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**SUBSTITUTE HOUSE BILL 1548**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Government Reform & Land Use (originally sponsored by Representative Koster)

Read first time 03/05/97.

1 AN ACT Relating to the creation of Freedom county, subject to the  
2 requirements of the state Constitution and statutes in respect to the  
3 establishment of new counties; amending RCW 36.04.310, 36.04.040,  
4 2.08.064, and 3.34.010; adding a new section to chapter 36.04 RCW;  
5 creating new sections; providing effective dates; providing a  
6 contingent effective date; and declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that the population of  
9 the proposed Freedom county, and the areas remaining in Snohomish  
10 county after the creation of Freedom county, meet the population  
11 requirements in Article XI, section 3 of the state Constitution, and  
12 that petitions exist proposing the creation of Freedom county with  
13 sufficient valid signatures under the requirements of Article XI,  
14 section 3 of the state Constitution, to allow the legislature to create  
15 Freedom county.

16 **PART I - ELECTION**

1        NEW SECTION.    **Sec. 101.**    At the next general election after the  
2 effective date of this section, the question of creation of Freedom  
3 county shall be submitted to the voters residing within the boundaries  
4 of the proposed Freedom county. The question shall be presented on the  
5 ballot in substantially the following form: Shall the new county of  
6 Freedom be created? - yes or no? If a majority of those voting on the  
7 question vote in favor of creation of Freedom county, Freedom county  
8 shall be created as provided in this act. If a majority of those  
9 voting on the question vote against creation of Freedom county, Freedom  
10 county shall not be created and sections 201 through 203, 301 through  
11 313, 401 through 404, 501 through 504, 601, and 602 of this act are  
12 null and void.

13        NEW SECTION.    **Sec. 102.**    Thirty days before the election required  
14 in section 101 of this act, the Snohomish county auditor shall  
15 establish three commissioner districts in the proposed Freedom county  
16 subject to the criteria in RCW 29.70.100(4). These county commissioner  
17 districts shall be used as provided in RCW 36.32.040 for residency  
18 purposes and in a primary and general election as provided in section  
19 303 of this act to nominate candidates for the county commissioner  
20 position from each district. The commissioner districts shall remain  
21 in effect unless altered by the interim board of county commissioners  
22 or a subsequent board of county commissioners.

23        NEW SECTION.    **Sec. 103.**    The Snohomish county auditor shall conduct  
24 the election described in section 101 of this act. The cost of  
25 conducting the election shall be paid by Snohomish county if Freedom  
26 county is not created. If Freedom county is created, Freedom county  
27 shall reimburse Snohomish county for all election costs including the  
28 election to create Freedom county, and the primary and general election  
29 to elect the interim county officers.

30        NEW SECTION.    **Sec. 104.**    Freedom county shall consist of the  
31 territory bounded as follows, to wit: Commencing at the southwest  
32 corner of Skagit county; thence east along the eighth standard parallel  
33 to the summit of the Cascade mountains; thence southerly along the  
34 summit of the Cascade mountains to its intersection with the township  
35 line between townships twenty-nine and thirty north; thence west along  
36 this township line between townships twenty-nine and thirty to its

1 intersection with the centerline of state highway No. 9; thence  
2 northerly along this centerline of state highway No. 9 to its  
3 intersection with the township line between townships thirty and  
4 thirty-one north; thence west on this township line between townships  
5 thirty and thirty-one north to its intersection with the main channel  
6 of Port Susan; thence northerly up this main channel of Port Susan to  
7 the mouth of the Stillaguamish river; thence northwesterly through the  
8 channel of the slough at the head of Camano Island, known as Davis  
9 Slough; thence northerly to the place of beginning.

10 **PART II - LEGAL DESCRIPTIONS**

11 NEW SECTION. **Sec. 201.** A new section is added to chapter 36.04  
12 RCW to read as follows:

13 Freedom county shall consist of the territory bounded as follows,  
14 to wit: Commencing at the southwest corner of Skagit county; thence  
15 east along the eighth standard parallel to the summit of the Cascade  
16 mountains; thence southerly along the summit of the Cascade mountains  
17 to its intersection with the township line between townships twenty-  
18 nine and thirty north; thence west along this township line between  
19 townships twenty-nine and thirty to its intersection with the  
20 centerline of state highway No. 9; thence northerly along this  
21 centerline of state highway No. 9 to its intersection with the township  
22 line between townships thirty and thirty-one north; thence west on this  
23 township line between townships thirty and thirty-one north to its  
24 intersection with the main channel of Port Susan; thence northerly up  
25 this main channel of Port Susan to the mouth of the Stillaguamish  
26 river; thence northwesterly through the channel of the slough at the  
27 head of Camano Island, known as Davis Slough; thence northerly to the  
28 place of beginning.

