
SENATE BILL 6136

State of Washington**54th Legislature****1996 Regular Session****By Senator Fairley**

Read first time 01/08/96. Referred to Committee on Government Operations.

1 AN ACT Relating to requiring elections on matters concerning public
2 moneys to be held at general elections; amending RCW 14.08.290,
3 17.28.090, 17.28.252, 17.28.300, 17.28.380, 27.12.030, 27.12.040,
4 27.12.100, 27.12.120, 27.12.320, 27.12.370, 27.12.395, 27.12.400,
5 29.13.010, 29.13.020, 29.79.020, 35.02.078, 35.10.410, 35.10.420,
6 35.13.060, 35.16.010, 35.17.220, 35.17.260, 35.17.300, 35.17.380,
7 35.17.440, 35.18.250, 35.18.270, 35.18.310, 35.18.320, 35.21.706,
8 35.22.280, 35.58.080, 35.58.100, 35.58.114, 35.58.116, 35.58.430,
9 35.58.540, 35.59.060, 35.61.020, 35.61.090, 35.61.110, 35.61.210,
10 35.61.360, 35.62.041, 35.67.331, 35.92.070, 35.94.020, 35A.02.025,
11 35A.02.060, 35A.02.070, 35A.06.050, 35A.09.060, 35A.09.070, 35A.10.030,
12 35A.14.050, 35A.14.299, 35A.16.010, 36.08.010, 36.33.020, 36.68.470,
13 36.68.480, 36.68.520, 36.68.525, 36.69.065, 36.69.140, 36.69.145,
14 36.100.010, 36.105.040, 39.36.050, 42.17.390, 52.04.011, 52.04.056,
15 52.04.071, 52.06.030, 52.16.130, 52.18.050, 53.04.020, 53.04.023,
16 53.04.080, 53.36.030, 53.36.100, 53.46.010, 53.46.020, 54.04.060,
17 54.08.060, 56.02.050, 56.04.050, 56.24.080, 56.24.200, 56.32.040,
18 56.32.100, 56.36.030, 57.04.050, 57.08.012, 57.08.030, 57.16.020,
19 57.24.020, 57.24.190, 57.28.090, 57.32.022, 57.36.030, 57.40.120,
20 67.38.110, 67.38.130, 68.52.150, 68.52.250, 68.54.010, 68.54.050,
21 70.44.020, 70.44.060, 70.44.220, 70.44.235, 70.44.350, 70.44.380,

1 70.94.091, 80.52.050, 82.14.036, 82.46.021, 82.46.070, 82.47.020,
2 82.80.010, 82.80.090, 84.09.030, 84.52.052, 84.52.069, 84.55.050,
3 85.20.030, 85.22.030, 85.38.010, 85.38.060, 85.38.100, 85.38.110,
4 88.32.230, and 90.72.040; and reenacting and amending RCW 27.12.355 and
5 82.46.035.

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

7 **Sec. 1.** RCW 14.08.290 and 1973 1st ex.s. c 195 s 1 are each
8 amended to read as follows:

9 The establishment of county airport districts is hereby authorized.
10 Written application for the formation of such a district signed by at
11 least one hundred registered voters, who reside and own real estate in
12 the proposed districts, shall be filed with the board of county
13 commissioners. The board shall immediately transmit the application to
14 the proper registrar of voters for the proposed district who shall
15 check the names, residence and registration of the signers with the
16 records of ~~((his))~~ the registrar's office and shall, as soon as
17 possible, certify to ~~((said))~~ the board the number of qualified
18 signers. If the requisite number of signers is so certified, the board
19 shall thereupon place the proposition: "Shall a county airport
20 district be established in the following area: (describing the
21 proposed district)?," upon the ballot for vote of the people of the
22 proposed district at the next general election(~~(,general or special)~~).
23 If a majority of the voters on such proposition shall vote in favor of
24 the proposition, the board, shall, by resolution, declare the district
25 established. If the requisite number of qualified persons have not
26 signed the application, further signatures may be added and certified
27 until the requisite number have signed and the above procedure shall be
28 thereafter followed.

29 The area of such district may be the area of the county including
30 incorporated cities and towns, or such portion or portions thereof as
31 the board may determine to be the most feasible for establishing an
32 airport. When established, an airport district shall be a municipality
33 as defined in this chapter and entitled to all the powers conferred by
34 this chapter and exercised by municipal corporations in this state.
35 The airport district is hereby empowered to levy not more than
36 seventy-five cents per thousand dollars of assessed value of the
37 property lying within the ~~((said))~~ airport district(~~(:—PROVIDED,~~

1 ~~HOWEVER, Such~~)). However, levy shall not be made unless first approved
2 at ~~((any)) a general election ((called for the purpose of voting on~~
3 ~~such levy))~~.

4 **Sec. 2.** RCW 17.28.090 and 1957 c 153 s 9 are each amended to read
5 as follows:

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

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

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

1 election. The ballot proposition shall be in substantially the
2 following form:

3 "Shall a mosquito control district be established for the area
4 described in a resolution of the board of commissioners of
5 county adopted on the day of, 19. . . ?

6 YES 1
7 NO 1 "

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

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

28 **Sec. 3.** RCW 17.28.252 and 1973 1st ex.s. c 195 s 3 are each
29 amended to read as follows:

30 A mosquito control district shall have the power to levy additional
31 taxes in excess of the constitutional and/or statutory limitations for
32 any of the authorized purposes of such district, not in excess of fifty
33 cents per thousand dollars of assessed value per year when authorized
34 so to do by the electors of such district at a general election by a
35 three-fifths majority of those voting on the proposition in the manner
36 set forth in Article VII, section 2(a) of the state Constitution ((of
37 ~~this state, as amended by Amendment 59 and as thereafter amended~~)) at

1 such time as may be fixed by the board of trustees for the district,
2 which (~~special~~) election may be called by the board of trustees of
3 the district, at which (~~special~~) election the proposition of
4 authorizing such excess levy shall be submitted in such form as to
5 enable the voters favoring the proposition to vote "Yes" and those
6 opposing thereto to vote "No". (~~Nothing herein shall be construed to~~
7 ~~prevent holding the foregoing special election at the same time as that~~
8 ~~fixed for a general election.~~)

9 **Sec. 4.** RCW 17.28.300 and 1957 c 153 s 30 are each amended to read
10 as follows:

11 All expenses of (~~any special~~) an election conducted (~~pursuant to~~
12 ~~the provisions of~~) under this chapter shall be paid by the mosquito
13 control district.

14 **Sec. 5.** RCW 17.28.380 and 1957 c 153 s 38 are each amended to read
15 as follows:

16 When the concurrent resolution for consolidation has been adopted,
17 each board of the districts proposed for consolidation shall forthwith
18 call (~~a special~~) an election in its district in which shall be
19 presented to the electors of the districts the question whether the
20 consolidation shall be effected.

21 The election shall be conducted at a general election and the
22 returns canvassed and declared insofar as is practicable in accordance
23 with the requirements of this chapter for the formation of a district.

24 The board of each district shall declare the returns of the
25 election in its district, and shall certify the results to the county
26 commissioners of the county in which all the districts, or the major
27 portion of the land of all the districts, are situated.

28 **Sec. 6.** RCW 27.12.030 and 1965 c 122 s 2 are each amended to read
29 as follows:

30 A library may be established in any county, city, or town either
31 (1) by its legislative body of its own initiative; or (2) upon the
32 petition of one hundred taxpayers of such a governmental unit, the
33 legislative body shall submit to a vote of the qualified electors
34 thereof, at the next (~~municipal or special~~) general election (~~held~~
35 ~~therein (in the case of a city or town) or the next general election or~~
36 ~~special election held therein (in the case of a county)~~), the question

1 whether a library shall be established; and if a majority of the
2 electors voting on the question vote in favor of the establishment of
3 a library, the legislative body shall forthwith establish one.

4 **Sec. 7.** RCW 27.12.040 and 1990 c 259 s 1 are each amended to read
5 as follows:

6 The procedure for the establishment of a rural county library
7 district shall be as follows:

8 (1) Petitions signed by at least ten percent of the registered
9 voters of the county who voted in the last general election, outside of
10 the area of incorporated cities and towns, asking that the question,
11 "Shall a rural county library district be established?" be submitted to
12 a vote of the people, shall be filed with the county legislative
13 authority.

14 (2) The county legislative authority, after having determined that
15 the petitions were signed by the requisite number of registered voters,
16 shall place the proposition for the establishment of a rural county
17 library district on the ballot for the vote of the people of the
18 county, outside incorporated cities and towns, at the next succeeding
19 general (~~or special~~) election.

20 (3) If a majority of those voting on the proposition vote in favor
21 of the establishment of the rural county library district, the county
22 legislative authority shall forthwith declare it established.

23 **Sec. 8.** RCW 27.12.100 and 1965 c 63 s 1 are each amended to read
24 as follows:

25 An intercounty rural library district shall be established by joint
26 action of two or more counties proceeding by either of the following
27 alternative methods:

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

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

1 incorporated cities and towns in each of the other affected counties
2 shall vote as separate units. If a majority of the electors voting on
3 the proposition in the existing district and a majority of the voters
4 in any of the other affected counties shall vote in favor of an
5 expanded intercounty rural library district it shall thereby become
6 established.

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

21 **Sec. 9.** RCW 27.12.120 and 1961 c 82 s 2 are each amended to read
22 as follows:

23 All property, assets and liabilities of preexisting library
24 districts within the area included in an intercounty rural library
25 district shall pass to and be assumed by an intercounty rural library
26 district(~~(:—PROVIDED, That)~~). However, where within any intercounty
27 rural library district (~~(heretofore or hereafter)~~) organized under
28 (~~(the provisions of)~~) this chapter a preexisting library district had
29 incurred a bonded indebtedness which was outstanding at the time of the
30 formation of the intercounty rural library district, such preexisting
31 library district shall retain its corporate existence insofar as is
32 necessary for the purpose until the bonded indebtedness outstanding
33 against it on and after the effective date of (~~(said)~~) the formation
34 has been paid in full(~~(:—PROVIDED FURTHER, That a special)~~).
35 Additionally, an election may be called by the board of trustees of the
36 intercounty rural library district, to be held at the next general (~~(or~~
37 ~~special)~~) election held in the respective counties for the purpose of
38 affording the voters residing within the area outside of the

1 preexisting library district an opportunity to assume the obligation of
2 the bonded indebtedness of the preexisting library district or the
3 question may be submitted to the voters as a separate proposition at
4 the election on the proposal for the formation of the intercounty rural
5 library district.

6 **Sec. 10.** RCW 27.12.320 and 1982 c 123 s 12 are each amended to
7 read as follows:

8 A library established or maintained under this chapter (except a
9 regional or a rural county library district library, an intercounty
10 rural library district library, or an island library district library)
11 may be abolished only in pursuance of a vote of the electors of the
12 governmental unit in which the library is located, taken in the manner
13 prescribed in RCW 27.12.030 for a vote upon the establishment of a
14 library. If a library of a city or town be abolished, the books and
15 other printed or written matter belonging to it shall go to the library
16 of the county whereof the municipality is a part, if there be a county
17 library, but if not, then to the state library. If a library of a
18 county or region be abolished, the books and other printed matter
19 belonging to it shall go to the state library. All other library
20 property shall be disposed of as the legislative body of the
21 governmental unit shall direct.

22 After a rural county library district, an island library district,
23 or an intercounty rural library district has been in operation for
24 three or more years, it may be dissolved (~~((pursuant to))~~) under a
25 majority vote of all of the qualified electors residing outside of
26 incorporated cities and towns voting upon a proposition for its
27 dissolution, at a general election, which proposition may be placed
28 upon the ballot at any such election whenever a petition by ten percent
29 or more qualified voters residing outside of incorporated cities or
30 towns within a rural county library district, an island library
31 district, or an intercounty rural library district requesting such
32 dissolution shall be filed with the board of trustees of such district
33 not less than ninety days (~~((prior to))~~) before the holding of any such
34 election. An island library district may also be dissolved (~~((pursuant~~
35 ~~to))~~) under RCW 27.12.450.

36 If a rural county library district is dissolved, the books and
37 other printed matter belonging to it shall go to the state library.
38 All other library property shall be disposed of as the legislative body

1 of the governmental unit shall direct. When an intercounty rural
2 library district is dissolved, the books, funds and other property
3 thereof shall be divided among the participating counties in the most
4 equitable manner possible as determined by the state librarian, who
5 shall give consideration to such items as the original source of
6 property, the amount of funds raised from each county by the district,
7 and the ability of the counties to make further use of such property or
8 equipment for library purposes. Printed material which the state
9 librarian finds will not be used by any of the participating counties
10 for further library purposes shall be turned over to the state library.

11 When an island library district is dissolved (~~((pursuant to))~~) under
12 this section, the books and other printed matter belonging to it shall
13 go to the state library. All other library property shall be disposed
14 of as the legislative body of the governmental unit shall direct. When
15 an island library district is dissolved due to the establishment of a
16 county library district, (~~((pursuant to))~~) under RCW 27.12.450, all
17 property, assets, and liabilities of the preexisting island library
18 district within the area included in the county rural library district
19 shall pass to and be assumed by the county rural library district:
20 PROVIDED, That where within any county rural library district
21 (~~((heretofore or hereafter))~~) organized under (~~((the provisions of))~~) this
22 chapter a preexisting island library district has incurred a bonded
23 indebtedness which was outstanding at the time of the formation of the
24 county rural library district, the preexisting island library district
25 shall retain its corporate existence insofar as is necessary for the
26 purpose until the bonded indebtedness outstanding against it on and
27 after the effective date of the formation has been paid in full:
28 PROVIDED FURTHER, That (~~((a special))~~) an election may be called by the
29 board of trustees of the county rural library district, to be held at
30 the next general (~~((or special))~~) election held in the respective
31 counties, for the purpose of affording the voters residing within the
32 area outside of the preexisting island library district an opportunity
33 to assume the obligation of the bonded indebtedness of the preexisting
34 island library district or the question may be submitted to the voters
35 as a separate proposition at the election on the proposal for the
36 formation of the county rural library district.

37 **Sec. 11.** RCW 27.12.355 and 1987 c 138 s 1 are each reenacted and
38 amended to read as follows:

1 (1) As provided in this section, a rural county library district,
2 island library district, or intercounty rural library district may
3 withdraw areas from its boundaries, or reannex areas into the library
4 district that previously had been withdrawn from the library district
5 under this section.

6 (2) The withdrawal of an area shall be authorized upon: (a)
7 Adoption of a resolution by the board of trustees requesting the
8 withdrawal and finding that, in the opinion of the board, inclusion of
9 this area within the library district will result in a reduction of the
10 district's tax levy rate under (~~the provisions of~~) RCW 84.52.010; and
11 (b) adoption of a resolution by the city or town council approving the
12 withdrawal, if the area is located within the city or town, or adoption
13 of a resolution by the county legislative authority of the county
14 within which the area is located approving the withdrawal, if the area
15 is located outside of a city or town. A withdrawal shall be effective
16 at the end of the day on the thirty-first day of December in the year
17 in which the resolutions are adopted, but for purposes of establishing
18 boundaries for property tax purposes, the boundaries shall be
19 established immediately upon the adoption of the second resolution.

20 The authority of an area to be withdrawn from a library district as
21 provided under this section is in addition, and not subject, to (~~the~~
22 ~~provisions of~~) RCW 27.12.380.

23 The withdrawal of an area from the boundaries of a library district
24 shall not exempt any property therein from taxation for the purpose of
25 paying the costs of redeeming any indebtedness of the library district
26 existing at the time of the withdrawal.

27 (3) An area that has been withdrawn from the boundaries of a
28 library district under this section may be reannexed into the library
29 district upon: (a) Adoption of a resolution by the board of trustees
30 proposing the reannexation; and (b) adoption of a resolution by the
31 city or town council approving the reannexation, if the area is located
32 within the city or town, or adoption of a resolution by the county
33 legislative authority of the county within which the area is located
34 approving the reannexation, if the area is located outside of a city or
35 town. The reannexation shall be effective at the end of the day on the
36 thirty-first day of December in the year in which the adoption of the
37 second resolution occurs, but for purposes of establishing boundaries
38 for property tax purposes, the boundaries shall be established
39 immediately upon the adoption of the second resolution. Referendum

1 action on the proposed reannexation may be taken by the voters of the
2 area proposed to be reannexed if a petition calling for a referendum is
3 filed with the city or town council, or county legislative authority,
4 within a thirty-day period after the adoption of the second resolution,
5 which petition has been signed by registered voters of the area
6 proposed to be reannexed equal in number to ten percent of the total
7 number of the registered voters residing in that area.

8 If a valid petition signed by the requisite number of registered
9 voters has been so filed, the effect of the resolutions shall be held
10 in abeyance and a ballot proposition to authorize the reannexation
11 shall be submitted to the voters of the area at the next (~~special~~)
12 general election date specified in RCW 29.13.020 that occurs forty-five
13 or more days after the petitions have been validated. Approval of the
14 ballot proposition authorizing the reannexation by a simple majority
15 vote shall authorize the reannexation.

16 **Sec. 12.** RCW 27.12.370 and 1982 c 123 s 14 are each amended to
17 read as follows:

18 The county legislative authority or authorities shall by resolution
19 call (~~a special~~) an election to be held in such city or town at the
20 next (~~date provided in RCW 29.13.010~~) general election but not less
21 than forty-five days from the date of the declaration of such finding,
22 and shall cause notice of such election to be given as provided for in
23 RCW 29.27.080.

24 The election on the annexation of the city or town into the library
25 district shall be conducted by the auditor of the county or counties in
26 which the city or town is located in accordance with the general
27 election laws of the state and the results thereof shall be canvassed
28 by the canvassing board of the county or counties. No person shall be
29 entitled to vote at such election unless he or she is registered to
30 vote in (~~said~~) the city or town for at least thirty days preceding
31 the date of the election. The ballot proposition shall be in
32 substantially the following form:

33 "Shall the city or town of be annexed to and be a part
34 of library district?

35 YES 1
36 NO 1 "

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

4 **Sec. 13.** RCW 27.12.395 and 1985 c 392 s 1 are each amended to read
5 as follows:

6 (1) All liabilities of a city or town that is annexed to a rural
7 county library district or intercounty rural library district, which
8 liabilities were incurred for the purpose of or in the course of
9 acquiring, operating, or maintaining a library or libraries, may, if
10 provided for in the ordinance providing for annexation and in the
11 resolution of the district consenting to annexation, pass to and be
12 assumed by the rural county library district or intercounty rural
13 library district. Notwithstanding the foregoing, if the city or town
14 has incurred any voted bonded indebtedness for the purpose of
15 acquiring, operating, or maintaining a library or libraries, and if the
16 indebtedness is outstanding at the time of the annexation, the voted
17 bonded indebtedness shall not be assumed by the annexing district.

18 (2) Notwithstanding subsection (1) of this section, if the annexed
19 city or town has outstanding at the time of the annexation any voted
20 bonded indebtedness incurred for the purpose of acquiring, operating,
21 or maintaining a library or libraries, (~~a special~~) an election may be
22 called by the board of trustees of the rural county library district or
23 intercounty rural library district, to be held at the next general (~~or~~
24 ~~special~~) election held in the applicable county or counties, for the
25 purpose of affording the voters residing within the area of the
26 district outside the annexed city or town an opportunity to assume the
27 voted bonded indebtedness of the annexed city or town upon the assent
28 of three-fifths of the voters.

29 **Sec. 14.** RCW 27.12.400 and 1982 c 123 s 2 are each amended to read
30 as follows:

31 The procedure for the establishment of an island library district
32 shall be as follows:

33 (1) Petitions signed by at least ten percent of the registered
34 voters of the island, outside of the area of incorporated cities and
35 towns, asking that the question, "Shall an island library district be
36 established?" be submitted to a vote of the people of the island, shall
37 be filed with the board of county commissioners.

1 (2) The board of county commissioners, after having determined that
2 the petitions were signed by the requisite number of qualified
3 petitioners, shall place the proposition for the establishment of an
4 island library district on the ballot for the vote of the people of the
5 island, outside incorporated cities and towns, at the next succeeding
6 general (~~or special~~) election.

7 (3) If a majority of those voting on the proposition vote in favor
8 of the establishment of the island library district, the board of
9 county commissioners shall forthwith declare it established.

10 **Sec. 15.** RCW 29.13.010 and 1994 c 142 s 1 are each amended to read
11 as follows:

12 (1) All state, county, city, town, and district general elections
13 for the election of federal, state, legislative, judicial, county,
14 city, town, district, and precinct officers, and for the submission to
15 the voters of the state, county, city, town, or district of any measure
16 for their adoption and approval or rejection, shall be held on the
17 first Tuesday after the first Monday of November, in the year in which
18 they may be called. A state-wide general election shall be held on the
19 first Tuesday after the first Monday of November of each year:
20 PROVIDED, That the state-wide general election held in odd-numbered
21 years shall be limited to: (a) City, town, and district general
22 elections as provided for in RCW 29.13.020, or as otherwise provided by
23 law; (b) the election of federal officers for the remainder of any
24 unexpired terms in the membership of either branch of the congress of
25 the United States; (c) the election of state and county officers for
26 the remainder of any unexpired terms of offices created by or whose
27 duties are described in Article II, section 15, Article III, sections
28 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the
29 state Constitution and RCW 2.06.080; (d) the election of county
30 officers in any county governed by a charter containing provisions
31 calling for general county elections at this time; and (e) the approval
32 or rejection of state measures, including proposed constitutional
33 amendments, matters pertaining to any proposed constitutional
34 convention, initiative measures and referendum measures proposed by the
35 electorate, referendum bills, and any other matter provided by the
36 legislature for submission to the electorate.

37 (2) A county legislative authority may, if it deems an emergency to
38 exist, call a special county election by presenting a resolution to the

1 county auditor at least forty-five days (~~(prior to)~~) before the
2 proposed election date. With the exception of elections called by
3 public school districts, irrigation districts or reclamation districts,
4 a special election may not be held on any matter that: Directly
5 imposes or increases a tax, levy, assessment, charge, or fee; or has
6 the result of including the voters in a new governmental jurisdiction
7 that has the authority, with or without an additional vote, to impose
8 a tax, levy, assessment, charge, or fee. Except as provided in
9 subsection (~~(4)~~) (3) of this section, a special election called by
10 the county legislative authority shall be held on one of the following
11 dates as decided by such governing body:

- 12 (a) The first Tuesday after the first Monday in February;
- 13 (b) The second Tuesday in March;
- 14 (c) The fourth Tuesday in April;
- 15 (d) The third Tuesday in May;
- 16 (e) The day of the primary as specified by RCW 29.13.070; or
- 17 (f) The first Tuesday after the first Monday in November.

18 (3) In addition to the dates set forth in subsection (2) (a)
19 through (f) of this section, a special election to validate an excess
20 levy or bond issue may be called at any time to meet the needs
21 resulting from fire, flood, earthquake, or other act of God. Such
22 county special election shall be noticed and conducted in the manner
23 provided by law.

24 (4) In a presidential election year, if a presidential preference
25 primary is conducted in February, March, April, or May under chapter
26 29.19 RCW, the date on which a special election may be called by the
27 county legislative authority under subsection (2) of this section
28 during the month of that primary is the date of the presidential
29 primary.

30 (5) This section shall supersede (~~(the provisions of any and)~~) all
31 other statutes, whether general or special in nature, having different
32 dates for such city, town, and district elections, the purpose of this
33 section being to establish mandatory dates for holding elections except
34 for those elections held (~~(pursuant to)~~) under a home-rule charter
35 adopted under Article XI, section 4 of the state Constitution. This
36 section shall not be construed as fixing the time for holding primary
37 elections, or elections for the recall of any elective public officer.

1 **Sec. 16.** RCW 29.13.020 and 1994 c 142 s 2 are each amended to read
2 as follows:

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

6 This section shall not apply to:

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

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

12 (c) Consolidation proposals as provided for in RCW 28A.315.280 and
13 nonhigh capital fund aid proposals as provided for in chapter 28A.540
14 RCW.

15 (2) The county auditor, as ex officio supervisor of elections, upon
16 request in the form of a resolution of the governing body of a city,
17 town, or district, presented to the auditor at least forty-five days
18 (~~prior to~~) before the proposed election date, may, if the county
19 auditor deems an emergency to exist, call a special election in such
20 city, town, or district, and for the purpose of such special election
21 he or she may combine, unite, or divide precincts. With the exception
22 of elections called by public school districts, irrigation districts or
23 reclamation districts, a special election may not be held on any matter
24 that: Directly imposes or increases a tax, levy, assessment, charge,
25 or fee; or has the result of including the voters in a new governmental
26 jurisdiction that has the authority, with or without an additional
27 vote, to impose a tax, levy, assessment, charge, or fee. Except as
28 provided in subsection (3) of this section, such a special election
29 shall be held on one of the following dates as decided by the governing
30 body:

31 (a) The first Tuesday after the first Monday in February;

32 (b) The second Tuesday in March;

33 (c) The fourth Tuesday in April;

34 (d) The third Tuesday in May;

35 (e) The day of the primary election as specified by RCW 29.13.070;

36 or

37 (f) The first Tuesday after the first Monday in November.

38 (3) In a presidential election year, if a presidential preference
39 primary is conducted in February, March, April, or May under chapter

1 29.19 RCW, the date on which a special election may be called under
2 subsection (2) of this section during the month of that primary is the
3 date of the presidential primary.

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

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

18 **Sec. 17.** RCW 29.79.020 and 1987 c 161 s 1 are each amended to read
19 as follows:

20 Initiative measures proposed to be submitted to the people must be
21 filed with the secretary of state within ten months ~~((prior to))~~ before
22 the election at which they are to be submitted, and the petitions
23 therefor must be filed with the secretary of state not less than four
24 months before the next general state-wide election.

25 Initiative measures proposed to be submitted to the legislature
26 must be filed with the secretary of state within ten months ~~((prior
27 to))~~ before the next regular session of the legislature at which they
28 are to be submitted and the petitions therefor must be filed with the
29 secretary of state not less than ten days before such regular session
30 of the legislature.

