
HOUSE BILL 1548

State of Washington

55th Legislature

1997 Regular Session

By Representative Koster

Read first time 01/30/97. Referred to Committee on Government Reform & Land Use.

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 and 36.04.040;
4 adding a new section to chapter 36.04 RCW; creating new sections;
5 providing an effective date; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.04 RCW
8 to read as follows:

9 Freedom county shall consist of the territory bounded as follows,
10 to wit: Commencing at the southwest corner of Skagit county; thence
11 east along the eighth standard parallel to the summit of the Cascade
12 mountains; thence southerly along the summit of the Cascade mountains
13 to its intersection with the township line between townships twenty-
14 nine and thirty north; thence west along this township line between
15 townships twenty-nine and thirty to its intersection with the
16 centerline of state highway No. 9; thence northerly along this
17 centerline of state highway No. 9 to its intersection with the township
18 line between townships thirty and thirty-one north; thence west on this
19 township line between townships thirty and thirty-one north to its

1 intersection with the main channel of Port Susan; thence northerly up
2 this main channel of Port Susan to the mouth of the Stillaguamish
3 river; thence northwesterly through the channel of the slough at the
4 head of Camano Island, known as Davis Slough; thence northerly to the
5 place of beginning.

6 **Sec. 2.** RCW 36.04.310 and 1877 p 426 s 3 are each amended to read
7 as follows:

8 Snohomish county shall consist of the territory bounded as follows,
9 to wit: Commencing at the (~~southwest corner of Skagit county; thence~~
10 ~~east along the eighth standard parallel~~) intersection of the main
11 channel of Port Susan and the township line of townships twenty-nine
12 and thirty north of the Willamette Meridian; thence east along this
13 township line between townships twenty-nine and thirty north to its
14 intersection with the centerline of state highway No. 9; thence
15 southerly along this centerline of state highway No. 9 to its
16 intersection with the township line between townships twenty-nine and
17 thirty north; thence east along this township line between townships
18 twenty-nine and thirty to the summit of the Cascade mountains; thence
19 southerly along the summit of the Cascade mountains to the northeast
20 corner of King county, it being a point ((due east of the northeast
21 corner of township twenty-six north, range four east)) on the township
22 line between township twenty-six north and township twenty-seven north,
23 said point lying near the north quarter-corner of section three,
24 township twenty-six north, range thirteen east of the Willamette
25 Meridian; thence due west along ((the north boundary of King county))
26 this township line between township twenty-six north and twenty-seven
27 north to Puget Sound; thence northerly along the channel of Puget Sound
28 and Possession Sound to the entrance of Port Susan, including Gedney
29 Island; thence northerly up the main channel of Port Susan to the
30 ~~((mouth of the Stillaguamish river; thence northwesterly through the~~
31 ~~channel of the slough at the head of Camano Island, known as Davis~~
32 ~~Slough; thence northerly to the)) place of beginning.~~

33 **Sec. 3.** RCW 36.04.040 and 1899 c 95 s 1 are each amended to read
34 as follows:

35 Chelan county shall consist of the territory bounded as follows, to
36 wit: Beginning at the point of intersection of the middle of the main
37 channel of the Columbia river with the fifth standard parallel north,

1 thence running west along said fifth standard parallel north to the
2 point where said fifth standard parallel north intersects the summit of
3 the main divide between the waters flowing northerly and easterly into
4 the Wenatchee and Columbia rivers, and the waters flowing southerly and
5 westerly into the Yakima river, thence in a general northwesterly
6 direction along the summit of said main divide between the waters
7 flowing northerly and easterly into the Wenatchee and Columbia rivers
8 and the waters flowing southerly and westerly into the Yakima river,
9 following the course of the center of the summit of the watershed
10 dividing the said respective waters, to the center of the summit of the
11 Cascade mountains, at the eastern boundary line of King county; thence
12 north along the east boundary lines of King, Snohomish, Freedom, and
13 Skagit counties to the point upon the said east boundary of Skagit
14 county, where said boundary is intersected by the watershed between the
15 waters flowing northerly and easterly into the Methow river and the
16 waters flowing southerly and westerly into Lake Chelan, thence in a
17 general southeasterly direction along the summit of the main divide
18 between the waters flowing northerly and easterly into the Methow river
19 and the waters flowing westerly and southerly into Lake Chelan and its
20 tributaries; following the course of the center of the summit of the
21 watershed dividing said respective waters, to the point where the
22 seventh standard parallel north intersects said center of the summit of
23 said watershed; thence east along the said seventh standard parallel
24 north to the point of intersection of the middle of the main channel of
25 the Columbia river with said seventh standard parallel north; thence
26 down the middle of the main channel of the Columbia river to the point
27 of beginning.