29 **Sec. 202.** RCW 36.04.310 and 1877 p 426 s 3 are each amended to  
30 read as follows:

31 Snohomish county shall consist of the territory bounded as follows,  
32 to wit: Commencing at the (~~southwest corner of Skagit county; thence~~  
33 ~~east along the eighth standard parallel~~) intersection of the main  
34 channel of Port Susan and the township line of townships twenty-nine  
35 and thirty north of the Willamette Meridian; thence east along this  
36 township line between townships twenty-nine and thirty north to its

1 intersection with the centerline of state highway No. 9; thence  
2 southerly along this centerline of state highway No. 9 to its  
3 intersection with the township line between townships twenty-nine and  
4 thirty north; thence east along this township line between townships  
5 twenty-nine and thirty to the summit of the Cascade mountains; thence  
6 southerly along the summit of the Cascade mountains to the northeast  
7 corner of King county, it being a point ((~~due east of the northeast~~  
8 ~~corner of township twenty-six north, range four east~~)) on the township  
9 line between township twenty-six north and township twenty-seven north,  
10 said point lying near the north quarter-corner of section three,  
11 township twenty-six north, range thirteen east of the Willamette  
12 Meridian; thence due west along ((~~the north boundary of King county~~))  
13 this township line between township twenty-six north and twenty-seven  
14 north to Puget Sound; thence northerly along the channel of Puget Sound  
15 and Possession Sound to the entrance of Port Susan, including Gedney  
16 Island; thence northerly up the main channel of Port Susan to the  
17 ((~~mouth of the Stillaguamish river; thence northwesterly through the~~  
18 ~~channel of the slough at the head of Camano Island, known as Davis~~  
19 ~~Slough; thence northerly to the~~)) place of beginning.

20       **Sec. 203.** RCW 36.04.040 and 1899 c 95 s 1 are each amended to read  
21 as follows:

22       Chelan county shall consist of the territory bounded as follows, to  
23 wit: Beginning at the point of intersection of the middle of the main  
24 channel of the Columbia river with the fifth standard parallel north,  
25 thence running west along said fifth standard parallel north to the  
26 point where said fifth standard parallel north intersects the summit of  
27 the main divide between the waters flowing northerly and easterly into  
28 the Wenatchee and Columbia rivers, and the waters flowing southerly and  
29 westerly into the Yakima river, thence in a general northwesterly  
30 direction along the summit of said main divide between the waters  
31 flowing northerly and easterly into the Wenatchee and Columbia rivers  
32 and the waters flowing southerly and westerly into the Yakima river,  
33 following the course of the center of the summit of the watershed  
34 dividing the said respective waters, to the center of the summit of the  
35 Cascade mountains, at the eastern boundary line of King county; thence  
36 north along the east boundary lines of King, Snohomish, Freedom, and  
37 Skagit counties to the point upon the said east boundary of Skagit  
38 county, where said boundary is intersected by the watershed between the

1 waters flowing northerly and easterly into the Methow river and the  
2 waters flowing southerly and westerly into Lake Chelan, thence in a  
3 general southeasterly direction along the summit of the main divide  
4 between the waters flowing northerly and easterly into the Methow river  
5 and the waters flowing westerly and southerly into Lake Chelan and its  
6 tributaries; following the course of the center of the summit of the  
7 watershed dividing said respective waters, to the point where the  
8 seventh standard parallel north intersects said center of the summit of  
9 said watershed; thence east along the said seventh standard parallel  
10 north to the point of intersection of the middle of the main channel of  
11 the Columbia river with said seventh standard parallel north; thence  
12 down the middle of the main channel of the Columbia river to the point  
13 of beginning.