31 A petition ordering that any act or part thereof passed by the
32 legislature be referred to the people must be filed with the secretary
33 of state within ninety days after the final adjournment of the
34 legislative session at which the act was passed. It may be submitted
35 at the next general state-wide election or at a special election
36 ordered by the legislature. The legislature may not order a referendum
37 at a special election on any matter that might authorize, impose, or
38 increase a tax, levy, assessment, charge, or fee.

1 A proposed initiative or referendum measure may be filed no earlier
2 than the opening of the secretary of state's office for business
3 (~~pursuant to~~) under RCW 42.04.060 on the first day filings are
4 permitted, and any initiative or referendum petition must be filed not
5 later than the close of business on the last business day in the
6 specified period for submission of signatures. If a filing deadline
7 falls on a Saturday, the office of the secretary of state shall be open
8 on that Saturday for the transaction of business under this section
9 from 8:00 a.m. to 5:00 p.m. on that Saturday.

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

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

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

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

1 held at the next special election date, as specified in RCW 29.13.020,
2 that occurs thirty or more days after certification of the results of
3 the primary election.

4 **Sec. 19.** RCW 35.10.410 and 1985 c 281 s 4 are each amended to read
5 as follows:

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

20 **Sec. 20.** RCW 35.10.420 and 1995 c 196 s 7 are each amended to read
21 as follows:

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

31 The county auditor or auditors shall determine the sufficiency of
32 the signatures in each petition within ten days of receipt of the
33 copies and immediately notify the cities proposed to be consolidated of
34 the sufficiency. If each of the petitions is found to have sufficient
35 valid signatures, the auditor or auditors shall call (~~(a special)~~) an
36 election, to be held at the next general election that occurs ninety or
37 more days after the date when the last petition was filed, at which the

1 question of whether such cities shall consolidate shall be submitted to
2 the voters of each of such cities. (~~If a general election is to be~~
3 ~~held more than ninety days but not more than one hundred eighty days~~
4 ~~after the filing of the last petition, the question shall be submitted~~
5 ~~at that election. Otherwise the question shall be submitted at a~~
6 ~~special election to be called for that purpose at the next special~~
7 ~~election date, as specified in RCW 29.13.020, that occurs ninety or~~
8 ~~more days after the date when the last petition was filed.))~~

9 If each of the petitions is found to have sufficient valid
10 signatures, the auditor or auditors also shall notify the county
11 legislative authority of each county in which the cities are located of
12 the proposed consolidation.

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

17 **Sec. 21.** RCW 35.13.060 and 1989 c 351 s 2 are each amended to read
18 as follows:

19 Upon granting the petition under the twenty percent annexation
20 petition under the election method, and after the auditor has certified
21 the petition as being sufficient, the legislative body of the city or
22 town shall indicate to the county auditor its preference for the date
23 of the election on the annexation to be held, which shall be (~~one of~~)
24 the (~~dates for special elections provided under RCW 29.13.020~~) next
25 general election that is sixty or more days after the date the
26 preference is indicated. The county auditor shall call the (~~special~~)
27 election at the (~~special~~) general election date indicated by the city
28 or town.

29 **Sec. 22.** RCW 35.16.010 and 1994 c 273 s 1 are each amended to read
30 as follows:

31 Upon the filing of a petition which is sufficient as determined by
32 RCW 35A.01.040 requesting the exclusion from the boundaries of a city
33 or town of an area described by metes and bounds or by reference to a
34 recorded plat or government survey, signed by qualified voters of the
35 city or town equal in number to not less than ten percent of the number
36 of voters voting at the last general municipal election, the city or
37 town legislative body shall submit the question to the voters. As an

1 alternate method, the legislative body of the city or town may by
2 resolution submit a proposal to the voters for excluding such a
3 described area from the boundaries of the city or town. The question
4 shall be submitted at the next general (~~municipal~~) election (~~if one~~
5 ~~is to be held within one hundred eighty days or at a special election~~
6 ~~called for that purpose~~) not less than ninety days (~~nor more than one~~
7 ~~hundred eighty days~~) after the certification of sufficiency of the
8 petition or the passage of the resolution. The petition or resolution
9 shall set out and describe the territory to be excluded from the city
10 or town, together with the boundaries of the city or town as it will
11 exist after such change is made.

12 **Sec. 23.** RCW 35.17.220 and 1965 c 7 s 35.17.220 are each amended
13 to read as follows:

14 No franchise or right to occupy or use the streets, highways,
15 bridges or other public places shall be granted, renewed, or extended
16 except by ordinance and every such ordinance complete in the form in
17 which it is finally passed shall remain on file with the city clerk for
18 at least one week before final passage and if the franchise or grant is
19 for interurban or street railways, gas or water works, electric light
20 or power plants, heating plants, telegraph or telephone systems or
21 other public service utilities, the ordinance must be submitted to a
22 vote of the people at a general (~~or special~~) election and approved by
23 a majority of those voting thereon.

24 **Sec. 24.** RCW 35.17.260 and 1965 c 7 s 35.17.260 are each amended
25 to read as follows:

26 Ordinances may be initiated by petition of electors of the city
27 filed with the commission. If the petition accompanying the proposed
28 ordinance is signed by the registered voters in the city equal in
29 number to twenty-five percent of the votes cast for all candidates for
30 mayor at the last preceding city election, and if it contains a request
31 that, unless passed by the commission, the ordinance be submitted to a
32 vote of the people, the commission shall either:

33 (1) Pass the proposed ordinance without alteration within twenty
34 days after the city clerk's certificate that the number of signatures
35 on the petition are sufficient; or

36 (2) Immediately after the clerk's certificate of sufficiency is
37 attached to the petition, cause to be called (~~a special~~) an election

1 to be held at the next general election not less than thirty (~~nor more~~
2 ~~than sixty~~) days thereafter, for submission of the proposed ordinance
3 without alteration, to a vote of the people (~~(unless a general election~~
4 ~~will occur within ninety days, in which event submission must be made~~
5 ~~thereat)~~).

6 **Sec. 25.** RCW 35.17.300 and 1965 c 7 s 35.17.300 are each amended
7 to read as follows:

8 Publication of notice, the election, the canvass of the returns and
9 declaration of the results, shall be conducted in all respects as are
10 other city elections. Any number of proposed ordinances may be voted
11 on at the same election(~~(, but there shall not be more than one special~~
12 ~~election for that purpose during any one six month period)~~).

13 **Sec. 26.** RCW 35.17.380 and 1965 c 7 s 35.17.380 are each amended
14 to read as follows:

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

24 **Sec. 27.** RCW 35.17.440 and 1965 c 7 s 35.17.440 are each amended
25 to read as follows:

26 Upon the filing of a petition praying therefor, signed by not less
27 than twenty-five percent of the registered voters resident in the city,
28 (~~(a special)~~) an election shall be called at which the following
29 proposition only shall be submitted: "Shall the city of (name of city)
30 abandon its organization as a city under the commission form and become
31 a city under the general laws governing cities of like population?"
32 The election must be held at a general election.

33 **Sec. 28.** RCW 35.18.250 and 1965 c 7 s 35.18.250 are each amended
34 to read as follows:

1 Upon the filing of a petition for the adoption of the council-
2 manager plan of government, or upon resolution of the council to that
3 effect, the mayor, only after the petition has been found to be valid,
4 by proclamation issued within ten days after the filing of the petition
5 or the resolution with the clerk, shall cause the question to be
6 submitted at (~~a special election to be held at a time specified in the~~
7 ~~proclamation~~) a general election, which shall be as soon as possible
8 after the sufficiency of the petition has been determined or after the
9 (~~said~~) resolution of the council has been enacted(~~(, but in no event~~
10 ~~shall said special election be held during the ninety day period~~
11 ~~immediately preceding any regular municipal election therein)~~). All
12 acts necessary to hold this election, including legal notice,
13 jurisdiction and canvassing of returns, shall be conducted in
14 accordance with existing law.

15 **Sec. 29.** RCW 35.18.270 and 1994 c 223 s 13 are each amended to
16 read as follows:

17 If the majority of the votes cast at (~~a special~~) an election for
18 organization on the council-manager plan favor the plan, the city or
19 town shall elect the council required under the council-manager plan in
20 number according to its population at the next municipal general
21 election. (~~However, special elections shall be held to nominate and~~
22 ~~elect the new city councilmembers at the next primary and general~~
23 ~~election held in an even-numbered year if the next municipal general~~
24 ~~election is more than one year after the date of the election at which~~
25 ~~the voters approved the council manager plan.)~~) The staggering of
26 terms of office shall occur at the election when the new councilmembers
27 are elected, where the simple majority of the persons elected as
28 councilmembers receiving the greatest numbers of votes shall be elected
29 to four-year terms of office if the election is held in an odd-numbered
30 year, or three-year terms of office if the election is held in an even-
31 numbered year, and the remainder of the persons elected as
32 councilmembers shall be elected to two-year terms of office if the
33 election is held in an odd-numbered year, or one-year terms of office
34 if the election is held in an even-numbered year. The initial
35 councilmembers shall take office immediately when they are elected and
36 qualified, but the lengths of their terms of office shall be calculated
37 from the first day in January in the year following the election.

1 **Sec. 30.** RCW 35.18.310 and 1965 c 7 s 35.18.310 are each amended
2 to read as follows:

3 The proposition to abandon the council-manager plan must be voted
4 on at a (~~special~~) general election (~~called for that purpose~~) at
5 which the (~~only~~) proposition to be voted on shall be: "Shall the
6 city (or town) of abandon its organization under the
7 council-manager plan and become a city (or town) under the general law
8 governing cities (or towns) of class?"

9 **Sec. 31.** RCW 35.18.320 and 1965 c 7 s 35.18.320 are each amended
10 to read as follows:

11 If a majority of votes cast at the (~~special~~) election favor the
12 abandonment of the council-manager form of government, the officers
13 elected at the next succeeding biennial election shall be those then
14 prescribed for cities or towns of like class. Upon the qualification
15 of such officers, the municipality shall again become organized under
16 the general laws of the state, but such change shall not affect in any
17 manner or degree the property, rights, or liabilities of the
18 corporation but shall merely extend to such change in its form of
19 government.

20 **Sec. 32.** RCW 35.21.706 and 1983 c 99 s 6 are each amended to read
21 as follows:

22 Every city and town first imposing a business and occupation tax or
23 increasing the rate of the tax after April 22, 1983, shall provide for
24 a referendum procedure to apply to an ordinance imposing the tax or
25 increasing the rate of the tax. This referendum procedure shall
26 specify that a referendum petition may be filed within seven days of
27 passage of the ordinance with a filing officer, as identified in the
28 ordinance. Within ten days, the filing officer shall confer with the
29 petitioner concerning form and style of the petition, issue the
30 petition an identification number, and secure an accurate, concise, and
31 positive ballot title from the designated local official. The
32 petitioner shall have thirty days in which to secure the signatures of
33 not less than fifteen percent of the registered voters of the city, as
34 of the last municipal general election, upon petition forms which
35 contain the ballot title and the full text of the measure to be
36 referred. The filing officer shall verify the sufficiency of the
37 signatures on the petition and, if sufficient valid signatures are

1 properly submitted, shall certify the referendum measure to the next
2 general election ballot within the city (~~or at a special election~~
3 ~~ballot as provided pursuant to RCW 35.17.260(2)~~)).

4 This referendum procedure shall be exclusive in all instances for
5 any city ordinance imposing a business and occupation tax or increasing
6 the rate of the tax and shall supersede the procedures provided under
7 chapters 35.17 and 35A.11 RCW and all other statutory or charter
8 provisions for initiative or referendum which might otherwise apply.

9 **Sec. 33.** RCW 35.22.280 and 1993 c 83 s 4 are each amended to read
10 as follows:

11 Any city of the first class shall have power:

12 (1) To provide for general and special elections, for questions to
13 be voted upon, and for the election of officers. However, a matter
14 that directly imposes or increases a tax, levy, assessment, charge, or
15 fee may only be voted on at a general election;

16 (2) To provide for levying and collecting taxes on real and
17 personal property for its corporate uses and purposes, and to provide
18 for the payment of the debts and expenses of the corporation;

19 (3) To control the finances and property of the corporation, and to
20 acquire, by purchase or otherwise, such lands and other property as may
21 be necessary for any part of the corporate uses provided for by its
22 charter, and to dispose of any such property as the interests of the
23 corporation may, from time to time, require;

24 (4) To borrow money for corporate purposes on the credit of the
25 corporation, and to issue negotiable bonds therefor, on such conditions
26 and in such manner as shall be prescribed in its charter; but no city
27 shall, in any manner or for any purpose, become indebted to an amount
28 in the aggregate to exceed the limitation of indebtedness prescribed by
29 chapter 39.36 RCW (~~as now or hereafter amended~~);

30 (5) To issue bonds in place of or to supply means to meet maturing
31 bonds or other indebtedness, or for the consolidation or funding of the
32 same;

33 (6) To purchase or appropriate private property within or without
34 its corporate limits, for its corporate uses, upon making just
35 compensation to the owners thereof, and to institute and maintain such
36 proceedings as may be authorized by the general laws of the state for
37 the appropriation of private property for public use;

1 (7) To lay out, establish, open, alter, widen, extend, grade, pave,
2 plank, establish grades, or otherwise improve streets, alleys, avenues,
3 sidewalks, wharves, parks, and other public grounds, and to regulate
4 and control the use thereof, and to vacate the same, and to authorize
5 or prohibit the use of electricity at, in, or upon any of (~~said~~) the
6 streets, or for other purposes, and to prescribe the terms and
7 conditions upon which the same may be so used, and to regulate the use
8 thereof;

9 (8) To change the grade of any street, highway, or alley within its
10 corporate limits, and to provide for the payment of damages to any
11 abutting owner or owners who shall have built or made other
12 improvements upon such street, highway, or alley at any point opposite
13 to the point where such change shall be made with reference to the
14 grade of such street, highway, or alley as the same existed (~~prior to~~
15 ~~such~~) before the change;

16 (9) To authorize or prohibit the locating and constructing of any
17 railroad or street railroad in any street, alley, or public place in
18 such city, and to prescribe the terms and conditions upon which any
19 such railroad or street railroad shall be located or constructed; to
20 provide for the alteration, change of grade, or removal thereof; to
21 regulate the moving and operation of railroad and street railroad
22 trains, cars, and locomotives within the corporate limits of (~~said~~)
23 the city; and to provide by ordinance for the protection of all persons
24 and property against injury in the use of such railroads or street
25 railroads;

26 (10) To provide for making local improvements, and to levy and
27 collect special assessments on property benefited thereby, and for
28 paying for the same or any portion thereof;

29 (11) To acquire, by purchase or otherwise, lands for public parks
30 within or without the limits of such city, and to improve the same.
31 When the language of any instrument by which any property is so
32 acquired limits the use of (~~said~~) the property to park purposes and
33 contains a reservation of interest in favor of the grantor or any other
34 person, and where it is found that the property so acquired is not
35 needed for park purposes and that an exchange thereof for other
36 property to be dedicated for park purposes is in the public interest,
37 the city may, with the consent of the grantor or such other person, his
38 or her heirs, successors, or assigns, exchange such property for other
39 property to be dedicated for park purposes, and may make, execute, and

1 deliver proper conveyances to effect the exchange. In any case where,
2 owing to death or lapse of time, there is neither donor, heir,
3 successor, or assignee to give consent, this consent may be executed by
4 the city and filed for record with an affidavit setting forth all
5 efforts made to locate people entitled to give such consent together
6 with the facts which establish that no consent by such persons is
7 attainable. Title to property so conveyed by the city shall vest in
8 the grantee free and clear of any trust in favor of the public arising
9 out of any prior dedication for park purposes, but the right of the
10 public shall be transferred and preserved with like force and effect to
11 the property received by the city in such exchange;

12 (12) To construct and keep in repair bridges, viaducts, and
13 tunnels, and to regulate the use thereof;

14 (13) To determine what work shall be done or improvements made at
15 the expense, in whole or in part, of the owners of the adjoining
16 contiguous, or proximate property, or others specially benefited
17 thereby; and to provide for the manner of making and collecting
18 assessments therefor;

19 (14) To provide for erecting, purchasing, or otherwise acquiring
20 waterworks, within or without the corporate limits of (~~said~~) the
21 city, to supply (~~said~~) the city and its inhabitants with water, or
22 authorize the construction of same by others when deemed for the best
23 interests of such city and its inhabitants, and to regulate and control
24 the use and price of the water so supplied;

25 (15) To provide for lighting the streets and all public places, and
26 for furnishing the inhabitants thereof with gas or other lights, and to
27 erect, or otherwise acquire, and to maintain the same, or to authorize
28 the erection and maintenance of such works as may be necessary and
29 convenient therefor, and to regulate and control the use thereof;

30 (16) To establish and regulate markets, and to provide for the
31 weighing, measuring, and inspection of all articles of food and drink
32 offered for sale thereat, or at any other place within its limits, by
33 proper penalties, and to enforce the keeping of proper legal weights
34 and measures by all vendors in such city, and to provide for the
35 inspection thereof. Whenever the words "public markets" are used in
36 this chapter, and the public market is managed in whole or in part by
37 a public corporation created by a city, the words shall be construed to
38 include all real or personal property located in a district or area
39 designated by a city as a public market and traditionally devoted to

1 providing farmers, crafts vendors and other merchants with retail space
2 to market their wares to the public. Property located in such a
3 district or area need not be exclusively or primarily used for such
4 traditional public market retail activities and may include property
5 used for other public purposes including, but not limited to, the
6 provision of human services and low-income or moderate-income housing;

7 (17) To erect and establish hospitals and pesthouses, and to
8 control and regulate the same;

9 (18) To provide for establishing and maintaining reform schools for
10 juvenile offenders;

11 (19) To provide for the establishment and maintenance of public
12 libraries, and to appropriate, annually, such percent of all moneys
13 collected for fines, penalties, and licenses as shall be prescribed by
14 its charter, for the support of a city library, which shall, under such
15 regulations as shall be prescribed by ordinance, be open for use by the
16 public;

17 (20) To regulate the burial of the dead, and to establish and
18 regulate cemeteries within or without the corporate limits, and to
19 acquire land therefor by purchase or otherwise; to cause cemeteries to
20 be removed beyond the limits of the corporation, and to prohibit their
21 establishment within two miles of the boundaries thereof;

22 (21) To direct the location and construction of all buildings in
23 which any trade or occupation offensive to the senses or deleterious to
24 public health or safety shall be carried on, and to regulate the
25 management thereof; and to prohibit the erection or maintenance of such
26 buildings or structures, or the carrying on of such trade or occupation
27 within the limits of such corporation, or within the distance of two
28 miles beyond the boundaries thereof;

29 (22) To provide for the prevention and extinguishment of fires and
30 to regulate or prohibit the transportation, keeping, or storage of all
31 combustible or explosive materials within its corporate limits, and to
32 regulate and restrain the use of fireworks;

33 (23) To establish fire limits and to make all such regulations for
34 the erection and maintenance of buildings or other structures within
35 its corporate limits as the safety of persons or property may require,
36 and to cause all such buildings and places as may from any cause be in
37 a dangerous state to be put in safe condition;

1 (24) To regulate the manner in which stone, brick, and other
2 buildings, party walls, and partition fences shall be constructed and
3 maintained;

4 (25) To deepen, widen, dock, cover, wall, alter, or change the
5 channels of waterways and courses, and to provide for the construction
6 and maintenance of all such works as may be required for the
7 accommodation of commerce, including canals, slips, public landing
8 places, wharves, docks, and levees, and to control and regulate the use
9 thereof;

10 (26) To control, regulate, or prohibit the anchorage, moorage, and
11 landing of all watercrafts and their cargoes within the jurisdiction of
12 the corporation;

13 (27) To fix the rates of wharfage and dockage, and to provide for
14 the collection thereof, and to provide for the imposition and
15 collection of such harbor fees as may be consistent with the laws of
16 the United States;

17 (28) To license, regulate, control, or restrain wharf boats, tugs,
18 and other boats used about the harbor or within such jurisdiction;

19 (29) To require the owners of public halls or other buildings to
20 provide suitable means of exit; to provide for the prevention and
21 abatement of nuisances, for the cleaning and purification of
22 watercourses and canals, for the drainage and filling up of ponds on
23 private property within its limits, when the same shall be offensive to
24 the senses or dangerous to health; to regulate and control, and to
25 prevent and punish, the defilement or pollution of all streams running
26 through or into its corporate limits, and for the distance of five
27 miles beyond its corporate limits, and on any stream or lake from which
28 the water supply of (~~said~~) the city is taken, for a distance of five
29 miles beyond its source of supply; to provide for the cleaning of
30 areas, vaults, and other places within its corporate limits which may
31 be so kept as to become offensive to the senses or dangerous to health,
32 and to make all such quarantine or other regulations as may be
33 necessary for the preservation of the public health, and to remove all
34 persons afflicted with any infectious or contagious disease to some
35 suitable place to be provided for that purpose;

36 (30) To declare what shall be a nuisance, and to abate the same,
37 and to impose fines upon parties who may create, continue, or suffer
38 nuisances to exist;

1 (31) To regulate the selling or giving away of intoxicating, malt,
2 vinous, mixed, or fermented liquors as authorized by the general laws
3 of the state: PROVIDED, That no license shall be granted to any person
4 or persons who shall not first comply with the general laws of the
5 state in force at the time the same is granted;

6 (32) To grant licenses for any lawful purpose, and to fix by
7 ordinance the amount to be paid therefor, and to provide for revoking
8 the same: PROVIDED, That no license shall be granted to continue for
9 longer than one year from the date thereof;

10 (33) To regulate the carrying on within its corporate limits of all
11 occupations which are of such a nature as to affect the public health
12 or the good order of ((said)) the city, or to disturb the public peace,
13 and which are not prohibited by law, and to provide for the punishment
14 of all persons violating such regulations, and of all persons who
15 knowingly permit the same to be violated in any building or upon any
16 premises owned or controlled by them;

17 (34) To restrain and provide for the punishment of vagrants,
18 mendicants, prostitutes, and other disorderly persons;

19 (35) To provide for the punishment of all disorderly conduct, and
20 of all practices dangerous to public health or safety, and to make all
21 regulations necessary for the preservation of public morality, health,
22 peace, and good order within its limits, and to provide for the arrest,
23 trial, and punishment of all persons charged with violating any of the
24 ordinances of ((said)) the city. The punishment shall not exceed a
25 fine of five thousand dollars or imprisonment in the city jail for one
26 year, or both such fine and imprisonment. The punishment for any
27 criminal ordinance shall be the same as the punishment provided in
28 state law for the same crime. Such cities alternatively may provide
29 that violations of ordinances constitute a civil violation subject to
30 monetary penalties, but no act which is a state crime may be made a
31 civil violation;

32 (36) To project or extend its streets over and across any tidelands
33 within its corporate limits, and along or across the harbor areas of
34 such city, in such manner as will best promote the interests of
35 commerce;

36 (37) To provide in their respective charters for a method to
37 propose and adopt amendments thereto.

1 **Sec. 34.** RCW 35.58.080 and 1974 ex.s. c 70 s 4 are each amended to
2 read as follows:

3 Upon receipt of a duly certified petition or a valid resolution
4 calling for an election on the formation of a metropolitan municipal
5 corporation, the board of commissioners of the central county shall fix
6 a date for a public hearing thereon which shall be not more than sixty
7 nor less than forty days following the receipt of such resolution or
8 petition. Notice of such hearing shall be published once a week for at
9 least four consecutive weeks in one or more newspapers of general
10 circulation within the metropolitan area. The notice shall contain a
11 description of the boundaries of the proposed metropolitan area, shall
12 name the initial metropolitan function or functions and shall state the
13 time and place of the hearing and the fact that any changes in the
14 boundaries of the metropolitan area will be considered at such time and
15 place. At such hearing or any continuation thereof, any interested
16 person may appear and be heard on all matters relating to the effect of
17 the formation of the proposed municipal metropolitan corporation. The
18 commissioners may make such changes in the boundaries of the
19 metropolitan area as they shall deem reasonable and proper, but may not
20 delete any portion of the proposed area which will create an island of
21 included or excluded lands, may not delete a portion of any city, and
22 may not delete any portion of the proposed area which is contributing
23 or may reasonably be expected to contribute to the pollution of any
24 water course or body of water in the proposed area when the petition or
25 resolution names metropolitan water pollution abatement as a function
26 to be performed by the proposed metropolitan municipal corporation. If
27 the commissioners shall determine that any additional territory should
28 be included in the metropolitan area, a second hearing shall be held
29 and notice given in the same manner as for the original hearing. The
30 commissioners may adjourn the hearing on the formation of a
31 metropolitan municipal corporation from time to time not exceeding
32 thirty days in all. At the next regular meeting following the
33 conclusion of such hearing the commissioners shall adopt a resolution
34 fixing the boundaries of the proposed metropolitan municipal
35 corporation, declaring that the formation of the proposed metropolitan
36 municipal corporation will be conducive to the welfare and benefit of
37 the persons and property therein and providing for the calling of ((a
38 special)) an election on the formation of the metropolitan municipal
39 corporation to be held at the next general election not ((more than one

1 ~~hundred twenty days nor~~) less than sixty days following the adoption
2 of such resolution.

3 **Sec. 35.** RCW 35.58.100 and 1967 c 105 s 2 are each amended to read
4 as follows:

5 A metropolitan municipal corporation may be authorized to perform
6 one or more metropolitan functions in addition to those which it has
7 previously been authorized to perform, with the approval of the voters
8 at an election, in the manner provided in this section.

9 An election to authorize a metropolitan municipal corporation to
10 perform one or more additional metropolitan functions may be called
11 (~~pursuant to~~) under a resolution or a petition in the following
12 manner:

13 (1) A resolution calling for such an election may be adopted by:

14 (a) The city council of the central city; or

15 (b) The city councils of at least one-half in number of the
16 component cities other than the central city; or

17 (c) The board of commissioners of the central county. Such
18 resolution shall be transmitted to the metropolitan council.

