
HOUSE BILL 1660

State of Washington

55th Legislature

1997 Regular Session

By Representative Koster

Read first time 02/04/97. Referred to Committee on Government Reform & Land Use.

1 AN ACT Relating to the creation of Skykomish 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, 36.04.170,
4 36.04.040, 2.08.064, and 3.34.010; adding a new section to chapter
5 36.04 RCW; creating new sections; providing an effective date; and
6 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 Skykomish county, and the areas remaining in Snohomish
10 county and King county after the creation of Skykomish county, meet the
11 population requirements in Article XI, section 3 of the state
12 Constitution, and that petitions exist proposing the creation of
13 Skykomish county with sufficient valid signatures under the
14 requirements of Article XI, section 3 of the state Constitution, to
15 allow the legislature to create Skykomish county.

16 **PART I - LEGAL DESCRIPTIONS**

1 NEW SECTION. **Sec. 101.** A new section is added to chapter 36.04
2 RCW to read as follows:

3 Skykomish county shall consist of the territory bounded as follows,
4 to wit: Commencing at the point where the east margin of the High
5 Bridge road intersects with the boundary of King county at the township
6 line between townships twenty-six and twenty-seven north of the
7 Willamette Meridian; thence east along this township line between
8 townships twenty-six and twenty-seven north to its intersection with
9 the range line between ranges nine and ten east; thence south along
10 this range line between ranges nine and ten east to its intersection
11 with the township line between townships twenty-five and twenty-six
12 north; thence east along this township line between townships twenty-
13 five and twenty-six north to its intersection with the summit of the
14 Cascade mountains; thence northerly along the summit of the Cascade
15 mountains to its intersection with the township line between townships
16 twenty-nine and thirty north; thence west along this township line
17 between townships twenty-nine and thirty north to its intersection with
18 the east margin of the Northern Pacific railroad right of way, which is
19 also known as centennial trail, as it exists on January 1, 1997; thence
20 southerly along this east margin of the Northern Pacific railroad right
21 of way to its intersection with the boundaries of the city of
22 Snohomish, as those boundaries existed on January 1, 1997; thence
23 southerly and easterly and thence westerly along these boundaries of
24 the city of Snohomish, as those boundaries existed on January 1, 1997,
25 to their intersection with the Snohomish river; thence west to the
26 centerline of the main channel of the Snohomish river; thence southerly
27 upstream along this centerline of the main channel of the Snohomish
28 river to its intersection with the centerline of the main channel of
29 the Snoqualmie river; thence southerly upstream along this centerline
30 of the main channel of the Snoqualmie river to its intersection with
31 the southern margin of Crescent Lake road; thence southwesterly along
32 this southern margin of the Crescent Lake road to its intersection with
33 the east margin of High Bridge road; thence southerly along this east
34 margin of High Bridge road to the place of beginning.

35 **Sec. 102.** RCW 36.04.310 and 1877 p 426 s 3 are each amended to
36 read as follows:

37 Snohomish county shall consist of the territory bounded as follows,
38 to wit: Commencing at the southwest corner of Skagit county; thence

1 east along the eighth standard parallel to the summit of the Cascade
2 mountains; thence southerly along the summit of the Cascade mountains
3 to (~~the northeast corner of King county, it being a point due east of~~
4 ~~the northeast corner of township twenty-six north, range four east~~))
5 its intersection with the township line between townships twenty-nine
6 and thirty north; thence west along this township line between
7 townships twenty-nine and thirty north to its intersection with the
8 east margin of the Northern Pacific railroad right of way, which is
9 also known as centennial trail, as it exists on January 1, 1997; thence
10 southerly along this east margin of the Northern Pacific railroad right
11 of way to its intersection with the boundaries of the city of
12 Snohomish, as those boundaries existed on January 1, 1997; thence
13 southerly and easterly and thence westerly along the boundaries of the
14 city of Snohomish, as those boundaries existed on January 1, 1997, to
15 their intersection with the Snohomish river; thence west to the
16 centerline of the main channel of the Snohomish river; thence southerly
17 upstream along this centerline of the main channel of the Snohomish
18 river to its intersection with the centerline of the main channel of
19 the Snoqualmie river; thence southerly upstream along this centerline
20 of the main channel of the Snoqualmie river to its intersection with
21 the southern margin of Crescent Lake road; thence southwesterly along
22 this southern margin of the Crescent Lake road to its intersection with
23 the east margin of High Bridge road; thence southerly along this east
24 margin of High Bridge road to its intersection with the boundary of
25 King county at the township line between townships twenty-six and
26 twenty-seven north; thence due west along the north boundary of King
27 county to Puget Sound; thence northerly along the channel of Puget
28 Sound and Possession Sound to the entrance of Port Susan, including
29 Gedney Island; thence northerly up the main channel of Port Susan to
30 the 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. 103.** RCW 36.04.170 and 1 H.C. s 13 are each amended to read
34 as follows:

35 King county shall consist of the territory bounded as follows, to
36 wit: Beginning at the point of intersection of the center of East
37 Passage (also known as Admiralty Inlet) on Puget Sound and the
38 northerly line of the Puyallup Indian Reservation (projected

1 northwesterly); thence southeasterly in a straight line along said
2 northerly line of Puyallup Indian Reservation and same extended to a
3 point on the east line of section thirty-one, township twenty-one,
4 north, range four east, Willamette Meridian; thence south along said
5 east line of section thirty-one, township twenty-one, range four east,
6 Willamette Meridian, to the township line between township twenty north
7 and township twenty-one north (being the fifth standard parallel
8 north); thence east along said township line between township twenty
9 north and township twenty-one north to the middle of the main channel
10 of White river, near the northeast corner of section three, township
11 twenty north, range five east, Willamette Meridian; thence upstream
12 along the middle of the main channel of White river to the forks of
13 White river and Greenwater river; thence upstream along the middle of
14 the main channel of the Greenwater river to the forks of the Greenwater
15 river and Meadow creek; thence upstream along the middle of the main
16 channel of Meadow creek to the summit of the Cascade mountains, at a
17 point known as Naches Pass, said point lying in the southwest quarter
18 of section thirty-five, township nineteen north, range eleven east,
19 Willamette Meridian; thence northerly along the summit of the Cascade
20 mountains to ~~((a point on))~~ its intersection with the township line
21 between townships ~~((twenty-six north and township twenty-seven north,~~
22 ~~said point lying near the north quarter corner of section three,~~
23 ~~township twenty-six north, range thirteen east, Willamette Meridian))~~
24 twenty-five and twenty-six north; thence west along this township line
25 between townships twenty-five and twenty-six north to its intersection
26 with the range line between ranges nine and ten east; thence north
27 along this range line between ranges nine and ten east to its
28 intersection with the township line between townships twenty-six and
29 twenty-seven north; thence west along said township line between
30 township twenty-six north and twenty-seven north to the middle of the
31 channel known as Admiralty Inlet on Puget Sound; thence southerly along
32 said middle of channel known as Admiralty Inlet through Colvo's Passage
33 (West Passage) on the west side of Vashon Island to a point due north
34 of Point Defiance; thence southeasterly along middle of channel between
35 Vashon Island and Point Defiance (Dalcos Passage) to a point due south
36 of Quartermaster Harbor; thence northeasterly along middle of channel
37 known as Admiralty Inlet to point of beginning.

1 **Sec. 104.** RCW 36.04.040 and 1899 c 95 s 1 are each amended to read
2 as follows:

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

33 **PART II - TRANSITION PERIOD AND OFFICIAL DATE OF CREATION**

34 NEW SECTION. **Sec. 201.** The official date of creating Skykomish
35 county shall be January 1, 1999. As provided in section 205 of this
36 act, an interim transition period shall exist commencing on the date

1 the interim elected officials of Skykomish county assume office and
2 continuing until the official date of creating Skykomish county.

3 The following shall occur during this interim period: (1) County
4 facilities and services will continue to be provided by Snohomish
5 county in those portions of Snohomish county that will be stricken and
6 become part of Skykomish county and by King county in those portions of
7 King county that will be stricken and become part of Skykomish county;
8 (2) property and activities in the portion of Snohomish county that
9 will become part of Skykomish county shall remain subject to the
10 governmental jurisdiction and taxing authority of Snohomish county, and
11 property and activities in the portion of King county that will become
12 part of Skykomish county shall remain subject to the governmental
13 jurisdiction and taxing authority of King county; (3) interim elected
14 officials for Skykomish county shall assume partial jurisdiction to
15 provide for a smooth transition of the area into Skykomish county; and
16 (4) the voters of Skykomish county shall be the resident voters of
17 Snohomish county and King county who reside in what will become
18 Skykomish county, and these Skykomish county voters shall elect the
19 elected officials for Skykomish county who assume office at the end of
20 the interim period and shall vote on any ballot propositions submitted
21 to them by the interim board of county commissioners of Skykomish
22 county.