14 **PART III - TRANSITION PERIOD AND OFFICIAL DATE OF CREATION**

15 NEW SECTION. **Sec. 301.** The official date of creating Freedom  
16 county shall be January 1, 1999. As provided in section 305 of this  
17 act, an interim transition period shall exist commencing on the date  
18 the interim elected officials of Freedom county assume office and  
19 continuing until the official date of creating Freedom county.

20 The following shall occur during this interim period: (1) County  
21 facilities and services will continue to be provided by Snohomish  
22 county in those portions of Snohomish county that will be stricken and  
23 become part of Freedom county; (2) property and activities in the  
24 portion of Snohomish county that will become part of Freedom county  
25 shall remain subject to the governmental jurisdiction and taxing  
26 authority of Snohomish county; (3) interim elected officials for  
27 Freedom county shall assume partial jurisdiction to provide for a  
28 smooth transition of the area into Freedom county; and (4) the voters  
29 of Freedom county shall be the resident voters of Snohomish county who  
30 reside in what will become Freedom county, and these Freedom county  
31 voters shall elect the elected officials for Freedom county who assume  
32 office at the end of the interim period and shall vote on any ballot  
33 propositions submitted to them by the interim board of county  
34 commissioners of Freedom county.

35 To avoid double voting powers, the voters of Snohomish county  
36 during this interim period shall only be the voters of Snohomish county  
37 residing in what will remain of Snohomish county on the official date

1 of creating Freedom county and voters of Freedom county shall not  
2 participate in any county election matters relating to Snohomish  
3 county. During the period from the effective date of this section  
4 until the official date of creating Freedom county, any ballot  
5 proposition authorizing debt or excess levies for Snohomish county  
6 shall only encumber the property in Snohomish county as the boundaries  
7 exist on the official date of creating Freedom county.

8 During the interim period, Snohomish county shall receive federal,  
9 state, and other moneys allocated to that county as if Freedom county  
10 were not created. Freedom county shall be eligible to receive federal,  
11 state, and other moneys after the official date of creating the county.

12 NEW SECTION. **Sec. 302.** Interim elected officials of Freedom  
13 county shall be elected in 1998 for each of the elected positions of a  
14 county with the population of Freedom county as specified under RCW  
15 36.16.030. The Snohomish county auditor shall open a three day special  
16 filing period for persons to file declarations of their candidacies for  
17 the interim county elected officials for Freedom county. The filing  
18 period shall be the first three business days following the date of  
19 certification of the election to form Freedom county. A primary shall  
20 be held to nominate candidates for Freedom county elected positions at  
21 the February, 1998 special election date specified in RCW 29.13.010.  
22 Each candidate for the office of county commissioner shall file for one  
23 of the three separate county commissioner positions and county  
24 commissioner districts shall be used to nominate candidates for the  
25 interim offices of county commissioner. The candidates' names shall  
26 appear on the ballot in alphabetical order under the title of the  
27 position for which each has filed.

28 An election shall be held to elect the interim county elected  
29 officials at the April, 1998 election date specified in RCW 29.13.010.  
30 The newly elected county officials shall assume office immediately upon  
31 the certification of the election with limited powers during the  
32 interim period as provided in this act and full powers commencing  
33 January 1, 1999. The county officials elected in 1998 shall hold  
34 office until their successors are elected, qualified, and assume office  
35 in January 1, 2000.

36 NEW SECTION. **Sec. 303.** A primary and general election shall be  
37 held at the normal times in 1999 to nominate and elect the successors

1 of the county officials elected in 1998, who shall take office on  
2 January 1, 2000. This primary and general election shall be conducted  
3 by the Freedom county auditor, with the assistance of Snohomish county  
4 election officials. The two county commissioners who are elected  
5 receiving the two greatest numbers of votes shall be elected to four-  
6 year terms of office, and the other county commissioner who is elected  
7 shall be elected to a two-year term of office. All the other county  
8 elected officials shall be elected to four-year terms of office.

9 NEW SECTION. **Sec. 304.** All ordinances, rules, and regulations of  
10 Snohomish county that were in effect in the portion of Freedom county  
11 that will be stricken from Snohomish county shall remain in effect  
12 until the effective date of an amendment or repeal of these ordinances,  
13 rules, or regulations by the board of county commissioners of Freedom  
14 county.

15 NEW SECTION. **Sec. 305.** An interim period shall exist commencing  
16 on the date the interim Freedom county elected officials assume office  
17 and continuing until the official date of creating Freedom county.

