must be called upon the notice prescribed, and the same shall be held and the result thereof determined and declared in all respects in conformity with the provisions of Title 29A RCW and RCW 87.03.200. The notice must specify the amount of money proposed to be raised and the purpose for which it is intended to be used and the number of installments in which it is to be paid. At such election the ballot shall contain the words "Assessment Yes" and "Assessment No." If the majority of the votes cast are "Assessment Yes" the board may immediately or at intervals thereafter incur indebtedness to the amount of said special assessment for any of the purposes for which the proceeds of said assessment may be used, and may provide for the payment of said indebtedness by the issue and sale of notes of the district to an amount equal to said authorized indebtedness, which notes shall be payable in such equal installments not exceeding three in number as the board shall direct. Said notes shall be payable by assessments levied at the time of the regular annual levy each year thereafter until fully paid. The amount of the assessments to be levied shall be ascertained by adding fifteen percent for anticipated delinquencies to the whole amount of the indebtedness incurred and interest. Each assessment so levied shall be computed and entered on the assessment roll by the secretary of the board, and collected at the same time and in the same manner as other assessments provided for herein, and when collected shall be paid to the county treasurer of the county to the credit of said district, for the purposes specified in the notice of such special election: PROVIDED, HOWEVER, That the board of directors may at their discretion issue said notes in payment for labor or material, or both, used in connection with the purposes for which such indebtedness was authorized. Notes issued under this section shall bear interest at a rate determined by the board, payable semiannually. Such notes may be in any form, including bearer notes or registered notes as provided in RCW 39.46.030.

(2) Notwithstanding subsection (1) of this section, such notes may be issued and sold in accordance with chapter 39.46 RCW.

**Sec.**  RCW 87.03.480 and 2013 c 177 s 3 are each amended to read as follows:

Any desired special construction, reconstruction, betterment or improvement or purchase or acquisition of improvements already constructed, for any authorized district service, including but not limited to the safeguarding of open canals or ditches for the protection of the public therefrom, which are for the special benefit of the lands tributary thereto and within an irrigation district may be constructed or acquired and provision made to meet the cost thereof as follows:

((~~The holders of title or evidence of title to one-quarter~~)) One-quarter of the qualified voters who reside in the acreage proposed to be assessed, may file with the district board their petition reciting the nature and general plan of the desired improvement and specifying the lands proposed to be specially assessed therefor. A local improvement district may include adjoining, vicinal, or neighboring improvements even though the improvements and the properties benefited are not connected or continuous. Such improvements may be owned by the United States, the state of Washington, the irrigation district, or another local government. Upon approval of the board of an adjoining irrigation district, an irrigation district may form local improvement districts or utility local improvement districts that are composed entirely or in part of territory within that adjoining district. Upon the filing of the petition the board, with the assistance of a competent engineer, shall make an investigation of the feasibility, cost, and need of the proposed local improvement together with the ability of the lands to pay the cost, and if it appears feasible, they may elect to have plans and an estimate of the cost prepared. If a protest against the establishment of the proposed improvement signed by a majority of the ((~~holders of title~~)) qualified voters in the proposed local district is presented at or before the hearing, or if the proposed improvement should be found not feasible, too expensive, or not in the best interest of the district, or the lands to be benefited insufficient security for the costs, they shall dismiss the petition.

**Sec.**  RCW 87.03.485 and 2013 c 177 s 4 are each amended to read as follows:

In the event that the board approves the petition, the board shall fix a time and place for the hearing thereof and shall publish a notice once a week for two consecutive weeks preceding the date of such hearing and the last publication shall not be more than seven days before such date and shall mail such a notice on or before the second publication date by first-class mail, postage prepaid, to each ((~~owner or reputed owner of real property~~)) qualified voter within the proposed local improvement district, as shown on the rolls of the county treasurer as of a date not more than twenty days immediately prior to the date such notice was mailed. Such notice must be published in a newspaper of general circulation in each county in which any portion of the land proposed to be included in such local improvement district lies. Such notice shall state that the lands within the described boundaries are proposed to be organized as a local improvement district, stating generally the nature of the proposed improvement; that bonds for such local improvement district are proposed to be issued as the bonds of the irrigation district, or that a contract is proposed to be entered into between the district and the United States or the state of Washington, or both, that the lands within the local improvement district are to be assessed for such improvement, that such bonds or contract will be the obligation of such local improvement district and stating a time and place of hearing thereon. At the time and place of hearing named in the notice, all persons interested may appear before the board and show cause for or against the formation of the proposed improvement district and the issuance of bonds or the entering into of a contract as aforesaid. The board may designate a hearing officer to conduct the hearing, and the hearing officer shall report recommendations on the establishment of the local improvement district to the board for final action. Upon the hearing the board shall determine as to the establishment of the proposed local improvement district. Any ((~~landowner whose lands~~)) resident who can be served or will be benefited by the proposed improvement, may make application to the board at the time of hearing to include such land and the board of directors in such cases shall, at its discretion, include such lands within such district. The board of directors may exclude any land specified in the notice from the district provided, that in the judgment of the board, the inclusion thereof will not be practicable.