23 To avoid double voting powers, the voters of Snohomish and King
24 counties during this interim period shall only be the voters of those
25 counties residing in what will remain of Snohomish county or King
26 county on the official date of creating Skykomish county and voters of
27 Skykomish county shall not participate in any county election matters
28 relating to Snohomish or King counties. During the period from the
29 effective date of this section until the official date of creating
30 Skykomish county, any ballot proposition authorizing debt or excess
31 levies for King county or Snohomish county shall only encumber the
32 property in King county or Snohomish county as the boundaries exist on
33 the official date of creating Skykomish county.

34 During the interim period, Snohomish and King counties shall
35 receive federal, state, and other moneys allocated to those counties as
36 if Skykomish county were not created. Skykomish county shall be
37 eligible to receive federal, state, and other moneys after the official
38 date of creating the county.

1 NEW SECTION. **Sec. 202.** Interim elected officials of Skykomish
2 county shall be elected in 1997 for each of the elected positions of a
3 county with the population of Skykomish county as specified under RCW
4 36.16.030. If necessary, a primary shall be held on the date of the
5 primary in 1997 to nominate candidates for any of the interim county
6 elective offices, and the interim county elective officials shall be
7 elected at the 1997 general election. The interim county elected
8 officials shall assume office immediately after their election and
9 qualification and shall hold office until their successors are elected,
10 qualified, and assume office.

11 On or before July 1, 1997, the governor shall divide Skykomish
12 county into three county commissioner districts, each comprising
13 approximately the same population. These county commissioner districts
14 shall be used as provided in RCW 36.32.040 for residency purposes and
15 in a primary to nominate candidates for the county commissioner
16 position from each district. The commissioner districts shall remain
17 in effect unless altered by the interim board of county commissioners
18 or a subsequent board of county commissioners.

19 NEW SECTION. **Sec. 203.** A primary and general election shall be
20 held at the normal times in 1998 to nominate and elect the successors
21 of the interim county elected officials, who shall take office on the
22 official date of creating Skykomish county. This primary and general
23 election shall be conducted by the interim Skykomish county auditor,
24 with the assistance of Snohomish and King county election officials.
25 The two county commissioners who are elected receiving the two greatest
26 numbers of votes shall be elected to four-year terms of office, and the
27 other county commissioner who is elected shall be elected to a two-year
28 term of office. All the other county elected officials shall be
29 elected to four-year terms of office.

30 NEW SECTION. **Sec. 204.** All ordinances, rules, and regulations of
31 Snohomish county that were in effect in the portion of Skykomish county
32 that will be stricken from Snohomish county, and all ordinances, rules,
33 and regulations of King county that were in effect in the portion of
34 Skykomish county that will be stricken from King county, shall remain
35 in effect until the effective date of an amendment or repeal of these
36 ordinances, rules, or regulations by the board of county commissioners
37 of Skykomish county.

1 NEW SECTION. **Sec. 205.** An interim period shall exist commencing
2 on the date the interim Skykomish county elected officials assume
3 office and continuing until the official date of creating Skykomish
4 county.

5 During this interim period, the interim county elected officials
6 are authorized to provide for the transition of the area into Skykomish
7 county, including the authority to adopt ordinances that become
8 effective on or after the official date of creating Skykomish county
9 and to enter into contracts and agreements facilitating the transition
10 into a new county and ensuring a continuation of governmental services
11 during the interim period and after the official date of creating
12 Skykomish county.

13 The first meeting of the interim board of county commissioners of
14 Skykomish county shall be held within one week of the certification of
15 the results of their elections at a time, date, and place in Skykomish
16 county designated by the Snohomish county executive. The Snohomish
17 county executive shall cause notice of this first meeting to be
18 published and provide for facilities and staffing for this first
19 meeting. The person elected as an interim county commissioner of
20 Skykomish county receiving the greatest number of votes shall act as
21 the temporary chair of that first meeting until the interim board of
22 county commissioners elects its chair, which shall be its first order
23 of business.