18 During this interim period, the interim county elected officials  
19 are authorized to provide for the transition of the area into Freedom  
20 county, including the authority to adopt ordinances that become  
21 effective on or after the official date of creating Freedom county and  
22 to enter into contracts and agreements facilitating the transition into  
23 a new county and ensuring a continuation of governmental services  
24 during the interim period and after the official date of creating  
25 Freedom county.

26 The first meeting of the interim board of county commissioners of  
27 Freedom county shall be held within one week of the certification of  
28 the results of their elections at a time, date, and place in Freedom  
29 county designated by the Snohomish county executive. The Snohomish  
30 county executive shall cause notice of this first meeting to be  
31 published and provide for facilities and staffing for this first  
32 meeting. The person elected as an interim county commissioner of  
33 Freedom county receiving the greatest number of votes shall act as the  
34 temporary chair of that first meeting until the interim board of county  
35 commissioners elects its chair, which shall be its first order of  
36 business.

1 Proposed county ordinances that are considered by the interim board  
2 of commissioners shall be published to the same extent as proposed  
3 county ordinances are required to be published after a county is  
4 created. However, any ordinances adopted by the interim board of  
5 commissioners at its initial meeting shall be published after they are  
6 adopted.

7 During the interim period, the interim board of commissioners and  
8 other interim county elected officials may acquire needed facilities,  
9 supplies, equipment, insurance, and staff during this interim period as  
10 if Freedom county were in existence.

11 During the interim period, the interim board of county  
12 commissioners may adopt rules establishing policies and procedures  
13 under the state environmental policy act, chapter 43.21C RCW, and may  
14 use these rules and procedures in making determinations under the state  
15 environmental policy act, chapter 43.21C RCW. During this interim  
16 period, Freedom county and the interim county elected officials shall  
17 be subject to the following as though the county were officially  
18 created: RCW 36.16.050 relating to the filing of bonds; RCW 4.24.470  
19 relating to immunity; chapter 42.17 RCW relating to open government;  
20 chapter 40.14 RCW relating to the preservation and disposition of  
21 public records; chapters 42.20 and 42.23 RCW relating to ethics and  
22 conflicts of interest; chapters 42.30 and 42.32 RCW relating to open  
23 public meetings and minutes; RCW 36.72.075 relating to the designation  
24 of an official newspaper, except that the interim board of county  
25 commissioners may designate its official county newspaper at any  
26 meeting during the interim period; RCW 36.16.138 relating to liability  
27 insurance; RCW 36.32.240 through 36.32.270, chapter 36.77 RCW, and  
28 statutes referenced therein, relating to public contracts and bidding;  
29 and chapter 39.34 RCW relating to interlocal cooperation.

30 During the interim period, Freedom county is subject to  
31 indebtedness limitations provided for a county in chapter 39.36 RCW,  
32 and Freedom county may issue tax anticipation or revenue anticipation  
33 notes or warrants and other short-term obligations and funds may be  
34 borrowed on the security of these instruments during the interim  
35 period, as provided in chapter 39.50 RCW. Funds also may be borrowed  
36 from federal, state, and other governmental agencies in the same manner  
37 as if Freedom county were officially created.

38 During the interim period, the interim board of county  
39 commissioners may submit ballot propositions to the voters of Freedom



1 county authorizing single year excess property tax levies as provided  
2 in RCW 84.52.052, as well as voter-approved general indebtedness and  
3 multiple year excess levies to retire the general indebtedness as  
4 provided in RCW 84.52.056 and 39.36.050, with the property taxes to be  
5 collected in 1999 and thereafter.

6 During the interim period, the interim board of county  
7 commissioners shall impose property taxes for Freedom county and all  
8 taxing districts with boundaries in Freedom county in 1998 for  
9 collection in 1999. For purposes of RCW 84.09.030 establishing the  
10 boundaries of taxing districts to impose property taxes in 1998 for  
11 collection in 1999, the boundaries of Freedom county shall be as  
12 established in this act, the boundaries of Snohomish county shall be  
13 established to remove the portion of that county that is stricken to  
14 create Freedom county, the boundaries of the road district in Snohomish  
15 county shall include all territory in the Snohomish county road  
16 district after any territory in Freedom county is stricken, and a  
17 single road district shall exist in Freedom county that includes all  
18 unincorporated territory in Freedom county.