As an alternative plan and subject to all of the provisions of this chapter, the board of directors may initiate the organization of a local improvement district as herein provided. To so organize a local improvement district the board shall adopt and record in its minutes a resolution specifying the lands proposed to be included in such local improvement district or by describing the exterior boundaries of such proposed district or by both. The resolution shall state generally the plan, character and extent of the proposed improvements, that the land proposed to be included in such improvement district will be assessed for such improvements; and that local improvement district bonds of the irrigation district will be issued or a contract entered into as hereinabove in this section provided to meet the cost thereof and that such bonds or contract will be the obligation of such local improvement district. The resolution shall fix a time and place of hearing thereon and shall state that unless a majority of the ((~~holders of title or of evidence of title to lands~~)) qualified voters who reside within the proposed local improvement district file their written protest at or before the hearing, consent to the improvement will be implied.

A notice containing a copy of the resolution must be published once a week for two consecutive weeks preceding the date of such hearing and the last publication shall not be more than seven days before such date, and shall be mailed on or before the second publication date by first-class mail, postage prepaid, to each ((~~owner or reputed owner of real property~~)) qualified voter within the proposed local improvement district, as shown on the rolls of the county treasurer as of a date not more than twenty days immediately prior to the date such notice was mailed, and the hearing thereon shall not be held in less than twenty days from the adoption of such resolution. Such notice must be published in one newspaper, of general circulation, in each county in which any portion of the land proposed to be included in such local improvement district lies. The hearing shall be held and all subsequent proceedings conducted in accordance with the provisions of this ((~~act~~)) chapter relating to the organization of local improvement districts initiated upon petition.

**Sec.**  RCW 87.03.535 and 1919 c 180 s 19 are each amended to read as follows:

For the purpose of organizing a consolidated irrigation district a petition signed by fifty or a majority of ((~~the holders of title to, or evidence of title to~~)) qualified voters who reside on land susceptible of irrigation within the proposed district shall be presented to the board of county commissioners of the county in which the lands or the greater portion thereof are situated, which petition shall set forth and particularly describe the proposed boundaries of such district, and the name of each existing irrigation district proposed to be included therein, and shall pray that the territory embraced within the boundaries of such proposed district may be organized as a consolidated irrigation district. Such petition shall be accompanied by bond as provided in RCW 87.03.020 and thereupon the same proceedings shall be had for the organization of such consolidated district as is provided in RCW 87.03.020 ((~~and 87.03.035 through 87.03.045~~)), and the organization of such consolidated district shall be perfected in the same manner as provided in this chapter for the organization of new districts, except as otherwise provided in this section. The board of directors of each irrigation district proposed to be included in such consolidated district shall be served with a copy of the petition for the organization of such consolidated district together with notice at the time and place of hearing of such petition, at least twenty days prior to such hearing, and the board of county commissioners upon the hearing of such petition shall not grant the same or ((~~call an~~)) request a special election if it shall appear that the board of directors of any existing irrigation district proposed to be included in such consolidated district have by resolution, regularly passed and entered upon the minutes of the directors meetings of such district, voted against the inclusion of such district into such proposed consolidated district. The board of county commissioners upon the hearing of such petition, shall not modify the boundaries of the proposed district to exclude any of the lands which are contained in any of the existing districts proposed to be included in such consolidated districts, and the ((~~order calling~~)) resolution requesting an election under RCW 29A.04.330 shall provide an election by the ((~~electors~~)) qualified voters of each existing district proposed to be included in such consolidated district, and for an election by the ((~~electors~~)) qualified voters of that part of the proposed district not included in any existing district, but no elector may cast more than one vote at such election. Such proposed district shall not be declared organized unless two-thirds of all votes cast in each existing district shall be Irrigation District—Yes, and unless two-thirds of all the votes cast in that part of the proposed district not included in any existing district shall be Irrigation District—Yes. If the organization of such consolidated district is not effected the organization of the district proposed to be included in such consolidated district shall not be affected.

**Sec.**  RCW 87.03.560 and 2001 c 149 s 3 are each amended to read as follows:

((~~The holder or holders of title, or evidence of title, representing one-half or more of~~)) A majority of the qualified voters residing within any body of lands may file with the board of directors of an irrigation district a petition in writing, praying that the boundaries of the district may be so changed as to include such lands. The petition shall describe the boundaries of the parcel or tract of land, and shall also describe the boundaries of the several parcels ((~~owned~~)) inhabited by the petitioners, if the petitioners be the ((~~owners~~)) residents respectively of distinct parcels, but such descriptions need not be more particular than they are required to be when such lands are entered by the county assessor in the assessment book. Such petition must contain the assent of the petitioners to the inclusion within the district of the parcels or tracts of land described in the petition, and of which the petition alleges they are respectively the ((~~owners~~)) residents; and it must be acknowledged in the same manner that conveyances of land are required to be acknowledged.

**Sec.**  RCW 87.03.590 and 1889-90 p 697 s 54 are each amended to read as follows:

Upon the adoption of the resolution mentioned in RCW 87.03.585, the board shall ((~~order~~)) request that ((~~an~~)) a special election be held, consistent with RCW 29A.04.330, within said district, to determine whether the boundaries of the district shall be changed as mentioned in said resolution; ((~~and shall fix the time at which such election shall be held,~~)) and shall cause notice thereof to be given and published. ((~~Such notice shall be given and published, and such election shall be held and conducted, the returns thereof shall be made and canvassed, and the result of the election ascertained and declared, and all things pertaining thereto conducted, in the manner prescribed by this act in case of a special election to determine whether bonds of an irrigation district shall be issued.~~)) The ballots cast at said election shall contain the words "For change of boundary," or "Against change of boundary," or words equivalent thereto. The notice of election shall describe the proposed change of the boundaries in such manner and terms that it can readily be traced.