24 Proposed county ordinances that are considered by the interim board
25 of commissioners shall be published to the same extent as proposed
26 county ordinances are required to be published after a county is
27 created. However, any ordinances adopted by the interim board of
28 commissioners at its initial meeting shall be published after they are
29 adopted.

30 During the interim period, the interim board of commissioners and
31 other interim county elected officials may acquire needed facilities,
32 supplies, equipment, insurance, and staff during this interim period as
33 if Skykomish county were in existence.

34 During the interim period, the interim board of county
35 commissioners may adopt rules establishing policies and procedures
36 under the state environmental policy act, chapter 43.21C RCW, and may
37 use these rules and procedures in making determinations under the state
38 environmental policy act, chapter 43.21C RCW. During this interim
39 period, Skykomish county and the interim county elected officials shall

1 be subject to the following as though the county were officially
2 created: RCW 36.16.050 relating to the filing of bonds; RCW 4.24.470
3 relating to immunity; chapter 42.17 RCW relating to open government;
4 chapter 40.14 RCW relating to the preservation and disposition of
5 public records; chapters 42.20 and 42.23 RCW relating to ethics and
6 conflicts of interest; chapters 42.30 and 42.32 RCW relating to open
7 public meetings and minutes; RCW 36.72.075 relating to the designation
8 of an official newspaper, except that the interim board of county
9 commissioners may designate its official county newspaper at any
10 meeting during the interim period; RCW 36.16.138 relating to liability
11 insurance; RCW 36.32.240 through 36.32.270, chapter 36.77 RCW, and
12 statutes referenced therein, relating to public contracts and bidding;
13 and chapter 39.34 RCW relating to interlocal cooperation.

14 During the interim period, Skykomish county is subject to
15 indebtedness limitations provided for a county in chapter 39.36 RCW,
16 and Skykomish county may issue tax anticipation or revenue anticipation
17 notes or warrants and other short-term obligations and funds may be
18 borrowed on the security of these instruments during the interim
19 period, as provided in chapter 39.50 RCW. Funds also may be borrowed
20 from federal, state, and other governmental agencies in the same manner
21 as if Skykomish county were officially created.

22 During the interim period, the interim board of county
23 commissioners may submit ballot propositions to the voters of Skykomish
24 county authorizing single year excess property tax levies as provided
25 in RCW 84.52.052, as well as voter-approved general indebtedness and
26 multiple year excess levies to retire the general indebtedness as
27 provided in RCW 84.52.056 and 39.36.050, with the property taxes to be
28 collected in 1999 and thereafter.

29 During the interim period, the interim board of county
30 commissioners shall impose property taxes for Skykomish county and all
31 taxing districts with boundaries in Skykomish county in 1998 for
32 collection in 1999. For purposes of RCW 84.09.030 establishing the
33 boundaries of taxing districts to impose property taxes in 1998 for
34 collection in 1999, the boundaries of Skykomish county shall be as
35 established in this act, the boundaries of Snohomish county shall be
36 established to remove the portion of that county that is stricken to
37 create Skykomish county, the boundaries of King county shall be
38 established to remove the portion of that county that is stricken to
39 create Skykomish county, the boundaries of the road district in

1 Snohomish county shall include all territory in the Snohomish county
2 road district after any territory in Skykomish county is stricken, the
3 boundaries of the road district in King county shall include all
4 territory in the King county road district after any territory in
5 Skykomish county is stricken, and a single road district shall exist in
6 Skykomish county that includes all unincorporated territory in
7 Skykomish county.

8 During the interim period, the interim board of county
9 commissioners may adopt ordinances imposing excise taxes that counties
10 are authorized to impose, to be collected after the official date of
11 creation, including, but not limited to, sales and use taxes authorized
12 in chapter 82.14 RCW and excise taxes on the sale of real estate
13 authorized in chapter 82.46 RCW. If the ordinances imposing the excise
14 taxes are adopted in a timely manner, these excise taxes shall begin to
15 be collected by or for Skykomish county on the official date of
16 creating Skykomish county. RCW 82.14.036 shall apply during the
17 interim period.