28 NEW SECTION. **Sec. 4.** (1) Freedom county shall be liable for and
29 shall pay to Snohomish county its proportion of the indebtedness of
30 Snohomish county, existing at the time of the adoption of this act, and
31 be entitled to its proportion of allowance for its proportion of the
32 value of the property and assets owned by Snohomish county at that
33 time. To forego undue financial hardship to either county, after the
34 final tabulations have been made concerning the amount owed by Freedom
35 county for Freedom county's portion of the debt of Snohomish county and
36 the amount owed by Snohomish county to Freedom county for Freedom
37 county's portion of the property or assets of Snohomish county, a
38 payment plan of not longer than three years may be approved for the

1 remaining balance after the down payment. Upon the organization of
2 Freedom county and the appointment and induction into office of its
3 auditor, such auditor shall give notice to the auditor of Snohomish
4 county that at some certain date not less than ten days after the
5 giving of such notice, the Freedom county auditor will meet with the
6 auditor of Snohomish county at the county seat of Snohomish county, to
7 settle the accounts between the two counties. In the accounting
8 between the two auditors, Freedom county shall be held liable for a
9 proportion of the indebtedness of Snohomish county based upon the
10 proportion which the assessed valuation of the property lying within
11 Freedom county bears to the assessed valuation of the property lying
12 within the whole of Snohomish county prior to the creation of Freedom
13 county, as determined by the assessment rolls for the year 1996, or the
14 closest assessment thereto: PROVIDED, HOWEVER, That neither county
15 shall be charged with any part of any debt or liability incurred in the
16 purchase of any county property or in the purchase or construction of
17 any county property or in the purchase or construction of any county
18 building or in the construction of roads or bridges which shall be and
19 remain after the division is made within the limits of the other
20 county.

21 In the event of disagreement between the auditors of the two
22 counties, or in the event of failure or refusal of either of the
23 auditors to act, an action may be brought by either county in the
24 superior court of the state of Washington for Chelan county to
25 determine the account, such action to be governed by the rules of law
26 affecting other civil actions.

27 (2) The procedures provided in chapter 36.09 RCW shall not apply to
28 this settlement.

29 NEW SECTION. **Sec. 5.** The property taxes levied before the
30 creation of Freedom county shall be collected by the officers of
31 Snohomish county, but Freedom county shall be entitled to receive and
32 Snohomish county will pay to Freedom county, the amount of real
33 property taxes theretofore imposed and not collected upon the property
34 falling within the boundaries of Freedom county. Snohomish county
35 shall have and retain all personal property taxes on the tax rolls,
36 without regard to which county such property may be in after division,
37 as compensation for the cost of collecting of all the taxes.

1 NEW SECTION. **Sec. 6.** The location of the county seat of Freedom
2 county shall be determined by the voters of Freedom county at the
3 general election of 1997. Any city or town within Freedom county may
4 become a contestant for the county seat of Freedom county, that shall
5 have filed or caused to be filed with the county auditor of Freedom
6 county, not less than thirty days prior to the time when the auditor is
7 required by law to have ballots prepared for the general election. The
8 name of any city or town in Freedom county shall be placed on that
9 ballot to be chosen as the county seat if a petition proposing the city
10 or town is submitted that has been signed by not less than one hundred
11 registered voters of Freedom county. The county auditor, in preparing
12 the ballots, shall place thereon, under appropriate head, in
13 alphabetical order, the names of the cities or towns that shall have
14 filed such petitions, with a square opposite each name, in which the
15 voters shall indicate by a cross made therein, their choice for the
16 county seat, and the city or town receiving a plurality of the votes
17 cast at the election, shall be and remain the county seat of Freedom
18 county, until removed, as provided by law. Until the location of the
19 county seat is determined, as herein provided, the seat of county
20 government shall be at Arlington, from which place the business of the
21 county shall be carried on until the location of the county seat is
22 established.

23 NEW SECTION. **Sec. 7.** The governor shall immediately, upon the
24 effective date of this act, appoint two registered voters of the
25 proposed county of Freedom, from a list of five submitted by the
26 Freedom county steering committee, as two of the three county
27 commissioners of Freedom county. Those two shall choose one of the
28 remaining three names, who shall be and constitute the first board of
29 county commissioners of the county of Freedom and shall hold office
30 until their successors are qualified and assume office on January 1,
31 1998, after being elected at the 1997 general election.

32 NEW SECTION. **Sec. 8.** Such commissioners shall divide their county
33 into precincts and three county commissioner districts and shall create
34 one or more road districts, making only such changes as are rendered
35 necessary by the altered condition of the boundaries occasioned by the
36 separation from the original county.

1 NEW SECTION. **Sec. 9.** In all precincts which retain their own
2 boundaries, the present officers thereof shall retain their respective
3 offices in and for such new county until their respective term of
4 office shall expire, or until their successors are elected and
5 qualified or appointed, and shall give bonds to Freedom county in the
6 same amount and in the same manner as had previously been given to the
7 original county.