19 (2) A petition calling for such an election shall be signed by at
20 least four percent of the registered voters residing within the
21 metropolitan area and shall be filed with the auditor of the central
22 county.

23 Any resolution or petition calling for such an election shall name
24 the additional metropolitan functions which the metropolitan municipal
25 corporation shall be authorized to perform.

26 Upon receipt of such a petition, the auditor shall examine the
27 signatures thereon and certify to the sufficiency thereof. For the
28 purpose of examining the signatures on such petition, the auditor shall
29 be permitted access to all voter registration books of any component
30 county and of all component cities. No person may withdraw his or her
31 name from a petition after it has been filed with the auditor. Within
32 thirty days following the receipt of such petition, the auditor shall
33 transmit the same to the metropolitan council, together with (~~his~~)
34 the auditor's certificate as to the sufficiency of signatures thereon.

35 Upon receipt of a valid resolution or duly certified petition
36 calling for an election on the authorization of the performance of one
37 or more additional metropolitan functions, the metropolitan council
38 shall cause to be called (~~a special~~) an election to be held at the

1 next general election not (~~more than one hundred and twenty days nor~~)
2 less than sixty days following such receipt. Such (~~special~~) election
3 shall be conducted and canvassed as provided in this chapter for an
4 election on the question of forming a metropolitan municipal
5 corporation. The ballot proposition shall be in substantially the
6 following form:

7 "Shall the metropolitan municipal corporation be
8 authorized to perform the additional metropolitan functions of
9 (here insert the title of each of the additional
10 functions to be authorized as set forth in the petition or
11 resolution)?

12 YES 1
13 NO 1 "

14 If a majority of the persons voting on the proposition shall vote in
15 favor thereof, the metropolitan municipal corporation shall be
16 authorized to perform such additional metropolitan function or
17 functions.

18 **Sec. 36.** RCW 35.58.114 and 1967 c 105 s 8 are each amended to read
19 as follows:

20 Whenever a recommended comprehensive plan for the performance of
21 any additional metropolitan function shall have been prepared and the
22 metropolitan council shall have found the plan to be feasible the
23 council may by resolution call (~~a special~~) an election, to be held at
24 the next general election, to authorize the performance of such
25 additional function without the filing of the petitions or resolutions
26 provided for in RCW 35.58.100.

27 If the metropolitan council shall determine that the performance of
28 such function requires enlargement of the metropolitan area, such
29 resolution shall contain a description of the boundaries of the
30 proposed metropolitan area and may be adopted only after a public
31 hearing thereon before the council. Notice of such hearing shall be
32 published once a week for at least two consecutive weeks in one or more
33 newspapers of general circulation within the proposed metropolitan
34 area. The notice shall contain a description of the boundaries of the
35 proposed metropolitan area, shall name the additional function or
36 functions to be performed and shall state the time and place of the
37 hearing and the fact that any changes in the boundaries of the proposed

1 metropolitan area will be considered at such time and place. At such
2 hearing any interested person may appear and be heard. The council may
3 make such changes in the proposed metropolitan area as they shall deem
4 reasonable and proper, but may not delete any portion of the existing
5 metropolitan area and may not delete any portion of the proposed
6 additional area which will create an island of included or excluded
7 lands. If the council shall determine that the proposed additional
8 area should be further enlarged, a second hearing shall be held and
9 notice given in the same manner as for the original hearing. The
10 council may adjourn the hearing or hearings from time to time.

11 Following the conclusion of such hearing or hearings the council
12 may adopt a resolution fixing the boundaries of the proposed
13 metropolitan area and calling (~~(a special)~~) an election on the
14 performance of such additional function, to be held at the next general
15 election. If the metropolitan municipal corporation is then authorized
16 to perform the function of metropolitan sewage disposal the council may
17 provide in such resolution that local governmental agencies collecting
18 sewage from areas outside the metropolitan area as same is constituted
19 on the date of adoption of such resolution will not thereafter be
20 required to discharge such sewage into the metropolitan sewer system or
21 to secure approval of local construction plans from the metropolitan
22 municipal corporation unless such local agency shall first have entered
23 into a contract with the metropolitan municipal corporation for the
24 disposal of such sewage. The metropolitan council may also provide in
25 such resolution that the authorization to perform such additional
26 function be effective only if the voters at such election also
27 authorize the issuance of any general obligation bonds required to
28 carry out the recommended comprehensive plan.

29 The resolution calling such election shall fix the form of the
30 ballot proposition and the same may vary from that specified in RCW
31 35.58.100. If the metropolitan council shall find that the issuance of
32 general obligation bonds is necessary to perform such additional
33 function and to carry out such recommended comprehensive plan then the
34 ballot proposition shall set forth the principal amount of such bonds
35 and the maximum maturity thereof and the proposition shall be so worded
36 that the voters may by a single yes or no vote authorize the
37 performance of the designated function in the area described in the
38 resolution and the issuance of such general obligation bonds.

1 The persons voting at such election shall be all of the qualified
2 voters who have resided within the boundaries of the proposed
3 metropolitan area for at least thirty days preceding the date of the
4 election. The election shall be conducted and canvassed as provided in
5 RCW 35.58.090.

6 If the resolution calling such election does not require the
7 approval of general obligation bonds as a condition of the performance
8 of such additional function and if a majority of the persons voting on
9 the ballot proposition residing within the existing metropolitan
10 municipal corporation shall vote in favor thereof and a majority of the
11 persons residing within the area proposed to be added to the existing
12 metropolitan municipal corporation shall vote in favor thereof the
13 boundaries described in the resolution calling the election shall
14 become the boundaries of the metropolitan municipal corporation and the
15 metropolitan municipal corporation shall be authorized to perform the
16 additional function described in the proposition.

17 If the resolution calling such election shall require the
18 authorization of general obligation bonds as a condition of the
19 performance of such additional function, then to be effective the
20 ballot proposition must be approved as provided in the preceding
21 paragraph and must also be approved by at least three-fifths of the
22 persons voting thereon and the number of persons voting on such
23 proposition must constitute not less than forty percent of the total
24 number of votes cast within such area at the last preceding state
25 general election.

26 **Sec. 37.** RCW 35.58.116 and 1967 c 105 s 9 are each amended to read
27 as follows:

28 The metropolitan council may at the same election called to
29 authorize the performance of an additional function (~~(or at a special
30 election called by the council after it has been authorized to perform
31 any metropolitan function)~~) submit a proposition for the issuance of
32 general obligation bonds for capital purposes as provided in RCW
33 35.58.450 or a proposition for the levy of a general tax for any
34 authorized purpose for one year in such total dollar amount as the
35 metropolitan council may determine and specify in such proposition.
36 Any such proposition to be effective must be assented to by at least
37 three-fifths of the persons voting thereon and the number of persons
38 voting on such proposition shall constitute not less than forty percent

1 of the total number of votes cast within the metropolitan area at the
2 last preceding state general election. Any such proposition shall only
3 be effective if the performance of the additional function shall be
4 authorized at such election or shall have been authorized prior
5 thereto.

6 **Sec. 38.** RCW 35.58.430 and 1965 c 7 s 35.58.430 are each amended
7 to read as follows:

8 The treasurer of each component county shall create a separate fund
9 into which shall be paid all money collected from taxes levied by the
10 metropolitan municipal corporation on property in such county and such
11 money shall be forwarded quarterly by the treasurer of each such county
12 to the treasurer of the central county as directed by the metropolitan
13 council. The treasurer of the central county shall act as the
14 treasurer of the metropolitan municipal corporation and shall establish
15 and maintain such funds as may be authorized by the metropolitan
16 council. Money shall be disbursed from such funds upon warrants drawn
17 by the auditor of the central county as authorized by the metropolitan
18 council. The central county shall be reimbursed by the metropolitan
19 municipal corporation for services rendered by the treasurer and
20 auditor of the central county in connection with the receipt and
21 disbursement of such funds. (~~The expense of all special elections
22 held pursuant to this chapter shall be paid by the metropolitan
23 municipal corporation.~~)

24 **Sec. 39.** RCW 35.58.540 and 1965 c 7 s 35.58.540 are each amended
25 to read as follows:

26 Upon receipt of a duly certified petition calling for an election
27 on the annexation of territory to a metropolitan municipal corporation,
28 or if the metropolitan council shall determine without a petition being
29 filed, that an election on the annexation of any adjacent territory
30 shall be held, the metropolitan council shall fix a date for a public
31 hearing thereon which shall be not more than sixty nor less than forty
32 days following the receipt of such petition or adoption of such
33 resolution. Notice of such hearing shall be published once a week for
34 at least four consecutive weeks in one or more newspapers of general
35 circulation within the territory proposed to be annexed. The notice
36 shall contain a description of the boundaries of the territory proposed
37 to be annexed and shall state the time and place of the hearing thereon

1 and the fact that any changes in the boundaries of such territory will
2 be considered at such time and place. At such hearing or any
3 continuation thereof, any interested person may appear and be heard on
4 all matters relating to the proposed annexation. The metropolitan
5 council may make such changes in the boundaries of the territory
6 proposed to be annexed as it shall deem reasonable and proper, but may
7 not delete any portion of the proposed area which will create an island
8 of included or excluded lands and may not delete a portion of any city.
9 If the metropolitan council shall determine that any additional
10 territory should be included in the territory to be annexed, a second
11 hearing shall be held and notice given in the same manner as for the
12 original hearing. The metropolitan council may adjourn the hearing on
13 the proposed annexation from time to time not exceeding thirty days in
14 all. At the next regular meeting following the conclusion of such
15 hearing, the metropolitan council shall, if it finds that the
16 annexation of such territory will be conducive to the welfare and
17 benefit of the persons and property therein and the welfare and benefit
18 of the persons and property within the metropolitan municipal
19 corporation, adopt a resolution fixing the boundaries of the territory
20 to be annexed and causing to be called (~~(a special)~~) an election on
21 such annexation to be held at the next general election not (~~(more than~~
22 ~~one hundred twenty days nor)~~) less than sixty days following the
23 adoption of such resolution.

24 **Sec. 40.** RCW 35.59.060 and 1984 c 186 s 19 are each amended to
25 read as follows:

26 To carry out the purposes of this chapter any municipality shall
27 have the power to appropriate and/or expend any public moneys available
28 therefor and to issue general obligation bonds within the limitations
29 now or hereafter prescribed by the Constitution and laws of this state.
30 Such general obligation bonds shall be issued and sold as provided in
31 chapter 39.46 RCW. If the governing body of any municipality shall
32 submit a proposition for the approval of general obligation bonds at
33 any general (~~(or special)~~) election and shall declare in the ordinance
34 or resolution setting forth such proposition that its purpose is the
35 creation of a single integrated multi-purpose community center or a
36 city-wide or county-wide system of such centers, all (~~(pursuant to)~~)
37 under this chapter, and that the creation of such center or system of
38 centers constitutes a single purpose, such declaration shall be

1 presumed to be correct and, upon the issuance of the bonds, such
2 presumption shall become conclusive. Any such election shall be held
3 (~~pursuant to~~) under RCW 39.36.050.

4 **Sec. 41.** RCW 35.61.020 and 1965 c 7 s 35.61.020 are each amended
5 to read as follows:

6 At any general election(~~(, or at any special election which may be~~
7 ~~called for that purpose, or at any city election held in the city in~~
8 ~~all of the various voting precincts thereof,)~~) the city council or
9 commission may, or on petition of fifteen percent of the qualified
10 electors of the city based upon the registration for the last preceding
11 general city election, shall by ordinance, submit to the voters of the
12 city the proposition of creating a metropolitan park district, the
13 limits of which shall be coextensive with the limits of the city as now
14 or hereafter established, inclusive of territory annexed to and forming
15 a part of the city.

16 Territory by virtue of its annexation to any city having heretofore
17 created a park district shall be deemed to be within the limits of the
18 metropolitan park district.

19 The city council or commission shall submit the proposition at (~~a~~
20 ~~special~~) an election to be called therefor when the petition so
21 requests, to be held at a general election.

22 **Sec. 42.** RCW 35.61.090 and 1985 c 416 s 3 are each amended to read
23 as follows:

24 The manner of holding any general (~~or special~~) election in a
25 metropolitan park district shall be in accordance with the general
26 election laws of this state insofar as they are (~~not inconsistent~~)
27 consistent with (~~the provisions of~~) this chapter.

28 **Sec. 43.** RCW 35.61.110 and 1989 c 319 s 3 are each amended to read
29 as follows:

30 Every metropolitan park district may contract indebtedness not
31 exceeding in amount, together with existing voter-approved indebtedness
32 and nonvoter-approved indebtedness, equal to two and one-half percent
33 of the value of the taxable property in (~~said~~) the district, as the
34 term "value of the taxable property" is defined in RCW 39.36.015,
35 whenever three-fifths of the voters voting at an election held in the
36 metropolitan park district assent thereto; the election may only be

1 (~~either a special or~~) a general election, and the park commissioners
2 of the metropolitan park district may cause the question of incurring
3 such indebtedness, and issuing negotiable bonds of such metropolitan
4 park district, to be submitted to the qualified voters of the district
5 at any time.

6 **Sec. 44.** RCW 35.61.210 and 1990 c 234 s 3 are each amended to read
7 as follows:

8 The board of park commissioners may levy or cause to be levied a
9 general tax on all the property located in (~~said~~) the park district
10 each year not to exceed fifty cents per thousand dollars of assessed
11 value of the property in such park district. In addition, the board of
12 park commissioners may levy or cause to be levied a general tax on all
13 property located in (~~said~~) the park district each year not to exceed
14 twenty-five cents per thousand dollars of assessed valuation. Although
15 park districts are authorized to impose two separate regular property
16 tax levies, the levies shall be considered to be a single levy for
17 purposes of the one hundred six percent limitation provided for in
18 chapter 84.55 RCW.

19 The board is hereby authorized to levy a general tax in excess of
20 its regular property tax levy or levies when authorized so to do at (~~a~~
21 ~~special~~) an election conducted in accordance with and subject to (~~all~~
22 ~~the requirements of~~) the Constitution and laws of the state (~~now in~~
23 ~~force or hereafter enacted~~) governing the limitation of tax levies and
24 held at a general election. The board is hereby authorized to call (~~a~~
25 ~~special~~) an election for the purpose of submitting to the qualified
26 voters of the park district a proposition to levy a tax in excess of
27 the seventy-five cents per thousand dollars of assessed value herein
28 specifically authorized, to be held at a general election. The manner
29 of submitting any such proposition, of certifying the same, and of
30 giving or publishing notice thereof, shall be as provided by law for
31 the submission of propositions by cities or towns.

32 The board shall include in its general tax levy for each year a
33 sufficient sum to pay the interest on all outstanding bonds and may
34 include a sufficient amount to create a sinking fund for the redemption
35 of all outstanding bonds. The levy shall be certified to the proper
36 county officials for collection the same as other general taxes and
37 when collected, the general tax shall be placed in a separate fund in

1 the office of the county treasurer to be known as the "metropolitan
2 park district fund" and paid out on warrants.

3 **Sec. 45.** RCW 35.61.360 and 1987 c 138 s 2 are each amended to read
4 as follows:

5 (1) As provided in this section, a metropolitan park district may
6 withdraw areas from its boundaries, or reannex areas into the
7 metropolitan park district that previously had been withdrawn from the
8 metropolitan park district under this section.

9 (2) The withdrawal of an area shall be authorized upon: (a)
10 Adoption of a resolution by the park district commissioners requesting
11 the withdrawal and finding that, in the opinion of the commissioners,
12 inclusion of this area within the metropolitan park district will
13 result in a reduction of the district's tax levy rate under (~~the~~
14 ~~provisions of~~) RCW 84.52.010; and (b) adoption of a resolution by the
15 city or town council approving the withdrawal, if the area is located
16 within the city or town, or adoption of a resolution by the county
17 legislative authority of the county within which the area is located
18 approving the withdrawal, if the area is located outside of a city or
19 town. A withdrawal shall be effective at the end of the day on the
20 thirty-first day of December in the year in which the resolutions are
21 adopted, but for purposes of establishing boundaries for property tax
22 purposes, the boundaries shall be established immediately upon the
23 adoption of the second resolution.

24 The withdrawal of an area from the boundaries of a metropolitan
25 park district shall not exempt any property therein from taxation for
26 the purpose of paying the costs of redeeming any indebtedness of the
27 metropolitan park district existing at the time of the withdrawal.

28 (3) An area that has been withdrawn from the boundaries of a
29 metropolitan park district under this section may be reannexed into the
30 metropolitan park district upon: (a) Adoption of a resolution by the
31 park district commissioners proposing the reannexation; and (b)
32 adoption of a resolution by the city or town council approving the
33 reannexation, if the area is located within the city or town, or
34 adoption of a resolution by the county legislative authority of the
35 county within which the area is located approving the reannexation, if
36 the area is located outside of a city or town. The reannexation shall
37 be effective at the end of the day on the thirty-first day of December
38 in the year in which the adoption of the second resolution occurs, but

1 for purposes of establishing boundaries for property tax purposes, the
2 boundaries shall be established immediately upon the adoption of the
3 second resolution. Referendum action on the proposed reannexation may
4 be taken by the voters of the area proposed to be reannexed if a
5 petition calling for a referendum is filed with the city or town
6 council, or county legislative authority, within a thirty-day period
7 after the adoption of the second resolution, which petition has been
8 signed by registered voters of the area proposed to be reannexed equal
9 in number to ten percent of the total number of the registered voters
10 residing in that area.

11 If a valid petition signed by the requisite number of registered
12 voters has been so filed, the effect of the resolutions shall be held
13 in abeyance and a ballot proposition to authorize the reannexation
14 shall be submitted to the voters of the area at the next (~~special~~)
15 general election (~~(date specified in RCW 29.13.020)~~) that occurs forty-
16 five or more days after the petitions have been validated. Approval of
17 the ballot proposition authorizing the reannexation by a simple
18 majority vote shall authorize the reannexation.

19 **Sec. 46.** RCW 35.62.041 and 1990 c 193 s 3 are each amended to read
20 as follows:

21 Where more than one name is proposed by either petition or
22 resolution, the question shall be separated into two separate parts and
23 shall be in substantially the following form:

24 "Shall the name of the city (or town) of (insert name) be
25 changed?

26 Yes . . .

27 No . . ."

28 "If a name change is approved, which of the following should be the new
29 name?

30 (insert name)

31 (insert name)

32 Vote for one."

33 Voters may select a name change whether or not they vote in favor of
34 changing the name of the city or town. If a majority of the votes cast
35 on the first proposition favor changing the name, the name that
36 receives at least a majority of the total number of votes cast for an

1 alternative name shall become the new name of the city or town
2 effective thirty days after the certification of the election results.

3 If no alternative name receives a simple majority vote, then an
4 election shall be held at the next (~~November special~~) general
5 election date, at which voters shall be given the option of choosing
6 which of the two alternative names that received the most votes shall
7 become the new name of the city or town. This ballot proposition shall
8 be worded substantially as follows:

9 "Which of the following names shall become the new name of the city (or
10 town) of (insert name) ?"

11 (insert name)

12 (insert name)

13 Vote for one."

14 The name that receives the majority vote shall become the new name of
15 the city or town effective thirty days after the certification of the
16 election results.

17 **Sec. 47.** RCW 35.67.331 and 1969 ex.s. c 51 s 1 are each amended to
18 read as follows:

19 A city or town may by ordinance provide that its water system,
20 sewerage system, and garbage and refuse collection and disposal system
21 may be acquired, constructed, maintained and operated jointly, either
22 by combining any two of such systems or all three. All powers granted
23 to cities and towns to acquire, construct, maintain and operate such
24 systems may be exercised in the joint acquisition, construction,
25 maintenance and operation of such combined systems: PROVIDED, That if
26 a general indebtedness is to be incurred to pay a part or all of the
27 cost of construction, maintenance, or operation of such a combined
28 system, no such indebtedness shall be incurred without such
29 indebtedness first being authorized by a vote of the people at a
30 (~~special or~~) general election conducted in the manner prescribed by
31 law: PROVIDED FURTHER, That nothing in (~~this amendatory act~~) chapter
32 51, Laws of 1969 ex. sess. shall be construed to supersede charter
33 provisions to the contrary.

34 **Sec. 48.** RCW 35.92.070 and 1987 c 145 s 1 are each amended to read
35 as follows:

1 When the governing body of a city or town deems it advisable that
2 the city or town purchase, acquire, or construct any such public
3 utility, or make any additions and betterments thereto or extensions
4 thereof, it shall provide therefor by ordinance, which shall specify
5 and adopt the system or plan proposed, and declare the estimated cost
6 thereof, as near as may be, and the ordinance shall be submitted for
7 ratification or rejection by majority vote of the voters of the city or
8 town at a general (~~or special~~) election.

9 (1) No submission shall be necessary:

10 (a) When the work proposed is an addition to, or betterment of,
11 extension of, or an increased water supply for existing waterworks, or
12 an addition, betterment, or extension of an existing system or plant of
13 any other public utility;

14 (b) When in the charter of a city a provision has been adopted
15 authorizing the corporate authorities thereof to provide by ordinance
16 for acquiring, opening, or operating any of such public utilities; or

17 (c) When in the judgment of the corporate authority, the public
18 health is being endangered by the discharge of raw or untreated sewage
19 into any body of water and the danger to the public health may be
20 abated by the construction and maintenance of a sewage disposal plant.

21 (2) Notwithstanding subsection (1) of this section, submission to
22 the voters shall be necessary if:

23 (a) The project or work may produce electricity for sale in excess
24 of present or future needs of the water system;

25 (b) The city or town does not own or operate an electric utility
26 system;

27 (c) The work involves an ownership greater than twenty-five percent
28 in a new water supply project combined with an electric generation
29 facility; and

30 (d) The combined facility has an installed capacity in excess of
31 five megawatts.

32 (3) Notwithstanding subsection (1) of this section, submission to
33 the voters shall be necessary to make extensions to a public utility
34 which would expand the previous service capacity by fifty percent or
35 more, where such increased service capacity is financed by the issuance
36 of general obligation bonds.

37 (4) Thirty days' notice of the election shall be given in the
38 official newspaper of the city or town, by publication at least once
39 each week in the paper during such time.

1 (5) When a proposition has been adopted, or in the cases where no
2 submission is necessary, the corporate authorities of the city or town
3 may proceed forthwith to purchase, construct, and acquire the public
4 utility or make additions, betterments, and extensions thereto and to
5 make payment therefor.

6 **Sec. 49.** RCW 35.94.020 and 1985 c 469 s 40 are each amended to
7 read as follows:

8 The legislative authority of the city, if it deems it advisable to
9 lease or sell the works, plant, or system, or any part thereof, shall
10 adopt a resolution stating whether it desires to lease or sell. If it
11 desires to lease, the resolution shall state the general terms and
12 conditions of the lease, but not the rent. If it desires to sell the
13 general terms of sale shall be stated, but not the price. The
14 resolution shall direct the city clerk, or other proper official, to
15 publish the resolution not less than once a week for four weeks in the
16 official newspaper of the city, together with a notice calling for
17 sealed bids to be filed with the clerk or other proper official not
18 later than a certain time, accompanied by a certified check payable to
19 the order of the city, for such amount as the resolution shall require,
20 or a deposit of a like sum in money. Each bid shall state that the
21 bidder agrees that if (~~his~~) the bidder's bid is accepted and (~~he~~)
22 the bidder fails to comply therewith within the time hereinafter
23 specified, the check or deposit shall be forfeited to the city. If
24 bids for a lease are called for, bidders shall bid the amount to be
25 paid as the rent for each year of the term of the lease. If bids for
26 a sale are called for, the bids shall state the price offered. The
27 legislative authority of the city may reject any or all bids and accept
28 any bid which it deems best. At the first meeting of the legislative
29 authority of the city held after the expiration of the time fixed for
30 receiving bids, or at some later meeting, the bids shall be considered.
31 In order for the legislative authority to declare it advisable to
32 accept any bid it shall be necessary for two-thirds of all the members
33 elected to the legislative authority to vote in favor of a resolution
34 making the declaration. If the resolution is adopted it shall be
35 necessary, in order that the bid be accepted, to enact an ordinance
36 accepting it and directing the execution of a lease or conveyance by
37 the mayor and city clerk or other proper official. The ordinance shall
38 not take effect until it has been submitted to the voters of the city

1 for their approval or rejection at the next general election (~~or at a~~
2 ~~special election called for that purpose~~), and a majority of the
3 voters voting thereon have approved it. If approved it shall take
4 effect as soon as the result of the vote is proclaimed by the mayor.
5 If it is so submitted and fails of approval, it shall be rejected and
6 annulled. The mayor shall proclaim the vote as soon as it is properly
7 certified.

8 **Sec. 50.** RCW 35A.02.025 and 1979 ex.s. c 18 s 4 are each amended
9 to read as follows:

10 Upon the filing of a referendum petition in the manner provided in
11 RCW 35A.29.170 signed by qualified electors in number equal to not less
12 than ten percent of the votes cast in the last general municipal
13 election, such resolution as authorized by RCW 35A.02.020 shall be
14 referred to the voters for confirmation or rejection in the next
15 general municipal election (~~(if one is to be held within one hundred~~
16 ~~and eighty days from the date of filing of the referendum petition, or~~
17 ~~at a special election to be called for that purpose in accordance with~~
18 ~~RCW 29.13.020)~~).

19 **Sec. 51.** RCW 35A.02.060 and 1990 c 259 s 3 are each amended to
20 read as follows:

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

1 **Sec. 52.** RCW 35A.02.070 and 1967 ex.s. c 119 s 35A.02.070 are each
2 amended to read as follows:

3 The legislative body of an incorporated city or town may, by
4 resolution, submit to the voters in the next general municipal election
5 ~~((if one is to be held within one hundred and eighty days after passage~~
6 ~~of the resolution, or in a special election to be called for that~~
7 ~~purpose not less than ninety days nor more than one hundred and eighty~~
8 ~~days after passage of the resolution,))~~ a proposal that the city or
9 town adopt the classification of noncharter code city and organize
10 under one of the plans of government authorized in this title, naming
11 such plan.