18 NEW SECTION. **Sec. 206.** (1) During the interim period, meetings of
19 the interim board of county commissioners may be held at any location
20 within Skykomish county selected by the interim board of county
21 commissioners. The county voters shall make the selection of the
22 permanent county seat at the general election in 1998.

23 (2) A city, town, or other commonly named area within Skykomish
24 county may be nominated as the permanent county seat in a petition
25 submitted to and validated by the interim Skykomish county auditor,
26 with the assistance of the Snohomish and King county auditors or
27 election officials, that has been signed by voters residing in
28 Skykomish county equal in number to at least one percent of the votes
29 cast in Skykomish county in the 1997 general election. The petition
30 shall be filed with the interim Skykomish county auditor during the
31 filing period for candidates for the election of the Skykomish county
32 officials for the 1998 election.

33 (3) The ballot proposition to select the county seat must list the
34 names of the nominated cities, towns, or commonly named areas
35 alphabetically. Each voter may select a single nominee. The nominee
36 receiving the greatest number of votes shall be the permanent county
37 seat of Skykomish county effective on the official date of creating
38 Skykomish county until removed under general law.

1 NEW SECTION. **Sec. 207.** The department of community, trade, and
2 economic development shall establish an initial annual salary for each
3 elected official position in Skykomish county. The annual salary for
4 each county elected official position in Skykomish county shall be the
5 average annual salary for the same position in noncharter counties of
6 approximately the same population. The decision of the department of
7 community, trade, and economic development establishing these annual
8 salaries shall be final. The salary shall be paid during the interim
9 period and thereafter until altered by the board of county
10 commissioners of Skykomish county.

11 NEW SECTION. **Sec. 208.** Snohomish and King counties shall assist
12 Skykomish county during this interim period and after the interim
13 period for a reasonable period until Skykomish county is able to handle
14 its affairs, including, but not limited to, providing services, work,
15 staff, materials, supplies, equipment, and other property, and loaning
16 money to Skykomish county.

17 Skykomish county shall pay Snohomish county and King county for the
18 value of assistance those counties provide to Skykomish county after
19 the interim period, which could be in the form of crediting the value
20 of this assistance against any amount that Snohomish county or King
21 county may be required to provide Skykomish county under sections 301
22 through 303 of this act.

23 Snohomish and King counties shall continue financing maintenance
24 and construction of county facilities, and providing county services,
25 in Skykomish county during this interim period as if Skykomish county
26 were not authorized to be created. During the interim period, each
27 officer of Snohomish and King counties shall retain authority over the
28 portions in those counties of what will become Skykomish county as if
29 Skykomish county were not authorized to be created.

30 NEW SECTION. **Sec. 209.** Budgets for the interim period and the
31 initial budget for Skykomish county effective for the first calender
32 year after the interim period shall be adopted as provided in this
33 section.

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

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

19 NEW SECTION. **Sec. 210.** During the interim period, the interim
20 board of county commissioners may borrow money from the state treasurer
21 in amounts and on terms deemed prudent and reasonable by the state
22 treasurer. The state treasurer may withhold moneys from the funds
23 otherwise payable to the new county to assure repayment.

24 NEW SECTION. **Sec. 211.** Counties, cities, towns, and other local
25 government agencies and state agencies may make loans of staff and
26 equipment, and technical and financial assistance to Skykomish county
27 during the interim period to facilitate its transition. Such loans and
28 assistance may be with or without compensation.

29 NEW SECTION. **Sec. 212.** The department of community, trade, and
30 economic development shall identify federal, state, and local agencies
31 that should receive notification that Skykomish county is about to be
32 created and shall assist Skykomish county during its interim period in
33 providing such notification to the identified agencies.

34 NEW SECTION. **Sec. 213.** The interim county officers of Skykomish
35 county during the interim period are subject to all state laws limiting

1 the authority of or imposing obligations on such offices as if the new
2 county were fully established.

3 **PART III - DEBTS AND LIABILITIES, PROPERTY, AND ASSETS**

4 NEW SECTION. **Sec. 301.** Skykomish county shall be liable for a
5 just proportion of the debts and liabilities of Snohomish county and
6 King county, and entitled to its just proportion of the property and
7 assets of Snohomish county and King county.