8 NEW SECTION. **Sec. 10.** Except as provided in section 9 of this
9 act, the board of county commissioners of Freedom county shall be
10 authorized and required to appoint all of the county officers of the
11 county and the officers so appointed shall commence to hold their
12 office immediately upon their appointment and qualification according
13 to law, and shall hold their offices until their successors are
14 qualified and assume office on January 1, 1998, after being elected at
15 the 1997 general election.

16 NEW SECTION. **Sec. 11.** Until otherwise provided by law, Freedom
17 county shall be and is hereby attached to the district composed of
18 Snohomish county for judicial purposes.

19 NEW SECTION. **Sec. 12.** The board of county commissioners at a
20 regular meeting held within one year from the time they shall qualify
21 as commissioners of the county of Freedom, by an order fully entered in
22 the minutes of their proceedings, shall divide Freedom county into
23 three commissioner districts in the manner provided by law and shall
24 designate the boundaries thereof, and at the next general election in
25 said county there shall be elected three commissioners, one for each of
26 said districts; the commissioner from district number one to be elected
27 for four years and the commissioners for district number two and three
28 for two years.

29 NEW SECTION. **Sec. 13.** Legislative districts shall remain in
30 effect until redistricted.

31 NEW SECTION. **Sec. 14.** Until the county of Freedom is organized by
32 the appointment and qualification of its officers, the jurisdiction of
33 the present officers of Snohomish county shall remain in full force and

1 effect in those portions of the territory constituting the said county
2 of Freedom.

3 NEW SECTION. **Sec. 15.** Within such time as they shall be
4 transcribed after this act shall have become effective, the county
5 auditor of Snohomish county shall certify from the records of Snohomish
6 county all records and all papers and documents on file anywise
7 affecting the title of any estate of property, real or personal,
8 situated within Freedom county, and the county commissioners of Freedom
9 county, shall provide at the expense of the county, proper and suitable
10 record books, to which the said records shall be transcribed and shall
11 transcribe said records as hereinafter provided in legible writing, and
12 said record books and papers shall be delivered to the auditor of
13 Freedom county, and said records, documents, and computer records shall
14 be accepted and received as evidence in all courts and places as if the
15 same had originally been recorded or filed in the office of the auditor
16 of Freedom county.

17 NEW SECTION. **Sec. 16.** All actions and proceedings which shall be
18 pending in the superior court of Snohomish county at the effective date
19 of this act, affecting the title or possession of real estate in
20 Freedom county, or in which all the parties are residents of Freedom
21 county, shall be transferred to the superior court of Freedom county,
22 and all further proceedings had therein shall be in Freedom county, the
23 same as if originally commenced in that county. All other proceedings
24 civil or criminal now pending in the superior court of Snohomish county
25 shall be prosecuted to the termination thereof in said county and
26 court.

27 NEW SECTION. **Sec. 17.** All pleadings, process, documents, and
28 files in the office of the county clerk of Snohomish county affecting
29 pending suits and proceedings shall be transferred as provided in the
30 preceding section, and all records therein transcribed as Snohomish
31 county, and transmitted to the county clerk of Freedom county after
32 said clerk shall have entered upon the duties of said office.

33 NEW SECTION. **Sec. 18.** All records, documents, and papers of
34 record, on file in the office of the county clerk, county auditor, and
35 all other officers of Snohomish county, in anywise affecting the title

1 or possession of real estate or other property in Freedom county and
2 required to be transcribed shall be transcribed and transmitted to the
3 county clerk, county auditor, or other officer of Freedom county by
4 such person or persons as may be employed by the county of Freedom for
5 such purpose under the certificate of the county clerk, county auditor,
6 and other officers of Snohomish county, and the said record and
7 documents when so transcribed and transferred shall be received as
8 evidence in all courts and places as originally recorded and filed in
9 the county of Freedom.

10 NEW SECTION. **Sec. 19.** All records of Snohomish county required by
11 this act to be transcribed shall be transcribed by the person to be
12 employed by the county commissioners of Freedom county, as follows, to
13 wit: Said transcribing shall be done by a person or persons under
14 contract, who shall receive said contract after bids for said work
15 shall have been advertised and the contract given to the best bidder.
16 All records so transcribed shall be certified by the officer of the
17 respective offices from which said records shall be transcribed, under
18 the seal of the office, in the manner following, to wit: Each book of
19 transcribed records shall be certified to be a correct transcript of
20 the records of Snohomish county contained therein, and each officer so
21 certifying shall finally certify to the completeness of all records as
22 transcribed from his or her office. All expense incurred by the county
23 of Snohomish in comparing and certifying the records required to be
24 transcribed under the provisions of this act shall be borne by the
25 county of Freedom. All original volumes of all records of the
26 assessment rolls of Snohomish county which include only property in the
27 territory comprising the new county of Freedom shall be transmitted to
28 the county of Freedom.

29 NEW SECTION. **Sec. 20.** This act is necessary for the immediate
30 preservation of the public peace, health, or safety, or support of the
31 state government and its existing public institutions, and takes effect
32 July 1, 1997.

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