12 **Sec. 53.** RCW 35A.06.050 and 1994 c 223 s 29 are each amended to
13 read as follows:

14 The proposal for abandonment of a plan of government as authorized
15 in RCW 35A.06.030 and for adoption of the plan named in the resolution
16 or petition shall be voted upon at the next general municipal election
17 ~~((if one is to be held within one hundred and eighty days or otherwise~~
18 ~~at a special election called for that purpose in accordance with RCW~~
19 ~~29.13.020)).~~ The ballot title and statement of the proposition shall
20 be prepared by the city attorney as provided in RCW 29.27.060 and
21 35A.29.120.

22 **Sec. 54.** RCW 35A.09.060 and 1967 ex.s. c 119 s 35A.09.060 are each
23 amended to read as follows:

24 The election of the charter commission and the election upon the
25 proposition of adopting the proposed new, altered, or revised charter,
26 ~~((may))~~ must be a general ~~((or special))~~ election~~((s))~~ held within the
27 corresponding time period specified in chapter 35A.08 RCW, and except
28 as herein provided, ~~((said))~~ the election~~((s))~~, the notice specifying
29 the objects thereof, the returns, the canvassing, and the declaration
30 of the result shall be governed by the laws regulating and controlling
31 elections in the charter code city.

32 **Sec. 55.** RCW 35A.09.070 and 1967 ex.s. c 119 s 35A.09.070 are each
33 amended to read as follows:

34 If a majority of the voters voting upon the adoption of the
35 proposed new, altered, or revised charter favor it, it shall become the
36 charter of the charter code city and the organic law thereof,

1 superseding any existing charter; but if any offices are abolished or
2 dispensed with by the new, altered, or revised charter, and any new
3 offices created thereby, such charter shall not go into effect until
4 the election and qualification of such new officers at the next general
5 municipal election (~~((if one is to be held within one hundred and eighty
6 days, or at a special election to be held for that purpose))~~) not less
7 than ninety days(~~(, nor more than one hundred and eighty days)~~) after
8 approval of such charter by the voters.

9 **Sec. 56.** RCW 35A.10.030 and 1990 c 259 s 10 are each amended to
10 read as follows:

11 Upon the passage of a resolution of the legislative body of a
12 charter code city, or upon the filing with the county auditor of a
13 sufficient petition signed by registered voters of a charter code city
14 in number equal to not less than ten percent of the votes cast at the
15 last general municipal election therein, proposing abandonment of the
16 classification of charter code city and that the city be governed under
17 its charter and the general law relating to cities of the
18 classification named in the petition or resolution, the legislative
19 body thereof shall cause the propositions to be submitted to the voters
20 at the next general municipal election (~~((if one is to be held within
21 one hundred and eighty days or at a special election to be held for
22 that purpose))~~) not less than ninety days (~~((nor more than one hundred
23 and eighty days)~~) after the passage of the resolution or the filing of
24 the certificate of sufficiency of the petition. Notice of election
25 shall be given, the election conducted, and results declared generally
26 as provided in chapter 35A.02 RCW, insofar as such provisions are
27 applicable. If a majority of the votes cast upon such proposition are
28 in favor of abandonment of the classification of charter code city,
29 upon the certification of the record of election to the office of the
30 secretary of state, such charter city shall be classified as a city of
31 the class selected and shall be governed by the laws relating thereto.

32 **Sec. 57.** RCW 35A.14.050 and 1989 c 351 s 5 are each amended to
33 read as follows:

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

1 (1) Approval of the proposal as submitted(~~(-)~~);

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

12 (3) Disapproval of the proposal.

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

37 **Sec. 58.** RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each
38 amended to read as follows:

1 Such annexation ordinance as provided for in RCW 35A.14.297 shall
2 be subject to referendum for forty-five days after the passage thereof.
3 Upon the filing of a timely and sufficient referendum petition with the
4 legislative body, signed by qualified electors in number equal to not
5 less than ten percent of the votes cast in the last general state
6 election in the area to be annexed, the question of annexation shall be
7 submitted to the voters of such area in a general election (~~((if one is~~
8 ~~to be held within ninety days or at a special election called for that~~
9 ~~purpose))~~ not less than forty-five days (~~((nor more than ninety days))~~
10 after the filing of the referendum petition. Notice of such election
11 shall be given as provided in RCW 35A.14.070 (~~((and the election shall~~
12 ~~be conducted as provided in RCW 35A.14.060))~~). The annexation shall be
13 deemed approved by the voters unless a majority of the votes cast on
14 the proposition are in opposition thereto.

15 After the expiration of the forty-fifth day from but excluding the
16 date of passage of the annexation ordinance, if no timely and
17 sufficient referendum petition has been filed, the area annexed shall
18 become a part of the code city upon the date fixed in the ordinance of
19 annexation. From and after such date, if the ordinance so provided,
20 property in the annexed area shall be subject to the proposed zoning
21 regulation prepared and filed for such area as provided in RCW
22 35A.14.330 and 35A.14.340. If the ordinance so provided, all property
23 within the area annexed shall be assessed and taxed at the same rate
24 and on the same basis as the property of such annexing code city is
25 assessed and taxed to pay for any then outstanding indebtedness of such
26 city contracted (~~((prior to))~~) before, or existing at, the date of
27 annexation.

28 **Sec. 59.** RCW 35A.16.010 and 1967 ex.s. c 119 s 35A.16.010 are each
29 amended to read as follows:

30 Upon the filing of a petition which is sufficient as determined by
31 RCW 35A.01.040 praying for the exclusion from the boundaries of a code
32 city of an area described by metes and bounds or by reference to a
33 recorded plat or government survey, signed by qualified voters of the
34 city in number equal to not less than ten percent of the number of
35 votes cast at the last general municipal election, the legislative body
36 of the code city shall cause the question to be submitted to the
37 voters. As an alternate method, such a proposal for exclusion from the
38 code city of a described area may be submitted to the voters by

1 resolution of the legislative body. The question shall be submitted at
2 the next general municipal election (~~((if one is to be held within one~~
3 ~~hundred and eighty days or at a special election called for that~~
4 ~~purpose))~~) not less than ninety days (~~((nor more than one hundred and~~
5 ~~eighty days))~~) after the certification of sufficiency of the petition or
6 the passage of the resolution. The petition or resolution shall set
7 out and describe the territory to be excluded from the code city,
8 together with the boundaries of the code city as it will exist after
9 such change is made.

10 **Sec. 60.** RCW 36.08.010 and 1963 c 4 s 36.08.010 are each amended
11 to read as follows:

12 If a harbor, inlet, bay, or mouth of river is embraced within two
13 adjoining counties, and an incorporated city is located upon the shore
14 of such harbor, bay, inlet, or mouth of river and it is desired to
15 embrace within the limits of one county, the full extent of the shore
16 line of the harbor, port, or bay, and the waters thereof, together with
17 a strip of the adjacent and contiguous upland territory not exceeding
18 three miles in width, to be measured back from highwater mark, and six
19 miles in length, and not being at a greater distance in any part of
20 (~~(said))~~) the strip from the courthouse in the county seat of the county
21 to which the territory is proposed to be annexed, as such county seat
22 and courthouse are now situated, than ten miles, a majority of the
23 qualified electors living in such territory may petition to have the
24 territory stricken from the county of which it shall then be a part,
25 and added to and made a part of the county contiguous thereto.

26 The petition shall describe with certainty the bounds and area of
27 the territory, with the reasons for making the change and shall be
28 presented to the board of county commissioners of the county in which
29 the territory is located, which shall proceed to ascertain if the
30 petition contains the requisite number of petitioners, who must be bona
31 fide residents of the territory sought to be stricken off and
32 transferred to the contiguous county.

33 If satisfied that the petition is signed by a majority of the bona
34 fide electors of the territory, and that there will remain in the
35 county from which it is taken more than four thousand inhabitants, the
36 board shall make an order that (~~(a special))~~) an election be held within
37 the limits of the territory described in the petition, on a date to be
38 named in the order that is also a general election.

1 Notices of the election shall contain a description of the
2 territory proposed to be transferred and the names of the counties from
3 and to which the transfer is intended to be made, and shall be posted
4 and published as required for general elections.

5 **Sec. 61.** RCW 36.33.020 and 1963 c 4 s 36.33.020 are each amended
6 to read as follows:

7 Any board of county commissioners may establish by resolution a
8 cumulative reserve fund in general terms for several different county
9 purposes as well as for a very specific county purpose, including that
10 of buying any specified supplies, material or equipment, or the
11 construction, alteration or repair of any public building or work, or
12 the making of any public improvement. The resolution shall designate
13 the fund as "cumulative reserve fund for (naming the
14 purpose or purposes for which the fund is to be accumulated and
15 expended)." The moneys in ((said)) the fund may be allowed to
16 accumulate from year to year until the board of county commissioners of
17 the county shall determine to expend the moneys in the fund for the
18 purpose or purposes specified(~~(:—PROVIDED, That any)~~). However,
19 moneys in ((said)) the fund shall never be expended for any other
20 purpose or purposes than those specified, without an approving vote by
21 a majority of the electors of the county at a general ~~((or special))~~
22 election to allow other specified uses to be made of ((said)) the fund.

23 **Sec. 62.** RCW 36.68.470 and 1981 c 210 s 6 are each amended to read
24 as follows:

25 (1) Upon making findings under ~~((the provisions of))~~ RCW 36.68.460,
26 the county legislative authority shall, by resolution, order an
27 election of the voters of the proposed park and recreation service area
28 to determine if the service area shall be formed. The county
29 legislative authority shall in their resolution direct the county
30 auditor to set the election to be held at the next general election
31 ~~((or at a special election held for such purpose));~~ describe the
32 purposes of the proposed service area; set forth the estimated cost of
33 any initial improvements or services to be financed by the service area
34 should it be formed; describe the method of financing the initial
35 improvements or services described in the resolution or petition; and
36 order that notice of election be published in a newspaper of general

1 ~~purpose~~) in the manner prescribed by section 2, Article VII of the
2 state Constitution and by RCW 84.52.052 for operating funds, capital
3 outlay funds, and cumulative reserve funds.

4 (2) A park and recreation service area may issue general obligation
5 bonds for capital purposes only, not to exceed an amount, together with
6 any outstanding nonvoter approved general obligation indebtedness,
7 equal to three-eighths of one percent of the value of the taxable
8 property within the service area. Additionally, a park and recreation
9 service area may issue general obligation bonds, together with any
10 outstanding voter approved and nonvoter approved general indebtedness,
11 equal to two and one-half percent of the value of the taxable property
12 within the service area, as the term "value of the taxable property" is
13 defined in RCW 39.36.015, when such bonds are approved by the voters of
14 the service area at a (~~special~~) general election (~~called for the~~
15 ~~purpose~~) in accordance with (~~the provisions of~~) Article VIII,
16 section 6 of the state Constitution. Such bonds shall be issued and
17 sold in accordance with chapter 39.46 RCW.

18 Bonds may be retired by excess property tax levies when such levies
19 are approved by the voters at a special election in accordance with
20 (~~the provisions of~~) Article VII, section 2 of the state Constitution
21 and RCW 84.52.056.

22 Any elections shall be held as provided in RCW 39.36.050.

23 **Sec. 65.** RCW 36.68.525 and 1994 c 156 s 5 are each amended to read
24 as follows:

25 A park and recreation service area may impose regular property tax
26 levies in an amount equal to sixty cents or less per thousand dollars
27 of assessed value of property in the service area in each year for six
28 consecutive years when specifically authorized so to do by a majority
29 of at least three-fifths of the voters thereof approving a proposition
30 authorizing the levies submitted not more than twelve months (~~prior~~
31 ~~to~~) before the date on which the proposed initial levy is to be made
32 and not oftener than twice in such twelve month period, (~~either at a~~
33 ~~special election or~~) at the (~~regular~~) general election of the
34 service area, at which election the number of voters voting "yes" on
35 the proposition shall constitute three-fifths of a number equal to
36 forty percent of the number of voters voting in the service area at the
37 last preceding general election when the number of voters voting on the
38 proposition does not exceed forty percent of the number of voters

1 voting in such taxing district in the last preceding general election;
2 or by a majority of at least three-fifths of the voters thereof voting
3 on the proposition if the number of voters voting on the proposition
4 exceeds forty (~~(per centum)~~) percent of the number of voters voting in
5 such taxing district in the last preceding general election. A
6 proposition authorizing such tax levies shall not be submitted by a
7 park and recreation service area more than twice in any twelve-month
8 period. Ballot propositions shall conform with RCW 29.30.111. If a
9 park and recreation service area is levying property taxes, which in
10 combination with property taxes levied by other taxing districts result
11 in taxes in excess of the (~~(nine-dollar and fifteen cents per thousand~~
12 ~~dollars of assessed valuation)~~) limitation provided for in RCW
13 84.52.043, the park and recreation service area property tax levy shall
14 be reduced or eliminated before the property tax levies of other taxing
15 districts are reduced.

16 **Sec. 66.** RCW 36.69.065 and 1989 c 184 s 1 are each amended to read
17 as follows:

18 If the petition or resolution initiating the formation of the
19 proposed park and recreation district proposes that the initial capital
20 or operational costs are to be financed by regular property tax levies
21 for a (~~(five-year)~~) period as authorized by RCW 36.69.145, or an annual
22 excess levy, or that proposed capital costs are to be financed by the
23 issuance of general obligation bonds and bond retirement levies, a
24 proposition or propositions for such purpose or purposes shall be
25 submitted to the voters of the proposed park and recreation district at
26 the same election. A proposition or propositions for regular property
27 tax levies for a (~~(five-year)~~) period as authorized by RCW 36.69.145,
28 an annual excess levy, or the issuance of general obligation bonds and
29 bond retirement levies, may also be submitted to the voters at any
30 general (~~(or special)~~) election. The ballot proposition or
31 propositions authorizing the imposition of a tax levy or levies, or
32 issuance of general obligation bonds and imposition of tax levies,
33 shall be null and void if the park and recreation district was not
34 authorized to be formed.

35 **Sec. 67.** RCW 36.69.140 and 1994 c 156 s 2 are each amended to read
36 as follows:

1 (1) A park and recreation district shall have the power to levy
2 excess levies upon the property included within the district, in the
3 manner prescribed by Article VII, section 2, of the state Constitution
4 and by RCW 84.52.052 for operating funds, capital outlay funds, and
5 cumulative reserve funds.

6 (2) A park and recreation district may issue general obligation
7 bonds for capital purposes only, not to exceed an amount, together with
8 any outstanding nonvoter approved general obligation indebtedness equal
9 to three-eighths of one percent of the value of the taxable property
10 within such district, as the term "value of the taxable property" is
11 defined in RCW 39.36.015. A park and recreation district may
12 additionally issue general obligation bonds, together with outstanding
13 voter approved and nonvoter approved general obligation indebtedness,
14 equal to one and one-fourth percent of the value of the taxable
15 property within the district, as the term "value of the taxable
16 property" is defined in RCW 39.36.015, when such bonds are approved by
17 three-fifths of the voters of the district at a general (~~or special~~)
18 election (~~called for that purpose~~) and may provide for the retirement
19 thereof by levies in excess of dollar rate limitations in accordance
20 with (~~the provisions of~~) RCW 84.52.056. When authorized by the
21 voters of the district, the district may issue interest bearing
22 warrants payable out of and to the extent of excess levies authorized
23 in the year in which the excess levy was approved. These elections
24 shall be held as provided in RCW 39.36.050. Such bonds and warrants
25 shall be issued and sold in accordance with chapter 39.46 RCW.

26 **Sec. 68.** RCW 36.69.145 and 1994 c 156 s 3 are each amended to read
27 as follows:

28 (1) A park and recreation district may impose regular property tax
29 levies in an amount equal to sixty cents or less per thousand dollars
30 of assessed value of property in the district in each year for six
31 consecutive years when specifically authorized so to do by a majority
32 of at least three-fifths of the voters thereof approving a proposition
33 authorizing the levies submitted at a (~~special election or at the~~
34 ~~regular~~) general election of the district, at which election the
35 number of voters voting "yes" on the proposition shall constitute
36 three-fifths of a number equal to forty (~~per centum~~) percent of the
37 number of voters voting in such district at the last preceding general
38 election when the number of voters voting on the proposition does not

1 exceed forty (~~per centum~~) percent of the number of voters voting in
2 such taxing district in the last preceding general election; or by a
3 majority of at least three-fifths of the voters thereof voting on the
4 proposition if the number of voters voting on the proposition exceeds
5 forty (~~per centum~~) percent of the number of voters voting in such
6 taxing district in the last preceding general election. A proposition
7 authorizing the tax levies shall not be submitted by a park and
8 recreation district more than twice in any twelve-month period. Ballot
9 propositions shall conform with RCW 29.30.111. In the event a park and
10 recreation district is levying property taxes, which in combination
11 with property taxes levied by other taxing districts subject to the one
12 percent limitation provided for in Article 7, section 2, of (~~our~~) the
13 state Constitution result in taxes in excess of the limitation provided
14 for in RCW 84.52.043, the park and recreation district property tax
15 levy shall be reduced or eliminated before the property tax levies of
16 other taxing districts are reduced.

17 (2) The limitation in RCW 84.55.010 shall not apply to the first
18 levy imposed under this section following the approval of the levies by
19 the voters under subsection (1) of this section.

20 **Sec. 69.** RCW 36.100.010 and 1995 1st sp.s. c 14 s 1 are each
21 amended to read as follows:

22 (1) A public facilities district may be created in any county and
23 shall be coextensive with the boundaries of the county.

24 (2) A public facilities district shall be created upon adoption of
25 a resolution providing for the creation of such a district by the
26 county legislative authority in which the proposed district is located
27 and approval by a majority of the voters of the county at a general
28 election.

29 (3) A public facilities district is a municipal corporation, an
30 independent taxing "authority" within the meaning of Article VII,
31 section 1 of the state Constitution, and a "taxing district" within the
32 meaning of Article VII, section 2 of the state Constitution.

33 (4) No taxes authorized under this chapter may be assessed or
34 levied unless a majority of the voters of the public facilities
35 district has approved such tax at a general (~~or special~~) election.
36 A single ballot proposition may both validate the imposition of the
37 sales and use tax under RCW 82.14.048 and the excise tax under RCW
38 36.100.040.

1 (5) A public facilities district shall constitute a body corporate
2 and shall possess all the usual powers of a corporation for public
3 purposes as well as all other powers that may now or hereafter be
4 specifically conferred by statute, including, but not limited to, the
5 authority to hire employees, staff, and services, to enter into
6 contracts, and to sue and be sued.

7 (6) The county legislative authority may transfer property to the
8 public facilities district as part of the process of creating the
9 public facilities district under this chapter.

10 **Sec. 70.** RCW 36.105.040 and 1991 c 363 s 102 are each amended to
11 read as follows:

12 (1) The process to create a community council shall be initiated by
13 the filing of petitions with the county auditor of the county in which
14 the community is located which: (a) Call for the creation of a
15 community council; (b) set forth the boundaries for the community; (c)
16 indicate the number of community councilmembers, which shall be five,
17 seven, nine, or eleven; and (d) contain signatures of voters residing
18 within the community equal in number to at least ten percent of the
19 voters residing in the community who voted at the last state general
20 election. The county auditor shall determine if the petitions contain
21 a sufficient number of valid signatures and certify the sufficiency of
22 the petitions within fifteen days of when the petitions were filed. If
23 the petitions are certified as having sufficient valid signatures, the
24 county auditor shall transmit the petitions and certificate to the
25 county legislative authority.

26 (2) The county legislative authority shall hold a public hearing
27 within the community on the creation of the proposed community council
28 no later than sixty days after the petitions and certificate of
29 sufficiency were transmitted to the county legislative authority.
30 Notice of the public hearing shall be published in a newspaper of
31 general circulation in the community for at least once a week for two
32 consecutive weeks, with the last date of publication no more than ten
33 days (~~prior to~~) before the date of the public hearing. At least ten
34 days before the public hearing, additional notice shall be posted
35 conspicuously in at least five places within the proposed community in
36 a manner designed to attract public attention.

37 (3) After receiving testimony on the creation of the proposed
38 community council, the county legislative authority may alter the

1 boundaries of the community, but the boundaries may not be altered to
2 reduce the number of persons living within the community by more than
3 ten percent or below the minimum number of residents who must reside
4 within the community at the time of the creation of the community
5 council. If territory is added to the community, another public
6 hearing on the proposal shall be held.

7 (4) The county legislative authority shall call ~~((a special))~~ an
8 election within the community to determine whether the proposed
9 community council shall be created, and to elect the initial community
10 councilmembers, at the next state general election occurring seventy-
11 five or more days after the initial public hearing on the creation of
12 the proposed community council. The election must be held at a general
13 election. The community council shall be created if the ballot
14 proposition authorizing the creation of the community is approved by a
15 simple majority vote of the voters voting on the proposition.

16 **Sec. 71.** RCW 39.36.050 and 1984 c 186 s 3 are each amended to read
17 as follows:

18 The governing body of a taxing district desiring to place a ballot
19 proposition authorizing indebtedness before the voters may submit the
20 proposition at any ~~((special))~~ general election ~~((held on the dates~~
21 ~~authorized in chapter 29.13 RCW))~~. The ballot proposition shall
22 include the maximum amount of the indebtedness to be authorized, the
23 maximum term any bonds may have, a description of the purpose or
24 purposes of the bond issue, and whether excess property tax levies
25 authorized under RCW 84.52.056 will be authorized.

26 When it is required that such bonds be retired by excess property
27 tax levies, or when the governing body desires such bonds be retired by
28 excess property tax levies, the ballot proposition shall also include
29 authorization for such excess bond retirement property tax levies
30 provided under RCW 84.52.056.

31 Notice of the proposed election shall be published as required by
32 RCW 29.27.080.

33 **Sec. 72.** RCW 42.17.390 and 1993 c 2 s 28 (Initiative Measure No.
34 134) are each amended to read as follows:

35 One or more of the following civil remedies and sanctions may be
36 imposed by court order in addition to any other remedies provided by
37 law:

1 (1) If the court finds that the violation of ~~((any provision of))~~
2 this chapter by any candidate or political committee probably affected
3 the outcome of any election, the result of ~~((said))~~ the election may be
4 held void and a special election held within sixty days of such
5 finding, except that a vote that might directly impose or increase a
6 tax, levy, assessment, charge, or fee must occur at a general election.
7 Any action to void an election shall be commenced within one year of
8 the date of the election in question. It is intended that this remedy
9 be imposed freely in all appropriate cases to protect the right of the
10 electorate to an informed and knowledgeable vote.

11 (2) If any lobbyist or sponsor of any grass roots lobbying campaign
12 violates ~~((any of the provisions of))~~ this chapter, ~~((his))~~ the
13 lobbyist or sponsor's registration may be revoked or suspended and
14 ~~((he))~~ the lobbyist or sponsor may be enjoined from receiving
15 compensation or making expenditures for lobbying(~~(: PROVIDED, HOWEVER,~~
16 ~~That))~~). However, the imposition of ~~((such))~~ the sanction shall not
17 excuse ~~((said))~~ the lobbyist from filing statements and reports
18 required by this chapter.

19 (3) Any person who violates ~~((any of the provisions of))~~ this
20 chapter may be subject to a civil penalty of not more than ten thousand
21 dollars for each such a violation. However, a person or entity who
22 violates RCW 42.17.640 may be subject to a civil penalty of ten
23 thousand dollars or three times the amount of the contribution
24 illegally made or accepted, whichever is greater.

25 (4) Any person who fails to file a properly completed statement or
26 report within the time required by this chapter may be subject to a
27 civil penalty of ten dollars per day for each day each such delinquency
28 continues.

29 (5) Any person who fails to report a contribution or expenditure
30 may be subject to a civil penalty equivalent to the amount ~~((he))~~ the
31 person failed to report.

32 (6) The court may enjoin any person to prevent the doing of any act
33 ~~((herein))~~ prohibited in this chapter, or to compel the performance of
34 any act required ~~((herein))~~ in this chapter.

35 **Sec. 73.** RCW 52.04.011 and 1989 c 63 s 8 are each amended to read
36 as follows:

37 (1) A territory contiguous to a fire protection district and not
38 within the boundaries of a city, town, or other fire protection

1 district may be annexed to the fire protection district by petition of
2 fifteen percent of the qualified registered electors residing within
3 the territory proposed to be annexed. Such contiguous territory may be
4 located in a county or counties other than the county or counties
5 within which the fire protection district is located. The petition
6 shall be filed with the fire commissioners of the fire protection
7 district and if the fire commissioners concur in the petition they
8 shall file the petition with the county auditor of the county within
9 which the territory is located. If this territory is located in more
10 than one county, the original petition shall be filed with the auditor
11 of the county within which the largest portion of the territory is
12 located, who shall be designated as the lead auditor, and a copy shall
13 be filed with the auditor of each other county within which such
14 territory is located. Within thirty days after the date of the filing
15 of the petition the auditor shall examine the signatures on the
16 petition and certify to the sufficiency or insufficiency of the
17 signatures. If this territory is located in more than one county, the
18 auditor of each other county who receives a copy of the petition shall
19 examine the signatures and certify to the lead auditor the number of
20 valid signatures and the number of registered voters residing in that
21 portion of the territory that is located within the county. The lead
22 auditor shall certify the sufficiency or insufficiency of the
23 signatures.

24 After the county auditor has certified the sufficiency of the
25 petition, the county legislative authority or authorities, or the
26 boundary review board or boards, of the county or counties in which
27 such territory is located shall consider the proposal under the same
28 basis that a proposed incorporation of a fire protection district is
29 considered, with the same authority to act on the proposal as in a
30 proposed incorporation, as provided under chapter 52.02 RCW. If the
31 proposed annexation is approved by the county legislative authority or
32 boundary review board, the board of fire commissioners shall adopt a
33 resolution requesting the county auditor to call ~~((a special))~~ an
34 election, ((as specified under RCW 29.13.020)) to be held at a general
35 election, at which the ballot proposition is to be submitted. No
36 annexation shall occur when the territory proposed to be annexed is
37 located in more than one county unless the county legislative authority
38 or boundary review board of each county approves the proposed
39 annexation.