19 During the interim period, the interim board of county  
20 commissioners may adopt ordinances imposing excise taxes that counties  
21 are authorized to impose, to be collected after the official date of  
22 creation, including, but not limited to, sales and use taxes authorized  
23 in chapter 82.14 RCW and excise taxes on the sale of real estate  
24 authorized in chapter 82.46 RCW. If the ordinances imposing the excise  
25 taxes are adopted in a timely manner, these excise taxes shall begin to  
26 be collected by or for Freedom county on the official date of creating  
27 Freedom county. RCW 82.14.036 shall apply during the interim period.

28 NEW SECTION. **Sec. 306.** (1) During the interim period, meetings of  
29 the interim board of county commissioners may be held at any location  
30 within Freedom county selected by the interim board of county  
31 commissioners. The county voters shall make the selection of the  
32 permanent county seat at the general election in 1998.

33 (2) A city, town, or other commonly named area within Freedom  
34 county may be nominated as the permanent county seat in a petition  
35 submitted to and validated by the interim Freedom county auditor, with  
36 the assistance of the Snohomish county auditor or election officials,  
37 that has been signed by voters residing in Freedom county equal in  
38 number to at least one percent of the votes cast in Freedom county in

1 the 1997 general election. The petition shall be filed with the  
2 Freedom county auditor during the filing period for candidates for the  
3 1998 general election.

4 (3) The ballot proposition to select the county seat must list the  
5 names of the nominated cities, towns, or commonly named areas  
6 alphabetically. Each voter may select a single nominee. The nominee  
7 receiving the greatest number of votes shall be the permanent county  
8 seat of Freedom county effective on the official date of creating  
9 Freedom county until removed under general law.

10 NEW SECTION. **Sec. 307.** The department of community, trade, and  
11 economic development shall establish an initial annual salary for each  
12 elected official position in Freedom county. The annual salary for  
13 each county elected official position in Freedom county shall be the  
14 average annual salary for the same position in noncharter counties of  
15 approximately the same population. The decision of the department of  
16 community, trade, and economic development establishing these annual  
17 salaries shall be final. The salary shall be paid during the interim  
18 period and thereafter until altered by the board of county  
19 commissioners of Freedom county.

20 NEW SECTION. **Sec. 308.** Snohomish county shall assist Freedom  
21 county from the effective date of this section through the interim  
22 period and after the interim period for a reasonable period until  
23 Freedom county is able to handle its affairs, including, but not  
24 limited to, providing services, work, staff, materials, supplies,  
25 equipment, and other property, and loaning money to Freedom county.

26 Freedom county shall pay Snohomish county for the value of  
27 assistance it provides to Freedom county after the interim period,  
28 which could be in the form of crediting the value of this assistance  
29 against any amount that Snohomish county may be required to provide  
30 Freedom county under sections 401 through 404 of this act.

31 Snohomish county shall continue financing maintenance and  
32 construction of county facilities, and providing county services, in  
33 Freedom county from the effective date of this section through during  
34 the interim period as if Freedom county were not authorized to be  
35 created. During the interim period, each officer of Snohomish county  
36 shall retain authority over the portions in Snohomish county of what

1 will become Freedom county as if Freedom county were not authorized to  
2 be created.

3 NEW SECTION. **Sec. 309.** Budgets for the interim period and the  
4 initial budget for Freedom county effective for the first calender year  
5 after the interim period shall be adopted as provided in this section.

6 The interim board of county commissioners shall adopt an interim  
7 budget or budgets for the interim period in consultation with the  
8 office of the state auditor. The initial interim budget may authorize  
9 the expenditure of moneys in a general sense without specific detail.

10 In addition, the interim board of county commissioners shall adopt  
11 a budget for calendar year 1999 and may impose property taxes in 1998  
12 to be collected in 1999. A public hearing shall be held on the  
13 proposed budget for this budget prior to its adoption. A budget  
14 message shall be prepared for the proposed budget that contains an  
15 explanation of the budget document, an outline of the recommended  
16 financial policies and programs of the county for the ensuing fiscal  
17 year, and a statement of the relation of the recommended appropriation  
18 to such policies and programs. Immediately following the release of  
19 the preliminary budget, the interim board of county commissioners shall  
20 cause a notice of the public hearing on the budget to be published once  
21 each week for two consecutive weeks prior to the public hearing, which  
22 shall be held at least twenty days before the official date of  
23 creation. Any taxpayer may appear and be heard for or against any part  
24 of the budget. The interim board of county commissioners may make such  
25 adjustments and changes as it deems necessary and may adopt the final  
26 budget at the conclusion of the public hearing or at any time  
27 thereafter before the official date of creation.