8 The division and distribution of these debts and liabilities,
9 property, and assets shall be determined as provided in sections 302
10 and 303 of this act, and the provisions of chapter 36.09 RCW shall not
11 apply to the just distribution of these debts and liabilities,
12 property, and assets.

13 NEW SECTION. **Sec. 302.** A negotiation party shall be appointed to
14 distribute the debts and liabilities, property, and assets of Snohomish
15 county between Snohomish county and Skykomish county, and a separate
16 negotiation party shall be appointed to distribute the debts and
17 liabilities, property, and assets of King county between King county
18 and Skykomish county.

19 Each negotiation party shall consist of six persons, three
20 appointed by the executive of either Snohomish county or King county
21 and the other three appointed by the interim board of county
22 commissioners of Skykomish county.

23 The first meeting of each negotiation party shall be at a
24 convenient time, date, and place designated by the Snohomish county
25 executive or the King county executive, which must be from thirty to
26 sixty days after the date members of the interim board of county
27 commissioners of Skykomish county assume office. If an impasse is
28 reached in the negotiations of either negotiating party, either the
29 parent county or Skykomish county may petition the department of
30 community, trade, and economic development to engage in, and the
31 department of community, trade, and economic development is authorized
32 to provide, arbitration to determine the just division and distribution
33 of the debts and liabilities, property, and assets. The results of the
34 arbitration are binding on the parent county and Skykomish county.

1 NEW SECTION. **Sec. 303.** (1) The division and distribution of debts
2 and liabilities, property, and assets of Snohomish county between
3 Skykomish county and Snohomish county shall conform with the
4 requirements and policies contained in this section. The division and
5 distribution of debts and liabilities, property, and assets of King
6 county between Skykomish county and King county shall conform with the
7 requirements and policies contained in this section.

8 As used in this section, the term "parent county" shall mean King
9 county or Snohomish county.

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

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

22 (3) Skykomish county shall be liable to the parent counties for any
23 debts and liabilities of the parent counties associated with real
24 property, including roads and bridges, located in Skykomish 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 or King county after the creation of Skykomish county of which
28 either parent county retains ownership shall be the liability of the
29 parent counties respectively.

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

38 (5) All other assets of the parent county including personal
39 property, leasehold interest, intangible property, such as cash,

1 securities, and receivables including back taxes, surplus moneys, and
2 any other monetary instruments, shall be apportioned in an equitable
3 manner which provides for a just apportionment between the parent
4 counties and Skykomish county.

5 All remaining debts and liabilities of the parent county shall be
6 apportioned in an equitable manner which provides for a just
7 apportionment between the parent counties and Skykomish county.

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

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

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

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

32 **PART IV - COURTS**

33 **Sec. 401.** RCW 2.08.064 and 1993 sp.s. c 14 s 1 are each amended to
34 read as follows:

35 There shall be in the counties of Benton and Franklin jointly, five
36 judges of the superior court; in the county of Clallam, two judges of
37 the superior court; in the county of Jefferson, one judge of the

1 superior court; in the ((county)) counties of Snohomish and Skykomish
2 jointly, thirteen judges of the superior court; in the counties of
3 Asotin, Columbia and Garfield jointly, one judge of the superior court;
4 in the county of Cowlitz, four judges of the superior court; in the
5 counties of Klickitat and Skamania jointly, one judge of the superior
6 court.

7 **Sec. 402.** RCW 3.34.010 and 1995 c 168 s 1 are each amended to read
8 as follows:

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

20 NEW SECTION. **Sec. 403.** A district court judge of Skykomish county
21 shall be elected at the 1998 general election to a four-year term of
22 office.

23 NEW SECTION. **Sec. 404.** The district court for Skykomish county
24 shall obtain jurisdiction over all new matters over which the court
25 otherwise has jurisdiction pursuant to the state Constitution and state
26 law filed after the interim period. The district courts of Snohomish
27 and King counties shall retain jurisdiction of any matters pending
28 before them or on appeal from them prior to the end of the interim
29 period unless all parties to such matter stipulate to a change of venue
30 to the district court of Skykomish county.