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

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

37 **Sec. 74.** RCW 52.04.056 and 1989 c 63 s 11 are each amended to read
38 as follows:

1 (1) As provided in this section, a fire protection district may
2 withdraw areas from its boundaries, or reannex areas into the fire
3 protection district that previously had been withdrawn from the fire
4 protection district under this section.

5 (2) The withdrawal of an area shall be authorized upon: (a)
6 Adoption of a resolution by the board of fire commissioners requesting
7 the withdrawal and finding that, in the opinion of the board, inclusion
8 of this area within the fire protection district will result in a
9 reduction of the district's tax levy rate under ~~((the provisions of))~~
10 RCW 84.52.010; and (b) adoption of a resolution by the city or town
11 council approving the withdrawal, if the area is located within the
12 city or town, or adoption of a resolution by the county legislative
13 authority or authorities of the county or counties within which the
14 area is located approving the withdrawal, if the area is located
15 outside of a city or town. A withdrawal shall be effective at the end
16 of the day on the thirty-first day of December in the year in which the
17 resolutions are adopted, but for purposes of establishing boundaries
18 for property tax purposes, the boundaries shall be established
19 immediately upon the adoption of the second resolution.

20 The authority of an area to be withdrawn from a fire protection
21 district as provided under this section is in addition, and not
22 subject, to ~~((the provisions of))~~ RCW 52.04.101.

23 The withdrawal of an area from the boundaries of a fire protection
24 district shall not exempt any property therein from taxation for the
25 purpose of paying the costs of redeeming any indebtedness of the fire
26 protection district existing at the time of the withdrawal.

27 (3) An area that has been withdrawn from the boundaries of a fire
28 protection district under this section may be reannexed into the fire
29 protection district upon: (a) Adoption of a resolution by the board of
30 fire commissioners proposing the reannexation; and (b) adoption of a
31 resolution by the city or town council approving the reannexation, if
32 the area is located within the city or town, or adoption of a
33 resolution by the county legislative authority or authorities of the
34 county or counties within which the area is located approving the
35 reannexation, if the area is located outside of a city or town. The
36 reannexation shall be effective at the end of the day on the thirty-
37 first day of December in the year in which the adoption of the second
38 resolution occurs, but for purposes of establishing boundaries for
39 property tax purposes, the boundaries shall be established immediately

1 upon the adoption of the second resolution. Referendum action on the
2 proposed reannexation may be taken by the voters of the area proposed
3 to be reannexed if a petition calling for a referendum is filed with
4 the city or town council, or county legislative authority or
5 authorities, within a thirty-day period after the adoption of the
6 second resolution, which petition has been signed by registered voters
7 of the area proposed to be reannexed equal in number to ten percent of
8 the total number of the registered voters residing in that area.

9 If a valid petition signed by the requisite number of registered
10 voters has been so filed, the effect of the resolutions shall be held
11 in abeyance and a ballot proposition to authorize the reannexation
12 shall be submitted to the voters of the area at the next (~~special~~)
13 general election (~~(date specified in RCW 29.13.020)~~) that occurs forty-
14 five or more days after the petitions have been validated. Approval of
15 the ballot proposition authorizing the reannexation by a simple
16 majority vote shall authorize the reannexation.

17 **Sec. 75.** RCW 52.04.071 and 1984 c 230 s 16 are each amended to
18 read as follows:

19 The county legislative authority or authorities shall by resolution
20 call a (~~special~~) an election to be held in the city or town and in
21 the fire protection district at the next (~~date provided in RCW~~
22 ~~29.13.010 but~~) general election not less than forty-five days from the
23 date of the declaration of the finding, and shall cause notice of the
24 election to be given as provided for in RCW 29.27.080.

25 The election on the annexation of the city or town into the fire
26 protection district shall be conducted by the auditor of the county or
27 counties in which the city or town and the fire protection district are
28 located in accordance with the general election laws of the state. The
29 results thereof shall be canvassed by the canvassing board of the
30 county or counties. No person is entitled to vote at the election
31 unless he or she is a qualified elector in the city or town or unless
32 he or she is a qualified elector within the boundaries of the fire
33 protection district. The ballot proposition shall be in substantially
34 the following form:

1 "Shall the city or town of be annexed to and be a part
2 of fire protection district?

3 YES

4 NO "

5 If a majority of the persons voting on the proposition in the city
6 or town and a majority of the persons voting on the proposition in the
7 fire protection district vote in favor thereof, the city or town shall
8 be annexed and shall be a part of the fire protection district.

9 **Sec. 76.** RCW 52.06.030 and 1989 c 63 s 14 are each amended to read
10 as follows:

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

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

34 If there is no elector-signed petition, the merging district board
35 shall adopt a resolution requesting the county auditor or auditors to
36 call ~~((a special))~~ an election in the merging district, ~~((as specified~~

1 ~~under RCW 29.13.020))~~ to be held at the next general election, for the
2 purpose of presenting the question of the merger to the electors.

3 **Sec. 77.** RCW 52.16.130 and 1989 c 63 s 27 are each amended to read
4 as follows:

5 To carry out the purposes for which fire protection districts are
6 created, the board of fire commissioners of a district may levy each
7 year, in addition to the levy or levies provided in RCW 52.16.080 for
8 the payment of the principal and interest of any outstanding general
9 obligation bonds, an ad valorem tax on all taxable property located in
10 the district not to exceed fifty cents per thousand dollars of assessed
11 value: PROVIDED, That in no case may the total general levy for all
12 purposes, except the levy for the retirement of general obligation
13 bonds, exceed one dollar per thousand dollars of assessed value.
14 Levies in excess of one dollar per thousand dollars of assessed value
15 or in excess of the aggregate dollar rate limitations or both may be
16 made for any district purpose when so authorized at (~~(a special)~~) an
17 election under RCW 84.52.052. Any such tax when levied shall be
18 certified to the proper county officials for the collection of the tax
19 as for other general taxes. The taxes when collected shall be placed
20 in the appropriate district fund or funds as provided by law, and shall
21 be paid out on warrants of the auditor of the county in which all, or
22 the largest portion of, the district is located, upon authorization of
23 the board of fire commissioners of the district.

24 **Sec. 78.** RCW 52.18.050 and 1990 c 294 s 5 are each amended to read
25 as follows:

26 (1) Any benefit charge authorized by this chapter shall not be
27 effective unless a proposition to impose the benefit charge is approved
28 by a sixty percent majority of the voters of the district voting at a
29 general election or at (~~(a special)~~) an election called by the district
30 for that purpose, held within the fire protection district and at a
31 general election. An election held (~~(pursuant to)~~) under this section
32 shall be held not more than twelve months (~~(prior to)~~) before the date
33 on which the first such charge is to be assessed: PROVIDED, That a
34 benefit charge approved at an election shall not remain in effect for
35 a period of more than six years nor more than the number of years
36 authorized by the voters if fewer than six years unless subsequently
37 reapproved by the voters.

1 (2) The ballot shall be submitted so as to enable the voters
2 favoring the authorization of a fire protection district benefit charge
3 to vote "Yes" and those opposed thereto to vote "No," and the ballot
4 shall be:

5 "Shall county fire protection district No.
6 be authorized to impose benefit charges each year for
7 (insert number of years not to exceed six) years, not to exceed
8 an amount equal to sixty percent of its operating budget, and
9 be prohibited from imposing an additional property tax under
10 RCW 52.16.160?

11	YES	NO
12	1	1 "

13 **Sec. 79.** RCW 53.04.020 and 1992 c 147 s 1 are each amended to read
14 as follows:

15 At any general election (~~or at any special election which may be~~
16 ~~called for that purpose~~)), the county legislative authority of any
17 county in this state may, or on petition of ten percent of the
18 registered voters of such county based on the total vote cast in the
19 last general county election, shall, by resolution submit to the voters
20 of such county the proposition of creating a port district coextensive
21 with the limits of such county. Such petition shall be filed with the
22 county auditor, who shall within fifteen days examine the signatures
23 thereof and certify to the sufficiency or insufficiency thereof, and
24 for such purpose the county auditor shall have access to all
25 registration books in the possession of the officers of any
26 incorporated city or town in such proposed port district. If such
27 petition be found to be insufficient, it shall be returned to the
28 persons filing the same, who may amend or add names thereto for ten
29 days, when the same shall be returned to the county auditor, who shall
30 have an additional fifteen days to examine the same and attach his or
31 her certificate thereto. No person having signed such petition shall
32 be allowed to withdraw his or her name therefrom after the filing of
33 the same with the county auditor. Whenever such petition shall be
34 certified to as sufficient, the county auditor shall forthwith transmit
35 the same, together with his or her certificate of sufficiency attached
36 thereto, to the legislative authority of the county, who shall submit
37 such proposition at the next general election (~~or, if such petition so~~

1 requests, the county legislative authority shall, at their first
2 meeting after the date of such certificate, by resolution, call a
3 special election to be held in accordance with RCW 29.13.010 and
4 29.13.020)). The notice of election shall state the boundaries of the
5 proposed port district and the object of such election. In submitting
6 the question to the voters for their approval or rejection, the
7 proposition shall be expressed on the ballot substantially in the
8 following terms:

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

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

17 **Sec. 80.** RCW 53.04.023 and 1994 c 223 s 84 are each amended to
18 read as follows:

19 A less than county-wide port district with an assessed valuation of
20 at least seventy-five million dollars may be created in a county that
21 already has a less than county-wide port district located within its
22 boundaries. Except as provided in this section, such a port district
23 shall be created in accordance with the procedure to create a county-
24 wide port district.

25 The effort to create such a port district is initiated by the
26 filing of a petition with the county auditor calling for the creation
27 of such a port district, describing the boundaries of the proposed port
28 district, designating either three or five commissioner positions,
29 describing commissioner districts if the petitioners propose that the
30 commissioners represent districts, and providing a name for the
31 proposed port district. The petition must be signed by voters residing
32 within the proposed port district equal in number to at least ten
33 percent of such voters who voted at the last county general election.

34 A public hearing on creation of the proposed port district shall be
35 held by the county legislative authority if the county auditor
36 certifies that the petition contained sufficient valid signatures.
37 Notice of the public hearing must be published in the county's official
38 newspaper at least ten days (~~(prior to)~~) before the date of the public

1 hearing. After taking testimony, the county legislative authority may
2 make changes in the boundaries of the proposed port district if it
3 finds that such changes are in the public interest and shall determine
4 if the creation of the port district is in the public interest. No
5 area may be added to the boundaries unless a subsequent public hearing
6 is held on the proposed port district.

7 The county legislative authority shall submit a ballot proposition
8 authorizing the creation of the proposed port district to the voters of
9 the proposed port district, at (~~any special~~) a general election
10 (~~date provided in RCW 29.13.020~~), if it finds the creation of the
11 port district to be in the public interest.

12 The port district shall be created if a majority of the voters
13 voting on the ballot proposition favor the creation of the port
14 district. The initial port commissioners shall be elected at the same
15 election, from districts or at large, as provided in the petition
16 initiating the creation of the port district. The election shall be
17 otherwise conducted as provided in RCW 53.12.172, but the election of
18 commissioners shall be null and void if the port district is not
19 created.

20 This section shall expire July 1, 1997.

21 **Sec. 81.** RCW 53.04.080 and 1990 c 259 s 16 are each amended to
22 read as follows:

23 At any general election (~~or at any special election which may be~~
24 ~~called for that purpose~~) the county legislative authority of any
25 county in this state in which there exists a port district which is not
26 coextensive with the limits of the county, shall on petition of the
27 commissioners of such port district, by resolution, submit to the
28 voters residing within the limits of any territory which the existing
29 port district desires to annex or include in its enlarged port
30 district, the proposition of enlarging the limits of such existing port
31 districts so as to include therein the whole of the territory embraced
32 within the boundaries of such county, or such territory as may be
33 described in the petition by legal subdivisions. Such petition shall
34 be filed with the county auditor, who shall forthwith transmit the same
35 to the county legislative authority, who shall submit such proposition
36 at the next general election(~~, or, if such petition so request, the~~
37 ~~county legislative authority, shall at their first meeting after the~~
38 ~~date of filing such petition, by resolution, call a special election to~~

1 ~~be held in accordance with RCW 29.13.010 and 29.13.020~~). The notice
2 of election shall state the boundaries of the proposed enlarged port
3 district and the object of the (~~special~~) election. In submitting the
4 question to the voters of the territory proposed to be annexed or
5 included for their approval or rejection, the proposition shall be
6 expressed on the ballots substantially in the following terms:

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

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

11 (~~Such~~) The election(~~(, whether general or special,~~) shall be
12 held in each precinct wholly or partially embraced within the limits of
13 the territory proposed to be annexed or included and shall be conducted
14 and the votes cast thereat counted, canvassed, and the returns thereof
15 made in the manner provided by law for holding general (~~or special~~)
16 county elections.

17 **Sec. 82.** RCW 53.36.030 and 1995 c 102 s 1 are each amended to read
18 as follows:

19 (1)(a) Except as provided in (b) of this subsection, a port
20 district may at any time contract indebtedness or borrow money for
21 district purposes and may issue general obligation bonds therefor not
22 exceeding an amount, together with any existing indebtedness of the
23 district not authorized by the voters, of one-fourth of one percent of
24 the value of the taxable property in the district.

25 (b) Port districts having less than eight hundred million dollars
26 in value of taxable property during 1991 may at any time contract
27 indebtedness or borrow money for port district purposes and may issue
28 general obligation bonds therefor not exceeding an amount, combined
29 with existing indebtedness of the district not authorized by the
30 voters, of three-eighths of one percent of the value of the taxable
31 property in the district. (~~Prior to~~) Before contracting for any
32 indebtedness authorized by this subsection (1)(b), the port district
33 must have a comprehensive plan for harbor improvements or industrial
34 development and a long-term financial plan approved by the department
35 of community, trade, and economic development. The department of
36 community, trade, and economic development is immune from any liability
37 for its part in reviewing or approving port district's improvement or
38 development plans, or financial plans. Any indebtedness authorized by

1 this subsection (1)(b) may be used only to acquire or construct a
2 facility, and, (~~prior to~~) before contracting for such indebtedness,
3 the port district must have a lease contract for a minimum of five
4 years for the facility to be acquired or constructed by the debt.

5 (2) With the assent of three-fifths of the voters voting thereon at
6 a general (~~or special~~) port election (~~called for that purpose~~), a
7 port district may contract indebtedness or borrow money for district
8 purposes and may issue general obligation bonds therefor provided the
9 total indebtedness of the district at any such time shall not exceed
10 three-fourths of one percent of the value of the taxable property in
11 the district.

12 (3) In addition to the indebtedness authorized under subsections
13 (1) and (2) of this section, port districts having less than two
14 hundred million dollars in value of taxable property and operating a
15 municipal airport may at any time contract indebtedness or borrow money
16 for airport capital improvement purposes and may issue general
17 obligation bonds therefor not exceeding an additional one-eighth of one
18 percent of the value of the taxable property in the district without
19 authorization by the voters; and, with the assent of three-fifths of
20 the voters voting thereon at a general (~~or special~~) port election
21 (~~called for that purpose~~), may contract indebtedness or borrow money
22 for airport capital improvement purposes and may issue general
23 obligation bonds therefor for an additional three-eighths of one
24 percent provided the total indebtedness of the district for all port
25 purposes at any such time shall not exceed one and one-fourth percent
26 of the value of the taxable property in the district.

27 (4) Any port district may issue general district bonds evidencing
28 any indebtedness, payable at any time not exceeding fifty years from
29 the date of the bonds. Any contract for indebtedness or borrowed money
30 authorized by RCW 53.36.030(1)(b) shall not exceed twenty-five years.
31 The bonds shall be issued and sold in accordance with chapter 39.46
32 RCW.

33 (5) Elections required under this section shall be held as provided
34 in RCW 39.36.050.

35 (6) For the purpose of this section, "indebtedness of the district"
36 shall not include any debt of a county-wide district with a population
37 less than twenty-five hundred people when the debt is secured by a
38 mortgage on property leased to the federal government; and the term

1 "value of the taxable property" shall have the meaning set forth in RCW
2 39.36.015.

3 **Sec. 83.** RCW 53.36.100 and 1994 c 278 s 1 are each amended to read
4 as follows:

5 (1) A port district having adopted a comprehensive scheme of harbor
6 improvements and industrial developments may thereafter raise revenue,
7 for six years only, and a second six years if the procedures are
8 followed under subsection (2) of this section, in addition to all other
9 revenues now authorized by law, by an annual levy not to exceed forty-
10 five cents per thousand dollars of assessed value against the assessed
11 valuation of the taxable property in such port district. In addition,
12 if voters approve a ballot proposition authorizing additional levies by
13 a simple majority vote, a port district located in a county bordering
14 on the Pacific Ocean having adopted a comprehensive scheme of harbor
15 improvements and industrial developments may impose these levies for a
16 third six-year period. (~~Said~~) The levies shall be used exclusively
17 for the exercise of the powers granted to port districts under chapter
18 53.25 RCW except as provided in RCW 53.36.110. The levy of such taxes
19 is herein authorized notwithstanding (~~the provisions of~~) RCW
20 84.52.050 and 84.52.043. The revenues derived from levies made under
21 RCW 53.36.100 and 53.36.110 not expended in the year in which the
22 levies are made may be paid into a fund for future use in carrying out
23 the powers granted under chapter 53.25 RCW, which fund may be
24 accumulated and carried over from year to year, with the right to
25 continue to levy the taxes provided for in RCW 53.36.100 and 53.36.110
26 for the purposes herein authorized.

27 (2) If a port district intends to levy a tax under this section for
28 one or more years after the first six years these levies were imposed,
29 the port commission shall publish notice of this intention, in one or
30 more newspapers of general circulation within the district, by June 1
31 of the year in which the first levy of the seventh through twelfth year
32 period is to be made. If within ninety days of the date of publication
33 a petition is filed with the county auditor containing the signatures
34 of eight percent of the number of voters registered and voting in the
35 port district for the office of the governor at the last preceding
36 gubernatorial election, the county auditor shall canvass the signatures
37 in the same manner as prescribed in RCW 29.79.200 and certify their
38 sufficiency to the port commission within two weeks. The proposition

1 to make these levies in the seventh through twelfth year period shall
2 be submitted to the voters of the port district at a (~~special~~)
3 general election(~~(, called for this purpose, no later than the date on~~
4 ~~which a primary election would be held under RCW 29.13.070)~~). The
5 levies may be made in the seventh through twelfth year period only if
6 approved by a majority of the voters of the port district voting on the
7 proposition.

8 **Sec. 84.** RCW 53.46.010 and 1965 c 102 s 2 are each amended to read
9 as follows:

10 Two or more port districts may be joined into one consolidated port
11 district in the following manner: The port commissioners of each of
12 the port districts proposed to be consolidated may, or on petition of
13 ten percent of the qualified electors residing within each of the
14 districts proposed to be consolidated based on the total vote cast in
15 the last general election, shall, by joint resolution submit to the
16 qualified electors of the port districts to be consolidated the
17 proposition of consolidating such districts into one port district.
18 Such resolution or petition in request thereof shall identify each port
19 district to be consolidated, listing its assets and liabilities; state
20 the name by which the port district resulting from the consolidation
21 shall be known; legally describe each port commissioner district to be
22 created within the port district resulting from the consolidation;
23 state the terms and conditions, if any, under which the consolidation
24 is proposed; and call (~~a special~~) an election in the territory of the
25 port districts to be consolidated, to be held at a general election, to
26 determine whether such consolidation shall take place, and to fill the
27 offices of the port commission of the port district resulting from the
28 consolidation. The resolution or petition shall provide that the
29 commission in the proposed district shall consist of three, five, or
30 seven commissioners and that the number shall be approved by the voters
31 at the time the proposition for consolidation is voted upon. The
32 proposition in this respect shall provide that the commissioners shall
33 be elected one each from commissioner districts which shall be
34 described as set forth in this section, or if such districts are not so
35 described then the commissioners shall be elected at large.

36 **Sec. 85.** RCW 53.46.020 and 1990 c 259 s 20 are each amended to
37 read as follows:

1 The (~~special~~) election to consider such consolidation and to fill
2 such offices shall be held at and conducted in accordance with the
3 general election laws of the state.

4 **Sec. 86.** RCW 54.04.060 and 1951 c 207 s 1 are each amended to read
5 as follows:

6 The supervisor of elections or other proper officer of the county
7 shall give notice of all elections held under this title, for the time
8 and in the manner and form provided for city, town, school district,
9 and port district elections. When the supervisor or other officer
10 deems an emergency exists, and is requested so to do by a resolution of
11 the district commission, (~~he~~) the officer may call a special election
12 at any time in the district, and (~~he~~) the officer may combine or
13 divide precincts for the purpose of holding special elections, and
14 special elections shall be conducted and notice thereof given in the
15 manner provided by law. However, an election on matters involving
16 public moneys must be held at a general election.

17 The supervisor or other officer shall provide polling places,
18 appoint the election officers, provide their compensation, provide
19 ballot boxes, and ballots or voting machines, poll books and tally
20 sheets, and deliver them to the election officers at the polling
21 places, publish and post notices of the elections in the manner
22 provided by law, and apportion to the district its share of the expense
23 of the election.

24 The manner of conducting and voting at the elections, opening and
25 closing of polls, keeping of poll lists, canvassing the votes,
26 declaring the result, and certifying the returns, shall be the same as
27 for the election of state and county officers, except as otherwise
28 provided herein.

29 The district commission shall certify to the supervisor a list of
30 offices to be filled at a district election and the commission, if it
31 desires to submit to the voters of the district a proposition, shall
32 require the secretary of the commission to certify it at the time and
33 in the manner and form provided for certifying propositions by the
34 governing board of cities, towns, and port districts.

35 **Sec. 87.** RCW 54.08.060 and 1994 c 223 s 55 are each amended to
36 read as follows:

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

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

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

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

8 The term "general election" as used (~~herein~~) in this section
9 means biennial general elections at which state and county officers in
10 a noncharter county are elected.

11 **Sec. 88.** RCW 56.02.050 and 1971 ex.s. c 272 s 12 are each amended
12 to read as follows:

13 (1) Jurisdiction of any general election or special election held
14 on the same date as a general election in a joint sewer district shall
15 rest with the county auditor of each of the counties in which the joint
16 sewer district is located. Election returns of such elections shall be
17 canvassed by the canvassing board of each county and the official
18 results certified to the county auditor of the county in which fifty-
19 one percent or more of the area of the joint sewer district is located.
20 Such county auditor shall then combine the official results from each
21 county in which the joint sewer district is located into a single
22 official result.

23 (2) Jurisdiction of any special election held on a different date
24 than a general election in a joint sewer district shall rest with the
25 county auditor of the county in which fifty-one percent or more of the
26 area of the joint sewer district is located. Election returns of such
27 elections shall be canvassed by the canvassing board of such county and
28 certified to the county auditor of such county as required by law.

29 (3) Elections referred to in subsections (1) and (2) of this
30 section shall be conducted as provided by such subsections and by the
31 general election laws not inconsistent therewith. However, a matter
32 that directly imposes or increases a tax, levy, assessment, charge, or
33 fee may only be voted on at a general election.

34 (4) Candidates for the office of sewer commissioner in a joint
35 sewer district shall file declarations of candidacy with the county
36 auditor of the county in which fifty-one percent or more of the area of
37 the joint sewer district is located and their election shall be
38 conducted as provided by this section and by the general election laws

1 not inconsistent herewith. The candidate receiving the greatest number
2 of votes for each sewer commissioner position shall be declared
3 elected.

4 For the purposes of this section, "joint sewer district" means any
5 sewer district composed of territory lying in more than one county.

6 **Sec. 89.** RCW 56.04.050 and 1990 c 259 s 22 are each amended to
7 read as follows:

8 Upon entry of the findings of the final hearing on the petition, if
9 the commissioners find the proposed sewer system will be conducive to
10 the public health, welfare, and convenience and be of special benefit
11 to the land within the boundaries of the proposed or reorganized
12 district, they shall call ~~((a special))~~ an election by presenting a
13 resolution to the county auditor at least forty-five days ~~((prior to))~~
14 before the proposed election date. ~~((A special))~~ The election ~~((will))~~
15 must be held ~~((on))~~ at a ~~((date decided by the commissioners in~~
16 ~~accordance with RCW 29.13.010 and 29.13.020))~~ general election. The
17 commissioners shall cause to be published a notice of such election at
18 least once a week for four successive weeks in a newspaper of general
19 circulation in the county, setting forth the hours during which the
20 polls will be open, the boundaries of the proposed or reorganized
21 district as finally adopted, and the object of the election, and the
22 notice shall also be posted for ten days in ten public places in the
23 proposed or reorganized district. The proposition shall be expressed
24 on the ballots in the following terms:

25 Sewer District YES 1
26 Sewer District NO 1

27 or in the reorganization of a district, the proposition shall be
28 expressed on the ballot in the following terms:

29 Sewer District Reorganization YES 1
30 Sewer District Reorganization NO 1

31 giving in each instance the name of the district as decided by the
32 board.

33 At the same election the county legislative authority shall submit
34 a proposition to the voters, for their approval or rejection,
35 authorizing the sewer district, if formed, to levy at the earliest time
36 permitted by law on all property located in the district a general tax

1 for one year, in excess of the tax limitations provided by law, in the
2 amount specified in the petition to create the district, not to exceed
3 one dollar and twenty-five cents per thousand dollars of assessed
4 value, for general preliminary expenses of the district, the
5 proposition to be expressed on the ballots in the following terms:

6 One year dollars and cents per
7 thousand dollars of assessed value tax YES 1
8 One year dollars and cents per
9 thousand dollars of assessed value tax NO 1

10 Such proposition to be effective must be approved by a majority of at
11 least three-fifths of the registered voters thereof voting on the
12 proposition in the manner set forth in Article VII, section 2(a) of the
13 state Constitution (~~(of this state, as amended by Amendment 59 and as~~
14 ~~thereafter amended)~~)).