**Sec.**  RCW 87.03.615 and 1939 c 150 s 1 are each amended to read as follows:

Whenever five or a majority of the ((~~holders of title to or evidence of title to any~~)) qualified voters who reside on land susceptible of irrigation from the water supply and system of works of any irrigation district in this state, comprising within its boundaries two hundred thousand or more acres of land now existing or hereafter organized, desire to have such land included in said irrigation district, they may file a petition, in writing, with the board of directors thereof praying that such land be included in such district.

**Sec.**  RCW 87.03.630 and 2014 c 2 s 3 are each amended to read as follows:

The board of directors of the district shall meet at the time and place specified in the notice and shall have full authority to determine all matters pertaining to the petition, including the denial as well as the granting of said petition or any part thereof; and if it appears at said hearing, or at any adjournment thereof which may be had not to exceed in all one hundred eighty days, that the land or any portion thereof petitioned to be included within the district, is susceptible of irrigation from the water supply and system of works of the said district and will be benefited by such irrigation; and if at said hearing or at any adjournment thereof as aforesaid, not more than fifty percent of the ((~~holders of title or evidence of title to~~)) qualified voters who reside on the lands described in the petition and proposed to be included file their objections in writing to the inclusion of such land within the time and as provided in RCW 87.03.615 through 87.03.640, the said board shall make and enter in the records of their proceedings an order including said land, or such portion thereof as in their judgment is susceptible of irrigation and will be benefited as aforesaid, within the operation of said district.

**Sec.**  RCW 87.03.635 and 1939 c 150 s 5 are each amended to read as follows:

If at said hearing or at any adjournment thereof, the board of directors shall determine that said land is not susceptible of irrigation and will not be benefited as aforesaid by inclusion in the district, or if more than fifty percent of the ((~~holders of title to or evidence of title to~~)) qualified voters who reside on the land described in the petition file their objections in writing within the time and as aforesaid, then the board of directors shall deny said petition and shall make and enter in the records of their proceedings an order to that effect.

**Sec.**  RCW 87.03.650 and 1921 c 129 s 36 are each amended to read as follows:

((~~The owner or owners in fee of one or more tracts of land which constitute a portion of an irrigation district, or fifty~~)) Fifty or a majority of the ((~~holders of title to lands constituting any~~)) qualified voters who reside within a portion of an irrigation district, or consolidated district as the case may be, for which lands similar grounds for exclusion may exist, or fifty or a majority of the ((~~holders of title to lands which constituted~~)) qualified voters who reside within a former irrigation district included with a consolidated district, may file with the board of directors of such district, or of such consolidated district, as the case may be, a petition praying that such tracts, and any other tracts contiguous thereto, or such land which constituted such former district, may be excluded and taken from said district, or consolidated district, as the case may be, and in the latter case that such former district may be reestablished. The petition for the exclusion of tracts of land from a district shall describe the boundaries of the land which the petitioners desire to have excluded from the district, and also describe the land of such of said petitioners which are included within such boundaries; but the description of such lands need not be more particular or certain than is required when the lands are entered in the assessment book by the county assessor. The petition for the exclusion of a former district from a consolidated district shall give the corporate name and number of such former district and shall describe the lands of each of said petitioners by legal subdivision or lot and block numbers and name of city, town or addition of platted lands. Every such petition must be acknowledged in the same manner and form as is required in case of a conveyance of land, and the acknowledgment shall have the same force and effect as evidence as the acknowledgment of such conveyance.

**Sec.**  RCW 87.03.675 and 1921 c 129 s 41 are each amended to read as follows:

If the assent aforesaid of the holders of said bonds be filed and entered of record as aforesaid, and if there be objections presented by any person showing cause as aforesaid, which have not been withdrawn, then the board may ((~~order an~~)) request a special election to be held, consistent with RCW 29A.04.330, in each district to determine whether an order shall be made excluding said land from said district, or excluding said former district from said consolidated district, as the case may be, and such former district be reestablished, as mentioned in said resolution. The notice of such election shall describe the boundary of all lands, or shall give the corporate name and number of the former district, which it is proposed to exclude, and such notice shall be published for at least two weeks prior to such election, in a newspaper published within the county where the office of the board of directors is situated; and if any portion of such territory to be excluded lie within another county or counties, then said notice shall be so published in a newspaper published within each of such counties. ((~~Such notice shall require the electors to cast ballots, which~~)) The ballots shall contain the words "For exclusion" and "Against exclusion", or words equivalent thereto. ((~~Such election shall be conducted in the manner prescribed in this chapter for the holding of special elections on the issuance of bonds.~~)) In every case where the petition is for the exclusion of a former district from a consolidated district the resolution of the board ((~~ordering~~)) requesting an election shall provide for the holding of such election separately in the territory comprising such former district and in the territory comprising that portion of the consolidated district not included in such former district, and ((~~for~~)) canvassing and counting of the votes cast at such election must be done separately.

**Sec.**  RCW 87.03.740 and 1957 c 94 s 14 are each amended to read as follows:

Upon the adoption of the resolution, the board shall ((~~order an~~)) request a special election, consistent with RCW 29A.04.330, to be held within the irrigation district on the question of the proposed merger ((~~and shall fix the time thereof and cause notice to be published~~)). The notice shall be given and the election conducted in the manner as for special elections on a bond issue of the district. The ballots shall contain the words "Merger, Yes" and "Merger, No" or words equivalent thereto.

**Sec.**  RCW 87.03.845 and 2001 c 149 s 1 are each amended to read as follows:

This section and RCW 87.03.847 through 87.03.855 provide the procedures by which a minor irrigation district may be merged into a major irrigation district as authorized by RCW 87.03.530(2).