31 All pleadings, process, documents, and files in the offices of
32 officers of the district courts of Snohomish or King counties
33 pertaining to actions and proceedings transferred to the district court
34 of Skykomish county must be certified and transferred to the
35 appropriate county officers of the district court of Skykomish county.

PART V - MISCELLANEOUS

1

2 NEW SECTION. **Sec. 501.** All records, documents, and papers in the
3 offices of Snohomish and King counties that provide the functions of a
4 county auditor, county assessor, county treasurer, and other county
5 officers, affecting the title or possession of real property in
6 Skykomish county, assessed valuation of property located in Skykomish
7 county, registration of voters residing in Skykomish county, or other
8 appropriate matters, must be certified by the appropriate county
9 official of Snohomish or King county and transferred to the appropriate
10 county officials and officers of Skykomish county at no cost to
11 Skykomish county. Certified copies shall be provided if the original
12 records, documents, or papers are not transferred. The appropriate
13 county officials of Snohomish or King county and Skykomish county may
14 agree to transfers utilizing electronic, photostatic, mechanical, or
15 other methods that adequately ensure the accuracy of the transferred
16 information. Subject to copyright restrictions, Snohomish county and
17 King county shall provide computer programs and software for
18 maintenance and daily application of recordkeeping and data base
19 management at no cost to Skykomish county.

20 Any original document relating to real property or matters in
21 Skykomish county that King or Snohomish county deems expendable and
22 will be destroyed shall be transferred to Skykomish county.

23 The records, documents, and papers, or certified copies, shall be
24 transferred when Skykomish county has facilities and staffing that are
25 adequate to provide sufficient security for the transferred items and
26 allow reasonable access to these items.

27 NEW SECTION. **Sec. 502.** Except as provided in this section, the
28 creation of Skykomish county shall not affect the boundaries of a city,
29 town, or special district of any kind.

30 (1) Effective on the official date of creating Skykomish county,
31 the road district in Snohomish county and the road district in King
32 county shall have any territory removed that is included in Skykomish
33 county.

34 (2) Effective on the official date of creating Skykomish county,
35 the Sno-Isl intercounty rural library district shall become the Sno-
36 Isl-Sky intercounty rural library district with the same boundaries it
37 had as the Sno-Isl intercounty rural library district, and the library

1 trustees shall remain in office for the remainder of their terms of
2 office. An agreement shall be reached to include the board of county
3 commissioners of Skykomish county in the process to appoint their
4 successors, with the vote on each appointment distributed among the
5 members of the county legislative authorities so that the combined
6 total vote of all the members of a single county legislative authority
7 is in direct proportion to the percentage of population from that
8 county residing in the library district and each member of that county
9 legislative authority receives an equal portion of that vote.

10 (3) Effective on the official date of creating Skykomish county,
11 the King county rural library district shall become the Sky-King
12 intercounty rural library district with the same boundaries it had as
13 the King county rural library district and the library trustees shall
14 remain in office for the remainder of their terms of office. An
15 agreement shall be reached to include the board of county commissioners
16 of Skykomish county in the process to appoint their successors, with
17 the vote on each appointment distributed among the members of the
18 county legislative authorities so that the combined total vote of all
19 the members of a single county legislative authority is in direct
20 proportion to the percentage of population from that county residing in
21 the library district and each member of that county legislative
22 authority receives an equal portion of that vote.

23 (4) Effective on the official date of creating Skykomish county,
24 the boundaries of the prior metropolitan municipal corporation of
25 Seattle, which was assumed by King county, shall be reduced to the
26 boundaries of King county as they exist after territory is stricken
27 from King county to create Skykomish county. To avoid the impairment
28 of any contract, any indebtedness of the metropolitan municipal
29 corporation of Seattle, or of King county that is associated with its
30 authority to act as a metropolitan municipal corporation, that is
31 secured with its taxing authority, shall remain in effect and the taxes
32 shall continue to be imposed in the portion of Skykomish county that
33 was stricken from King county until the indebtedness is retired. In
34 return, King county shall continue providing transit service to the
35 portion of Skykomish county that was stricken from King county during
36 the period in which such taxes are imposed.

37 NEW SECTION. **Sec. 503.** If any provision of this act or its
38 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 504.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and takes effect
6 immediately, except sections 101 through 104 of this act take effect
7 January 1, 1999.

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