28 NEW SECTION. **Sec. 310.** During the interim period, the interim  
29 board of county commissioners may borrow money from the state treasurer  
30 in amounts and on terms deemed prudent and reasonable by the state  
31 treasurer. The state treasurer may withhold moneys from the funds  
32 otherwise payable to the new county to assure repayment.

33 NEW SECTION. **Sec. 311.** Counties, cities, towns, and other local  
34 government agencies and state agencies may make loans of staff and  
35 equipment, and technical and financial assistance to Freedom county

1 during the interim period to facilitate its transition. Such loans and  
2 assistance may be with or without compensation.

3 NEW SECTION. **Sec. 312.** The department of community, trade, and  
4 economic development shall identify federal, state, and local agencies  
5 that should receive notification that Freedom county is about to be  
6 created and shall assist Freedom county during its interim period in  
7 providing such notification to the identified agencies.

8 NEW SECTION. **Sec. 313.** The interim county officers of Freedom  
9 county during the interim period are subject to all state laws limiting  
10 the authority of or imposing obligations on such offices as if the new  
11 county were fully established.

12 **PART IV - DEBTS AND LIABILITIES, PROPERTY, AND ASSETS**

13 NEW SECTION. **Sec. 401.** Freedom county shall be liable for a just  
14 proportion of the debts and liabilities of Snohomish county, and  
15 entitled to its just proportion of the property and assets of Snohomish  
16 county.

17 The division and distribution of these debts and liabilities,  
18 property, and assets shall be determined as provided in sections 402  
19 and 403 of this act, and the provisions of chapter 36.09 RCW shall not  
20 apply to the just distribution of these debts and liabilities,  
21 property, and assets.

22 NEW SECTION. **Sec. 402.** A negotiation party shall be appointed to  
23 distribute the debts and liabilities, property, and assets of Snohomish  
24 county between Snohomish county and Freedom county.

25 Each negotiation party shall consist of six persons, three  
26 appointed by the executive of Snohomish county and the other three  
27 appointed by the interim board of county commissioners of Freedom  
28 county.

29 The first meeting of the negotiation party shall be at a convenient  
30 time, date, and place designated by the Snohomish county executive,  
31 which must be within thirty days after the date members of the interim  
32 board of county commissioners of Freedom county assume office. If an  
33 impasse is reached in the negotiations of the negotiating party, either  
34 Snohomish county or Freedom county may petition the department of

1 community, trade, and economic development to engage in, and the  
2 department of community, trade, and economic development is authorized  
3 to provide, arbitration to determine the just division and distribution  
4 of the debts and liabilities, property, and assets. The results of the  
5 arbitration are binding on Snohomish county and Freedom county.

6 NEW SECTION. **Sec. 403.** (1) The division and distribution of debts  
7 and liabilities, property, and assets of Snohomish county between  
8 Freedom county and Snohomish county shall conform with the requirements  
9 and policies contained in this section.

10 (2) The physical location of real property, including roads and  
11 bridges, shall determine ownership of the real property. Real property  
12 of Snohomish county that is located within Freedom county shall become  
13 the property of Freedom county upon creation. All real property,  
14 including roads and bridges, of Snohomish county that is located within  
15 what will remain of Snohomish county shall remain the property of  
16 Snohomish county.

17 Any radio communication facilities located in Freedom county or  
18 Snohomish county deemed necessary by the respective counties for the  
19 health, safety, and welfare shall be subject to a long-term lease  
20 negotiated by the respective negotiating parties during the interim  
21 period.

22 (3) Freedom county shall be liable to Snohomish county for any  
23 debts and liabilities of Snohomish county associated with real  
24 property, including roads and bridges, located in Freedom county of  
25 which it obtains ownership. Any debts or liabilities associated with  
26 real property, including roads and bridges, located within Snohomish  
27 county after the creation of Freedom county of which Snohomish county  
28 retains ownership shall be the liability of Snohomish county.