To institute proceedings for such a merger, the board of directors of the minor district shall adopt a resolution requesting the board of directors of the major district to consider the merger, or proceedings for such a merger may be instituted by a petition requesting the board of directors of the major district to consider the merger, signed by ten ((~~owners of land~~)) qualified voters within the minor district or five percent of the total number of ((~~landowners~~)) qualified voters within the minor district, whichever is greater. However, if there are fewer than twenty ((~~owners of land~~)) qualified voters within the minor irrigation district, the petition shall be signed by a majority of the ((~~landowners~~)) qualified voters and filed with the board of directors of the major irrigation district.

((~~For the purpose of determining the number of landowners required to initiate merger proceedings under this section, a husband and wife owning property as community property shall be considered a single landowner; two or more persons or entities holding title to property as tenants in common, joint tenants, tenants in partnership, or other form of joint ownership shall be considered a single landowner; and the petition requesting the merger shall be considered by the board of directors of the major irrigation district may be [if the petition is] signed by either the husband or wife and by any one of the co-owners of jointly owned property.~~))

The board of directors of the major irrigation district shall consider the request at the next regularly scheduled meeting of the board of directors of the major district following its receipt of the minor district's request or at a special meeting called for the purpose of considering the request. If the board of the major district denies the request of the minor district, no further action on the request shall be taken.

If the board of the major district does not deny the request, it shall conduct a public hearing on the request and shall give notice regarding the hearing. The notice shall describe the proposed merger and shall be published once a week for two consecutive weeks preceding the date of the hearing and the last publication shall be not more than seven days before the date of the hearing. ((~~The notice shall contain a statement that unless the holders of title or evidence of title to at least twenty percent of the assessed lands within the major district file a protest opposing the merger with the board of the major district at or before the hearing, the board is free to approve the request for the merger without an election being conducted in the major district on the request.~~)) If the board of the major district is considering requests from more than one minor district, the hearing shall be conducted on all such requests.

**Sec.**  RCW 87.03.847 and 1993 c 235 s 3 are each amended to read as follows:

(1) If, following the public hearing conducted under RCW 87.03.845, the board of directors of the major irrigation district denies the request for a merger, no further action shall be taken on the request. If, following the public hearing, the board adopts a resolution approving the merger, the merger is approved by the major irrigation district and no election shall be held in the major district to approve the merger. However, if ((~~the holders of title or evidence of title to~~)) at least twenty percent of the ((~~assessed lands~~)) qualified voters within the major district file a protest opposing the merger with the board of the major district at or before the public hearing, the board shall ((~~call~~)) request a special election ((~~and~~)), consistent with RCW 29A.04.330, to submit to the voters of the major district the question of whether the merger should or should not be approved. Votes shall be cast as "Merger - Yes" or "Merger - No." If such a special election must be conducted and a majority of all votes cast in the district approve the merger, the merger is approved by the major district. Such an approval is effective on the date the returns of the election are canvassed ((~~under RCW 87.03.105~~)).

(2) The board of directors of the minor irrigation district shall, within thirty days of the date the merger is approved by the major district or of the date the ((~~board of the major district~~)) county auditor issues ((~~its~~)) a call for a special election on the merger, ((~~call~~)) request a special election within the minor district ((~~and~~)) consistent with RCW 29A.04.330, to submit to the voters of the minor district the question of whether the merger should or should not be approved. If special elections must be conducted in both districts, both elections shall be conducted on the same date ((~~set by the board of the major district~~)). If only the minor district must conduct such a special election, the election shall be held ((~~not later than sixty days~~)) on the first date for special elections under RCW 29A.04.330 after the date the merger has been approved by the board of the major district. Votes on the question shall be cast as "Merger - Yes" or "Merger - No." If a majority of all votes cast in the district are cast for "Merger - Yes," the merger is approved by the minor irrigation district. Such an approval is effective on the date the returns of the election are canvassed ((~~under RCW 87.03.105~~)).

(3) Notice of election in each district on the merger question shall conform to the requirements of notices for elections in the major district. Elections and voting in each district shall be consistent with RCW ((~~87.03.045, 87.03.051, and 87.03.071~~)) 87.03.030. If the majority of all votes cast in a special election in either the major or a minor district are cast for "Merger - No," the merger is not approved.

(4) If the merger is approved by the major irrigation district and by the minor irrigation district as provided by this section, the minor irrigation district is merged into the major irrigation district. If two or more minor districts are merging with a major district in one process as authorized by RCW 87.03.855 and if the merger is approved by the major irrigation district and by at least one of the minor irrigation districts as provided by this section, each minor irrigation district so approving is merged into the major irrigation district. The effective date of the merger is the date by which approval of the merger has been secured in both districts or, under RCW 87.03.855, in the major and minor district or districts. The board or boards of county commissioners of the county or counties containing territory of the merged districts and the director of the department of ecology shall be notified that the districts have merged.

**Sec.**  RCW 87.04.010 and 2013 c 23 s 511 are each amended to read as follows:

An irrigation district comprising two hundred thousand or more acres, or irrigation districts comprising less than two hundred thousand acres which have followed the optional procedure specified in this amendatory act, shall be divided into divisions of as nearly equal area as practical, consistent with being fair and equitable to the electors of the district. The number of divisions shall be the same as the number of directors, which shall be numbered first, second, third, etc. One director, who shall be an elector of the division, shall be elected for each division of the district by the electors of his or her division. A district elector shall be considered an elector of the division in which ((~~he or she holds title to or evidence of title to land. An elector holding title to or evidence of title to land in more than one division shall be considered an elector of the division nearest his or her place of residence~~)) the elector resides.

