
SENATE BILL 6505

State of Washington

54th Legislature

1996 Regular Session

By Senators Hale and Haugen

Read first time 01/16/96. Referred to Committee on Government Operations.

1 AN ACT Relating to clarifying and harmonizing provisions in Titles
2 35 and 41 RCW; amending RCW 35.07.040, 35.21.710, 35.27.070, and
3 41.04.190; adding a new section to chapter 35.23 RCW; and repealing RCW
4 35.07.030, 35.17.160, 35.23.390, and 35.23.400.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.23 RCW
7 to read as follows:

8 No person shall be eligible to or hold an elective office in a town
9 unless the person is a resident and elector therein.

10 **Sec. 2.** RCW 35.07.040 and 1965 c 7 s 35.07.040 are each amended to
11 read as follows:

12 ~~((If the applicable census shows a population of less than four~~
13 ~~thousand)) Upon receipt of a valid petition for disincorporation, the
14 council shall cause an election to be called upon the proposition of
15 disincorporation. If the city or town has any indebtedness or
16 outstanding liabilities, it shall order the election of a receiver at
17 the same time.~~

1 **Sec. 3.** RCW 35.21.710 and 1983 2nd ex.s. c 3 s 33 are each amended
2 to read as follows:

3 Any city which imposes a license fee or tax upon business
4 activities consisting of the making of retail sales of tangible
5 personal property which are measured by gross receipts or gross income
6 from such sales, shall impose such tax at a single uniform rate upon
7 all such business activities. The taxing authority granted to cities
8 for taxes upon business activities measured by gross receipts or gross
9 income from sales shall not exceed a rate of .0020; except that any
10 city with an adopted ordinance at a higher rate, as of January 1, 1982
11 shall be limited to a maximum increase of ten percent of the January
12 1982 rate, not to exceed an annual incremental increase of two percent
13 of current rate: PROVIDED, That any adopted ordinance which classifies
14 according to different types of business or services shall be subject
15 to both the ten percent and the two percent annual incremental increase
16 limitation on each tax rate: PROVIDED FURTHER, That all surtaxes on
17 business and occupation classifications in effect as of January 1,
18 1982, shall expire no later than December 31, 1982, or by expiration
19 date established by local ordinance. Cities which impose a license fee
20 or tax upon business activities consisting of the making of retail
21 sales of tangible personal property which are measured by gross
22 receipts or gross income from such sales shall be required to submit an
23 annual report to the state auditor identifying the rate established and
24 the revenues received from each fee or tax. This section shall not
25 apply to any business activities subject to the tax imposed by chapter
26 82.16 or 82.18 RCW. For purposes of this section, the providing to
27 consumers of competitive telephone service, as defined in RCW
28 82.04.065, shall be deemed to be the retail sale of tangible personal
29 property.

30 **Sec. 4.** RCW 35.27.070 and 1993 c 47 s 2 are each amended to read
31 as follows:

32 The government of a town shall be vested in a mayor and a council
33 consisting of five members and a treasurer, all elective; the mayor
34 shall appoint a clerk and a marshal; and may appoint a town attorney,
35 pound master, street superintendent, a civil engineer, and such police
36 and other subordinate officers and employees as may be provided for by
37 ordinance. All appointive officers and employees shall hold office at
38 the pleasure of the mayor, subject to any applicable law, rule, or

1 regulation relating to civil service, and shall not be subject to
2 confirmation by the town council.

3 **Sec. 5.** RCW 41.04.190 and 1992 c 146 s 13 are each amended to read
4 as follows:

5 The cost of a policy or plan to a public agency or body is not
6 additional compensation to the employees or elected officials covered
7 thereby. The elected officials to whom this section applies include
8 but are not limited to commissioners elected under chapters 28A.315,
9 52.14, 53.12, 54.12, 56.12, 57.12, 70.44, and 87.03 RCW, as well as any
10 county elected officials who are provided insurance coverage under RCW
11 41.04.180 and those city officials elected under chapters 35.22, 35.23,
12 35.27, 35A.12, and 35A.13 RCW. Any officer authorized to disburse such
13 funds may pay in whole or in part to an insurance carrier or health
14 care service contractor the amount of the premiums due under the
15 contract.

16 NEW SECTION. **Sec. 6.** The following acts or parts of acts are each
17 repealed:

- 18 (1) RCW 35.07.030 and 1965 c 7 s 35.07.030;
19 (2) RCW 35.17.160 and 1965 c 7 s 35.17.160;
20 (3) RCW 35.23.390 and 1965 c 7 s 35.23.390; and
21 (4) RCW 35.23.400 and 1965 c 7 s 35.23.400.

--- END ---