29 (4) All equipment owned by Snohomish county that is used in  
30 administration, construction, or maintenance of roads or bridges must  
31 be apportioned between Freedom county and Snohomish county, so that  
32 Freedom county receives a portion of this equipment that is in the same  
33 proportion that the number of miles of county roads in Freedom county,  
34 that were part of Snohomish county, is to the total number of miles of  
35 county roads in Snohomish county before the creation of Freedom county.

36 (5) All other assets of Snohomish county including personal  
37 property, leasehold interest, intangible property, such as cash,  
38 securities, and receivables including back taxes, surplus moneys, and

1 any other monetary instruments, shall be apportioned in an equitable  
2 manner which provides for a just apportionment between Snohomish county  
3 and Freedom county.

4 All remaining debts and liabilities of Snohomish county shall be  
5 apportioned in an equitable manner which provides for a just  
6 apportionment between Snohomish county and Freedom county.

7 (6) In apportioning the assets, debts, and liabilities between  
8 Snohomish county and Freedom county, the remaining assets, debts, and  
9 liabilities of Snohomish county must be apportioned so that Freedom  
10 county is assigned an amount of these assets, debts, and liabilities  
11 that is in the same proportion as the assessed valuation of Freedom  
12 county, that was part of Snohomish county, is to the total assessed  
13 valuation in Snohomish county before creation of Freedom county. The  
14 assessed valuations must be those used for taxes imposed in the year  
15 1997 for collection in 1998.

16 This section may not be construed to affect the rights of  
17 creditors.

18 (7) The final figure determined under subsection (6) of this  
19 section shall be adjusted by crediting Snohomish county with any costs  
20 it incurred or will incur related to the creation of Freedom county,  
21 which are subject to repayment by Freedom county, any election costs it  
22 incurred or will incur related to Freedom county, and the amount of any  
23 money it lent to Freedom county. Any resulting obligation of Snohomish  
24 county to Freedom county may be satisfied by agreements for Snohomish  
25 county to provide services, maintenance, and construction in Freedom  
26 county after the interim period or future payments to Freedom county.  
27 Any resulting obligation of Freedom county to Snohomish county may be  
28 satisfied by future payments to Snohomish county.

29 (8) The distribution of debts and liabilities shall not be  
30 construed to affect the rights of creditors.

31 NEW SECTION. **Sec. 404.** Any real or personal property taxes,  
32 including any road taxes levied under RCW 36.82.040, levied by  
33 Snohomish county in 1998 for collection in 1999 with respect to the  
34 area of proposed Freedom county that is in Snohomish county shall be  
35 transferred to Freedom county.

36

**PART V - COURTS**

1       **Sec. 501.** RCW 2.08.064 and 1993 sp.s. c 14 s 1 are each amended to  
2 read as follows:

3       There shall be in the counties of Benton and Franklin jointly, five  
4 judges of the superior court; in the county of Clallam, two judges of  
5 the superior court; in the county of Jefferson, one judge of the  
6 superior court; in the ((county)) counties of Snohomish and Freedom  
7 jointly, thirteen judges of the superior court; in the counties of  
8 Asotin, Columbia and Garfield jointly, one judge of the superior court;  
9 in the county of Cowlitz, four judges of the superior court; in the  
10 counties of Klickitat and Skamania jointly, one judge of the superior  
11 court.

12       **Sec. 502.** RCW 3.34.010 and 1995 c 168 s 1 are each amended to read  
13 as follows:

14       The number of district judges to be elected in each county shall  
15 be: Adams, two; Asotin, one; Benton, three; Chelan, two; Clallam, two;  
16 Clark, five; Columbia, one; Cowlitz, two; Douglas, one; Ferry, one;  
17 Franklin, one; Freedom, one; Garfield, one; Grant, two; Grays Harbor,  
18 two; Island, one; Jefferson, one; King, twenty-six; Kitsap, three;  
19 Kittitas, two; Klickitat, two; Lewis, two; Lincoln, one; Mason, one;  
20 Okanogan, two; Pacific, two; Pend Oreille, one; Pierce, eleven; San  
21 Juan, one; Skagit, two; Skamania, one; Snohomish, seven; Spokane, nine;  
22 Stevens, one; Thurston, two; Wahkiakum, one; Walla Walla, two; Whatcom,  
23 two; Whitman, one; Yakima, four. This number may be increased only as  
24 provided in RCW 3.34.020.