**Sec.**  RCW 87.04.070 and 1961 c 192 s 7 are each amended to read as follows:

At the hearing or adjournments thereof, which shall not be for more than sixty days in all, the board of county commissioners shall consider the petition and shall hear electors of the district for or against the division or redivision of director divisions and recommendations for the manner in which division should be made. If the board deems it against the best interests of the district to divide the district into director divisions or to redivide existing divisions, it shall order the petition rejected, but if it deems it for the best interests of the district that the petition be granted, and if no elector of the district files cause in writing at said hearing why the petition should not be granted, or if having filed said cause in writing withdraws the same, the board shall enter an order dividing or redividing the district into the same number of director divisions as there are directors of the district, and designating the divisions and describing the boundaries thereof. The division to be made shall be such as the commissioners consider fair and equitable to the electors of the district. A copy of the commissioners' order shall be filed for record, without charge, with the auditor of each county in which any part of the district is situated, and thereafter the directors shall be elected or appointed as provided in this chapter. If any elector shall appear in person at said hearing and shall file cause in writing as aforesaid why the petition should not be granted and shall not withdraw the same, and if the board nevertheless deems it for the best interests of the district that the petition be granted, the board shall adopt a resolution to that effect and shall ((~~order an~~)) request a special election, consistent with RCW 29A.04.330, to be held within the district on whether the district should be divided into director divisions or its existing director divisions be redivided((~~, and shall fix the time thereof and cause notice to be published~~)). The notice shall be given and the election conducted in the manner as for special elections on a bond issue of the district. The notice shall state the general plan of division or redivision but need not describe with particularity the boundaries of the proposed division or redivision. Such boundaries shall be described on the ballot. If the majority of votes cast at the election are in favor of dividing or redividing the district into director divisions, the board of county commissioners shall enter an order dividing or redividing the district into the same number of director divisions as there are directors of the district, and designating the divisions and designating the boundaries thereof. If a majority of the votes cast are against division or redivision into director districts, the board shall order the petition denied.

**Sec.**  RCW 87.19.010 and 1983 c 167 s 227 are each amended to read as follows:

Whenever the board of directors of any irrigation district shall deem it for the best interest of said district that any or all outstanding bonds of said district be refunded, they shall so declare by resolution duly adopted and recorded in the minutes of said board and shall, with the written approval of the state director of the department of ecology, ((~~submit~~)) request that the question be submitted to the legally qualified electors of said district at a general election or at a special election called for that purpose under RCW 29A.04.330, and if a majority of said electors voting at said election vote in favor thereof the directors of said district shall issue and exchange said bonds for those outstanding, or sell said bonds and retire said outstanding bonds. The bonds may be issued and sold in accordance with chapter 39.46 RCW.

**Sec.**  RCW 87.19.020 and 1991 c 363 s 160 are each amended to read as follows:

The notice of election provided for in this chapter shall be given and the election held in all respects in accordance with RCW ((~~87.03.200, except in each county with a population of one hundred twenty-five thousand or more, where the notice and election shall be held in the manner provided by law for such counties~~)) 87.03.030 and Title 29A RCW.

**Sec.**  RCW 87.22.120 and 1929 c 120 s 15 are each amended to read as follows:

Upon final determination of maximum benefits and irrigable acreage aforesaid, the board of directors of the district shall request that a special election be called, consistent with RCW 29A.04.330, to submit to the electors of the district possessing the qualifications prescribed by the irrigation district law the question whether refunding bonds of the district in amount and of the maturity proposed by said board shall be issued and exchanged for outstanding bonds as herein provided.

**Sec.**  RCW 87.22.125 and 1929 c 120 s 16 are each amended to read as follows:

Except as herein otherwise specifically provided said election shall be called, noticed, conducted, and the results thereof determined ((~~in the same manner and by the same officials~~)) as ((~~that~~)) provided ((~~by law for the calling, noticing, conducting and canvassing of original bond elections in irrigated districts~~)) in RCW 87.03.030 and Title 29A RCW.

**Sec.**  RCW 87.28.103 and 2013 c 177 s 11 are each amended to read as follows:

When the directors of the district have decided to issue revenue bonds as herein provided, they shall ((~~call~~)) request a special election, consistent with RCW 29A.04.330, in the irrigation district at which election shall be submitted to the electors thereof possessing the qualifications prescribed by law the question whether revenue bonds of the district in the amount and payable according to the plan of payment adopted by the board and for the purposes therein stated shall be issued. The election shall be called, noticed, conducted, and canvassed in the same manner as provided by ((~~law for irrigation district elections to authorize an original issue of bonds payable from revenues derived from annual assessments upon the real property in the district~~)) RCW 87.03.030 and Title 29A RCW: PROVIDED, That the board of directors shall have full authority to issue revenue bonds as herein provided payable within a maximum period of forty years without a special election.

**Sec.**  RCW 87.52.015 and 1897 c 79 s 2 are each amended to read as follows:

A petition signed by one-third or more ((~~holders of title or evidence of title to lands~~)) qualified voters within said district ((~~who shall be qualified electors thereof~~)), reciting the fact that said district has no bonded indebtedness and praying that said district be disorganized under the provisions of RCW 87.52.010 through 87.52.060, shall be delivered to the secretary of the board of directors of said district or to one of the directors thereof.