15 **Sec. 90.** RCW 56.24.080 and 1985 c 469 s 57 are each amended to
16 read as follows:

17 When the petition is presented for hearing, the county legislative
18 authority shall hear the same or may adjourn the hearing from time to
19 time not exceeding one month in all, and any person, firm or
20 corporation may appear before the county legislative authority and make
21 objections to the proposed boundary lines or to the annexation of the
22 territory described in the petition; and upon a final hearing the
23 county legislative authority shall make such changes in the proposed
24 boundary lines as it deems to be proper and shall establish and define
25 the boundaries and shall find whether the proposed annexation of the
26 territory as established by the county legislative authority to the
27 sewer district will be conducive to the public health, welfare and
28 convenience and will be of special benefit to the land included within
29 the boundaries of the territory proposed to be annexed to the sewer
30 district and so established by the county legislative authority:
31 PROVIDED, That no lands which will not, in the judgment of the county
32 legislative authority, be benefited by inclusion therein, shall be
33 included within the boundaries of the territory as so established and
34 defined: PROVIDED FURTHER, That no change shall be made by the county
35 legislative authority in the boundary lines, including any territory
36 outside of the boundary lines described in the petition: AND PROVIDED
37 FURTHER, That no person having signed the petition as herein provided

1 for shall be allowed to withdraw his or her name therefrom after the
2 filing of the same with the board of sewer commissioners of the sewer
3 district.

4 Upon the entry of the findings of the final hearing to the petition
5 by the county legislative authority, if it finds the proposed
6 annexation of the territory to the sewer district to be conducive to
7 the public health, welfare and convenience and to be of special benefit
8 to the land proposed to be annexed and included within the boundaries
9 of the district, it shall give notice of (~~(a special)~~) an election to
10 be held at a general election and within the boundaries of the
11 territory proposed to be annexed to the sewer district for the purpose
12 of determining whether the same shall be annexed to the sewer district;
13 and the notice shall particularly describe the boundaries established
14 by the county legislative authority on its final hearing of the
15 petition, and shall state the name of the sewer district to which the
16 territory is proposed to be annexed, and the same shall be published
17 once a week for at least two weeks (~~(prior to)~~) before the election in
18 a newspaper of general circulation within the county within which the
19 district is located, and shall be posted for the same period in at
20 least four public places within the boundaries of the district proposed
21 to be annexed, which notice shall designate the places within the
22 territory proposed to be annexed to the sewer district where the
23 (~~said~~) election shall be held, and shall require the voters to cast
24 ballots which shall contain the words:

25 For Annexation to Sewer District

26 or

27 Against Annexation to Sewer District

28 The county legislative authority shall name the persons to act as
29 judges at such election.

30 **Sec. 91.** RCW 56.24.200 and 1990 c 259 s 26 are each amended to
31 read as follows:

32 Such annexation resolution under RCW 56.24.190 shall be subject to
33 referendum for forty-five days after the passage thereof. Upon the
34 filing of a timely and sufficient referendum petition with the board of
35 commissioners, signed by registered voters in number equal to not less
36 than ten percent of the registered voters in the area to be annexed who
37 voted in the last general municipal election, the question of

1 annexation shall be submitted to the voters of such area in a general
2 election (~~((if one is to be held within ninety days or at a special~~
3 ~~election called for that purpose by the board of commissioners in~~
4 ~~accordance with RCW 29.13.010 and 29.13.020))~~). Notice of such election
5 shall be given under RCW 56.24.080 and the election shall be conducted
6 under RCW 56.24.090. The annexation shall be deemed approved by the
7 voters unless a majority of the votes cast on the proposition are in
8 opposition thereto.

9 After the expiration of the forty-fifth day from but excluding the
10 date of passage of the annexation resolution, if no timely and
11 sufficient referendum petition has been filed, the area annexed shall
12 become a part of the sewer district upon the date fixed in the
13 resolution of annexation upon transmitting the resolution to the county
14 legislative authority.

15 **Sec. 92.** RCW 56.32.040 and 1975 1st ex.s. c 86 s 4 are each
16 amended to read as follows:

17 The respective boards of sewer commissioners of the consolidating
18 districts shall certify such agreement to the county auditors of the
19 counties in which the districts are located. Thereupon, the county
20 auditor of the county in which the largest amount of territory of the
21 proposed consolidated sewer is located shall call (~~((a special))~~) an
22 election for the purpose of submitting to the voters of each of the
23 consolidating districts the proposition of whether or not the several
24 districts shall be consolidated into one sewer district. The
25 proposition shall give the title of the proposed consolidated district.
26 The election must be held at a general election. Notice of the
27 election shall be given and the election conducted in accordance with
28 the general election laws.

29 **Sec. 93.** RCW 56.32.100 and 1975 1st ex.s. c 86 s 7 are each
30 amended to read as follows:

31 The respective boards of sewer commissioners of the districts shall
32 certify the agreement to the county auditor of the county in which the
33 largest amount of territory of the merging district is located.
34 Thereupon, the county auditor shall call (~~((a special))~~) an election for
35 the purpose of submitting to the voters of the merging district the
36 proposition of whether the merging district shall be merged into the
37 merger district. The election must be held at a general election.

1 Notice of the election shall be given and the election conducted in
2 accordance with the general election laws.

3 **Sec. 94.** RCW 56.36.030 and 1971 ex.s. c 146 s 7 are each amended
4 to read as follows:

5 Whenever a merger is initiated in any of the three ways provided in
6 RCW 56.36.020, the boards of the sewer and water commissioners of the
7 respective districts involved shall enter into an agreement providing
8 for the merger. The agreement must be entered into within ninety days
9 following completion of the last act required for initiation of the
10 merger by any one of the means above specified, as provided in RCW
11 56.36.020. Where two or more water districts seek to merge into a
12 sewer district at or about the same time, there need be but one
13 agreement of merger signed by the sewer district and such two or more
14 water districts if the parties so agree.

15 Upon entry of such agreement, the boards of the water and sewer
16 commissioners shall file a notice of intention to merge together with
17 a copy of (~~said~~) the agreement with the boundary review board, if
18 any, of the county and the board shall review the proposed merger under
19 (~~the provisions of~~) RCW 36.93.150 through 36.93.180.

20 The respective boards of sewer and water commissioners of such
21 districts shall certify such agreement to the county auditor of the
22 county in which the districts are located within twenty days from date
23 of execution of such agreement, with a certified copy thereof filed
24 with the clerk of the board of county commissioners of such county.
25 Thereupon, unless the boundary review board has disapproved the
26 proposed merger, the county auditor shall call (~~a special~~) an
27 election for the purpose of submitting to the voters of the water
28 district or of each of the two or more water districts involved the
29 proposition of whether the water district shall be merged into the
30 sewer district. The election must be held at a general election.
31 Notice of the election shall be given, and the election conducted, in
32 accordance with the general election laws.

33 **Sec. 95.** RCW 57.04.050 and 1994 c 292 s 2 are each amended to read
34 as follows:

35 Upon entry of the findings of the final hearing on the petition if
36 one or more county legislative authorities find that the proposed
37 district will be conducive to the public health, welfare, and

1 convenience and be of special benefit to the land therein, they shall
2 call (~~a special~~) an election by presenting a resolution to the county
3 auditor at least forty-five days (~~prior to~~) before the proposed
4 election date. (~~A special election will be held on a date decided by~~
5 ~~the commissioners in accordance with RCW 29.13.010 and 29.13.020.~~)
6 The election must be held at a general election. The commissioners
7 shall cause to be published a notice of the election for four
8 successive weeks in a newspaper of general circulation in the proposed
9 district, which notice shall state the hours during which the polls
10 will be open, the boundaries of the district as finally adopted and the
11 object of the election, and the notice shall also be posted for ten
12 days in ten public places in the proposed district. In submitting the
13 proposition to the voters, it shall be expressed on the ballots in the
14 following terms:

15 Water District YES 1
16 Water District NO 1

17 giving the name of the district as provided in the petition.

18 At the same election a proposition shall be submitted to the
19 voters, for their approval or rejection, authorizing the water
20 district, if formed, to levy at the earliest time permitted by law on
21 all property located in the district a general tax for one year, in
22 excess of the limitations provided by law, in the amount specified in
23 the petition to create the district, not to exceed one dollar and
24 twenty-five cents per thousand dollars of assessed value, for general
25 preliminary expenses of the district. The proposition may not appear
26 at the September or November election. The proposition shall be
27 expressed on the ballots in the following terms:

28 One year dollars and cents per
29 thousand dollars of assessed value tax YES 1
30 One year dollars and cents per
31 thousand dollars of assessed value tax NO 1

32 Such proposition to be effective must be approved in the manner set
33 forth in Article VII, section 2(a) of the state Constitution (~~of this~~
34 ~~state, as amended by Amendment 59 and as thereafter amended~~)).

35 **Sec. 96.** RCW 57.08.012 and 1988 c 11 s 2 are each amended to read
36 as follows:

1 A water district by a majority vote of its board of commissioners
2 may fluoridate the water supply system of the water district. The
3 commissioners may cause the proposition of fluoridation of the water
4 supply to be submitted to the electors of the water district at any
5 general election (~~((or special election to be called for the purpose of~~
6 ~~voting on the proposition))~~). The proposition must be approved by a
7 majority of the electors voting on the proposition to become effective.

8 **Sec. 97.** RCW 57.08.030 and 1933 c 142 s 2 are each amended to read
9 as follows:

10 Should the commissioners of any such water district decide that it
11 would be to the advantage of the water consumers of such water district
12 to make the conveyance provided for in RCW 57.08.020, they shall cause
13 the proposition of making such conveyance to be submitted to the
14 electors of the water district at any general election (~~((or at a~~
15 ~~special election to be called for the purpose of voting on the same))~~).
16 If at any such election a majority of the electors voting at such
17 election shall be in favor of making such conveyance, the water
18 district commissioners shall have the right to convey to such city or
19 town the mains and laterals belonging to the water district upon such
20 city or town entering into a contract satisfactory to the water
21 commissioners to maintain and repair the same.

22 **Sec. 98.** RCW 57.16.020 and 1984 c 186 s 51 are each amended to
23 read as follows:

24 The commissioners may submit to the voters of the district at any
25 general (~~((or special))~~) election(~~((7))~~) a proposition that the district
26 incur a general indebtedness payable from annual tax levies to be made
27 in excess of the constitutional and/or statutory tax limitations for
28 the construction of any part or all of the general comprehensive plan.
29 Elections shall be held as provided in RCW 39.36.050. The proposition
30 authorizing both the bond issue and imposition of excess bond
31 retirement levies shall be adopted by three-fifths of the voters voting
32 thereon, at which election the total number of persons voting on the
33 proposition shall constitute not less than forty percent of the total
34 number of votes cast in the water district at the last preceding
35 general election. Such bonds shall not be issued to run for a period
36 longer than twenty years from the date of the issue. Such bonds shall
37 be issued and sold in accordance with chapter 39.46 RCW. When the

1 general comprehensive plan has been adopted the commissioners shall
2 carry it out to the extent specified in the proposition to incur
3 general indebtedness.

4 **Sec. 99.** RCW 57.24.020 and 1982 1st ex.s. c 17 s 22 are each
5 amended to read as follows:

6 When such petition is presented for hearing, the legislative
7 authority of each county in which the territory proposed to be annexed
8 is located shall hear the petition or may adjourn the hearing from time
9 to time not exceeding one month in all, and any person, firm, or
10 corporation may appear before the county legislative authority and make
11 objections to the proposed boundary lines or to annexation of the
12 territory described in the petition. Upon a final hearing each county
13 legislative authority shall make such changes in the proposed boundary
14 lines within the county as they deem to be proper and shall establish
15 and define such boundaries and shall find whether the proposed
16 annexation as established by the county legislative authority to the
17 water district will be conducive to the public health, welfare and
18 convenience and will be of special benefit to the land included within
19 the boundaries of the territory proposed to be annexed to the water
20 district of the territory proposed to be annexed to the water district.
21 No lands which will not, in the judgment of the county legislative
22 authority, be benefited by inclusion therein, shall be included within
23 the boundaries of the territory as so established and defined. No
24 change shall be made by the county legislative authority in the
25 boundary lines, including any territory outside of the boundary lines
26 described in the petition. No person having signed such petition shall
27 be allowed to withdraw his or her name (~~((therefrom))~~) from the petition
28 after the filing of the petition with the board of water commissioners.

29 Upon the entry of the findings of the final hearing each county
30 legislative authority, if (~~((they))~~) it finds the proposed annexation to
31 be conducive to the public health, welfare, and convenience and to be
32 of special benefit to the land proposed to be annexed and included
33 within the boundaries of the district, shall give notice of (~~((a~~
34 ~~special~~)) an election to be held within the boundaries of the territory
35 proposed to be annexed to the water district for the purpose of
36 determining whether the same shall be annexed to the water district.
37 The election must be held at a general election. The notice shall
38 particularly describe the boundaries established by the county

1 ((Said)) The agreement must be entered into within ninety days
2 following completion of the last act in initiation of the merger.

3 The respective boards of water commissioners shall certify the
4 agreement to the county election officer of each county in which the
5 districts are located. The county election officer shall call ((a
6 special)) an election for the purpose of submitting to the voters of
7 the merging district the proposition of whether the merging district
8 shall be merged into the merger district. The election must be at a
9 general election. Notice of the election shall be given and the
10 election conducted in accordance with the general election laws.

11 **Sec. 104.** RCW 57.40.120 and 1971 ex.s. c 146 s 3 are each amended
12 to read as follows:

13 Whenever a merger is initiated in any of the three ways provided in
14 RCW 57.40.110, the boards of the water and sewer commissioners of the
15 respective districts involved shall enter into an agreement providing
16 for the merger. The agreement must be entered into within ninety days
17 following completion of the last act required for initiation of the
18 merger by any one of the means above specified, as provided in RCW
19 57.40.110. Where two or more sewer districts seek to merge into a
20 water district at or about the same time, there need be but one
21 agreement of merger signed by the water district and such two or more
22 sewer districts if the parties so agree.

23 Upon entry of such agreement, the boards of the water and sewer
24 commissioners shall file a notice of intention to merge together with
25 a copy of ((said)) the agreement with the boundary review board, if
26 any, of the county and the board shall review the proposed merger under
27 ((the provisions of)) RCW 36.93.150 through 36.93.180.

28 The respective boards of water and sewer commissioners of such
29 districts shall certify such agreement to the county auditor of the
30 county in which the districts are located within twenty days from date
31 of execution of such agreement, with a certified copy thereof filed
32 with the clerk of the board of county commissioners of such county.
33 Thereupon, unless the boundary review board has disapproved the
34 proposed merger the county auditor shall call ((a special)) an election
35 for the purpose of submitting to the voters of the sewer district or of
36 each of the two or more sewer districts involved the proposition of
37 whether the sewer district shall be merged into the water district.
38 The election must be held at a general election. Notice of the

1 election shall be given, and the election conducted, in accordance with
2 the general election laws.

3 **Sec. 105.** RCW 67.38.110 and 1984 c 186 s 57 are each amended to
4 read as follows:

5 To carry out the purpose of this chapter, any cultural arts,
6 stadium and convention district shall have the power to issue general
7 obligation bonds for capital purposes only, not to exceed an amount,
8 together with any outstanding nonvoter approved general obligation
9 indebtedness equal to three-eighths of one percent of the value of
10 taxable property within such district, as the term "value of taxable
11 property" is defined in RCW 39.36.015. A cultural arts, stadium and
12 convention district is additionally authorized to issue general
13 obligation bonds for capital purposes only, together with any
14 outstanding general obligation indebtedness, not to exceed an amount
15 equal to three-fourths of one percent of the value of the taxable
16 property within the district, as the term "value of taxable property"
17 is defined in RCW 39.36.015, and to provide for the retirement thereof
18 by excess levies when the voters approve a ballot proposition providing
19 for both the bond issuance and imposition of such levies at ((a
20 ~~special~~)) an election held at a general election and called for that
21 purpose in the manner prescribed by section 6, Article VIII and section
22 2, Article VII of the state Constitution and by RCW 84.52.056.
23 Elections shall be held as provided in RCW 39.36.050. General
24 obligation bonds may not be issued with maturities in excess of forty
25 years. Such bonds shall be issued and sold in accordance with chapter
26 39.46 RCW.

27 **Sec. 106.** RCW 67.38.130 and 1984 c 131 s 4 are each amended to
28 read as follows:

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

31 (1) Regular ad valorem property tax levies in an amount equal to
32 twenty-five cents or less per thousand dollars of the assessed value of
33 property in the district in each year for six consecutive years when
34 specifically authorized so to do by a majority of at least three-fifths
35 of the electors thereof approving a proposition authorizing the levies
36 submitted at a general ((~~or special~~)) election, at which election the
37 number of persons voting "yes" on the proposition shall constitute

1 three-fifths of a number equal to forty (~~(percentum)~~) percent of the
2 total votes cast in such taxing district at the last preceding general
3 election; or by a majority of at least three-fifths of the electors
4 thereof voting on the proposition when the number of electors voting
5 yes on the proposition exceeds forty (~~(percentum)~~) percent of the total
6 votes cast in such taxing district in the last preceding general
7 election. Ballot propositions shall conform with RCW 29.30.111.

8 In the event a cultural arts, stadium and convention district is
9 levying property taxes, which in combination with property taxes levied
10 by other taxing districts subject to the one percent limitation
11 provided for in Article VII, section 2, of (~~(our)~~) the state
12 Constitution result in taxes in excess of the limitation provided for
13 in RCW 84.52.043, the cultural arts, stadium and convention district
14 property tax levy shall be reduced or eliminated before the property
15 tax levies of other taxing districts are reduced: PROVIDED, That no
16 cultural arts, stadium, and convention district may pledge anticipated
17 revenues derived from the property tax (~~(herein)~~) authorized under this
18 section as security for payments of bonds issued (~~(pursuant to)~~) under
19 subsection (1) of this section: PROVIDED, FURTHER, That such
20 limitation shall not apply to property taxes approved (~~(pursuant to)~~)
21 under subsections (2) and (3) of this section.

22 The limitation in RCW 84.55.010 shall apply to levies after the
23 first levy authorized under this section following the approval of such
24 levy by voters (~~(pursuant to)~~) under this section.

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

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

33 The district shall include in its regular property tax levy for
34 each year a sum sufficient to pay the interest and principal on all
35 outstanding general obligation bonds issued without voter approval
36 (~~(pursuant to)~~) under RCW 67.38.110 and may include a sum sufficient to
37 create a sinking fund for the redemption of all outstanding bonds.

1 **Sec. 107.** RCW 68.52.150 and 1947 c 6 s 7 are each amended to read
2 as follows:

3 Except as otherwise provided in this chapter, the election shall
4 insofar as possible be called, noticed, held, conducted, and canvassed
5 in the same manner and by the same officials as provided by law for
6 (~~special~~) general elections in the county. For the purpose of such
7 election county voting precincts may be combined or divided and
8 redefined, and the territory in the district shall be included in one
9 or more election precincts as may be deemed convenient, a polling place
10 being designated for each such precinct. The notice of election shall
11 state generally and briefly the purpose thereof, shall give the
12 boundaries of the proposed district, define the election precinct or
13 precincts, designate the polling place for each, mention the names of
14 the candidates for first cemetery district commissioners, and name the
15 day of the election and the hours during which the polls will be open.

16 **Sec. 108.** RCW 68.52.250 and 1990 c 259 s 34 are each amended to
17 read as follows:

18 Special elections submitting propositions to the registered voters
19 of the district may be called at any time by resolution of the cemetery
20 commissioners in accordance with RCW 29.13.010 and 29.13.020, and shall
21 be called, noticed, held, conducted, and canvassed in the same manner
22 and by the same officials as provided for the election to determine
23 whether the district shall be created. However, a matter that directly
24 imposes or increases a tax, levy, assessment, charge, or fee may only
25 be voted on at a general election.

26 **Sec. 109.** RCW 68.54.010 and 1990 c 259 s 35 are each amended to
27 read as follows:

28 Any territory contiguous to a cemetery district and not within the
29 boundaries of a city or town other than as set forth in RCW 68.52.210
30 or other cemetery district may be annexed to such cemetery district by
31 petition of ten percent of the registered voters residing within the
32 territory proposed to be annexed who voted in the last general
33 municipal election. Such petition shall be filed with the cemetery
34 commissioners of the cemetery district and if the cemetery
35 commissioners shall concur in the petition they shall then file such
36 petition with the county auditor who shall within thirty days from the
37 date of filing such petition examine the signatures thereof and certify

1 to the sufficiency or insufficiency thereof. After the county auditor
2 shall have certified to the sufficiency of the petition, the
3 proceedings thereafter by the county legislative authority, and the
4 rights and powers and duties of the county legislative authority,
5 petitioners and objectors and the election and canvass thereof shall be
6 the same as in the original proceedings to form a cemetery district:
7 PROVIDED, That the county legislative authority shall have authority
8 and it shall be its duty to determine on an equitable basis, the amount
9 of obligation which the territory to be annexed to the district shall
10 assume, if any, to place the taxpayers of the existing district on a
11 fair and equitable relationship with the taxpayers of the territory to
12 be annexed by reason of the benefits of coming into a going district
13 previously supported by the taxpayers of the existing district, and
14 such obligation may be paid to the district in yearly installments to
15 be fixed by the county legislative authority if within the limits as
16 outlined in RCW 68.52.310 and included in the annual tax levies against
17 the property in such annexed territory until fully paid. The amount of
18 the obligation and the plan of payment thereof filed by the county
19 legislative authority shall be set out in general terms in the notice
20 of election for annexation: PROVIDED, That the (~~special~~) election
21 shall be held only at a general election and within the boundaries of
22 the territory proposed to be annexed to the cemetery district. Upon
23 the entry of the order of the county legislative authority
24 incorporating such contiguous territory within such existing cemetery
25 district, the territory shall become subject to the indebtedness,
26 bonded or otherwise, of the existing district in like manner as the
27 territory of the district. Should such petition be signed by sixty
28 percent of the registered voters residing within the territory proposed
29 to be annexed, and should the cemetery commissioners concur therein, an
30 election in such territory and a hearing on such petition shall be
31 dispensed with and the county legislative authority shall enter its
32 order incorporating such territory within the existing cemetery
33 district.

34 **Sec. 110.** RCW 68.54.050 and 1969 ex.s. c 78 s 5 are each amended
35 to read as follows:

36 If the auditor finds that the petition contains the signatures of
37 a sufficient number of qualified electors, (~~he~~) the auditor shall
38 return it, together with (~~his~~) the auditor's certificate of

1 sufficiency attached thereto, to the board of the merging district.
2 Thereupon such board shall adopt a resolution, calling (~~(a special)~~) an
3 election in the merging district, at which shall be submitted to the
4 electors thereof, the question of the merger. The election must be
5 held at a general election.

6 **Sec. 111.** RCW 70.44.020 and 1990 c 259 s 38 are each amended to
7 read as follows:

8 At any general election (~~(or at any special election which may be~~
9 ~~called for that purpose)~~) the county legislative authority of a county
10 may, or on petition of ten percent of the registered voters of the
11 county based on the total vote cast in the last general county
12 election, shall, by resolution, submit to the voters of the county the
13 proposition of creating a public hospital district coextensive with the
14 limits of the county. The petition shall be filed with the county
15 auditor, who shall within fifteen days examine the signatures thereon
16 and certify to the sufficiency thereof, and for that purpose the
17 auditor shall have access to all registration books in the possession
18 of election officers in the county. If the petition is found to be
19 insufficient, it shall be returned to the persons filing it, who may
20 amend or add names thereto for ten days, when it shall be returned to
21 the auditor, who shall have an additional fifteen days to examine it
22 and attach the certificate thereto. No person signing the petition may
23 withdraw his or her name therefrom after filing. When the petition is
24 certified as sufficient, the auditor shall forthwith transmit it,
25 together with the certificate of sufficiency attached thereto, to the
26 county legislative authority, who shall immediately transmit the
27 proposition to the supervisor of elections or other election officer of
28 the county(~~(, and he)~~). The supervisor of elections or other election
29 officer of the county shall then submit the proposition to the voters
30 at the next general election or, if (~~(such)~~) the petition so requests,
31 shall call (~~(a special)~~) an election on such proposition in accordance
32 with RCW 29.13.010 and 29.13.020. The election must be held at a
33 general election. The notice of the election shall state the
34 boundaries of the proposed district and the object of the election, and
35 shall in other respects conform to the requirements of law governing
36 the time and manner of holding elections. In submitting the question
37 to the voters, the proposition shall be expressed on the ballot
38 substantially in the following terms:

1 For public hospital district No.
2 Against public hospital district No.

3 **Sec. 112.** RCW 70.44.060 and 1990 c 234 s 2 are each amended to
4 read as follows:

5 All public hospital districts organized under ~~((the provisions of))~~
6 this chapter shall have power:

7 (1) To make a survey of existing hospital and other health care
8 facilities within and without such district.

9 (2) To construct, condemn and purchase, purchase, acquire, lease,
10 add to, maintain, operate, develop and regulate, sell and convey all
11 lands, property, property rights, equipment, hospital and other health
12 care facilities and systems for the maintenance of hospitals,
13 buildings, structures, and any and all other facilities, and to
14 exercise the right of eminent domain to effectuate the foregoing
15 purposes or for the acquisition and damaging of the same or property of
16 any kind appurtenant ~~((thereto))~~ to the property, and such right of
17 eminent domain shall be exercised and instituted ~~((pursuant to))~~ under
18 a resolution of the commission and conducted in the same manner and by
19 the same procedure as in or may be provided by law for the exercise of
20 the power of eminent domain by incorporated cities and towns of the
21 state of Washington in the acquisition of property rights: PROVIDED,
22 That no public hospital district shall have the right of eminent domain
23 and the power of condemnation against any health care facility.