25       NEW SECTION. **Sec. 503.** A district court judge of Freedom county  
26 shall be elected at the 1998 general election to a four-year term of  
27 office.

28       NEW SECTION. **Sec. 504.** The district court for Freedom county  
29 shall obtain jurisdiction over all new matters over which the court  
30 otherwise has jurisdiction pursuant to the state Constitution and state  
31 law filed after the interim period. The district court of Snohomish  
32 county shall retain jurisdiction of any matters pending before it or on  
33 appeal from it prior to the end of the interim period unless all  
34 parties to such matter stipulate to a change of venue to the district  
35 court of Freedom county.

1 All pleadings, process, documents, and files in the offices of  
2 officers of the district court of Snohomish county pertaining to  
3 actions and proceedings transferred to the district court of Freedom  
4 county must be certified and transferred to the appropriate county  
5 officers of the district court of Freedom county.

6 **PART VI - MISCELLANEOUS**

7 NEW SECTION. **Sec. 601.** All records, documents, and papers in the  
8 offices of Snohomish county that provide the functions of a county  
9 auditor, county assessor, county treasurer, and other county officers,  
10 affecting the title or possession of real property in Freedom county,  
11 assessed valuation of property located in Freedom county, registration  
12 of voters residing in Freedom county, or other appropriate matters,  
13 must be certified by the appropriate county official of Snohomish  
14 county and transferred to the appropriate county officials and officers  
15 of Freedom county at no cost to Freedom county. Certified copies shall  
16 be provided if the original records, documents, or papers are not  
17 transferred. The appropriate county officials of Snohomish county and  
18 Freedom county may agree to transfers utilizing electronic,  
19 photostatic, mechanical, or other methods that adequately ensure the  
20 accuracy of the transferred information. Subject to copyright  
21 restrictions, Snohomish county shall provide computer programs and  
22 software for maintenance and daily application of recordkeeping and  
23 data base management at no cost to Freedom county.

24 Any original document relating to real property or matters in  
25 Freedom county that Snohomish county deems expendable and will be  
26 destroyed shall be transferred to Freedom county.

27 The records, documents, and papers, or certified copies, shall be  
28 transferred when Freedom county has facilities and staffing that are  
29 adequate to provide sufficient security for the transferred items and  
30 allow reasonable access to these items.

31 NEW SECTION. **Sec. 602.** Except as provided in this section, the  
32 creation of Freedom county shall not affect the boundaries of a city,  
33 town, or special district, including a port district or public utility  
34 district, of any kind.



1 (1) Effective on the official date of creating Freedom county, the  
2 road district in Snohomish county shall have any territory removed that  
3 is included in Freedom county.

4 (2) Effective on the official date of creating Freedom county, the  
5 Sno-Isl intercounty rural library district shall become the Sno-Isl-  
6 Free intercounty rural library district with the same boundaries it had  
7 as the Sno-Isl intercounty rural library district, and the library  
8 trustees shall remain in office for the remainder of their terms of  
9 office. An agreement shall be reached to include the board of county  
10 commissioners of Freedom county in the process to appoint their  
11 successors, with the vote on each appointment distributed among the  
12 members of the county legislative authorities so that the combined  
13 total vote of all the members of a single county legislative authority  
14 is in direct proportion to the percentage of population from that  
15 county residing in the library district and each member of that county  
16 legislative authority receives an equal portion of that vote.

17 NEW SECTION. **Sec. 603.** If any provision of this act or its  
18 application to any person or circumstance is held invalid, the  
19 remainder of the act or the application of the provision to other  
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 604.** Section 1 and sections 101 through 104 are  
22 necessary for the immediate preservation of the public peace, health,  
23 or safety, or support of the state government and its existing public  
24 institutions, and take effect immediately. Sections 201 through 203 of  
25 this act take effect January 1, 1999. Sections 301 through 313, 401  
26 through 404, 501 through 504, 601, and 602 of this act take effect upon  
27 certification that a majority of those voting on the question of the  
28 creation of Freedom county voted in favor of the creation of Freedom  
29 county.

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