**Sec.**  RCW 87.52.030 and 2013 c 23 s 517 are each amended to read as follows:

Upon the delivery of said petition the board of directors of said irrigation district shall((~~, at their next succeeding regular monthly meeting, order an election, the date of which election shall be within twenty days from the date of said meeting of the board of directors~~)) request a special election at the next date for special elections under RCW 29A.04.330, and which election shall be conducted as other elections of irrigation districts are conducted under RCW 87.03.030. At said election the qualified electors of said irrigation district shall cast ballots which shall contain the words "Disorganize, Yes," or "Disorganize, No." No person shall be entitled to vote at any election held under the provisions of RCW 87.52.010 through 87.52.060 unless he or she is a qualified voter under the election laws of the state, and ((~~holds title or evidence of title to~~)) resides on the land in said district.

**Sec.**  RCW 87.52.080 and 1939 c 149 s 2 are each amended to read as follows:

A petition signed by twenty-five or more ((~~holders of title or evidence of title to lands~~)) qualified voters within said district ((~~who shall be qualified electors~~)), reciting the fact that said district has no bonded indebtedness, has been in existence for more than twenty years, and has secured no irrigation for any of its lands, and praying that said district be disorganized under the provisions of RCW 87.52.070 through 87.52.090, shall be delivered to the secretary of the board of directors of said district or to one of the directors thereof.

**Sec.**  RCW 87.52.090 and 1939 c 149 s 3 are each amended to read as follows:

Upon the delivery of said petition, as aforesaid, the board of directors of said district, the secretary thereof, and all other officials provided by law, shall ((~~call, notice, conduct and canvass an election~~)) request a special election, consistent with RCW 29A.04.330, and if three-fifths of the votes cast at said election are in favor of the disorganization of the district, shall proceed with the disorganization of the district, all in the manner, with the same powers and with the same force and effect and in accordance with RCW 87.52.030 through 87.52.060.

**Sec.**  RCW 87.53.040 and 1951 c 237 s 4 are each amended to read as follows:

The board of commissioners of the county shall at their present or next regular meeting((~~, call an~~)) request a special election, consistent with RCW 29A.04.330, to submit to the electors of the district the question of whether the district shall be so dissolved. ((~~They shall direct the auditor to give notice of the election and shall appoint the election officials.~~))

**Sec.**  RCW 87.53.050 and 1951 c 237 s 5 are each amended to read as follows:

The election shall be called upon the same notice and conducted in like manner as other elections of the district under RCW 87.03.030 and Title 29A RCW: PROVIDED, That when the bondholder's consent to dissolution provides for an adjustment of the bonded debt and/or the terms and method of its payment the notice of election shall recite the substance thereof.

The ballot shall contain the words "For dissolution, Yes" and "For dissolution, No." ((~~No person not a qualified elector under the general election laws and a freeholder of the district shall be deemed a qualified elector under this chapter.~~)) If a majority of the votes cast favor dissolution, the commissioners shall order the district dissolved.

**Sec.**  RCW 87.56.010 and 1988 c 127 s 63 are each amended to read as follows:

In all instances where fifty percent of the acreage within an irrigation district has been sold to the district on account of delinquent district assessments, and more than one year has elapsed since the sale of said property to the district without redemption by the owners thereof, and the district is unable to raise sufficient revenue to meet its obligations when the same become due and payable, such district shall be deemed insolvent and the district board shall have authority to ((~~call an~~)) request a special election consistent with RCW 29A.04.330 in the district to determine whether the district shall discontinue operation and dissolve: PROVIDED, That in case there are bonds of the district outstanding, written consent of the holders of at least fifty-one percent in amount of such outstanding bonds shall be obtained by the district board before ((~~calling~~)) requesting said election: PROVIDED, FURTHER, That if any portion of such outstanding bonds are owned by the state of Washington the board of directors of such district shall give written notice to the director of ecology of the intention of the board of directors to ((~~call~~)) request such election, and unless the director of ecology shall sign written objection to the calling of such election within ten days after the giving of such notice the state shall be deemed as consenting thereto.

Said election ((~~shall be called,~~)) shall be conducted and the results canvassed in the same manner substantially provided by law for a bond election in the district under RCW 87.03.030 and Title 29A RCW.

**Sec.**  RCW 87.84.020 and 2007 c 218 s 80 are each amended to read as follows:

A petition to convert an existing irrigation district to an irrigation and rehabilitation district shall be signed by at least fifty ((~~holders of title or evidence of title to land~~)) qualified voters within the district. The petition shall contain the following:

(1) The legal description of the property to be served.

(2) The signature and address of each petitioner, together with the legal description of the lands within the district owned by each.

(3) Any other matter deemed material.

The petition shall be accompanied by a bond, to be approved by the board, in double the amount of the probable cost of organizing the district, and conditioned that the bondsperson will pay all the costs if the organization is not effected.

**Sec.**  RCW 87.84.070 and 2013 c 23 s 531 are each amended to read as follows:

The directors shall be empowered to specially assess land located in the district for benefits thereto taking as a basis the last equalized assessment for county purposes: PROVIDED, That such assessment shall not exceed twenty-five cents per thousand dollars of assessed value upon such assessed valuation without securing authorization by vote of the electors of the district at an election called for that purpose.

The ((~~board~~)) county auditor shall give notice of such an election, for the time and in the manner and form provided for irrigation district elections. The manner of conducting and voting at such an election, ((~~opening and closing polls,~~)) canvassing the votes, certifying the returns, and declaring the result shall be ((~~nearly as practicable the same as in irrigation district elections~~)) governed by RCW 87.03.030 and Title 29A RCW.