24 (3) To lease existing hospital and other health care facilities and
25 equipment and/or other property used in connection therewith, including
26 ambulances, and to pay such rental therefor as the commissioners shall
27 deem proper; to provide hospital and other health care services for
28 residents of ~~((said))~~ the district by facilities located outside the
29 boundaries of ~~((said))~~ the district, by contract or in any other manner
30 ~~((said))~~ the commissioners may deem expedient or necessary under the
31 existing conditions; and ~~((said))~~ the hospital district shall have the
32 power to contract with other communities, corporations, or individuals
33 for the services provided by ~~((said))~~ the hospital district; and they
34 may further receive in ~~((said))~~ the hospitals and other health care
35 facilities and furnish proper and adequate services to all persons not
36 residents of ~~((said))~~ the district at such reasonable and fair
37 compensation as may be considered proper ~~((:—PROVIDED,—That))~~.
38 However, it must at all times make adequate provision for the needs of

1 the district and residents of (~~said~~) the district shall have prior
2 rights to the available hospital and other health care facilities of
3 (~~said~~) the district(~~(7)~~) at rates set by the district commissioners.

4 (4) For the purpose (~~aforsaid~~) of subsections (1) through (3) of
5 this section, it shall be lawful for any district so organized to take,
6 condemn and purchase, lease, or acquire, any and all property, and
7 property rights, including state and county lands, for any of the
8 purposes (~~aforsaid~~) of subsections (1) through (3) of this section,
9 and any and all other facilities necessary or convenient, and in
10 connection with the construction, maintenance, and operation of any
11 such hospitals and other health care facilities, subject, however, to
12 the applicable limitations provided in subsection (2) of this section.

13 (5) To contract indebtedness or borrow money for corporate purposes
14 on the credit of the corporation or the revenues of the hospitals
15 thereof, and the revenues of any other facilities or services that the
16 district is (~~or hereafter may be~~) authorized by law to provide, and
17 to issue and sell: (a) Revenue bonds, revenue warrants, or other
18 revenue obligations therefor payable solely out of a special fund or
19 funds into which the district may pledge such amount of the revenues of
20 the hospitals thereof, and the revenues of any other facilities or
21 services that the district is or hereafter may be authorized by law to
22 provide, to pay the same as the commissioners of the district may
23 determine, such revenue bonds, warrants, or other obligations to be
24 issued and sold in the same manner and subject to the same provisions
25 as provided for the issuance of revenue bonds, warrants, or other
26 obligations by cities or towns under the Municipal Revenue Bond Act,
27 chapter 35.41 RCW(~~(7, as may hereafter be amended)~~); (b) general
28 obligation bonds therefor in the manner and form as provided in RCW
29 70.44.110 and 70.44.130(~~(7, as may hereafter be amended)~~); or (c)
30 interest-bearing warrants to be drawn on a fund pending deposit in such
31 fund of money sufficient to redeem such warrants and to be issued and
32 paid in such manner and upon such terms and conditions as the board of
33 commissioners may deem to be in the best interest of the district; and
34 to assign or sell hospital accounts receivable, and accounts receivable
35 for the use of other facilities or services that the district is (~~or~~
36 ~~hereafter may be~~) authorized by law to provide, for collection with or
37 without recourse. General obligation bonds shall be issued and sold in
38 accordance with chapter 39.46 RCW. Revenue bonds, revenue warrants, or

1 other revenue obligations may be issued and sold in accordance with
2 chapter 39.46 RCW.

3 (6) To raise revenue by the levy of an annual tax on all taxable
4 property within such public hospital district not to exceed fifty cents
5 per thousand dollars of assessed value, and an additional annual tax on
6 all taxable property within such public hospital district not to exceed
7 twenty-five cents per thousand dollars of assessed value, or such
8 further amount as has been or shall be authorized by a vote of the
9 people. Although public hospital districts are authorized to impose
10 two separate regular property tax levies, the levies shall be
11 considered to be a single levy for purposes of the one hundred six
12 percent limitation provided for in chapter 84.55 RCW. Public hospital
13 districts are authorized to levy such a general tax in excess of their
14 regular property taxes when authorized so to do at a (~~special~~)
15 general election conducted in accordance with and subject to (~~all of~~
16 ~~the requirements of~~) the state Constitution and the laws of the state
17 of Washington (~~now in force or hereafter enacted~~) governing the
18 limitation of tax levies. The (~~said~~) board of district commissioners
19 is authorized and empowered to call a special election for the purpose
20 of submitting to the qualified voters of the hospital district a
21 proposition or propositions to levy taxes in excess of its regular
22 property taxes. The superintendent shall prepare a proposed budget of
23 the contemplated financial transactions for the ensuing year and file
24 the same in the records of the commission on or before the first Monday
25 in September. Notice of the filing of (~~said~~) the proposed budget and
26 the date and place of hearing on the same shall be published for at
27 least two consecutive weeks in a newspaper printed and of general
28 circulation in (~~said~~) the county. On the first Monday in October the
29 commission shall hold a public hearing on (~~said~~) the proposed budget
30 at which any taxpayer may appear and be heard against the whole or any
31 part of the proposed budget. Upon the conclusion of (~~said~~) the
32 hearing, the commission shall, by resolution, adopt the budget as
33 finally determined and fix the final amount of expenditures for the
34 ensuing year. Taxes levied by the commission shall be certified to and
35 collected by the proper county officer of the county in which such
36 public hospital district is located in the same manner as is or may be
37 provided by law for the certification and collection of port district
38 taxes. The commission is authorized, (~~prior to~~) before the receipt
39 of taxes raised by levy, to borrow money or issue warrants of the

1 district in anticipation of the revenue to be derived by such district
2 from the levy of taxes for the purpose of such district, and such
3 warrants shall be redeemed from the first money available from such
4 taxes when collected, and such warrants shall not exceed the
5 anticipated revenues of one year, and shall bear interest at a rate or
6 rates as authorized by the commission.

7 (7) To enter into any contract with the United States government or
8 any state, municipality, or other hospital district, or any department
9 of those governing bodies, for carrying out any of the powers
10 authorized by this chapter.

11 (8) To sue and be sued in any court of competent jurisdiction:
12 PROVIDED, That all suits against the public hospital district shall be
13 brought in the county in which the public hospital district is located.

14 (9) To pay actual necessary travel expenses and living expenses
15 incurred while in travel status for (a) qualified physicians who are
16 candidates for medical staff positions, and (b) other qualified persons
17 who are candidates for superintendent or other managerial and technical
18 positions, when the district finds that hospitals or other health care
19 facilities owned and operated by it are not adequately staffed and
20 determines that personal interviews with (~~said~~) the candidates to be
21 held in the district are necessary or desirable for the adequate
22 staffing of (~~said~~) the facilities.

23 (10) To make contracts, employ superintendents, attorneys, and
24 other technical or professional assistants and all other employees; to
25 make contracts with private or public institutions for employee
26 retirement programs; to print and publish information or literature;
27 and to do all other things necessary to carry out (~~the provisions of~~)
28 this chapter.

29 **Sec. 113.** RCW 70.44.220 and 1967 c 227 s 7 are each amended to
30 read as follows:

31 Notice of such hearing shall be published once a week for at least
32 two consecutive weeks in one or more newspapers of general circulation
33 within the territory proposed to be annexed. The notice shall contain
34 a description of the boundaries of the territory proposed to be annexed
35 and shall state the time and place of the hearing thereon and the fact
36 that any changes in the boundaries of such territory will be considered
37 at such time and place. At such hearing or any continuation thereof,
38 any interested person may appear and be heard on all matters relating

1 to the proposed annexation. The district commissioners may make such
2 changes in the boundaries of the territory proposed to be annexed as it
3 shall deem reasonable and proper, but may not delete any portion of the
4 proposed area which will create an island of included or excluded
5 lands. If the district commissioners shall determine that any
6 additional territory should be included in the territory to be annexed,
7 a second hearing shall be held and notice given in the same manner as
8 for the original hearing. The district commissioners may adjourn the
9 hearing on the proposed annexation from time to time not exceeding
10 thirty days in all. At the next regular meeting following the
11 conclusion of such hearing, the district commissioners shall, if it
12 finds that the annexation of such territory will be conducive to the
13 welfare and benefit of the persons and property therein and the welfare
14 and benefit of the persons and property within the public hospital
15 district, adopt a resolution fixing the boundaries of the territory to
16 be annexed and causing to be called (~~(a special)~~) an election on such
17 annexation to be held at a general election not (~~(more than one hundred~~
18 ~~twenty days nor)~~) less than sixty days following the adoption of such
19 resolution.

20 **Sec. 114.** RCW 70.44.235 and 1987 c 138 s 4 are each amended to
21 read as follows:

22 (1) As provided in this section, a public hospital district may
23 withdraw areas from its boundaries, or reannex areas into the public
24 hospital district that previously had been withdrawn from the public
25 hospital district under this section.

26 (2) The withdrawal of an area shall be authorized upon: (a)
27 Adoption of a resolution by the hospital district commissioners
28 requesting the withdrawal and finding that, in the opinion of the
29 commissioners, inclusion of this area within the public hospital
30 district will result in a reduction of the district's tax levy rate
31 under (~~(the provisions of)~~) RCW 84.52.010; and (b) adoption of a
32 resolution by the city or town council approving the withdrawal, if the
33 area is located within the city or town, or adoption of a resolution by
34 the county legislative authority of the county within which the area is
35 located approving the withdrawal, if the area is located outside of a
36 city or town. A withdrawal shall be effective at the end of the day on
37 the thirty-first day of December in the year in which the resolutions
38 are adopted, but for purposes of establishing boundaries for property

1 tax purposes, the boundaries shall be established immediately upon the
2 adoption of the second resolution.

3 The withdrawal of an area from the boundaries of a public hospital
4 district shall not exempt any property therein from taxation for the
5 purpose of paying the costs of redeeming any indebtedness of the public
6 hospital district existing at the time of the withdrawal.

7 (3) An area that has been withdrawn from the boundaries of a public
8 hospital district under this section may be reannexed into the public
9 hospital district upon: (a) Adoption of a resolution by the hospital
10 district commissioners proposing the reannexation; and (b) adoption of
11 a resolution by the city or town council approving the reannexation, if
12 the area is located within the city or town, or adoption of a
13 resolution by the county legislative authority of the county within
14 which the area is located approving the reannexation, if the area is
15 located outside of a city or town. The reannexation shall be effective
16 at the end of the day on the thirty-first day of December in the year
17 in which the adoption of the second resolution occurs, but for purposes
18 of establishing boundaries for property tax purposes, the boundaries
19 shall be established immediately upon the adoption of the second
20 resolution. Referendum action on the proposed reannexation may be
21 taken by the voters of the area proposed to be reannexed if a petition
22 calling for a referendum is filed with the city or town council, or
23 county legislative authority, within a thirty-day period after the
24 adoption of the second resolution, which petition has been signed by
25 registered voters of the area proposed to be reannexed equal in number
26 to ten percent of the total number of the registered voters residing in
27 that area.

28 If a valid petition signed by the requisite number of registered
29 voters has been so filed, the effect of the resolutions shall be held
30 in abeyance and a ballot proposition to authorize the reannexation
31 shall be submitted to the voters of the area at the next (~~special~~)
32 general election (~~date specified in RCW 29.13.020~~) that occurs forty-
33 five or more days after the petitions have been validated. Approval of
34 the ballot proposition authorizing the reannexation by a simple
35 majority vote shall authorize the reannexation.

36 **Sec. 115.** RCW 70.44.350 and 1982 c 84 s 5 are each amended to read
37 as follows:

1 An existing public hospital district upon resolution of its board
2 of commissioners may be divided into two new public hospital districts,
3 in the manner provided in RCW 70.44.350 through 70.44.380, subject to
4 the approval of the plan therefor by the superior court in the county
5 where such district is located and by a majority of the voters voting
6 on the proposition for such approval at (~~(a special)~~) an election to be
7 held at a general election in each of the proposed new districts. The
8 board of commissioners of an existing district shall by resolution or
9 resolutions find that such division is in the public interest; adopt
10 and approve a plan of division; authorize the filing of a petition in
11 the superior court in the county in which the district is located to
12 obtain court approval of the plan of division; request the calling of
13 (~~(a special)~~) an election to be held, following such court approval,
14 for the purpose of submitting to the voters in each of the proposed new
15 districts the proposition of whether the plan of division should be
16 approved and carried out; and direct all officers and employees of the
17 existing district to take whatever actions are reasonable and necessary
18 in order to carry out the division, subject to the approval of the plan
19 therefor by the court and the voters.

20 **Sec. 116.** RCW 70.44.380 and 1982 c 84 s 8 are each amended to read
21 as follows:

22 Following the entry of the court order (~~(pursuant to)~~) under RCW
23 70.44.370, the county officer authorized to call and conduct elections
24 in the county in which the existing district is located shall call (~~(a~~
25 ~~special)~~) an election as provided by the resolution of the board of
26 commissioners of such district for the purpose of submitting to the
27 voters in each of the proposed new districts the proposition of whether
28 the plan of division should be approved and carried out. The election
29 must be held at a general election. Notice of the election describing
30 the boundaries of the proposed new districts and stating the objects of
31 the election shall be given and the election conducted in accordance
32 with the general election laws. The proposition expressed on the
33 ballots at such election shall be substantially as follows:

34 "Shall the plan of division of public hospital district No.
35, approved by the Superior Court on (insert
36 date), be approved and carried out?

37 Yes l No l "

1 At such election three commissioners for each of the proposed new
2 districts nominated by petition (~~((pursuant to))~~) under RCW 54.12.010
3 shall be elected to hold office (~~((pursuant to))~~) under RCW 70.44.040.
4 If at such election a majority of the voters voting on the proposition
5 in each of the proposed new districts shall vote in favor of the plan
6 of division, the county canvassing board shall so declare in its
7 canvass of the returns of such election and upon the filing of the
8 certificate of such canvass: The division of the existing district
9 shall be effective; such original district shall cease to exist; the
10 creation of the two new public hospital districts shall be complete;
11 all assets of the original district shall vest in and become the
12 property of the new districts, respectively, (~~((pursuant to))~~) under the
13 plan of division; all the outstanding obligations of the original
14 district shall be assumed by the new districts, respectively,
15 (~~((pursuant to such))~~) under the plan; the commissioners of the original
16 district shall cease to hold office; and the affairs of the new
17 districts shall be governed by the newly elected commissioners of such
18 respective new districts. Unless commenced within thirty days after
19 the date of the filing of the certificate of the canvass of such
20 election, no lawsuit whatever may be maintained challenging in any way
21 the legal existence of the resulting new districts, the validity of the
22 proceedings had for the organization and creation thereof, or the
23 lawfulness of the plan of division. Upon the petition of either or
24 both new districts, the superior court in the county where they are
25 located may take whatever actions are reasonable and necessary to
26 complete or confirm the carrying out of such plan.

27 **Sec. 117.** RCW 70.94.091 and 1973 1st ex.s. c 195 s 84 are each
28 amended to read as follows:

29 An activated authority shall have the power to levy additional
30 taxes in excess of the constitutional and/or statutory tax limitations
31 for any of the authorized purposes of such activated authority, not in
32 excess of twenty-five cents per thousand dollars of assessed value a
33 year when authorized so to do by the electors of such authority by a
34 three-fifths majority of those voting on the proposition at (~~((a~~
35 ~~special~~)) an election, to be held at the general election in the year
36 in which the levy is made, in the manner set forth in Article VII,
37 section 2(a) of the state Constitution (~~((of this state, as amended by~~
38 ~~Amendment 59 and as thereafter amended))~~). (~~((Nothing herein shall be~~

1 ~~construed to prevent holding the foregoing special election at the same~~
2 ~~time as that fixed for a general election.))~~ The expense of all
3 special elections held (~~(pursuant to)~~) under this section shall be paid
4 by the authority.

5 **Sec. 118.** RCW 80.52.050 and 1982 c 88 s 1 are each amended to read
6 as follows:

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

9 (1)(a) If the applicant is a public utility district, joint
10 operating agency, city, or county, the election shall be among the
11 voters of the public utility district, city, or county, or among the
12 voters of the local governmental entities comprising the membership of
13 the joint operating agency.

14 (b) If the applicant is any public agency other than those
15 described in subsection (1)(a) of this section, or is an assignee of a
16 joint operating agency and not itself a joint operating agency, the
17 election shall be conducted state-wide in the manner provided in Title
18 29 RCW for state-wide elections.

19 (2) The election shall be held at the next state-wide general
20 election occurring more than ninety days after submission of a request
21 by an applicant to the secretary of state (~~(unless a special election~~
22 ~~is requested by the applicant as provided in this section))~~).

23 (3) (~~If no state wide election can be held under subsection (2) of~~
24 ~~this section within one hundred twenty days of the submission to the~~
25 ~~secretary of state of a request by an applicant for financing authority~~
26 ~~under this chapter, the applicant may request that a special election~~
27 ~~be held if such election is necessary to avoid significant delay in~~
28 ~~construction or acquisition of the energy project. Within ten days of~~
29 ~~receipt of such a request for a special election, the secretary of~~
30 ~~state shall designate a date for the election pursuant to RCW 29.13.010~~
31 ~~and certify the date to the county auditor of each county in which an~~
32 ~~election is to be held under this section.~~

33 (4) ~~Prior to~~) Before an election under this section, the applicant
34 shall submit to the secretary of state a cost-effectiveness study,
35 prepared by an independent consultant approved by the state finance
36 committee, pertaining to the major public energy project under
37 consideration. The study shall be available for public review and
38 comment for thirty days. At the end of the thirty-day period, the

1 applicant shall prepare a final draft of the study which includes the
2 public comment, if any.

3 ~~((+5+))~~ (4) The secretary of state shall certify the ballot issue
4 for the election to be held under this section to the county auditor of
5 each county in which an election is to be held. The certification
6 shall include the statement of the proposition as provided in RCW
7 80.52.060. The costs of the election shall be relieved by the
8 applicant in the manner provided by RCW 29.13.045. In addition, the
9 applicant shall reimburse the secretary of state for the applicant's
10 share of the costs related to the preparation and distribution of the
11 voters' pamphlet required by subsection ~~((+6+))~~ (5) of this section and
12 such other costs as are attributable to any election held ~~((pursuant~~
13 ~~to))~~ under this section.

14 ~~((+6+ Prior to))~~ (7) Before an election under this section, the
15 secretary of state shall provide an opportunity for supporters and
16 opponents of the requested financing authority to present their
17 respective views in a voters' pamphlet which shall be distributed to
18 the voters of the local governmental entities participating in the
19 election. Upon submission of an applicant's request for an election
20 ~~((pursuant to))~~ under this section, the applicant shall provide the
21 secretary of state with the following information regarding each major
22 public energy project for which the applicant seeks financing authority
23 at such election, which information shall be included in the voters'
24 pamphlet:

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

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

28 (c) If the bond issuance is intended to finance the acquisition of
29 all or a portion of the project, the anticipated total cost of the
30 acquisition of the project;

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

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

38 (f) A summary of the final cost-effectiveness study conducted under
39 subsection ~~((+4+))~~ (3) of this section;

1 (g) The anticipated functional life of the project; and
2 (h) The anticipated decommissioning costs of the project(~~(i) and~~
3 ~~(i) If a special election is requested by the applicant, the~~
4 ~~reasons for requesting a special election)~~).

5 **Sec. 119.** RCW 82.14.036 and 1983 c 99 s 2 are each amended to read
6 as follows:

7 Any referendum petition to repeal a county or city ordinance
8 imposing a tax or altering the rate of the tax authorized under RCW
9 82.14.030(2) shall be filed with a filing officer, as identified in the
10 ordinance, within seven days of passage of the ordinance. Within ten
11 days, the filing officer shall confer with the petitioner concerning
12 form and style of the petition, issue an identification number for the
13 petition, and write a ballot title for the measure. The ballot title
14 shall be posed as a question so that an affirmative answer to the
15 question and an affirmative vote on the measure results in the tax or
16 tax rate increase being imposed and a negative answer to the question
17 and a negative vote on the measure results in the tax or tax rate
18 increase not being imposed. The petitioner shall be notified of the
19 identification number and ballot title within this ten-day period.

20 After this notification, the petitioner shall have thirty days in
21 which to secure on petition forms the signatures of not less than
22 fifteen percent of the registered voters of the county for county
23 measures, or not less than fifteen percent of the registered voters of
24 the city for city measures, and to file the signed petitions with the
25 filing officer. Each petition form shall contain the ballot title and
26 the full text of the measure to be referred. The filing officer shall
27 verify the sufficiency of the signatures on the petitions. If
28 sufficient valid signatures are properly submitted, the filing officer
29 shall submit the referendum measure to the county or city voters at a
30 general (~~(or special)~~) election (~~(held on one of the dates provided in~~
31 ~~RCW 29.13.010 as determined by the county legislative authority or city~~
32 ~~council, which election shall not take place later than one hundred~~
33 ~~twenty days after the signed petition has been filed with the filing~~
34 ~~officer)~~).

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

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

4 **Sec. 120.** RCW 82.46.021 and 1983 c 99 s 3 are each amended to read
5 as follows:

6 Any referendum petition to repeal a county or city ordinance
7 imposing a tax or altering the rate of the tax authorized under RCW
8 82.46.010(~~((+2))~~) (3) shall be filed with a filing officer, as
9 identified in the ordinance, within seven days of passage of the
10 ordinance. Within ten days, the filing officer shall confer with the
11 petitioner concerning form and style of the petition, issue an
12 identification number for the petition, and write a ballot title for
13 the measure. The ballot title shall be posed as a question so that an
14 affirmative answer to the question and an affirmative vote on the
15 measure results in the tax or tax rate increase being imposed and a
16 negative answer to the question and a negative vote on the measure
17 results in the tax or tax rate increase not being imposed. The
18 petitioner shall be notified of the identification number and ballot
19 title within this ten-day period.

20 After this notification, the petitioner shall have thirty days in
21 which to secure on petition forms the signatures of not less than
22 fifteen percent of the registered voters of the county for county
23 measures, or not less than fifteen percent of the registered voters of
24 the city for city measures, and to file the signed petitions with the
25 filing officer. Each petition form shall contain the ballot title and
26 the full text of the measure to be referred. The filing officer shall
27 verify the sufficiency of the signatures on the petitions. If
28 sufficient valid signatures are properly submitted, the filing officer
29 shall submit the referendum measure to the county or city voters at a
30 general (~~((or special))~~) election (~~((held on one of the dates provided in
31 RCW 29.13.010 as determined by the county legislative authority or city
32 council, which election shall not take place later than one hundred
33 twenty days after the signed petition has been filed with the filing
34 officer))~~).

35 After April 22, 1983, the referendum procedure provided for in this
36 section shall be the exclusive method for subjecting any county or city
37 ordinance imposing a tax or increasing the rate under RCW
38 82.46.010(~~((+2))~~) (3) to a referendum vote.

1 Any county or city tax authorized under RCW 82.46.010(~~(+2)~~)(3)
2 that has been imposed (~~(prior to)~~) before April 22, 1983, is not
3 subject to the referendum procedure provided for in this section.

4 **Sec. 121.** RCW 82.46.035 and 1992 c 221 s 3 and 1991 sp.s. c 32 s
5 33 are each reenacted and amended to read as follows:

6 (1) The legislative authority of any county or city shall identify
7 in the adopted budget the capital projects funded in whole or in part
8 from the proceeds of the tax authorized in this section, and shall
9 indicate that such tax is intended to be in addition to other funds
10 that may be reasonably available for such capital projects.

11 (2) The legislative authority of any county or any city that plans
12 under RCW 36.70A.040(1) may impose an additional excise tax on each
13 sale of real property in the unincorporated areas of the county for the
14 county tax and in the corporate limits of the city for the city tax at
15 a rate not exceeding one-quarter of one percent of the selling price.
16 Any county choosing to plan under RCW 36.70A.040(2) and any city within
17 such a county may only adopt an ordinance imposing the excise tax
18 authorized by this section if the ordinance is first authorized by a
19 proposition approved by a majority of the voters of the taxing district
20 voting on the proposition at a general election held within the
21 district (~~(or at a special election within the taxing district called~~
22 ~~by the district for the purpose of submitting such proposition to the~~
23 ~~voters)~~).

24 (3) Revenues generated from the tax imposed under subsection (2) of
25 this section shall be used by such counties and cities solely for
26 financing capital projects specified in a capital facilities plan
27 element of a comprehensive plan. However, revenues: (a) Pledged by
28 such counties and cities to debt retirement (~~(prior to)~~) before March
29 1, 1992, may continue to be used for that purpose until the original
30 debt for which the revenues were pledged is retired(~~(-)~~); or (b)
31 committed (~~(prior to)~~) before March 1, 1992, by such counties or cities
32 to a project may continue to be used for that purpose until the project
33 is completed.

34 (4) Revenues generated by the tax imposed by this section shall be
35 deposited in a separate account.

36 (5) As used in this section, "city" means any city or town and
37 "capital project" means those public works projects of a local
38 government for planning, acquisition, construction, reconstruction,

1 repair, replacement, rehabilitation, or improvement of streets, roads,
2 highways, sidewalks, street and road lighting systems, traffic signals,
3 bridges, domestic water systems, storm and sanitary sewer systems, and
4 planning, construction, reconstruction, repair, rehabilitation, or
5 improvement of parks.

6 (6) When the governor files a notice of noncompliance under RCW
7 36.70A.340 with the secretary of state and the appropriate county or
8 city, the county or city's authority to impose the additional excise
9 tax under this section shall be temporarily rescinded until the
10 governor files a subsequent notice rescinding the notice of
11 noncompliance.

12 **Sec. 122.** RCW 82.46.070 and 1990 1st ex.s. c 5 s 3 are each
13 amended to read as follows:

14 (1) Subject to subsection (2) of this section, the legislative
15 authority of any county may impose an additional excise tax on each
16 sale of real property in the county at a rate not to exceed one percent
17 of the selling price. The proceeds of the tax shall be used
18 exclusively for the acquisition and maintenance of conservation areas.

19 The taxes imposed under this subsection shall be imposed in the
20 same manner and on the same occurrences, and are subject to the same
21 conditions, as the taxes under chapter 82.45 RCW, except:

22 (a) The tax shall be the obligation of the purchaser; and

23 (b) The tax does not apply to the acquisition of conservation areas
24 by the county.

25 The county may enforce the obligation through an action of debt
26 against the purchaser or may foreclose the lien on the property in the
27 same manner prescribed for the foreclosure of mortgages.

28 The tax shall take effect thirty days after the election at which
29 the taxes are authorized.

30 (2) No tax may be imposed under subsection (1) of this section
31 unless approved by a majority of the voters of the county voting
32 thereon for a specified period and maximum rate after:

33 (a) The adoption of a resolution by the county legislative
34 authority of the county proposing this action; or

35 (b) The filing of a petition proposing this action with the county
36 auditor, which petition is signed by county voters at least equal in
37 number to ten percent of the total number of voters in the county who
38 voted at the last preceding general election.

1 The ballot proposition shall be submitted to the voters of the
2 county at the next general election occurring at least sixty days after
3 a petition is filed(~~(, or at any special election prior to this general~~
4 ~~election that has been called for such purpose by the county~~
5 ~~legislative authority)~~).

6 (3) A plan for the expenditure of the excise tax proceeds shall be
7 prepared by the county legislative authority at least sixty days before
8 the election if the proposal is initiated by resolution of the county
9 legislative authority, or within six months after the tax has been
10 authorized by the voters if the proposal is initiated by petition.
11 (~~Prior to~~) Before the adoption of this plan, the elected officials of
12 cities located within the county shall be consulted and a public
13 hearing shall be held to obtain public input. The proceeds of this
14 excise tax must be expended in conformance with this plan.

15 (4) As used in this section, "conservation area" has the meaning
16 given under RCW 36.32.570.

17 **Sec. 123.** RCW 82.47.020 and 1991 c 173 s 1 are each amended to
18 read as follows:

19 The legislative authority of a border area jurisdiction may, by
20 resolution for the purposes authorized in this chapter and by approval
21 of a majority of the registered voters of the jurisdiction voting on
22 the proposition at a general (~~or special~~) election, fix and impose an
23 excise tax on the retail sale of motor vehicle fuel and special fuel
24 within the jurisdiction. An election held under this section must be
25 held not more than twelve months before the date on which the proposed
26 tax is to be levied. The ballot setting forth the proposition shall
27 state the tax rate that is proposed. The rate of such tax shall be in
28 increments of one-tenth of a cent per gallon and shall not exceed one
29 cent per gallon.

30 The tax imposed in this section shall be collected and paid to the
31 jurisdiction but once in respect to any motor vehicle fuel or special
32 fuel. This tax shall be in addition to any other tax authorized or
33 imposed by law.

34 For purposes of this chapter, the term "border area jurisdictions"
35 means all cities and towns within ten miles of an international border
36 crossing and any transportation benefit district established under RCW
37 36.73.020 which has within its boundaries an international border
38 crossing.

1 **Sec. 124.** RCW 82.80.010 and 1991 c 339 s 12 are each amended to
2 read as follows:

3 (1) Subject to the conditions of this section, any county may levy,
4 by approval of its legislative body and a majority of the registered
5 voters of the county voting on the proposition at a general ((~~or~~
6 ~~special~~)) election, additional excise taxes equal to ten percent of the
7 state-wide motor vehicle fuel tax rate under RCW 82.36.025 on each
8 gallon of motor vehicle fuel as defined in RCW 82.36.010(2) and on each
9 gallon of special fuel as defined in RCW 82.38.020(5) sold within the
10 boundaries of the county. Vehicles paying an annual license fee under
11 RCW 82.38.075 are exempt from the county fuel excise tax. An election
12 held under this section must be held not more than twelve months before
13 the date on which the proposed tax is to be levied. The ballot setting
14 forth the proposition shall state the tax rate that is proposed. The
15 county's authority to levy additional excise taxes under this section
16 includes the incorporated and unincorporated areas of the county. The
17 additional excise taxes are subject to the same exceptions and rights
18 of refund as applicable to other motor vehicle fuel and special fuel
19 excise taxes levied under chapters 82.36 and 82.38 RCW. The proposed
20 tax shall not be levied less than one month from the date the election
21 results are certified by the county election officer. The commencement
22 date for the levy of any tax under this section shall be the first day
23 of January, April, July, or October.

24 (2) Every person subject to the tax shall pay, in addition to any
25 other taxes provided by law, an additional excise tax to the director
26 of licensing at the rate levied by a county exercising its authority
27 under this section.

28 (3) The state treasurer shall distribute monthly to the levying
29 county and cities contained therein the proceeds of the additional
30 excise taxes collected under this section, after the deductions for
31 payments and expenditures as provided in RCW 46.68.090 (1) and (2) and
32 under the conditions and limitations provided in RCW 82.80.080.

33 (4) The proceeds of the additional excise taxes levied under this
34 section shall be used strictly for transportation purposes in
35 accordance with RCW 82.80.070.

36 (5) The department of licensing shall administer and collect the
37 county fuel taxes. The department shall deduct a percentage amount, as
38 provided by contract, for administrative, collection, refund, and audit
39 expenses incurred. The remaining proceeds shall be remitted to the

1 custody of the state treasurer for monthly distribution under RCW
2 82.80.080.

3 **Sec. 125.** RCW 82.80.090 and 1990 c 42 s 214 are each amended to
4 read as follows:

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

18 After this notification, the petitioner has thirty days in which to
19 secure on petition forms the signatures of not less than fifteen
20 percent of the registered voters of the county for county measures, or
21 not less than fifteen percent of the registered voters of the city for
22 city measures, and to file the signed petitions with the filing
23 officer. Each petition form must contain the ballot title and the full
24 text of the measure to be referred. The filing officer shall verify
25 the sufficiency of the signatures on the petitions. If sufficient
26 valid signatures are properly submitted, the filing officer shall
27 submit the referendum measure to the county or city voters at a general
28 ~~((or special))~~ election ~~((held on one of the dates provided in RCW~~
29 ~~29.13.010 as determined by the county or city legislative authority,~~
30 ~~which election shall not take place later than one hundred twenty days~~
31 ~~after the signed petition has been filed with the filing officer))~~.

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

35 **Sec. 126.** RCW 84.09.030 and 1994 c 292 s 4 are each amended to
36 read as follows:

1 Except as follows, the boundaries of counties, cities and all other
2 taxing districts, for purposes of property taxation and the levy of
3 property taxes, shall be the established official boundaries of such
4 districts existing on the first day of March of the year in which the
5 property tax levy is made.

6 The official boundaries of a newly incorporated taxing district
7 shall be established at a different date in the year in which the
8 incorporation occurred as follows:

9 (1) Boundaries for a newly incorporated city shall be established
10 on the last day of March of the year in which the initial property tax
11 levy is made, and the boundaries of a road district, library district,
12 or fire protection district or districts, that include any portion of
13 the area that was incorporated within its boundaries shall be altered
14 as of this date to exclude this area, if the budget for the newly
15 incorporated city is filed (~~(pursuant to)~~) under RCW 84.52.020 and the
16 levy request of the newly incorporated city is made (~~(pursuant to)~~)
17 under RCW 84.52.070(~~(. Whenever a proposed city incorporation is on~~
18 ~~the March special election ballot, the county auditor shall submit the~~
19 ~~legal description of the proposed city to the department of revenue on~~
20 ~~or before the first day of March))~~);

21 (2) Boundaries for a newly incorporated port district shall be
22 established on the first day of October if the boundaries of the newly
23 incorporated port district are coterminous with the boundaries of
24 another taxing district, as they existed on the first day of March of
25 that year;

26 (3) Boundaries of any other newly incorporated taxing district
27 shall be established on the first day of June of the year in which the
28 property tax levy is made if the taxing district has boundaries
29 coterminous with the boundaries of another taxing district, as they
30 existed on the first day of March of that year;

31 (4) Boundaries for a newly incorporated water district shall be
32 established on the fifteenth of June of the year in which the
33 proposition under RCW 57.04.050 authorizing a water district excess
34 levy is approved.

35 The boundaries of a taxing district shall be established on the
36 first day of June if territory has been added to, or removed from, the
37 taxing district after the first day of March of that year with
38 boundaries coterminous with the boundaries of another taxing district
39 as they existed on the first day of March of that year. However, the

1 boundaries of a road district, library district, or fire protection
2 district or districts, that include any portion of the area that was
3 annexed to a city or town within its boundaries shall be altered as of
4 this date to exclude this area. In any case where any instrument
5 setting forth the official boundaries of any newly established taxing
6 district, or setting forth any change in such boundaries, is required
7 by law to be filed in the office of the county auditor or other county
8 official, ~~((said))~~ the instrument shall be filed in triplicate. The
9 officer with whom such instrument is filed shall transmit two copies to
10 the county assessor.

11 No property tax levy shall be made for any taxing district whose
12 boundaries are not established as of the dates provided in this
13 section.

14 **Sec. 127.** RCW 84.52.052 and 1993 c 284 s 4 are each amended to
15 read as follows:

16 The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW
17 84.52.043 shall not prevent the levy of additional taxes by any taxing
18 district except school districts in which a larger levy is necessary in
19 order to prevent the impairment of the obligation of contracts. As
20 used in this section, the term "taxing district" means any county,
21 metropolitan park district, park and recreation service area, park and
22 recreation district, sewer district, water district, solid waste
23 disposal district, public facilities district, flood control zone
24 district, county rail district, service district, public hospital
25 district, road district, rural county library district, island library
26 district, rural partial-county library district, intercounty rural
27 library district, fire protection district, cemetery district, city,
28 town, transportation benefit district, emergency medical service
29 district with a population density of less than one thousand per square
30 mile, or cultural arts, stadium, and convention district.

31 Any such taxing district may levy taxes at a rate in excess of the
32 rate specified in RCW 84.52.050 through 84.52.056 and 84.52.043, or
33 84.55.010 through 84.55.050, when authorized so to do by the voters of
34 such taxing district in the manner set forth in Article VII, section
35 2(a) of the state Constitution (~~((of this state, as amended by Amendment
36 64 and as thereafter amended))~~), at a (~~((special or))~~) general election to
37 be held in the year in which the levy is made.

1 (~~A special~~) An election may be called and the time therefor fixed
2 by the county legislative authority, or council, board of
3 commissioners, or other governing body of any such taxing district, by
4 giving notice thereof by publication in the manner provided by law for
5 giving notices of general elections, at which (~~special~~) election the
6 proposition authorizing such excess levy shall be submitted in such
7 form as to enable the voters favoring the proposition to vote "yes" and
8 those opposed thereto to vote "no." The election must be held at a
9 general election.

10 **Sec. 128.** RCW 84.52.069 and 1995 c 318 s 9 are each amended to
11 read as follows:

12 (1) As used in this section, "taxing district" means a county,
13 emergency medical service district, city or town, public hospital
14 district, urban emergency medical service district, or fire protection
15 district.

16 (2) A taxing district may impose additional regular property tax
17 levies in an amount equal to fifty cents or less per thousand dollars
18 of the assessed value of property in the taxing district in each year
19 for six consecutive years when specifically authorized so to do by a
20 majority of at least three-fifths of the registered voters thereof
21 approving a proposition authorizing the levies submitted at a general
22 (~~or special~~) election, at which election the number of persons voting
23 "yes" on the proposition shall constitute three-fifths of a number
24 equal to forty percent of the total number of voters voting in such
25 taxing district at the last preceding general election when the number
26 of registered voters voting on the proposition does not exceed forty
27 percent of the total number of voters voting in such taxing district in
28 the last preceding general election; or by a majority of at least
29 three-fifths of the registered voters thereof voting on the proposition
30 when the number of registered voters voting on the proposition exceeds
31 forty percent of the total number of voters voting in such taxing
32 district in the last preceding general election. Ballot propositions
33 shall conform with RCW 29.30.111.

34 (3) Any tax imposed under this section shall be used only for the
35 provision of emergency medical care or emergency medical services,
36 including related personnel costs, training for such personnel, and
37 related equipment, supplies, vehicles and structures needed for the
38 provision of emergency medical care or emergency medical services.

1 (4) If a county levies a tax under this section, no taxing district
2 within the county may levy a tax under this section. No other taxing
3 district may levy a tax under this section if another taxing district
4 has levied a tax under this section within its boundaries: PROVIDED,
5 That if a county levies less than fifty cents per thousand dollars of
6 the assessed value of property, then any other taxing district may levy
7 a tax under this section equal to the difference between the rate of
8 the levy by the county and fifty cents: PROVIDED FURTHER, That if a
9 taxing district within a county levies this tax, and the voters of the
10 county subsequently approve a levying of this tax, then the amount of
11 the taxing district levy within the county shall be reduced, when the
12 combined levies exceed fifty cents. Whenever a tax is levied county-
13 wide, the service shall, insofar as is feasible, be provided throughout
14 the county: PROVIDED FURTHER, That no county-wide levy proposal may be
15 placed on the ballot without the approval of the legislative authority
16 of each city exceeding fifty thousand population within the county:
17 AND PROVIDED FURTHER, That this section and RCW 36.32.480 shall not
18 prohibit any city or town from levying an annual excess levy to fund
19 emergency medical services: AND PROVIDED, FURTHER, That if a county
20 proposes to impose tax levies under this section, no other ballot
21 proposition authorizing tax levies under this section by another taxing
22 district in the county may be placed before the voters at the same
23 election at which the county ballot proposition is placed: AND
24 PROVIDED FURTHER, That any taxing district emergency medical service
25 levy that is authorized subsequent to a county emergency medical
26 service levy, shall expire concurrently with the county emergency
27 medical service levy.

28 (5) The limitations in RCW 84.52.043 shall not apply to the tax
29 levy authorized in this section.

30 (6) The limitation in RCW 84.55.010 shall not apply to the first
31 levy imposed (~~(pursuant to)~~) under this section following the approval
32 of such levy by the voters (~~(pursuant to)~~) under subsection (2) of this
33 section.

34 **Sec. 129.** RCW 84.55.050 and 1989 c 287 s 1 are each amended to
35 read as follows:

36 (1) Subject to any otherwise applicable statutory dollar rate
37 limitations, regular property taxes may be levied by or for a taxing
38 district in an amount exceeding the limitations provided for in this

1 chapter if such levy is authorized by a proposition approved by a
2 majority of the voters of the taxing district voting on the proposition
3 at a general election held within the district (~~or at a special~~
4 ~~election within the taxing district called by the district for the~~
5 ~~purpose of submitting such proposition to the voters~~). Any election
6 held (~~pursuant to~~) under this section shall be held not more than
7 twelve months (~~prior to~~) before the date on which the proposed levy
8 is to be made. The ballot of the proposition shall state the dollar
9 rate proposed and shall clearly state any conditions which are
10 applicable under subsection (3) of this section.

11 (2) After a levy authorized (~~pursuant to~~) under this section is
12 made, the dollar amount of such levy shall be used for the purpose of
13 computing the limitations for subsequent levies provided for in this
14 chapter, except as provided in subsection (4) of this section.

15 (3) A proposition placed before the voters under this section may:

16 (a) Limit the period for which the increased levy is to be made;

17 (b) Limit the purpose for which the increased levy is to be made,
18 but if the limited purpose includes making redemption payments on
19 bonds, the period for which the increased levies are made shall not
20 exceed nine years;

21 (c) Set the levy at a rate less than the maximum rate allowed for
22 the district; or

23 (d) Include any combination of the conditions in this subsection.

24 (4) After the expiration of a limited period or the satisfaction of
25 a limited purpose, whichever comes first, subsequent levies shall be
26 computed as if:

27 (a) The limited proposition under subsection (3) of this section
28 had not been approved; and

29 (b) The taxing district had made levies at the maximum rates which
30 would otherwise have been allowed under this chapter during the years
31 levies were made under the limited proposition.

32 **Sec. 130.** RCW 85.20.030 and 1985 c 396 s 48 are each amended to
33 read as follows:

34 Whenever a petition is presented as provided in RCW 85.20.020, the
35 county legislative authority shall order an election to be held to
36 determine if the district shall be reorganized. The county legislative
37 authority shall specify the election date (~~which may or may not~~) that
38 must be at the normal special district general election. Notice of the

1 election shall be posted and published, and the election shall be
2 conducted, as for any special district general election. The notice
3 shall state the number of the district so petitioning to reorganize,
4 the place where and the time when the election is to be held. The
5 auditor shall certify the results of the election to the county
6 legislative authority. If the proposition to reorganize the district
7 is approved by a simple majority vote of the voters voting on the
8 proposition, the district shall be reorganized as either a diking
9 improvement district or drainage improvement district upon the county
10 legislative authority ordering the reorganization. The district shall
11 be liable to the county for its costs incurred for the election.

12 **Sec. 131.** RCW 85.22.030 and 1985 c 396 s 50 are each amended to
13 read as follows:

14 Whenever a petition is presented as provided in RCW 85.22.020, the
15 county legislative authority shall order an election to be held to
16 determine if the district shall be reorganized. The county legislative
17 authority shall specify the election date (~~((which may or may not))~~) that
18 must be the same as the regular special district general election.
19 Notice of the election shall be posted and published, and the election
20 shall be conducted, as for any special district general election. The
21 notice shall state the number of the district so petitioning to
22 reorganize, the place where and the time when the election is to be
23 held. The auditor shall certify the results of the election to the
24 county legislative authority. If the proposition to reorganize the
25 district is approved by a simple majority vote of the voters voting on
26 the proposition, the district shall be reorganized as either a diking
27 improvement district or drainage improvement district upon the county
28 legislative authority ordering the reorganization. The district shall
29 be liable to the county for its costs incurred for the election.

30 **Sec. 132.** RCW 85.38.010 and 1991 c 349 s 1 are each amended to
31 read as follows:

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

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

36 (2) "Owner of land" means the record owner of at least a majority
37 ownership interest in a separate and legally created lot or parcel of

1 land, as determined by the records of the county auditor, except that
2 if the lot or parcel has been sold under a real estate contract, the
3 vendee or grantee shall be deemed to be the owner of such land for
4 purposes of authorizing voting rights. It is assumed, unless shown
5 otherwise, that the name appearing as the owner of property on the
6 property tax rolls is the current owner.

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

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

25 (5) "Special district general election" means the election of a
26 special district regularly held on the first Tuesday after the first
27 Monday in (~~February~~) November in each even-numbered year at which a
28 member of the special district governing body is regularly elected.

29 **Sec. 133.** RCW 85.38.060 and 1991 c 349 s 10 are each amended to
30 read as follows:

31 The county legislative authority or authorities shall cause an
32 election on the question of creating the special district to be held if
33 findings as provided in RCW 85.38.050 are made. The county legislative
34 authority or authorities shall designate a time and date for such
35 election, which shall be (~~one of the special election dates provided~~
36 ~~for in RCW 29.13.020~~) a general election, together with the site or
37 sites at which votes may be cast. The persons allowed to vote on the
38 creation of a special district shall be those persons who, if the

1 special district were created, would be qualified voters of the special
2 district as described in RCW 85.38.010. The county auditor or auditors
3 of the counties within which the proposed special district is located
4 shall conduct the election and prepare a list of presumed eligible
5 voters.

6 Notices for the election shall be published as provided in RCW
7 85.38.040. The special district shall be created if the proposition to
8 create the special district is approved by a simple majority vote of
9 the voters voting on the proposition and the special district may
10 assume operations whenever the initial members of the governing body
11 are appointed as provided in RCW 85.38.070.

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

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

23 **Sec. 134.** RCW 85.38.100 and 1991 c 349 s 5 are each amended to
24 read as follows:

25 General elections shall be held in each special district on the
26 first Tuesday after the first Monday in (~~((February))~~) November in each
27 even-numbered year. The auditor of the county within which a special
28 district, or the largest portion of a special district, is located may
29 provide for special elections whenever necessary. However, a matter
30 that directly imposes or increases a tax, levy, assessment, charge, or
31 fee may only be voted on at a general election.

32 **Sec. 135.** RCW 85.38.110 and 1991 c 349 s 13 are each amended to
33 read as follows:

34 A list of presumed eligible voters shall be prepared and maintained
35 by each special district. The list shall include the assessor's tax
36 number for each lot or parcel in the district, the name or the names of
37 the owners of such lots and parcels and their mailing address, the

1 extent of the ownership interest of such persons, and if such persons
2 are natural persons, whether they are known to be registered voters in
3 the state of Washington. Whenever such a list is prepared, the
4 district shall attempt to notify each owner of the requirements
5 necessary to establish voting authority to vote. Whenever lots or
6 parcels in the district are sold, the district shall attempt to notify
7 the purchasers of the requirements necessary to establish voting
8 authority. Each special district shall provide a copy of this list,
9 and any revised list, to the auditor of the county within which all or
10 the largest portion of the special district is located. The special
11 district must compile the list of eligible voters and provide it to the
12 county auditor by the first day of (~~November~~) August preceding the
13 special district general election. In the event the special district
14 does not provide the county auditor with the list of qualified voters
15 by this date, the county auditor shall compile the list and charge the
16 special district for the costs required for its preparation. The
17 county auditor shall not be held responsible for any errors in the
18 list.

19 **Sec. 136.** RCW 88.32.230 and 1991 c 363 s 161 are each amended to
20 read as follows:

21 Whenever the county legislative authority of any county with a
22 population of one hundred twenty-five thousand or more deems it for the
23 interest of the county to engage in or to aid the United States of
24 America, the state of Washington, or any adjoining county or any city
25 of this state, or any of them, in construction, enlargement,
26 improvement, modification, repair or operation of any harbor, canal,
27 waterway, river channel, slip, dock, wharf, or other public
28 improvement, or any of the same, for the purposes of commerce,
29 navigation, sanitation and drainage, or any thereof, or to acquire or
30 operate wharf sites, dock sites, or other properties, rights or
31 interests, or any thereof, necessary or proper to be acquired or
32 operated for public enjoyment of any such public improvement, and to
33 incur indebtedness to meet the cost thereof and expenses connected
34 therewith, and issue bonds of the county for the payment of such
35 indebtedness, or any thereof, such county is hereby authorized and
36 empowered, by and through its county legislative authority, to engage
37 in or aid in any such public work or works, operation or acquisition,
38 as aforesaid, and to incur indebtedness for such purpose or purposes to

1 an amount, which, together with the then existing indebtedness of such
2 county, shall not exceed two and one-half percent of the value of the
3 taxable property in (~~said~~) the county, as the term "value of the
4 taxable property" is defined in RCW 39.36.015, and to issue the
5 negotiable bonds of the county for all or any of such indebtedness and
6 for the payment thereof, in the manner and form and as provided in
7 chapter 39.46 RCW, and other laws of this state which shall then be in
8 force, and to make part or all of such payment in bonds or in moneys
9 derived from sale or sales thereof, or partly in such bonds and partly
10 in such money(~~:- PROVIDED, That~~). However, the county legislative
11 authority shall (~~have~~) first (~~submitted~~) submit the question of
12 incurring such indebtedness to the voters of the county at a general
13 (~~or special~~) election, and three-fifths of the voters voting upon the
14 question (~~shall~~) must have voted in favor of incurring the same.

15 **Sec. 137.** RCW 90.72.040 and 1992 c 100 s 3 are each amended to
16 read as follows:

17 (1) The county legislative authority may create a shellfish
18 protection district on its own motion or by submitting the question to
19 the voters of the proposed district and obtaining the approval of a
20 majority of those voting. The boundaries of the district shall be
21 determined by the legislative authority. The legislative authority may
22 create more than one district. A district may include any area or
23 areas within the county, whether incorporated or unincorporated.
24 Counties shall coordinate and cooperate with cities, towns, and water-
25 related special districts within their boundaries in establishing
26 shellfish protection districts and carrying out shellfish protection
27 programs. Where a portion of the proposed district lies within an
28 incorporated area, the county shall develop procedures for the
29 participation of the city or town in the determination of the
30 boundaries of the district and the administration of the district,
31 including funding of the district's programs. The legislative
32 authority of more than one county may by agreement provide for the
33 creation of a district including areas within each of those counties.
34 County legislative authorities are encouraged to coordinate their plans
35 and programs to protect shellfish growing areas, especially where
36 shellfish growing areas are located within the boundaries of more than
37 one county. The legislative authority or authorities creating a
38 district may abolish a shellfish protection district on its or their

1 own motion or by submitting the question to the voters of the district
2 and obtaining the approval of a majority of those voting.

3 (2) If the county legislative authority creates a shellfish
4 protection district by its own motion, any registered voter residing
5 within the boundaries of the shellfish protection district may file a
6 referendum petition to repeal the ordinance that created the district.
7 Any referendum petition to repeal the ordinance creating the shellfish
8 protection district shall be filed with the county auditor within seven
9 days of passage of the ordinance. Within ten days of the filing of a
10 petition, the county auditor shall confer with the petitioner
11 concerning form and style of the petition, issue an identification
12 number for the petition, and write a ballot title for the measure. The
13 ballot title shall be posed as a question so that an affirmative answer
14 to the question and an affirmative vote on the measure results in
15 creation of the shellfish protection district and a negative answer to
16 the question and a negative vote on the measure results in the
17 shellfish protection district not being created. The petitioner shall
18 be notified of the identification number and ballot title within this
19 ten-day period.

20 After this notification, the petitioner shall have thirty days in
21 which to secure on petition forms the signatures of not less than
22 twenty-five percent of the registered voters residing within the
23 boundaries of the shellfish protection district and file the signed
24 petitions with the county auditor. Each petition form shall contain
25 the ballot title and full text of the measure to be referred. The
26 county auditor shall verify the sufficiency of the signatures on the
27 petitions. If sufficient valid signatures are properly submitted, the
28 county auditor shall submit the referendum measure to the registered
29 voters residing in the shellfish protection district in a (~~special~~)
30 general election (~~(no later than one hundred twenty days)~~) after the
31 signed petition has been filed with the county auditor. The
32 (~~special~~) election may be conducted by mail ballot as provided for in
33 chapter 29.36 RCW.

34 (3) The county legislative authority shall not impose fees, rates,
35 or charges for shellfish protection district programs upon properties
36 on which fees, rates, or charges are imposed to pay for another program
37 to eliminate or decrease contamination in storm water runoff.

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