The special assessment provided for herein shall be due and payable at such times and in such amounts as designated by the district directors, which designation shall be made to the county auditor in writing, and the amount so designated shall be added to the general taxes, and entered upon the assessment rolls in his or her office, and collected therewith.

**PART V**

**CONSERVATION DISTRICTS**

**Sec.**  RCW 89.08.110 and 1999 c 305 s 3 are each amended to read as follows:

If the commission finds that the district is needed, it shall then determine whether it is practicable. To assist the commission in determining this question, it shall, within a reasonable time, request a special election, consistent with RCW 29A.04.330, to submit the proposition to a vote of the district electors in the proposed district. ((~~The commission shall fix the date of the election, designate the polling places, fix the hours for opening and closing the polls, and appoint the election officials. The election shall be conducted, the vote counted and returns canvassed and the results published by the commission.~~)) The election shall be conducted consistent with Title 29A RCW.

**Sec.**  RCW 89.08.120 and 1973 1st ex.s. c 184 s 13 are each amended to read as follows:

The ((~~commission shall provide the~~)) ballots for the election ((~~which~~)) shall contain the words

"□ For creation of a conservation district of the lands below described and lying in the county or counties of . . . . . ., . . . . . . and . . . . . .," and

"□ Against creation of a conservation district of the lands below described and lying in the county or counties of . . . . . ., . . . . . . and . . . . . ."

The ballot shall set forth the boundaries of the proposed district, and contain a direction to ((~~insert an X in~~)) mark the square of the voter's choice.

**Sec.**  RCW 89.08.130 and 1999 c 305 s 4 are each amended to read as follows:

The commission shall give due notice of the election, which shall state generally the purpose of the election((~~,~~)) and the date thereof, ((~~the place and hours of voting,~~)) and set forth the boundaries of the proposed district.

Only qualified district electors within the proposed district ((~~as determined by the commission~~)) may vote at the election. ((~~Each voter shall vote in the polling place nearest the voter's residence.~~)) For purposes of this section, a qualified district elector is a natural person who is a registered voter under general state election laws and who resides in the proposed district.

**Sec.**  RCW 89.08.140 and 1973 1st ex.s. c 184 s 15 are each amended to read as follows:

The commission shall bear all expense of giving the notices and conducting the hearings ((~~and election~~)), and shall issue regulations governing all hearings ((~~and elections~~)) and supervise the conduct thereof. ((~~It shall provide for registration of eligible voters or prescribe the procedure to determine the eligible voters. No informality in connection with the election shall invalidate the results, if the notice thereof was substantially given, and the election fairly conducted.~~)) The costs associated with holding elections are governed by RCW 29A.04.410.

**Sec.**  RCW 89.08.160 and 1973 1st ex.s. c 184 s 17 are each amended to read as follows:

If the commission finds the project practicable, it shall ((~~appoint two supervisors, one of whom shall be a landowner or operator of a farm, who shall be qualified by training and experience to perform the specialized skilled services required of them. They, with the three elected supervisors, two of whom shall be landowners or operators of a farm, shall constitute the governing board of the district.~~

~~The two appointed supervisors shall~~)) file with the secretary of state ((~~a sworn application, reciting that a petition was filed with the commission for the creation of the district; that all required proceedings were had thereon; that they were appointed by the commission as such supervisors; and that the application is being filed to complete the organization of the district. It shall contain the names and residences of the applicants, a certified copy of their appointments, the name of the district, the location of the office of the supervisors and the term of office of each applicant.~~

~~The application shall be accompanied by~~)) a statement of the commission, reciting that a petition was filed, notice issued, and a hearing held thereon as required; that it determined the need for the district and defined the boundaries thereof; that notice was given and an election held on the question of creating the district; that a majority vote favored the district, and that the commission had determined the district practicable; and shall set forth the boundaries of the district.

**Sec.**  RCW 89.08.190 and 2002 c 43 s 3 are each amended to read as follows:

Within thirty days after the issuance of the certificate of organization, unless the time is extended by the commission, petitions shall be filed with the commission to nominate candidates for the ((~~three~~)) five elected supervisors. The petition shall be signed by not less than twenty-five district electors, and a district elector may sign petitions nominating more than one person.

In the case of a new district, the commission shall give due notice to elect the ((~~three~~)) five supervisors. All provisions pertaining to elections ((~~on the creation of a district~~)) under Title 29A RCW shall govern this election ((~~so far as applicable~~)), except no primary shall be held for the initial election of supervisors. The names of all nominees shall appear on the ballot in alphabetical order, together with instructions to vote for ((~~three~~)) five. The ((~~three~~)) five candidates receiving the most votes shall be declared elected supervisors, the ((~~one~~)) two receiving the most being elected for a ((~~three-year~~)) four-year term, ((~~the next for two~~)) and the ((~~last~~)) next three for ((~~one year~~)) two years. An alternate method of dividing the district into ((~~three~~)) five zones with populations as nearly equal as practicable may be used when requested by the board of supervisors and approved by the commission. In such case, instructions will be to vote for one in each zone. The candidate receiving the most votes in a zone shall be declared elected.

((~~Each year after the creation of the first board of supervisors, the board shall by resolution and by giving due notice, set a date during the first quarter of each calendar year at which time it shall conduct an election, except that for elections in 2002 only, the board shall set the date during the second quarter of the calendar year at which time it shall conduct an election. Names of candidates nominated by petition shall appear in alphabetical order on the ballots, together with an extra line wherein may be written in the name of any other candidate. The commission shall establish procedures for elections, canvass the returns and announce the official results thereof. Election results may be announced by polling officials at the close of the election subject to official canvass of ballots by the commission.~~)) Supervisors elected shall take office at the first board meeting following the election.

NEW SECTION. **Sec.**  Whenever, as a result of the application of sections 505 and 506 of this act, the term of office of an appointed supervisor is incomplete but the position becomes an elected position, the appointed supervisor shall continue to serve:

(1) If the term is scheduled to end in an even-numbered year, through the end of that year. An election for the successor shall be held at the general election in the November prior to the end of the term; or

(2) If the term is scheduled to end in an odd-numbered year, until a successor is elected in the next general election following the scheduled end of the term and is qualified and assumes office in accordance with RCW 29A.60.280.

**Sec.**  RCW 89.08.200 and 2013 c 23 s 550 are each amended to read as follows:

After the creation of the first board of supervisors, subsequent elections for new supervisors are governed by Title 29A RCW, and a primary shall be held. The term of office of each supervisor shall be ((~~three~~)) four years and until his or her successor is ((~~appointed or~~)) elected and qualified((~~, except that the supervisors first appointed shall serve for one and two years respectively from the date of their appointments, as designated in their appointments.~~

~~In the case of elected supervisors, the term of office of each supervisor shall be three years and until his or her successor is elected and qualified, except that for the first election, the one receiving the largest number of votes shall be elected for three years; the next largest two years; and the third largest one year. Successors shall be elected for three-year terms.~~

~~Vacancies in the office of appointed supervisors shall be filled by the state conservation commission~~)). Vacancies in the office of elected supervisors shall be filled by appointment made by the remaining supervisors for the unexpired term.

A majority of the supervisors shall constitute a quorum and the concurrence of a majority is required for any official action or determination.

Supervisors shall serve without compensation, but they shall be entitled to expenses, including traveling expenses, necessarily incurred in discharge of their duties. A supervisor may be removed by the state conservation commission upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason.

The governing board shall designate a chair from time to time.

**PART VI**

**REPEALERS**

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

(1)RCW 85.38.110 (Presumed eligible voters' list—Notice of requirements of voting authority—Copy of voter's list to county auditor) and 1991 c 349 s 13 & 1985 c 396 s 12;

(2)RCW 85.38.130 (Election officials—Duties—Voting hours—Challenged ballots—Absentee ballots) and 1991 c 349 s 16 & 1985 c 396 s 14;

(3)RCW 86.09.377 (Voting rights) and 1991 c 349 s 4 & 1985 c 396 s 22;

(4)RCW 86.09.379 (Elections—Informality not fatal) and 1937 c 72 s 127;

(5)RCW 87.03.031 (Absentee voting—Certification of inconvenience) and 2013 c 23 s 481 & 1961 c 105 s 2;

(6)RCW 87.03.032 (Absentee voting—Notice of election, contents—Ballot and form of certificate of qualifications to be furnished) and 2013 c 23 s 482 & 1961 c 105 s 3;

(7)RCW 87.03.033 (Absentee voting—Requirements for ballot to be counted—Statement of qualifications—Form of ballot) and 2013 c 23 s 483 & 1961 c 105 s 4;

(8)RCW 87.03.034 (Absentee voting—How incoming ballots are handled—Canvass—Statement of result of both regular and absentee ballots) and 1961 c 105 s 5;

(9)RCW 87.03.035 (Elections to form district—How conducted) and 1955 c 57 s 2;

(10)RCW 87.03.045 (Qualifications of voters and directors—Districts of two hundred thousand acres) and 2013 c 23 s 484, 1985 c 66 s 1, 1971 ex.s. c 292 s 72, 1961 c 192 s 12, & 1955 c 57 s 4;

(11)RCW 87.03.051 (Qualifications of voters and directors—Districts of less than two hundred thousand acres) and 1997 c 354 s 1 & 1985 c 66 s 2;

(12)RCW 87.03.071 (Certain districts—Individual ownerships—Two votes) and 1985 c 66 s 3;

(13)RCW 87.03.085 (Post-organization district elections—Election boards—Notice) and 1987 c 123 s 1, 1984 c 168 s 2, & 1889-90 p 674 s 5;

(14)RCW 87.03.090 (Post-organization district elections—Election officers—Voting hours) and 2013 c 23 s 489, 1931 c 60 s 1, & 1889-90 p 674 s 6;

(15)RCW 87.03.095 (Post-organization district elections—Counting votes—Record of ballots) and 1889-90 p 675 s 7;

(16)RCW 87.03.100 (Post-organization district elections—Certification of returns—Preservation for recount) and 2013 c 23 s 490, 1981 c 345 s 2, 1981 c 208 s 2, 1889‑90 p 675 s 8;

(17)RCW 87.03.105 (Post-organization district elections—Canvass) and 1889-90 p 676 s 9;

(18)RCW 87.03.110 (Post-organization district elections—Statement of result of election—Certificate of election) and 2013 c 23 s 491, 1913 c 165 s 4, 1895 c 165 s 4, & 1889-90 p 676 s 10;

(19)RCW 87.53.060 (Election returns, effect—Records to auditor) and 1951 c 237 s 6;

(20)RCW 42.17A.010 (Conservation district exception) and 2002 c 43 s 4; and

(21)2002 c 43 s 1 (uncodified).

**--- END ---**